



236 THIRD STREET  
GREENPORT, NY  
11944

Tel: (631)477-0248  
Fax: (631)477-1877

[villageofgreenport.org](http://villageofgreenport.org)

**MAYOR**

KEVIN STUESSI  
EXT 215

**TRUSTEES**

MARY BESS PHILLIPS  
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE  
ADMINISTRATOR**

PAUL J. PALLAS, P.E.  
EXT 219

**VILLAGE CLERK**

CANDACE HALL  
EXT 214

November 16, 2023 at 6:00 PM  
Mayor and Board of Trustees – Work Session Meeting  
Third Street  
Firehouse  
Greenport, NY 11944

**MOTION TO OPEN MEETING**

**PLEDGE OF ALLEGIANCE**

**PRESENTATION**

RBC Wealth Management

**RESOLUTIONS:**

**WORK SESSION RESOLUTION # 11-2023-1**

RESOLUTION awarding the bid dated March 9, 2023, to KJB Industries, in the total amount of \$55,124 for the purchase and installation of engineered wood fiber and the installation of Village supplied playground equipment and Village supplied borders at Fifth Street Park and authorizing Mayor Stuessi to sign the resulting contract. This award replaces prior award of Resolution 05-2023-22 due to default of contractor.

**WORK SESSION RESOLUTION # 11-2023-2**

WHEREAS, the Board has adopted Article XVII of Chapter 150, providing for a requirement for entertainment permits for certain events, and

WHEREAS, in accordance with Article XVII the Building Inspector prepared an entertainment permit application form, which the Board has reviewed

NOW THEREFORE, be it

RESOLVED that the Board approves the entertainment permit application form as prepared by the Building Inspector, a copy of which is attached to the meeting agenda, and directs the Building Inspector and the Village Clerk to take all administrative steps necessary to make the permit application form available on the Village website and to provide the form to all applicants for entertainment permits.

**WORK SESSION RESOLUTION # 11-2023-3**

Village of Greenport Mayor moved and Board of Trustees seconded that WHEREAS, the Village of Greenport (hereinafter "local government") believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being; WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities; WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities; WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant; NOW,

THEREFORE, IT IS HEREBY RESOLVED that the Village of Greenport, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge, which will have us endeavor to take the following important steps, where appropriate:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

**MONTHLY REPORTS FOR THE FOLLOWING:**

- **FIRE DEPARTMENT** – CHIEF WAYDE MANWARING  
Including compilation of all monthly meeting minutes
- **VILLAGE ADMINISTRATOR** – PAUL J. PALLAS, P.E.  
Road and Water Department  
Sewer Department  
Light Department  
Building Department  
Recreation Department  
Harbor Department  
Marina Manager
- **VILLAGE DEPUTY TREASURER** – ADAM BRAUTIGAM  
Meter Department  
Housing Authority & Community Development
- **VILLAGE CLERK** – CANDACE HALL
- **VILLAGE ATTORNEY** – HARRIS BEACH PLLC

**MAYOR AND VILLAGE BOARD OF TRUSTEES**

**BOARD DISCUSSION**

Village of Greenport Code Committee suggested changes to the Village Code; Chapter 88 – Noise, Chapter 44 – Assemblies, and Chapter 101 – Recreation Areas and Beaches.

**PUBLIC TO ADDRESS THE BOARD**



**Village of Greenport Building Department**

236 Third Street, Greenport, New York, 11944

(631) 477-0248

www.villageofgreenport.org

**ENTERTAINMENT PERMIT APPLICATION CHECKLIST**

**INSTRUCTIONS FOR ENTERTAINMENT PERMIT APPLICATION:**

Please submit the following in six (6) sets collated into separate packets, with original signed set and check for filing fee clipped on top.

1. Completed Application signed and notarized.
2. A separate operating report in respect of the applicable business, entity or property that includes the following information:
  - A. A summary of the type of catered events and/or entertainment which such business, entity or property intends to provide, including the approximate maximum number of persons anticipated to be present within the business or on the applicable property in connection with the hosting of any entertainment or catered affair.
  - B. The approximate anticipated days and hours during which such business, entity or property contemplates hosting entertainment and/or catered affairs; a description of the proposed placement of seating (to the extent seating is to be altered in or at the establishment or applicable property in connection with the hosting of any entertainment or catered affair from that which applies during normal operations of such business).
  - C. Any stage or dancing areas, security arrangements and any proposed noise mitigation or buffering arrangements to be included in connection with the hosting of entertainment and/or catered affairs.
  - D. A statement as to the compatibility of the hosting of entertainment and/or catered affairs with the properties immediately adjacent to the property on which such entertainment or catered affairs will take place as well as the immediately surrounding neighborhood.
  - E. Such other information as to the operation and management of the applicable business, entity or property as the applicant feels is relevant to a determination as to whether such business, entity or property should be granted an entertainment permit.
3. A summary of the days and hours of event or operation of the applicable business, entity, or property.
4. The name or names of and contact information (address and phone number) of all responsible persons for such business, entity, or property (which information shall be available to residents of the Village upon request).

5. Confirmation as to whether or not any responsible person of the business or entity has been convicted of any criminal offenses, whether misdemeanor or felony within the past five (5) years, the nature of such offense(s) (if any) and the sentence(s) (if any) received.
6. A summary of any code violations for which any responsible person or any property owned by such responsible person, or any business operated by such responsible person in New York State or the applicable business, entity or property that is the subject of such application has received notice of in the immediately preceding five (5) years, together with information as to any resolution of such code violations.
7. Such other information as the Building Inspector may deem necessary for the purpose of review of such application and for the administering of the provisions of this Chapter.
8. Copies of noted Covenants and/or Restrictions, if applicable.
9. If this application is applied for by a limited liability company ("LLC"), a list of all members of the LLC must be provided with this application. If any such member is an LLC, the names of the members of the member LLC also must be provided.





**PLANNING BOARD**  
**ENTERTAINMENT PERMIT APPLICATION**

236 Third Street, Greenport, New York, 11944

(631) 477-0248 [www.villageofgreenport.org](http://www.villageofgreenport.org)

**Date of Application** \_\_\_\_\_

All information below is to be completed by the applicant. This completed application is to be accompanied by a separate operating report, and a listing of information as noted in items 3 through 8 of the instructions page. Please refer to Village of Greenport Code Section 150-51 (available on the Village website) for additional details for Entertainment Permits.

**THE OWNER OF THE BUSINESS: (PLEASE PRINT CLEARLY)**

\_\_\_\_\_  
**Owner's Name or Legal Entity with DBA, if applicable**

\_\_\_\_\_  
**Mailing Address**

**City/ Town/ Village**

**State**

**Zip**

\_\_\_\_\_  
**Phone #**

**E-Mail Address**

**CONTACT PERSON (if different from owner)**

*The person to receive all correspondence:*

\_\_\_\_\_  
**First Name**

**Last Name**

**Business Name, if applicable**

\_\_\_\_\_  
**Mailing Address**

**City/ Town/ Village**

**State**

**Zip**

\_\_\_\_\_  
**Phone #**

**E-Mail Address**

**ADDITIONAL CONTACT PERSON (if different from owner)**

*The person to receive all correspondence:*

---

**First Name**                      **Last Name**                      **Business Name, if applicable**

---

**Mailing Address**                      **City/ Town/ Village**                      **State**                      **Zip**

---

**Phone #**                      **E-Mail Address**

**ADDITIONAL CONTACT PERSON (if different from owner)**

*The person to receive all correspondence:*

---

**First Name**                      **Last Name**                      **Business Name, if applicable**

---

**Mailing Address**                      **City/ Town/ Village**                      **State**                      **Zip**

---

**Phone #**                      **E-Mail Address**

**LOCATION OF BUSINESS:**

**Suffolk County Tax Map Number: 1001 Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot \_\_\_\_\_**

**Street Address: \_\_\_\_\_ Greenport, New York, 11944**

**Zoning District:  WC  R1  R2  PD  CR  CG**

**List of LLC members (if applicable) (attach additional sheets if necessary)**

**A brief description of the nature of the activity, use or business of the business, entity and/or property for which the permit is being requested (including whether such business or entity operates all or a portion of its business outdoors).**

# AFFIDAVIT

County of Suffolk ) ss

State of New York )

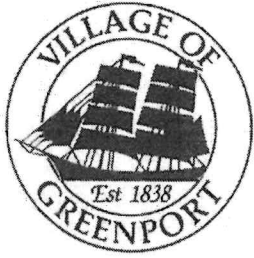
I swear that to the best of my knowledge and belief that the statements contained in this application, together with the plans and specifications submitted, are true and complete statements of the proposed use of the property for entertainment and/or catered affairs. I hereby grant permission to the members of the Planning Board and the Building Inspector to inspect the property prior to the issuance of the Entertainment Permit to assist in their review of the application.

Signature \_\_\_\_\_  
Owner or Applicant

Sworn to be before this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_

Notary Public



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**VILLAGE CLERK**  
CANDACE HALL  
EXT 214

Submitted: November 9, 2023  
Meeting: November 16, 2023, 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: Jeanmarie Oddon, *Deputy Clerk*  
From: Jeanmarie Oddon, *Deputy Clerk*  
Department: Village Clerk Department

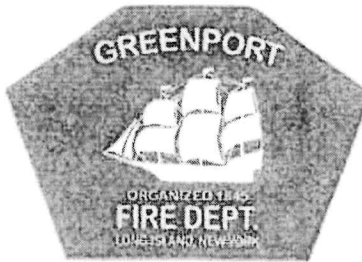
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### **Greenport Fire Dept November 2023 Work Session**

**Attachments:**

Greenport Fire Dept November 2023 Work Session (PDF)

CHIEF WAYDE MANWARING  
1<sup>ST</sup> ASST. CHIEF ALAIN DEKERILLIS  
2<sup>ND</sup> ASST. CHIEF CRAIG JOHNSON  
CHAPLAIN FRANK MUSTO  
ASST. CHAPLAIN CLAUDE KUMJIAN  
SECRETARY/TREASURER ALAIN DEKERILLIS  
DEPARTMENT SECRETARY JAMES KALIN



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## **Meeting of the Board of Wardens**

**WEDNESDAY October 18, 2023**

### **OPENING**

Chief Wayde Manwaring opened the meeting at 7:00pm with The Pledge of Allegiance to the Flag and a moment of silence for the departed members.

### **ATTENDANCE**

Chief Wayde Manwaring

1<sup>st</sup> Ass't Chief Alain de Kerillis

2<sup>nd</sup> Ass't Chief Craig Johnson

Warden Bernard Purcell of Eagle Hose Co. #1

Warden Robert Hamilton of Star Hose Co. #3

Warden Wayne Miller of Standard Hose Co. #4

Wardens Clifford Harris and Peter Harris of Phenix Hook & Ladder Co. #1

Mary Bess Phillips VOG/GFD Liaison

Excused: Wardens Joseph Walters of Eagle Hose Co. #1, Antone Volinski III and Norma Corwin of Relief Hose Co. #2, Patrick Brennan of Star Hose Co. #3 and Scott Hollid of Standard Hose Co. #4

**THOSE WISHING TO ADDRESS THE BOARD** – None

**READING OF THE PREVIOUS MINUTES**

Motion made by C. Harris, seconded by W. Miller, to approve the minutes of the September 20, 2023 meeting of the Board of Wardens as printed and distributed.  
Motion Carried.

**FINANCE COMMITTEE**

The finance committee report will be submitted to the appropriate mailboxes.

**COMPANY OFFICERS' MEETING MINUTES-** No Report.

**TREASURER'S REPORT**

The Treasurer's report for the period of September 1, 2023 through October 18, 2023 was read by Secretary/Treasurer de Kerillis. Motion made by P. Harris, seconded by C.Harris, to accept the treasurer's report as read. Motion carried.  
(report attached)

**BILLS-** None

**COMMUNICATIONS**

1. FDNY Marine Corps Association Big Bucks Cash Bonanza Raffle Tickets
2. ELIH Spaghetti Night at Townsend Manor, 10/26.
3. Rocky Point FD 1968 Pontiac Firebird Raffle.
4. Annual Stuff the Sleigh 5k & Toy Drive, Cutchogue FD looking for sponsors.
5. Lt. Joseph DiBernardo Memorial Seminar in Holtsville Nov 3-5<sup>th</sup>. Looking for a pumper to go for display on Sat. Nov 4<sup>th</sup>. 1<sup>st</sup> Asst Chief de Kerillis would also like to make a \$200 donation.

Motion by W. Miller, seconded by C. Harris, to file and/or forward all communications, Motion carried.

**APPLICATIONS FOR MEMBERSHIP-**

1. William Wright to Eagle Hose.

## REPORTS OF COMMITTEES

### Buildings and Grounds

1. C. Harris reported that we are back on track. The floor people are going to start 10/30. It'll take about a week to finish and then the bathrooms can be finished. R. Hamilton asked why it's taking so long. W. Miller said that the Village put a stop worker order on it and the guy got another job and is going to come back when he can.

Bylaws- No Report.

Finance- No Report.

Fire District- No Report.

Pre-Incident Planning- No Report.

Service Awards- No Report.

Recruitment- No Report.

Casualty Fund- No Report.

Funeral – No Report.

Communications- No Report.

Trips & Travel- No Report.

## COMPANY REQUESTS

Eagle Hose Co. #1- Budget items, speedy-dri

Relief Hose Co. #2- Budget items.

Star Hose Co. #3- Budget items.

Standard Hose Co. #4- 7 guys need masks- 2<sup>nd</sup> Asst Chief Johnson reported they're here. Bunker gear, name tags, helmet shields- he will give list. Class A uniforms, and foot pedal on 15 needs to be fixed.



Phenix Hook & Ladder Co. #1- Helmet front, member needs pair of boots.

Rescue Squad- Budget items.

Fire Police- 6 signs with stop on one side and slow on the other.

Water Rescue- budget items.

**UNFINISHED BUSINESS** – No Report.

**REPORTS OF DELEGATES**- No Report.

**NEW BUSINESS**- No Report.

### **GOOD OF THE DEPARTMENT**

1. P. Harris asked what the latest is on the boat. 2<sup>nd</sup> Asst. Chief Craig Johnson said that they want to have the vessel surveyed by a professional surveyor. They want to make sure investment wise it works. 2<sup>nd</sup> Asst Chief Johnson has contacted Brian Williams, but is trying to contact someone else too because Brian is busy. W. Miller asked what the asking price is. 2<sup>nd</sup> Asst Chief Johnson said \$30,000.
2. W. Miller asked if there is any chance that we can get a point for when everyone comes in to do their air pack reports. They always have a good turn out for it and maybe everyone else can get on board. 2<sup>nd</sup> Asst. Chief Craig Johnson said it could probably be considered a misc. point.
3. Peter Harris asked if anyone has applied for the Custodian Position. Chief Manwaring said he is going to bring that up in a minute.
4. W. Miller asked what the status of the grant money was. Chief Manwaring reported that he gave it to the Village to give to the attorney.
5. B. Purcell asked if we could have Vanduzer look at the stove and make it work right before we finish the kitchen. 1<sup>st</sup> Asst. Chief Alain de Kerillis said that it will never work right because it is not the right stove. R. Hamilton said that if Vanduzer can't fix it we need to get someone else to. B. Purcell is going to look into finding someone else.
6. Mary Bess Phillips said that the investment firm for LOSAP is doing a presentation for the Board and it is probably a good idea for members to be refreshed on the investment portion. If it is not this board meeting it will be the next, but she will let the Wardens know.

7. C. Harris mentioned that the old 835 is still here because the fire academy can't accept a donation of that size before getting it approved.
8. C. Harris said that the school is doing a Trunk or Treat on 10/27 and would like to participate. Motion made by C. Harris, seconded by W. Miller, to participate in the school's Trunk or Treat. Motion Carried.
9. C. Harris also mentioned that at the end of the Halloween Parade there will be a booth for fire prevention if anyone wants to participate.
10. Mary Bess Phillips reported that the Village is starting the process to get a permit for the mini railroad and the Warden's should look at it, including the building in case there is an emergency.
11. P. Harris said that for the old ladder truck the Chief's should reach out to Krupski and have him make a formal resolution to accept the truck. 1<sup>st</sup> Asst. Chief Alain de Kerillis will take care of that.
12. C. Harris said that he got an email for the gear cleaning. He needs to have people signed up and ready to go if we are going to move forward with it. He shouldn't have to search around for gear like he did last year.
13. Motion made by A. de Kerillis, seconded by P. Harris, to send a pumper to Holtsville and give a \$200 donation for the Joseph Di Bernardo Memorial Fund. Motion Carried.
14. B. Purcell asked if we can put the extra tools on the truck for the donation. C. Harris said he will reach out to the Terry Fund.
15. Motion made by C. Harris, seconded by P. Harris, to accept Wright's application for membership. Motion Carried.
16. Chief Manwaring said that he got 2 applications for the administrative assistant, but one backed out. He still needs to call the other person and he got one application for the house assistant. Motion made by P. Harris, seconded by C. Harris, to ask the Village to run both ads and the Secretary position for a couple more weeks and have the applications come to the GFD instead of the Village. Motion Carried.
17. Chief Manwaring reported that 8-3-17 has been out of service since early September and has been at the dealership getting repaired and someone in this dept. called the state on us for lack of ambulance. They thought they were going to spite one person and they spited the whole department. He has been fighting with the state and the county. The ambulance is back in service as of tomorrow. He went to the neighboring departments and no one had any issues. W. Miller asked what the status

is of the new ambulance. Chief Manwaring reported that it is on track for 2025.

18. 2<sup>nd</sup> Asst. Chief Johnson reported that the Southold Town Chiefs Council wants to announce the winner of the raffle at Washington's Birthday. They are not selling tickets there, just announcing. Motion made by C. Harris, seconded by W. Miller to allow the Chief's Council to announce the winner at Washington's Birthday Celebration. Motion Carried.
19. 2<sup>nd</sup> Asst. Chief Johnson also reported that the Annual Southold Chief's Council dinner for Chief's is 11/10 at the North Fork Country Club and he will need a head count before Nov 1<sup>st</sup>.
20. Chief Manwaring wanted to remind the Wardens that the Maritime Parade is this weekend rain or shine.
21. Chief Manwaring said he is going to start getting everything together for Washington's Birthday, getting invites together and company officers together, etc.
22. W. Miller wanted to remind everyone that hydrant testing is on the 29<sup>th</sup> and breakfast will be at station 2. R. Hamilton asked why when we give reports about the hydrants, the Village doesn't fix them. Mary Bess Phillips said that they are working on fixing them now. They are ordering them.
23. Mary Bess Phillips mentioned that there was a code meeting and there was a code for alarms. She mentioned the hotel/apartment alarms and if there's a procedure. She asked if it says anything in the code about resetting the alarms. She is going to bring it to the Chief's to look at since it is in the process of being reviewed it would be a good time to add what's needed.
24. Mary Bess Phillips also said that the Village budget process starts December and the GFD should start early on theirs because it is going to be inexperienced putting it together.

#### **READING OF THE MINUTES**

Motion by P. Harris, seconded by R. Hamilton, to dispense with the reading of the minutes of tonight's meeting. Motion carried.

**ADJOURMENT**

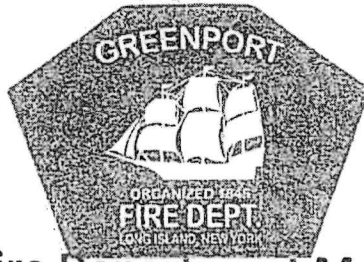
Motion by C. Harris, seconded by W. Miller, to adjourn. Motion carried. The meeting was adjourned at 7:54pm.

Submitted by,

Rebecca J. McKnight

Recording Secretary

CHIEF WAYDE MANWARING  
1<sup>ST</sup> ASST. CHIEF ALAIN DEKERILLIS  
2<sup>ND</sup> ASST. CHIEF CRAIG JOHNSON  
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Email: gfdfire@optonline.net  
www.greenportfd.org

## Greenport Fire Department Monthly Report

### October 2023

**Number of calls this month: 108**

**Number of calls to date: 827**

**Breakdown of calls by signal numbers:**

9 (stand/by) 3  
12 (brush fire) 0  
13 (automatic alarm, smoke, etc.) 26  
13-35 (working structure fire) 0  
14 (vehicle fire) 0  
16 (ambulance/rescue) 72  
16-23 (MVA, water rescue, misc.) 4  
16-59 (routine transport) 0  
23 (CO alarm, medi-vac) 3  
24/13-35 (mutual aid working structure fire) 0  
24/16 (mutual aid ambulance/rescue) 0  
24/16-23 (mutual aid MVA) 0  
24/23 (mutual aid water rescue/misc.) 0  
26 (boat fire) 0

**Breakdown of calls by location:**

Within the Incorporated Village of Greenport 47  
Within the East/West Fire Protection District 61  
Other (mutual aid) 0

( 8 calls behind last year)

Prepared by: James Kalin, Secretary 11/02/2023

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
1																									
2																									
3																									
4																									
5	Arnold, Jordan		76	32 %	25	75	13 %	25		1	13	7	19	3	0	0	0	0	0	0	0	X	X	X	
6	Barron, Megan		148	61 %	25	193	34 %	25		9	16	15	25	4	0	0	0	0	0	0	0	X	X	X	X
7	Barszczewski, Joseph		0	0 %	0	0	0 %	0		0	1	0	0	0	0	0	0	0	0	0	0				
8	Barszczewski, Joseph III	L	33	14 %	25	7	1.2 %	0		0	13	9	5	1	3.75	56.75					X	X	X	X	X
9	Betz, James		23	9.5 %	0	142	25 %	25		0	18	7	7	0	0	0	0	0	0	0	0	X	X	X	
10	Birmingham, Kenneth		4	1.7 %	0	1	0.2 %	0		0	10	15	5	0	0	0	0	0	0	0	0	X	X	X	
11	Breese, Colleen	S	45	19 %	25	61	11 %	25		1	13	15	18	0	5	102					X	X	X	X	
12	Breese, Harry	D	64	27 %	25	10	1.7 %	0		0	4	11	5	0	0.75	45.75					X	X	X	X	
13	Brennan, Patrick	W	23	9.5 %	0	2	0.3 %	0		3	18	5	24	2	8	60					X	X	X	X	
14	Buchanan, Shawn		51	21 %	25	11	1.9 %	0		1	7	8	11	1	0	53					X	X	X	X	X
15	Bumble III, Charles	T	0	0 %	0	0	0 %	0		0	8	6	0	0	5	19									
16	Bumble, Samantha		0	0 %	0	0	0 %	0		0	4	1	4	0	0	9					X	X	X	X	
17	Butler, Michael		81	34 %	25	12	2.1 %	0		1	8	2	5	1	0	42					X	X	X	X	
18	Capon, George		35	15 %	25	47	8.2 %	25		0	12	15	6	0	0	83					X	X	X	X	
19	Carey, Patrick		17	7.1 %	0	16	2.8 %	0		1	9	11	4	0	0	25					X	X	X	X	
20	Charters, Gary		2	0.8 %	0	1	0.2 %	0		0	5	1	3	0	0	9					X	X	X	X	
21	Clark III, Henry		0	0 %	0	0	0 %	0		0	0	0	0	0	0	0									
22	Clark, James	S	56	23 %	25	7	1.2 %	0		2	11	9	5	0	5	57					X	X	X	X	
23	Clark, Jeffrey		88	37 %	25	5	0.9 %	0		0	9	15	13	0	0	62					X	X	X	X	

Greenport Fire Department period ending October 31, 2023

# maximum points in category (as of Sept. 30 500+ EMS calls 7.5% = 25 points)

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
		elect/app	# Fire	%	pts	# EMS	%	pts	st/by	mtes	misc	train	drill	pos(dis)	points	phys	haz	bb	wp/sh	yap					
4	Corazzini, Jeffrey		22	9.1 %	0	64	11 %	25	0	10	2	16	0	0	53										
25	Corazzini, Warren		41	17 %	25	31	5.4 %	0	0	7	1	25	0	0	58	X									
26	Corwin, Everett		16	6.6 %	0	56	9.8 %	25	0	13	14	6	0	0	58	X	X	X	X						
27	Corwin, Norma	C,W	55	23 %	25	137	24 %	25	4	20	15	15	2	12	118	X	X	X	X	X					X
28	Corwin, Robert E.	C,D,I,D,(W)	99	41 %	25	276	48 %	25	6	20	15	21	7	10	129	X	X	X	X	X					X
29	Corwin, Robert J.	L	29	12 %	25	65	11 %	25	4	15	12	14	2	3.75	100.8		X	X	X	X					X
30	Corwin, Scott		40	17 %	25	3	0.5 %	0	0	18	7	3	0	0	53	X									
31	Costas, Tom		42	17 %	25	11	1.9 %	0	0	15	12	6	0	0	58		X	X	X						
32	Creedon, Daniel	S	109	45 %	25	281	49 %	25	1	15	11	25	1	5	108	X	X	X	X						
33	Creighton, Ryan		3	1.2 %	0	3	0.5 %	0	1	2	1	0	0	0	4										
34	De Kerillis, Alain	CH,S,T	108	45 %	25	235	41 %	25	4	20	15	25	7	25	146		X	X	X	X					X
35	DeGaudio, Malysa		47	20 %	25	135	24 %	25	5	3	9	11	0	0	78	X	X	X	X						
36	Detrick, Gary		0	0 %	0	0	0 %	0	0	0	2	0	0	0	2										
37	Diaz, Juan		5	2.1 %	0	5	0.9 %	0	3	6	7	10	2	0	28	X	X	X	X						
38	Diaz, Nicolas		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0										
39	Edwards, Alson		46	19 %	25	12	2.1 %	0	2	12	9	10	1	0	59		X	X	X						X
40	Ellis, Scott		0	0 %	0	1	0.2 %	0	0	0	0	0	0	0	0										
41	Ferguson, Peter		2	0.8 %	0	0	0 %	0	0	5	1	4	0	0	10		X	X	X						
42	Ficurilli, Michael		64	27 %	25	2	0.3 %	0	0	13	8	5	0	0	51		X	X	X						
43	Flora, Michael		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0										
44	Fogarty, Jonathan	T	33	14 %	25	4	0.7 %	0	0	9	5	6	1	5	51	X	X	X	X						X
45	Garcia-Dinizio, Gloria		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0										

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	
4		elect/app	# Fire	%	pts	# EMS	%	pts	st/by	mtgs	misc	train	drill	pos(dis)	points	phys	haz	bb	wp/sh	yap						
46	Garman, Timothy		9	3.7 %	0	0	0 %	0	0	4	2	4	0	0	10		X	X								
47	Gray, Enya		0	0 %	0	1	0.2 %	0	0	0	0	1	0	0	1											
48	Gray, Sally Anne	(L)	29	12 %	25	50	8.7 %	25	3	5	1	22	0	1.25	82.25											
49	Grilli, Jennifer	L	1	0.4 %	0	4	0.7 %	0	1	8	3	8	0	5	25		X	X								
50	Grilli, John	(W)	1	0.4 %	0	3	0.5 %	0	1	10	3	8	0	2	24		X	X								
51	Hannilton Jr., Robert	D, W	93	39 %	25	19	3.3 %	0	0	19	11	8	0	3	66		X	X								
52	Hanold, Christopher	C,T	9	3.7 %	0	7	1.2 %	0	2	13	5	6	0	13	39		X	X								
53	Hanold, Christopher, Jr.		0	0 %	0	0	0 %	0	0	2	0	2	0	0	4											
54	Harris, Cliff	C,W	3	1.2 %	0	1	0.2 %	0	1	15	11	9	0	16	52		X	X								
55	Harris, Peter	L,T,D,W	98	41 %	25	17	3 %	0	3	20	15	12	0	19	94		X	X								
56	Harvey, Russell		5	2.1 %	0	2	0.3 %	0	0	4	2	5	0	0	11		X	X								
57	Hollid, Scott	W	48	20 %	25	5	0.9 %	0	0	10	9	5	0	8	57		X	X								
58	Holmes, Joseph	L	47	20 %	25	20	3.5 %	0	6	12	9	15	1	3.75	71.75		X	X							X	
59	Hubbard Jr, George		29	12 %	25	10	1.7 %	0	0	9	11	5	0	0	50		X	X								
60	Huzsek, Andrew H		106	44 %	25	8	1.4 %	0	0	10	9	11	1	0	56		X	X								
61	Hydell, Carol	C,(S)	12	5 %	0	7	1.2 %	0	5	16	10	10	0	9.25	50.25		X	X								
62	Hydell, Charles		0	0 %	0	0	0 %	0	0	1	0	0	0	0	1											
63	Hydell, Charles, Jr.		0	0 %	0	0	0 %	0	0	1	0	0	0	0	1											
64	Jensen, Warren		75	31 %	25	11	1.9 %	0	2	16	5	19	4	0	71		X	X								
65	Jester, Robert	(W)	4	1.7 %	0	2	0.3 %	0	0	20	8	19	0	2	49		X	X								
66	Jimenez, Susano		2	0.8 %	0	1	0.2 %	0	0	6	6	5	0	0	17		X	X								
67	Jobes, Craig	L,(W)	93	39 %	25	180	31 %	25	4	16	15	12	1	7	105		X	X								



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
4		<b>elect/app</b>	<b># Fire</b>	<b>%</b>	<b>pts</b>	<b># EMS</b>	<b>%</b>	<b>pts</b>	<b>st/by</b>	<b>mtgs</b>	<b>misc</b>	<b>train</b>	<b>drill</b>	<b>pos(dis)</b>	<b>points</b>	<b>phys</b>	<b>haz</b>	<b>bb</b>	<b>wp/sh</b>	<b>yap</b>					
68	Johnson, Craig	CH	104	43 %	25	179	31 %	25	6	20	15	13	4	25	133		X	X	X						
69	Kalin, James		185	77 %	25	431	75 %	25	3	10	12	9	0	0	84	X	X	X	X						
70	King, Kendra		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0										
71	Luke, Alexander		112	46 %	25	38	6.6 %	0	2	10	10	8	2	0	57										
72	Mantzopoulos, John		35	15 %	25	3	0.5 %	0	0	2	1	0	0	0	28	X									
73	Manwaring, Julia		53	22 %	25	59	10 %	25	4	18	13	25	0	0	110	X	X	X	X						
74	Manwaring, Wayde	CH	186	77 %	25	171	30 %	25	6	20	15	25	1	25	142		X	X	X						
75	Marzewski, Macy		17	7.1 %	0	10	1.7 %	0	2	15	15	11	1	0	44	X	X	X	X						
76	Martocchia, Jerome		26	11 %	25	18	3.1 %	0	1	13	7	11	0	0	57	X	X	X	X						
77	Miller, Wayne	W	35	15 %	25	4	0.7 %	0	1	14	15	12	2	8	77	X	X	X	X						
78	Milovich Jr., Joseph		99	41 %	25	16	2.8 %	0	6	10	6	4	0	0	51	X	X	X	X						
79	Musto, Francis	S, Ch	73	30 %	25	121	21 %	25	1	20	15	25	5	10	126	X	X	X	X						
80	Mysliborski, Linda		5	2.1 %	0	5	0.9 %	0	1	3	4	0	0	0	8										
81	Narkiewicz, Piotr		63	26 %	25	158	28 %	25	0	12	9	2	0	0	73	X									
82	Nedoszytko, William	S	0	0 %	0	0	0 %	0	0	8	0	10	0	5	23		X	X	X						
83	Nyce, David	(C)	131	54 %	25	62	11 %	25	1	18	15	25	2	2	113	X	X	X	X						
84	O'Brien, Michael		32	13 %	25	3	0.5 %	0	0	9	3	0	1	0	38										
85	Pal-Singh, Vijay		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0										
86	Parrighano, Victor		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0										
87	Piel, Jeffrey		0	0 %	0	2	0.3 %	0	0	4	2	3	0	0	9										
88	Pirillo, James A.		104	43 %	25	10	1.7 %	0	3	15	15	13	2	0	73	X	X	X	X						
89	Pope, George		81	34 %	25	153	27 %	25	5	20	15	23	5	0	118	X	X	X	X						

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
4		elect/app	# Fire	%	pts	# EMS	%	pts	st/by	mtgs	misc	train	drill	pos(dis)	points	phys	haz	bb	wp/sh	YAP					
90	Purcell, Bernard	W	235	98 %	25	478	83 %	25	8	20	15	25	8	8	134	X	X	X	X	X					
91	Quillin, Michael	D	48	20 %	25	6	1 %	0	3	10	15	9	1	0.75	63.75	X	X	X	X	X					
92	Raynor, Dale	L	53	22 %	25	46	8 %	25	4	11	15	8	1	5	94	X	X	X	X	X					
93	Reed, Michael		7	2.9 %	0	10	1.7 %	0	0	3	1	4	0	0	8		X	X	X						
94	Reed, Taylor	L	71	29 %	25	173	30 %	25	5	11	15	8	1	5	95	X	X	X	X	X					
95	Reiss, Helen		60	25 %	25	95	17 %	25	0	5	4	4	0	0	63	X	X	X	X						
96	Richter, Michael	T,T	37	15 %	25	52	9.1 %	25	0	13	7	19	0	10	99	X									
97	Robins, William	L	55	23 %	25	9	1.6 %	0	3	10	14	6	1	3.75	62.75		X	X	X	X					
98	Rosa, Lisa		28	12 %	25	7	1.2 %	0	1	11	12	13	0	0	62	X	X	X	X						
99	Ruffner, William		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0										
100	Rung, Rosalie		17	7.1 %	0	104	18 %	25	1	4	2	0	0	0	32										
101	Rutkowski, Stephen	(L),D	118	49 %	25	258	45 %	25	1	20	15	16	1	4.25	107.3	X	X	X	X	X					
102	Strezee, John		0	0 %	0	0	0 %	0	0	0	1	0	0	0	1										
103	Spanos, James		1	0.4 %	0	0	0 %	0	0	2	1	0	0	0	3										
104	Staples, Halsey		52	22 %	25	87	15 %	25	0	10	3	7	0	0	70	X	X	X	X	X					
105	Strickland, Samuel	L,D	107	44 %	25	210	37 %	25	4	20	15	25	6	8	128		X	X	X	X					
106	Swetland, Jessica		22	9.1 %	0	39	6.8 %	0	2	15	9	25	4	0	55										
107	Tamm, John		61	25 %	25	77	13 %	25	1	10	9	6	0	0	76	X	X	X	X	X					
108	Tejada, Yira		4	1.7 %	0	10	1.7 %	0	0	5	3	4	0	0	12	X	X	X	X	X					
109	Thorpe, Thomas	L	42	17 %	25	6	1 %	0	2	5	4	7	2	5	50	X	X	X	X	X					
110	Vandenburgh, Richard		2	0.8 %	0	1	0.2 %	0	0	4	4	4	0	0	12		X	X	X	X					
111	VanEtten, George	D	45	19 %	25	10	1.7 %	0	2	12	7	13	3	3	65	X	X	X	X	X					

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	
4																										
		<u>elect/app</u>	<u># Fire</u>	<u>%</u>		<u>pts</u>	<u># EMS</u>	<u>%</u>		<u>pts</u>		<u>st/by</u>	<u>mtgs</u>	<u>misc</u>	<u>train</u>	<u>drill</u>	<u>pos(disl)</u>		<u>points</u>		<u>phys</u>	<u>haz</u>	<u>bb</u>	<u>wp/sh</u>	<u>yap</u>	
112	Verley, Michael		1	0.4 %	0	0	0	0 %	0	0	0	0	1	1	0	0	0	0	2		X					
113	Verley, Joseph, Jr.		0	0 %	0	0	0	0 %	0	0	0	0	0	0	0	0	0	0	0							
114	Volinski, Antone, III	W,L	36	15 %	25	136	24 %	25	25	25	3	18	9	12	0	11.75	103.8			X	X	X	X	X		
115	Volinski, Darryl		3	1.2 %	0	22	3.8 %	0	0	0	1	2	1	4	0	0	0	0	8			X	X	X		
116	Walters, Joseph	W	0	0 %	0	0	0 %	0	0	0	0	8	2	4	0	6	20			X	X	X	X	X		
117	Zaymayar, Elias	(L),C	106	44 %	25	28	4.9 %	0	0	0	5	13	15	19	6	7.25	90.25			X	X	X	X	X	X	
118	Zurek, Gregory		45	19 %	25	5	0.9 %	0	0	0	0	9	12	7	0	0	0	0	53		X	X	X	X		
119	Zurek Jr, Stanley		35	15 %	25	4	0.7 %	0	0	0	1	17	8	12	0	0	0	0	63		X	X	X	X		
120																										

# GREENPORT FD NOVEMBER 2023

DUTY COMPANIES 8-3-1 & 8-3-4 FIRST DUE ON SIGNAL 24s = 8-3-1

OFFICE 631.477.1943 gfdfire@optonline.net

FAX 631.477.4012 gfdsec@optonline.net

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Marine Fire/Rescue 7pm	2 Fire School -Yaphank Flashover 7pm	3	4
				9 Training @ Shelter Island Class "A" 7pm 8-3-5	10	11
5	6 RELIEF HOSE mtg STANDARD HOSE mtg	7 EAGLE HOSE mtg  ELECTION DAY	8 PHENIX H&L mtg			
12	13 STAR HOSE mtg  Dept. Physicals	14 RESCUE SQUAD mtg 7PM FINANCE COMM. Mtg 7:30PM COMPANY OFFICER Mtg Sta #2 7pm	15 WARDENS mtg 7pm  Dept. Physicals	16	17	18 Dept. Training Sta #1 Co Off Leadership 9am  Turkey Shoot Sta #2 6-10pm
19	20	21 Fire Police mtg. 7pm	22	23 <b>THANKSGIVING</b>	24	25
26	27	28	29	30		

Important Future Events on Reverse Side !

Saturday, Dec. 2

Christmas Parade

Thursday, Dec. 14

Department training – Ventilation-Fire Behavior - Sta #1 7pm

Monday, Dec. 18 and Wednesday, Dec. 20

sign in sheet posted at Sta #1

Wednesday, Dec. 20

Wardens Meeting, Sta #1 7pm



236 THIRD STREET  
GREENPORT, NY 11944

Tel: (631)477-0248  
Fax: (631)477-1877

villageofgreenport.org

**MAYOR**  
KEVIN STUESSI  
EXT 215

**TRUSTEES**  
MARY BESS PHILLIPS  
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE  
ADMINISTRATOR**  
PAUL J. PALLAS, P.E.  
EXT 219

**TREASURER**  
STEPHEN GAFFGA  
EXT 217

Submitted: November 7, 2023  
Meeting: November 16, 2023 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: Paul Pallas, P.E. Village Administrator  
From: Paul Pallas, P.E. Village Administrator  
Department: Village Administrator

## Work Session

# Work Session Report for Road and Utilities

November 16, 2023

## Administrator's Office

### Statistics

#### Work Orders:

Electric = 47 Written, 47 Completed

Water = 25 Written, 25 Completed

Sewer = 39 Written, 39 Completed

Road = 61 Written, 61 Completed

### Reports

- ❖ DOH-360: This is a monthly report for bacteriological presence and residual chlorine levels, it was sent on 10-05-2023. The results are detailed below in the Road Department's *Sampling* section.
- ❖ GADS Data: This is a monthly report about run and usage data for the generators at the Power Plant, it was sent on 10-05-2023.

## Discussion

- Microgrid Project Status
- Ferry Queue Project Status
- Entertainment Permit Application

## Resolutions

- NYPA Master Cost Recovery Agreement
- Playground Contract - KJB Industries
- Sidewalk repair contract

## Road/Water Department

### Statistics

Water Distribution:

7,869,000 Gallons Sold

Sampling:

All water samples complied with Department of Health requirements.

Locations:     419 Sixth Street - Slop Sink

Total Coliform = Absent

E Coli = Absent

Residual Chlorine = 0.58 mg/L

Third Street Firehouse - Kitchen Sink

Total Coliform = Absent

E Coli = Absent

Residual Chlorine = 0.57 mg/L

The form, DOH-360, was filed with the DOH on October 5, 2023, with the above results.

## Report

### Tasks Accomplished:

- ❖ Did all normal highway tasks.
- ❖ Mowing of all Village parks and property.
- ❖ Ongoing street sweeping of Village.
- ❖ Ongoing Friday, Saturday, and Sunday 5 pm garbage pickup.
- ❖ Repaired back fence at Road Barn.
- ❖ Patched throughout the Village.
- ❖ Consolidated street sweeper debris at transfer station.
- ❖ Continuation of tree trimming plow route, and tree list.
- ❖ Moved documents for shredding from basement to upstairs at Village Hall.
- ❖ Changed oil on G-8.
- ❖ Brought the CAT to be repaired at Port Auto.
- ❖ Changed beach cleanup bins.
- ❖ Trimmed limbs back from various signs throughout the Village.
- ❖ Removed all plants and debris from Steamboat corner flower beds.
- ❖ Set up for Maritime and collected garbage throughout festival.
- ❖ Repaired G-44 hazard lights.
- ❖ Repaired zero turn Hustler mower.
- ❖ Replaced various "Children at Play" signs throughout the Village.
- ❖



## Sewer Department

### Flow and Sampling:

The plant continues to run well, exceeding DEC permit requirements.

Total plant flow for the month of October = 10,574,000 Gallons

Average Daily Flow = .341 (MGD) Permit Limit = .650 MGD

Total Suspended Solids percent removal (TSS) = 98% Permit Limit = 75%

CBOD percent removal = 98% Permit Limit = 75%

Coliform Fecal General = 3.0 MPN. Permit limit 200 MPN/100

Coliform Total General = 154.4 MPN. Permit limit 700 MPN/100

Total Nitrogen = 5.7 LBS/day

### Sludge Removal:

44,000 Gallons of sludge hauled in October

## Report

❖ Treatment Plant:

SCHD Inspection

Contractor removed broken diffuser on Aerotor #6

Chain misaligned on Aerotor #2, broken gearbox. Removed Basin #1 from service for maintenance and repair

Crew helped at Maritime Festival

Changed bulb in UV system

❖ Collection System:

Backflushed pumps at 6<sup>th</sup> St. Station

Force main break on Manor Pl., Contractor repaired

Jet-rodded downtown business district for preventative maintenance

Verified Olive Branch sewer connection w/ contrast dye

Responded to complaint of sewer backup @ 172 5<sup>th</sup> St. - No issue

## Electric Department

### Statistics

#### Monthly Power Usage:

Maximum usage day = October 6 @ 82.985 Mwh

Minimum usage day = October 17 @ 69.933 Mwh

Peak demand for the month = 4.164 MW October 4, 3:45 pm

Monthly total usage = 2,824.877 Mwh

Service calls/call outs = 9

Street light repairs = 11

Customers shut off for nonpayment = 0

Customers turned on for payment = 0

Customers turned on for the season = 0

New Services = 1

#### Tasks Accomplished:

- ❖ Installed dedicated circuit for the main service at Village Hall.
- ❖ Serviced several streetlights throughout the village.
- ❖ Put the banners back up for ELIH.
- ❖ Received and installed the fuel storage cabinet for the Mini Railroad station.

- ❖ Inspected and function tested new solar panels at residential installation.
- ❖ Installed new electric service for a new home on Anglers Lane.
- ❖ New door was installed for the water machine building.
- ❖ Blow down the engines, all are good.
- ❖ Removed several trees with the Highway Department.
- ❖ Annual incoming meter calibration performed by NYPA; the meter tested within the parameters.
- ❖ Added in to inventory 24 electric meters for different application.
- ❖ Contracted Huntington Power to program and test the new Automatic transfer switch for the generator that provides emergency back-up power for the emergency radio systems.
- ❖ Ordered the lights for the holiday decorations, and trees. We will be working on them in November.
- ❖ Site review by Suffolk County Health Department to review and check that the power plant Hazardous Storage is in compliance with Permit. The site inspection went very well, everything was found to be order.
- ❖ General shop and truck maintenance.

**Attachments:**

Greenport Meter 10-2023 (PDF)

Total Usage: 2,343,654.0000 KWH

Peak Demand: 4,164.00 KW

Occured On: Oct 4 2023 15:45

Load Factor: 75.65%

Date Start: Sunday, October 1, 2023

Date End: Tuesday, October 31, 2023

Period Ending	KWH
10/1/2023	76,123.00
10/2/2023	76,606.00
10/3/2023	76,830.00
10/4/2023	81,793.00
10/5/2023	81,147.00
10/6/2023	82,985.00
10/7/2023	82,115.00
10/8/2023	76,254.00
10/9/2023	72,919.00
10/10/2023	71,669.00
10/11/2023	72,253.00
10/12/2023	73,654.00
10/13/2023	74,138.00
10/14/2023	78,707.00
10/15/2023	75,387.00
10/16/2023	74,276.00
10/17/2023	69,933.00
10/18/2023	73,744.00
10/19/2023	73,544.00
10/20/2023	77,304.00
10/21/2023	78,076.00
10/22/2023	76,242.00
10/23/2023	75,562.00
10/24/2023	73,833.00
10/25/2023	71,801.00
10/26/2023	72,609.00
10/27/2023	74,403.00
10/28/2023	76,826.00
10/29/2023	75,552.00
10/30/2023	74,503.00
10/31/2023	72,866.00



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**MAYOR**  
KEVIN STUесси  
EXT 215

**TRUSTEES**  
MARY BESS PHILLIPS  
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LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE  
ADMINISTRATOR**  
PAUL J. PALLAS, P.E.  
EXT 219

**VILLAGE CLERK**  
CANDACE HALL  
EXT 214

Submitted: November 7, 2023  
Meeting: November 16, 2023 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: Paul Pallas, *P.E. Village Administrator*  
From: Paul Pallas, *P.E. Village Administrator*  
Department: Village Administrator

## Building

# Work Session Report for Building Department & Enforcement

November 16, 2023

## Office of Code Enforcement & Fire Prevention

### Reports

- ❖ Code Enforcement continues to patrol the Village and respond to complaints.
- ❖ Rental permit renewal review is being conducted. All property owners are being issued a letter of notification informing them that their permit is expired.
- ❖ Code Committee November 1, 2023
- ❖ RESCHEDULED Historic Preservation Commission November 2, 2023
- ❖ CANCELLED Planning Board Work Session Regular Meeting & Public Hearing November 3, 2023
- ❖ Stirling Historic Meeting November 6, 2023
- ❖ Carousel Committee November 7, 2023
- ❖ Harbor Management & Infrastructure November 7, 2023
- ❖ Code Committee November 8, 2023

- ❖ Veterans Day Village Hall Closed November 10, 2023
- ❖ Brush Pick-up November 14, 2023
- ❖ Tree Committee November 14, 2023
- ❖ Harbor Management & Infrastructure November 14, 2023
- ❖ BID Committee Zoom Meeting November 15, 2023
- ❖ Code Committee November 15, 2023
- ❖ Historic Preservation Commission November 16, 2023
- ❖ Board of Trustees Work Session November 16, 2023
- ❖ Planning Board Work Session November 17, 2023
- ❖ Harbor Management & Infrastructure November 21, 2023
- ❖ Zoning Board Regular Session November 21, 2023
- ❖ Code Committee November 22, 2023
- ❖ Village Hall Closed November 22, 2023
- ❖ Village Hall Closed November 24, 2023
- ❖ Board of Trustees Reg Session November 27, 2023
- ❖ Brush Pick-up November 28, 2023
- ❖ Harbor Management & Infrastructure November 28, 2023
- ❖ Code Committee November 29, 2023
- ❖ Housing Authority Meeting November 30, 2023

**NOTES & TIPS:**

**Please ensure you pay attention to parking regulations when parking.**

**Attachments:**

OCTOBER 2023 Building CO Report (PDF)  
OCTOBER 2023 Building Report (PDF)  
OCTOBER 2023 CODE (PDF)



# Village of Greenport Building Department

## Monthly Report CERTIFICATE OF OCCUPANCY 10/1/2023 - 11/1/2023

WORK TYPE	PERMIT NO.	PERMIT DATE	PARCEL ID	LEGAL ADDRESS	CO ISSUED
Certificate of Occupancy	02959	2/3/2023	1001-4.-4-4	309 Sixth Avenue Greenport NY 11944	10/10/2023
Certificate of Occupancy	02928	7/28/2022	1001-2.-1-8	43 Washington Avenue Greenport NY 11944	10/27/2023
Certificate of Occupancy	02952	1/11/2023	1001-2.-6-49.4	621 Main Street Greenport NY 11944	10/27/2023
Certificate of Occupancy	02958	1/26/2023	1001-2.-5-38	717 Main Street Greenport NY 11944	10/30/2023





# Village of Greenport Building Department

October 1, 2023 -  
November 1, 2023,

## Monthly Report

REPORT COVERING  
10/1/2022 through 11/1/2023

PERMIT TYPE	PERMIT NO.	PERMIT DATE	PARCEL ID	LEGAL ADDRESS	STATUS
Alteration & Renovations	02997	10/27/23	1001-2.6-29	110 North Street Greenport NY 11944	Open
Alteration & Renovations	02998	10/27/23	1001-4.5-5	311 Third Street Greenport NY 11944	Open
Interior / Exterior Renovations	02999	10/30/23	1001-2.-5-38	717 Main Street Greenport NY 11944	Open
Wetlands Permit	W23-003	10/16/23	1001-3.5-29	49 Stirling Cove Greenport NY 11944	Open
Wetlands Permit	W23-010	10/17/23	1001-4.-1-7	520 Madison Avenue Greenport NY 11944	Open



# Village of Greenport Enforcement Report

## CODE ENFORCEMENT & FIRE PREVENTION

October 1, 2023 -  
November 1, 2023

### Monthly Report REPORT COVERING

Incorporated Village

LOCATION	DATE	FACTUAL	DISPOSITION
110 Front Street, Greenport NY 11944	10/23/2023	Loud Music @ Tikal Restaurant	Code Enforcement will monitor location for loud music.

# **RENTAL PERMIT INFORMATION**

## **INFORMATION**

*The following statistics represent the status of rental permits and rental permit violations from  
October 1, 2023 – November 1, 2023*

**New Applications/Renewal Applications Received: 5**

**Incomplete Applications** (Missing fees, docs, etc.): **0**

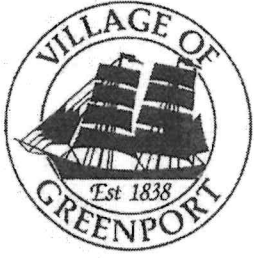
**Applications Pending Inspection: 5**

**Applications Pending Re-Inspection 0**

**Completed/Permits Issued: 0**

**Applications Completed/Permits Issued: 349**

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236 THIRD STREET  
GREENPORT, NY 11944

Tel: (631)477-0248  
Fax: (631)477-1877

villageofgreenport.org

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EXT 215

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Submitted: November 7, 2023  
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From: Paul Pallas, *P.E. Village Administrator*  
Department: Village Administrator

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## Recreation

# Work Session Report Recreation Department

November 16, 2023

## Mitchell Park Marina/Parks

- ❖ The Marina closed October 31<sup>st</sup> after a very busy and successful season.
- ❖ Maritime Festival was rescheduled for October 21<sup>st</sup> and October 22<sup>nd</sup> due to poor weather conditions went very well.
- ❖ The Halloween Parade was held on October 28<sup>th</sup> with free carousel rides from 11:30 am - 1:30 pm. The children had a great time.
- ❖ Fifth Street beach equipment has been stored away for the off season until May.
- ❖ Moores Lane Skatepark received paint to cover graffiti in multiple locations.
- ❖ The Fall season has seen above average yacht activity due to inclement weather.
- ❖ The Bayman's Dock is going out to formal bid for complete replacement in the off season. Replacement will include new floating docks and boarding ramp.
- ❖ Routine Park maintenance including leaf pickup and weeding of garden beds continue.
- ❖ Public restrooms received daily routine maintenance for proper sanitation.
- ❖ Mitchell Park personnel cleans and sanitizes Village Hall three days per week.
- ❖ Mitchell Park Marina and Railroad Dock bulkhead has received over 15 yards of RCA to temporarily repair sink holes caused from a failing bulkhead.

- ❖ Pump out boat program came to an end in mid-October.
- ❖ The pump out station will be winterized on November 1<sup>st</sup>. It will be closed until May 1<sup>st</sup>.
- ❖ The marina personnel will be winterizing the marina and park facility for the off season.
- ❖ The mooring field winter sticks are receiving repairs for proper installation.
- ❖ The mooring field closes on November 1<sup>st</sup>, all captains are asked to vacate their vessels for the winter season.
- ❖ The mini railroad permit was completed and submitted to the Department of Labor.

Monthly Revenue Reports are attached.

## **Recreation Center**

### **Statistics**

Attendance:

Summer After Care Program = 16 Children Enrolled

### **Reports**

- ❖ The After School Program is going very well.
- ❖ The Literacy program with Floyd Memorial Library continues every Wednesday and is going very well. The children enjoy all the activities this program has to offer.
- ❖ Enrollment continues with the After School Program.
- ❖ Starting November 3<sup>rd</sup>, the children from the After Care Program will be going roller skating at the American Legion Hall.

## Campground

### Tasks Accomplished

- ❖ Reservations continue for the season.
- ❖ Seasonal arrivals continue to come to the camp site.
- ❖ All payments were processed through October.
- ❖ Campground sites are maintained daily.
- ❖ Landscaping and light maintenance continue.
- ❖ All money has been collected for the month of September.
- ❖ Site map updated.
- ❖ All RV sites have been prepared for October arrivals.
- ❖ Bathrooms cleaned daily.
- ❖ Deposits have already started to be taken for the 2024 season.

### **Attachments:**

RECREATION MONTHLY REVENUE REPORT OCTOBER 2023 (PDF)

	MARINA					CAMPGROUND					MOORINGS		
	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	
JUNE	\$ 189,694.54	\$ 105,335.55	\$ 402,754.97	\$ 531,545.11	\$ 439,022.04	\$ 80,435.00	\$ 54,920.51	\$ 69,227.00	\$ 118,817.75	\$ 83,425.00	\$ 36,400.00	\$ 35,400.00	
JULY	134,727.53	182,091.44	96,808.51	158,655.93	204,005.82	25,360.00	26,350.00	26,767.00	28,995.00	25,680.00	-	-	
AUGUST	117,311.08	164,930.68	122,897.70	200,293.25	184,133.13	17,539.50	23,517.00	31,338.00	32,442.50	25,010.00	-	-	
SEPTEMBER	101,314.05	91,698.56	50,520.90	53,564.48	58,426.05	19,015.00	13,675.00	20,520.00	24,215.00	27,413.45	-	-	
OCTOBER	17,715.25	48,943.46	46,422.76	37,998.32	93,345.92	10,349.50	17,725.00	16,565.00	9,905.00	17,230.00	-	-	
NOVEMBER	-	(17,719.06)	-	1,596.00	-	-	9,985.00	9,940.00	3,640.00	-	2,200.00	1,200.00	
DECEMBER	-	134.61	-	-	-	-	-	-	-	-	1,400.00	3,800.00	
JANUARY	-	-	7,278.87	2,415.99	-	3,155.00	3,075.00	5,855.02	1,030.00	-	5,900.00	5,700.00	
FEBRUARY	1,311.50	-	1,095.37	533.03	-	490.00	-	(729.99)	690.00	-	1,900.00	1,500.00	
MARCH	2,007.99	6,769.59	4,743.09	2,605.94	-	1,290.00	2,975.00	100.00	2,640.00	-	2,600.00	1,300.00	
APRIL	-	(2,306.36)	580.01	-	-	-	1,135.00	6,200.00	2,045.00	-	500.00	-	
MAY	1,818.05	10,479.55	27,622.20	40,407.84	-	3,645.00	7,075.00	3,647.96	3,370.50	-	1,300.00	-	
YEAR TO DATE	\$ 565,899.99	\$ 590,358.02	\$ 760,724.38	\$ 1,029,615.89	\$ 978,932.96	\$ 161,279.00	\$ 160,432.51	\$ 189,439.99	\$ 227,790.75	\$ 178,758.45	\$ 52,200.00	\$ 48,900.00	
	CAMERA OBSCURA					CAROUSEL					ICE RINK		
	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	
JUNE	\$ 30.00	\$ -	\$ 19.00	\$ 19.00	\$ -	\$ 19,439.00	\$ -	\$ 16,753.55	\$ 8,653.55	\$ 18,548.25	-	-	
JULY	108.00	-	13.00	15.00	190.00	55,026.85	-	45,122.05	53,917.73	53,759.75	-	-	
AUGUST	106.00	-	51.00	7.00	30.00	55,430.64	-	41,894.85	55,033.65	50,131.18	-	-	
SEPTEMBER	37.00	18.00	-	10.00	-	22,070.65	-	19,080.77	22,289.00	28,666.61	-	-	
OCTOBER	14.00	5.00	2.00	11.00	13.00	10,096.43	-	8,692.00	10,237.50	11,070.50	300.00	-	
NOVEMBER	-	-	-	-	-	8,976.38	-	6,984.00	7,470.75	-	950.00	-	
DECEMBER	-	-	-	-	-	1,861.00	-	4,083.00	5,248.00	-	20,709.50	-	
JANUARY	-	-	-	-	-	4,524.00	-	3,648.80	6,347.00	-	15,574.52	-	
FEBRUARY	-	-	-	-	-	6,275.00	-	5,103.50	7,030.50	-	15,282.00	-	
MARCH	-	-	-	-	-	1,678.00	-	5,541.40	3,978.50	-	1,743.00	-	
APRIL	-	-	-	10.00	-	150.00	7,575.05	10,664.00	-	-	-	-	
MAY	-	5.00	29.00	-	-	-	8,224.00	15,566.54	8,785.00	-	-	-	
	\$ 295.00	\$ 28.00	\$ 114.00	\$ 72.00	\$ 233.00	\$ 185,527.95	\$ 15,799.05	\$ 183,134.46	\$ 188,991.18	\$ 162,176.29	\$ 54,559.02	\$ -	



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Submitted: November 9, 2023  
Meeting: November 16, 2023 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: Jeanmarie Odon, *Deputy Clerk*  
From: Jeanmarie Odon, *Deputy Clerk*  
Department: Village Clerk Department

**Village Deputy Treasurer November 2023 Work Session**

**REQUEST A MOTION BE PLACED ON THE AGENDA FOR:**

RESOLUTION- authorizing Deputy Treasurer Brautigam to perform attached Budget Amendment #5281 to appropriate Sewer Fund reserves to fund the repair of BNR Basin Aerotor and directing that Budget Amendment #5281 be included as part of the formal meeting minutes of the November 23, 2023 Regular Meeting of the Board of Trustees.

**UTILITY BILLING**

OCTOBER BILLING STATISTICS COMPLETED.  
SECTOR ONE READINGS COMPLETED, TO BE BILLED BY 11/10/23.  
SECTOR TWO CURRENTLY BEING READ.  
SECTOR TWO RED TAGS DUE 11/14/23.

**SIGNIFICANT COLLECTIONS**

Rents received for October 2023: \$72,486.96  
Property Tax Collected through October 2023- \$1,372,367.62



**SIGNIFICANT PAYMENTS**

TCC PAYMENT 75% BALANCE FOR 2023: \$517,554.20

**COMMUNITY DEVELOPMENT/ HOUSING AUTHORITY**

7 recertifications and 9 interims were performed for October 2023.

**INFORMATIONAL:**

Cash Holdings Report - See attached

Utility Billing Statistics Report - See attached

**Attachments:**

BANK BALANCE SHEET OCTOBER 2023 (PDF)

CD Monthly Expenses (PDF)

HA Monthly Expenses (PDF)

END OF MONTH BILLING STATISTICS FOR OCTOBER 2023 (PDF)

property tax collected through oct 2023 (PDF)

budget amendment #5281 (PDF)

<b>BANK ACCOUNT BALANCES</b>					
<b>FOR THE MONTH OF SEPTEMBER 2023</b>					
<b>FUND</b>	<b>BANK ACCOUNT NAME</b>	<b>G/L ACCT#</b>	<b>TYPE</b>	<b>BALANCE</b>	
A	General	A.0200.000	Checking	10,879.39	
A	Repair & Maintenance	A.0200.400	Checking	119,344.68	
A	Greenhill Cemetery	A.0201.100	Savings	33,683.85	
A	Money Market	A.0201.130	Money Market	1,291,794.26	
A	Fire Apparatus	A.0221.110	Savings	533,107.75	
A	Bulding Department Escrow	A.0235.101	Checking	62,247.59	
A	Parks and Recreation	A.0200.200	Checking	11,145.89	
A	General Investment Savings	A.0201.110	Muni Investment Pool	1,140,670.73	
A	American Recovery Plan	A.0200.415	Checking	-	
				<b>TOTAL GENERAL FUND</b>	<b>\$ 3,202,874.14</b>
CD	Small Cities Rehab.	CD.0200.000	Savings	18,844.88	
CD	NYS CDBG Funds	CD.0200.400	Public Funds Acct	226.21	
				<b>TOTAL COMMUNITY DEVELOPMENT</b>	<b>\$ 19,071.09</b>
E	Light Fund	E.0121.100	Checking	184,975.94	
E	Light Depreciation Savings	E.0116.100	Savings	1,790,180.87	
E	Light Investment Savings	E.0201.110	Muni Investment Pool	986,543.42	
E	TTC Collections	E.0121.120	Savings	1,493.41	
E	Renewable Energy Savings	E.0121.130	Savings	182,614.10	
E	Consumer Deposit Savings	E.0191.100	Savings	131,823.09	
E	Consumer Deposit Checking	E.0244.200	Checking	6,273.54	
				<b>TOTAL LIGHT FUND</b>	<b>\$ 3,283,904.37</b>
F	Water	F.0200.000	Checking	7,970.82	
F	Water Fund Capital	F.0200.400	Savings	\$8,399.31	
F	Water Investment Savings	F.0201.120	Muni Investment Pool	467,625.54	
F	Water Fund CD (MM)	F.0201.000	Money Market	203,698.44	
F	Water Fund Money Market	F.0201.130	Money Market	490,601.82	
					<b>\$ 1,178,295.93</b>
G	Sewer	G.0200.000	Checking	94,050.42	
G	NYS DEC Consent	G.0201.000	Savings	31,573.13	

G	Sewer Fund I	G.0201.100	Money Market	297,107.56	
G	Sewer Investment Savings	G.0201.110	Muni Investment Pool	748,369.55	
G	NYSEFC	G.0205.000	Checking	185,851.61	
G	Sewer Wastewater	G.0220.110	Savings	12,183.78	
G	NYSERDA	G.0525.000	Checking	111.01	
				<b>TOTAL SEWER FUND</b>	<b>\$ 1,369,247.06</b>
H	Capital	H.0200.000	Checking	391,283.34	
H	Capital Reserve	H.0200.400	Savings	50,256.89	
				<b>TOTAL CAPITAL FUND</b>	<b>\$ 441,540.23</b>
TA	Trust & Agency	TA.0200.000	Checking	69,397.42	
TA	Retirement Savings	TA.0201.000	Savings	49,601.64	
TA	WWI Memorial Trust	TA.0201.001	Savings	732.13	
TA	T & A Special Escrow	TA.0201.002	Savings	6,613.27	
TA	Justice Court	TA.0201.004	Savings	4,800.50	
TA	Global Common	TA.0201.009	Savings	271,949.72	
TA	Basketball Court Donations	TA.0200.101	Checking	92.00	
TA	Tree Committee	TA.0200.102	Checking	5,690.73	
TA	Summer Day Camp Donations	TA.0200.103	Checking	1,680.00	
TA	Recreation Center Donations	TA.0200.104	Checking	16,253.55	
TA	Friends of Fifth Street	TA.0200.106	Checking	113.00	
TA	American Legion Bldg	TA.0200.107	Checking	200.00	
TA	Fifth Street Rehab	TA.0200.120	Checking	13,796.00	
TA	Carousel Committee	TA.0200.113	Checking	17,528.07	
TA	Mitchell Park Bathrooms Rehab	TA.0200.115	Checking	30,000.00	
TA	Accounts Payable	TA.0202.000	Checking	503,992.37	
				<b>TOTAL TRUST &amp; AGENCY FUND</b>	<b>\$ 992,440.40</b>
	Wire Account			34,001.60	
	Utility Clearing			89,811.49	
					<b>\$ 123,813.09</b>
				<b>TOTAL VILLAGE WIDE</b>	<b>\$ 10,611,186.31</b>

**FDS - 213 Center St & 278 2nd Street Monthly Revenue & Expenses - October 2023**

**\$ 5,000.00**

Account Description	REVENUE: 213 Center	REVENUE: 278 2nd Street					
	213 Center	UNIT 1 - 8124	UNIT 2 - 8327	UNIT 3	HOUSE		
Rent	\$ 1,125.00	\$ 1,475.00	1,125.00	\$ 1,275.00			
Late Fees/Credits	\$ 50.00						
<b>TOTAL REVENUE</b>	<b>\$ 1,175.00</b>	<b>\$ 1,475.00</b>	<b>\$ 1,125.00</b>	<b>\$ 1,275.00</b>	<b>\$ 3,875.00</b>	<b>\$ 5,050.00</b>	
<b>EXPENSES:</b>	<b>EXPENSES: 213 Center</b>	<b>EXPENSES: 278 2nd Street</b>					
	213 CENTER	UNIT 1 - 8124	UNIT 2 - 8327	UNIT 3 - 8328	HOUSE - 8590 RE/8361 SW		
<u>Utilities</u>							
Electric	\$ 59.70				\$ 18.74		
Water/Sewer	\$ 60.84				\$ 103.86		
Propane/Heating Oil							
<u>Admin</u>							
Salaries & Benefits (Asha, Adam, Paul)	\$ 588.21				\$ 1,764.62	\$ 2,352.83	
Payment Agreement to Village					\$ 1,000.00		
<b>Total</b>	<b>\$ 708.75</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,887.22</b>	<b>\$ 2,887.22</b>	
	213 CENTER	UNIT 1	UNIT 2	UNIT 3	HOUSE		
<u>Maintenance Repairs/Other</u>							
JP McHale Pest Mgmt, LLC					\$ 50.00		
JP McHale Pest Mgmt, LLC service contract					\$ 350.00		
Asha Gallacher Reimb for Hardy Plumbing		285.30					
Pine Oaks Landscaping weeding					\$ 225.00		
JP McHale Pest Mgmt, LLC	\$ 55.00				\$ 83.00		
Mattituck Enviro Services					\$ 43.92		
Pine Oaks Landscaping Lawn cuts					\$ 225.00		
		\$ 285.30	\$ -	\$ -	\$ 976.92		
Total Maintenance Expenses	\$ 55.00				\$ 1,262.22		
<b>MONTHLY FINANCIAL SUMMARY</b>	<b>213 CENTER</b>	<b>278 2nd STREET</b>					
Interest Earned							
Total Revenue	\$ 1,175.00			\$ 3,875.00			
Total Expenses	\$ 763.75			\$ 4,149.44			
NET REVENUE	\$ 411.25			\$ (274.44)			
<b>EXCESS (DEFICIENCY) OF TOTAL REVENUE</b>							
<b>OVER (UNDER) TOTAL EXPENSES</b>	\$ 411.25			\$ (274.44)			

1000



Financial Data Schedule - Monthly Revenue & Expenses (HAP REGISTER) - OCTOBER 2023				77	TOTAL VOUCHERS	TOTAL HAP, PORT, UTILITIES	98,800.00	\$248.00	300.00	\$ -
Account Description				71	Vouchers Leased on last day of month					
				6	New Vouchers Issued/No Lease/Searching					
<b>REVENUE:</b>										
706 PHA HUD Operating Grants	\$ 104,008.00									
706 a Admin fee revenues	\$ 9,756.00	\$ 150.00		FR HAP (714.010)						
711 Interest Earned - HAP		\$ 150.00		FR ADMIN (714.020)						
Interest Earned - ADMIN				Add'l HAP	0	Portable Vouchers				
714 Fraud recovery	\$ 300.00			Supplemental	77	All other Vouchers				
700 TOTAL REVENUE	\$ 114,064.00			Add'l ADMIN from HUD						
<b>EXPENSES:</b>										
<b>Administrative</b>										
912 Auditing fees										
Salaries - Asha (\$31.34), Adam, Column E, Paul Column F 2 payperiods	\$ 3,980.64	\$ 239.24	\$ 576.92	\$ 4,796.80		Admin Salaries total				
Medical	\$ 2,858.28	\$ 47.84	\$ 138.19	\$ 3,044.31		Medical Total	PORT BREAKDOWN	DATE	BILLED	ADMIN FEE
Dental	\$ 180.74	\$ 3.06	\$ 3.82	\$ 187.62		Dental Total	PORT IN			
916 Pension T4 15.7%, T5 12.9%	\$ 624.96	\$ 30.86	\$ 90.58	\$ 746.40		Pension Total				
914 Payroll Taxes FICA	\$ 304.52	\$ 18.30	\$ 44.13	\$ 366.96		FICA Total	0			
915 Employee Benefit Contribution	\$ 7,949.14	\$ 339.30	\$ 853.64	\$ 6,856.56		Benefits Total	PORT OUT			
919				\$ 3,597.60		75% Admin Salaries total				
917 Legal Fees/Nina JG Stewart	\$ 1,350.00			\$ 2,283.23		Medical Total				
916 A Gallacher Reimb				\$ 140.72		Dental Total				
918 A Gallacher Mileage				\$ 559.80		Pension Total				
916 Office Expenses Total	\$ -			\$ 275.22		FICA Total	TOTAL PORT			
910 Administrative Total	\$ 6,856.56		\$ 7,406.56	\$ 6,856.56		Benefits Total	OUT	0		
962 Other General Expenses (Office Rent)	\$ 550.00					Village of Greenport total				
969 TOTAL OPERATING EXPENSES	\$ 8,756.56					TERMINATED				
970 EXCESS OPERATING REVENUE OVER OPERATING EXPENSES			\$ 1,149.44							
973 PHA Utility Allowance	\$ 248.00					DECEASED				
973 HAP payments	\$ 98,552.00					ABSORBED				
973 PORT payments	\$ -									
973 (HAP, PORT and UTILITY TOTAL)	\$ 98,800.00			(VMS - HAP TOTAL)						
HAP & UTIL less Port payments	\$ 98,800.00			(VMS- ALL OTHER VOUCHERS HAP)						
1117 Total Admin Revenue	\$ 9,906.00					RELINQUISHED				
1117 Net ADMIN	\$ 1,149.44					#26HAP 10/31/23				
1118 Total Hap Revenue	\$ 104,158.00					#14VC 10/31/23				
1118 Net HAP	\$ 5,358.00					#VC01 10/31/23				
900 TOTAL EXPENSES	\$ 107,556.56		\$ 107,556.56			TOTAL CASH DISBURSEMENTS				
EXCESS (DEFICIENCY) OF TOTAL REVENUE										
1000 OVER (UNDER) TOTAL EXPENSES			\$ 6,507.44							

EOM Billing Statistics Report

Rate Summary - All Routes

Service	Rate# - Description	Bills	Min. Bills	Usage	Charge	Usage	Demand	Contract	PCA	NYSCEs	Comm Tax	Res Tax
Electric	2 - Electric - Flat Charge	9	0	0	0	0		406.80				5.88
	9 - Residential (1, 1)	1376	0	616874	72,764.54	0			8,995.03	2,443.48		2,025.76
	10 - Water Heating (2, 2)	11	0	890	89.04	0			13.03	3.53		2.64
	11 - All Electric (3, 3)	342	0	116958	14,561.71	0			1,712.82	463.22		416.13
	13 - Demand - Class 3 (5, 5)	5	0	377800	21,119.02	860.5	10,235.00		5,532.88	1,496.47	913.02	
	14 - Village St. Lighting (6, 6)	5	0	24432.7	2,812.21	0			357.82	96.78		
	15 - Town St Lighting (7, 7)	1	0	941.82	108.40	0			13.79	3.73		
	19 - Traffic Lights (11, 11)	1	0	1019	108.18	0			14.92	4.04		
	20 - Contract St Lighting (12, 12)	2	0	132	0.00	0						
	21 - Sterling Harbor (13, 13)	2	0	1171.5	134.84	0			17.16	4.64	13.51	
Electric Total		1754	0	1140219.02	111,697.94	860.5	10,235.00	406.80	16,657.45	4,515.89	926.53	2,450.41
Sewer	3 - Sewer -INSIDE Flat Charge	33	0	0	1,739.10	0						
	23 - Sewer - IN VILL 3/4" W/SEWER (14, 14)	893	582	3626.7	55,881.60	0						
	25 - Sewer - IN VILL 1" W/SEWER (15, 15)	31	13	324.6	4,031.64	0						
	27 - Sewer - IN VILL 1 1/2" W/SEWER (16, 16)	12	3	274.5	3,977.10	0						
	29 - Sewer - IN VILL 2" W/SEWER (17, 17)	28	6	470.2	6,627.10	0						
	31 - Sewer - IN VILL 3" W/SEWER (18, 18)	1	0	3.6	42.00	0						
	33 - Sewer - IN VILL 4" W/SEWER (19, 19)	3	1	368.1	5,663.70	0						
	54 - Sewer - OUTSIDE RES SEWER (50, 50)	88	55	1114.1856	21,930.47	0						
	57 - SPLIT SEWER BILLING (52, 52)	1	0	0	0.00	0						
	62 - O/S DRIFTWOOD COVE 52	1	1	98.2872	3,276.00	0						
	63 - O/S DRIFTWOOD COVE 49	1	1	90.2088	3,087.00	0						
	64 - O/S PECONIC LANDING 301	1	0	1355	24,391.00	0						
	65 - O/S CLIFFSIDE CONDOS-SEWER	1	1	118	4,410.00	0						
Sewer Total		1094	663	7843.3816	135,056.71	0						
Water	5 - Water - Flat Charge	33	0	0	936.05	0						
	22 - RES VILL 3/4" W/SEWER (14, 14)	909	343	4130	27,276.99	0						
	24 - RES VILL 1" W/SEWER (15, 15)	32	3	364	1,800.94	0						
	26 - COMM VILL 1 1/2" W/SEWER (16, 16)	13	5	333	1,576.77	0						
	28 - COMM VILL 2" W/SEWER (17, 17)	30	15	560	2,681.20	0						
	30 - COMM VILL 3" W/SEWER (18, 18)	1	1	4	44.46	0						
	32 - COMM VILL 4" W/SEWER (19, 19)	3	2	409	1,953.65	0						
	46 - COMM VILLAGE 1 1/2" (42, 42)	1	1	0	44.46	0						
	47 - COMM VILLAGE 2" (43, 43)	7	0	874	3,881.61	0						
	48 - RES VILLAGE 3/4" (44, 44)	140	80	1195	7,080.32	0						
	49 - RES VILLAGE SEWER ONLY (45, 45)	7	0	8	0.00	0						
	52 - FLAT-FIRE SPRINKLERS (49, 49)	33	0	0	0.00	0						
	53 - OUTSIDE RES SEWER (50, 50)	86	0	1223.244	0.00	0						
Water Total		1295	450	9100.244	47,276.45	0						
electric-small commercial	12 - Commercial (4, 4)	378	0	766506	96,165.28	0			11,225.42	3,036.18	7,551.44	
	16 - Operating Municipalt (8, 8)	33	0	81001	10,334.01	0			1,186.27	320.87		
	17 - Water Department (9, 9)	2	0	0	24.86	0						
	18 - Sewer Department (10, 10)	10	0	44749	5,613.48	0			655.35	177.27		
	73 - Electric Power Plant	5	0	17155	0.00	0						
electric-small commercial Total		428	0	909411	112,137.63	0			13,067.04	3,534.32	7,551.44	
Grand Total		4571	1113	2066573.6456	406,168.73	860.5	10,235.00	406.80	29,724.49	8,050.21	8,477.97	2,450.41

**EOM Billing Statistics Report**

Rate Summary - All Routes

<u>Service</u>	<u>Rate# - Description</u>	<u>Total</u>
Electric	2 - Electric - Flat Charge	412.68
	9 - Residential (1, 1)	86,228.81
	10 - Water Heating (2, 2)	108.24
	11 - All Electric (3, 3)	17,153.88
	13 - Demand - Class 3 (5, 5)	39,296.39
	14 - Village St. Lighting (6, 6)	3,266.81
	15 - Town St Lighting (7, 7)	125.92
	19 - Traffic Lights (11, 11)	127.14
	20 - Contract St Lighting (12, 12)	0.00
	21 - Sterling Harbor (13, 13)	170.15
<b>Electric Total</b>		<b>146,890.02</b>
Sewer	3 - Sewer -INSIDE Flat Charge	1,739.10
	23 - Sewer - IN VILL 3/4" W/SEWER (14, 14)	55,881.60
	25 - Sewer - IN VILL 1" W/SEWER (15, 15)	4,031.64
	27 - Sewer - IN VILL 1 1/2" W/SEWER (16, 16)	3,977.10
	29 - Sewer - IN VILL 2" W/SEWER (17, 17)	6,627.10
	31 - Sewer - IN VILL 3" W/SEWER (18, 18)	42.00
	33 - Sewer - IN VILL 4" W/SEWER (19, 19)	5,663.70
	54 - Sewer - OUTSIDE RES SEWER (50, 50)	21,930.47
	57 - SPLIT SEWER BILLING (52, 52)	0.00
	62 - O/S DRIFTWOOD COVE 52	3,276.00
	63 - O/S DRIFTWOOD COVE 49	3,087.00
	64 - O/S PECONIC LANDING 301	24,391.00
	65 - O/S CLIFFSIDE CONDOS-SEWER	4,410.00
<b>Sewer Total</b>		<b>135,056.71</b>
Water	5 - Water - Flat Charge	936.05
	22 - RES VILL 3/4" W/SEWER (14, 14)	27,276.99
	24 - RES VILL 1" W/SEWER (15, 15)	1,800.94
	26 - COMM VILL 1 1/2" W/SEWER (16, 16)	1,576.77
	28 - COMM VILL 2" W/SEWER (17, 17)	2,681.20
	30 - COMM VILL 3" W/SEWER (18, 18)	44.46
	32 - COMM VILL 4" W/SEWER (19, 19)	1,953.65
	46 - COMM VILLAGE 1 1/2" (42, 42)	44.46
	47 - COMM VILLAGE 2" (43, 43)	3,881.61
	48 - RES VILLAGE 3/4" (44, 44)	7,080.32
	49 - RES VILLAGE SEWER ONLY (45, 45)	0.00
	52 - FLAT-FIRE SPRINKLERS (49, 49)	0.00
	53 - OUTSIDE RES SEWER (50, 50)	0.00
<b>Water Total</b>		<b>47,276.45</b>
electric-small commercial	12 - Commercial (4, 4)	117,978.32
	16 - Operating Municipalt (8, 8)	11,841.15
	17 - Water Department (9, 9)	24.86
	18 - Sewer Department (10, 10)	6,446.10
	73 - Electric Power Plant	0.00
<b>electric-small commercial Total</b>		<b>136,290.43</b>
<b>Grand Total</b>		<b>465,513.61</b>



11/8/2023 1:25:06 PM

## EOM Billing Statistics Report

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Report Setup Information:

Report Design EOM Billing Statistics Report  
Output Type Graphics

<u>Start Route</u>	<u>End Route</u>	<u>Start Date</u>	<u>End Date</u>
51	56	9/12/2023	10/6/2023
57	63	9/16/2023	10/12/2023
64	72	9/26/2023	10/20/2023
73	79	10/3/2023	10/31/2023
82	82	10/3/2023	10/31/2023
80	80	10/3/2023	10/31/2023
81	81	10/3/2023	10/31/2023

Date Prepared: 11/08/2023 12:12 PM  
Report Date: 11/08/2023  
Purpose Table: ALL

**VILLAGE OF GREENPORT**  
**Payment as of 11/08/2023**

COL4080  
Page 127 of 127  
Prepared By: ADAM

**Grand Totals**

	Count	Payment Amt
BID MT	110	51,420.24
SEWER MT	22	13,985.31
VILLT	1,034	1,296,731.54
WATER MT	24	6,396.39
<b>Total PRINCIPAL</b>		<u>1,368,533.48</u>
PEN	52	3,834.14
<b>Total PENALTY</b>		<u>3,834.14</u>
<b>Total</b>		<u>1,372,367.62</u>





236 THIRD STREET  
GREENPORT, NY 11944

Tel: (631)477-0248  
Fax: (631)477-1877

villageofgreenport.org

**MAYOR**  
KEVIN STUESSI  
EXT 215

**TRUSTEES**  
MARY BESS PHILLIPS  
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE  
ADMINISTRATOR**  
PAUL J. PALLAS, P.E.  
EXT 219

**VILLAGE CLERK**  
CANDACE HALL  
EXT 214

Submitted: November 9, 2023  
Meeting: November 16, 2023 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: Jeanmarie Oddon, *Deputy Clerk*  
From: Jeanmarie Oddon, *Deputy Clerk*  
Department: Village Clerk Department

## Village Clerk Work Session November 2023 Report

### Village Clerk November 2023 Work Session Report

#### VILLAGE of GREENPORT - BOARD OF TRUSTEES WORK SESSION

To be presented at the meeting held on November 16<sup>th</sup>, 2023.

Report of Candace Hall, Village Clerk

#### Announcements:

1. Village Hall will be closed November 23<sup>rd</sup> and 24<sup>th</sup>, 2023.
2. The Festival of Lights and Tree Lighting will be on Saturday December 2<sup>nd</sup>, 2023 at 5:00 p.m.
  - a. The Greenport Fire Department is looking for volunteers to walk in the parade as various Holiday characters - contact the Clerk's office for further information.
3. The Annual Menorah Lighting will be held at Mitchell Park on December 10<sup>th</sup>, 2023 at 5:00 p.m.
4. The New York State Archives made a second visit to Village Hall on Wednesday, November 15, 2023; 114 boxes were hauled to Albany office for destruction free of charge.

#### Resolutions:

1. Pending Board of Trustee approval at the November 27<sup>th</sup> Work Session, Everett Nichols' title will be transferred from Recreation Aide to Custodial Worker 1.
2. Bid solicitation to be noticed for quotes to repair the Village of Greenport Bayman's Dock.
3. Annual bid solicitation to be noticed for the following:

- a. Tree and stump grinding services on certain Village of Greenport streets.
  - b. 10-yard dump truck and driver to assist the Village with the removal of snow as needed.
  - c. For the delivery of unleaded (87 octane) gasoline to various locations throughout the Village of Greenport.
  - d. For the delivery of No. 2 heating oil to various locations throughout the Village of Greenport.
  - e. For the delivery of diesel fuel to various locations throughout the Village of Greenport.
4. On Monday, November 27<sup>th</sup>, 2023 at 6:00 p.m., at public hearing will be held regarding the wetlands application submitted by Robert E. Hermann of Coastal Management Specialist, En-Consultants on behalf of Diana Burton, owner, for the property at 131 Sterling Street, Greenport.

**Contracts Signed:**

1. New York State Department of Transportation (NYSDOT)

**Attachments:**

# Chapter 44

## Assemblies, Mass Public

### GENERAL REFERENCES

Noise — See Ch. 115.  
Recreation Areas and Beaches— See Ch. 101.  
Streets and sidewalks — See Ch. 115.  
Entertainment permits — §§150-52, 150-51.

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### § 44-1 **Intent.**

The Board of Trustees of the Village of Greenport, being concerned for the health, safety and welfare of the residents of the Village of Greenport and the public that otherwise are within the jurisdiction of the Village of Greenport, and being cognizant of the difficulties in the concentration and gatherings of persons in public places has enacted this chapter.

### § 44-1A **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

### **ADDITIONAL EQUIPMENT OR STRUCTURES**

Any temporary structure (including, tents, dance floors or stages), furnishings (including tables and chairs), sound reproduction devices (including speakers), entertainment devices (but excluding sound reproduction devices) such as bouncy houses, inflatable slides, jet skis, movie or film screens or other similar items, food trucks or carts or any other equipment (but excluding sound reproduction devices), including generators, grills, powered refrigeration units or catering trucks that is intended to be brought in specifically in connection with the hosting of any mass assembly event, but excluding, for the avoidance of doubt, any beach umbrella, any beach pop-up tent that is intended for sun protection, any beach canopy that is intended for sun protection, beach chairs, portable coolers that do not require any type of power or small tables being utilized to hold small items for personal use but not for seating or dining related purposes.

### **CATERED EVENT**

Has the meaning set forth in Chapter 150.

### **CHARITABLE ORGANIZATION**

An organization as defined in New York Executive Law § 171-a, including but not limited to, not-for-profit corporations. Such charitable organizations shall be recognized as exempt from federal taxation under Internal Revenue Code § 501(c)(3), shall be duly registered with the Charities Bureau of the Attorney General of the State of New York and shall provide services or funds that benefit the Village of Greenport.

### **[CONCESSION AGREEMENT**

Has the meaning set forth in Chapter 101.]

### **DEMONSTRATION**

Any assembly or gathering of one or more persons held for the purpose of exercising free speech activity protected either by the First Amendment to the United States Constitution or Article I, Section 8 of the New York State Constitution, which shall include conduct the sole or principal object of which is the expression, dissemination or communication of opinion, views or ideas and for which no fee or donation is charged or required as a condition of participation in, or attendance at, such assembly or gathering. Examples of a demonstration may include, without limitation, press conferences, speeches and protests.

**ENTERTAINMENT PERMIT**

A permit issued to any business in accordance with §150-51 in connection with such business providing entertainment (as defined in Chapter 150) or hosting catered affairs (as defined in Chapter 150).

**MASS ASSEMBLY EVENT**

Any organized parade, procession, walk, run, march, race, ride, motorcade, concert, theatrical event, cultural event, exhibit, fair, fundraising event, boat show, car show, sporting event, catered event or any other similar social occasion or event or activity that involves the planned one-time assembly of persons for a common purpose, with or without a requirement for the payment of any fee or donation or any sponsorship, of more than (A) to the extent utilizing in whole or in part any (i) public space, (ii) public waterway, (iii) public-right-of-way or (iv) private property located in any residential area, the lesser of (x) such number of persons as shall be prescribed for any applicable public park pursuant to Chapter 101 and (y) 50 persons or (B) in all other cases, 100 persons. Examples of mass assembly events may include, without limitation, a circus, carnival, fair, festival, block party, marathon or other running event, bicycle race or tour, sporting tournament, spectator sporting event (such as football, baseball and basketball games), art show, craft fair, barbeque, reception party, wedding, family reunion, graduation party, birthday party, dance or movie screening event.

**MITCHELL PARK**

Means the public park and marina located south of Front Street between Bootleg Alley and Third Street which is commonly referred to as “Mitchell Park” or “Mitchell Park Marina”.

**[PERMITTED CATERER**

Means any business that is located within the Village of Greenport that is listed on a list of catering companies that have been approved by resolution of the Village of Greenport Board of Trustees for providing catering services in any public park.]

**PERSONS**

An individual, association, firm, syndicate, company, trust, partnership, corporation, department, bureau or agency or any other entity recognized by law.

**PUBLIC HOLIDAY**

Has the meaning specified in Chapter 88.

**PUBLIC PARK**

Has the meaning specified in Chapter 101 and shall include for the avoidance of doubt Mitchell Park.

**PUBLIC RIGHT-OF-WAY**

Has the meaning specified in Chapter 88.

**PUBLIC SPACE**

Has the meaning specified in Chapter 88 and shall include for the avoidance of doubt any public park.

**PUBLIC WATERWAY**

Has the meaning specified in Chapter 88.

**[RESIDENT**

With respect to any location, a natural person who makes such location their primary place of domicile as evidenced by such person using such location as (a) their address for purposes of official personal identification (i.e. a driver's license) and (b) the primary location for purposes of income tax filings or otherwise demonstrating through other customary means that such location is the principal domicile such person.]

**SOUND REPRODUCTION DEVICE**

Has the meaning specified in Chapter 88.

**MASS ASSEMBLY PERMIT**

A permit issued by the Board of Trustees by the Village of Greenport as required under the terms of this Chapter.

**SPONTANEOUS DEMONSTRATION**

Any demonstration occasioned by news or affairs coming into public knowledge and initiating a peaceful public response.

**§ 44-2 Special permit required for mass public assembly; Exceptions to Mass Assembly Permit Requirement]; Limitations on use of Mitchell Park].**

- A. (1) Subject to § 44-2(B) below, a mass assembly permit is required for all mass assembly events within the Village of Greenport, including, in any public waterway, public space or on or using any public right-of-way.
- (2) Subject to § 44-2(B) below, no person or group of persons shall maintain, conduct, promote, engage in, operate or knowingly participate in any mass assembly event within the boundaries of the Village of Greenport, including, in, on or using any public waterway, public space or public right-of-way. except pursuant to, and in accordance with, a mass assembly permit issued by the Board of Trustees of the Village of Greenport as hereinafter provided.

Any mass assembly event that is held pursuant to a mass assembly permit shall be held in accordance with the information provided in the application for such mass assembly permit and shall be subject in all respects to any other applicable provisions of Village Code, including, those set forth in Chapter 88 (Noise) and Chapter 101 (Recreation Areas and Beaches) and any other terms, conditions or limitations contained in the applicable mass assembly permit. The organizers of any mass assembly event that shall receive a mass assembly permit shall be responsible for satisfying the requirements set forth in § 44-8 below prior to the occurrence of the applicable mass assembly event or such mass assembly permit shall be considered void.

B. A mass assembly permit shall not be required for any of the following:

- (1) Any activity undertaken by any person that expressly permitted under any conditional use approval, site plan approval or entertainment permit validly issued and in effect in accordance with the provisions of Chapter 150, except to the extent of any catered event involving more than 100



persons which event shall also require the issuance of a mass assembly permit to the extent constituting a mass assembly event.<sup>1</sup>

- (2) Any (a) spontaneous demonstration occurring between the hours of 9:00 a.m. and 10 p.m.; *provided* that such demonstration relates to events that have occurred in the immediately preceding 48 hours or (b) any other demonstration occurring between the hours of 9:00 a.m. and 10 p.m.; *provided* that the Village Clerk and the Southold Town Police Department are notified of the plan to hold such demonstration by no later than close of business of the day immediately preceding the day on which such demonstration is to be held; and *provided further* that, in either case, such demonstration does not involve the use of vehicles, animals, fireworks or equipment (other than any sound reproduction device which is otherwise expressly permitted to be used in connection therewith in accordance with Chapter 88); or
- (3) Lawful picketing; or
- (4) Funeral processions by a licensed mortuary; or
- (5) Events sponsored by the Village of Greenport, including, without limitation, an annual Halloween Parade, an annual Christmas Parade and Tree Lighting, an annual Menorah lighting, a summer concert series in Mitchell Park, an Easter Egg hunt, and other similar events; or
- (6) Regular sporting events or tournaments held at facilities intended for such purposes; or
- (7) Student assemblies at any school chartered by New York State.

C. No mass assembly permit shall be issued for the holding of any mass assembly event at Mitchell Park except for the following types of events:

- (1) Any mass assembly event that is open to the public and held for the purpose of benefiting a charitable organization;
- (2) Any mass assembly event that is open to the public for cultural, arts, educational or sporting or fitness purposes, including races, marathons, yoga, tai chi or other fitness classes, theater events, musical performances and other similar events; *provided* that no such event shall require any sponsorship, the payment of any fee or the making of any donation in order to participate therein [except to the extent that Board of Trustees shall have determined that such mass assembly event (a) is in the public interest, (b) shall occur for a period of no longer than three (3) hours and (c) will not otherwise have a material impact on the ability of the public to use and access Mitchell Park during the occurrence of such mass assembly event];
- (3) Any mass assembly event for a private event (i.e. one that is not generally open to the public such as a birthday party, wedding, retirement party, engagement party or reunion) that is held at either (x) the carousel or in the area immediately adjacent thereto or (y) in the area above the marina office and in the grass area adjacent to the Mitchell Park Marina Office and the Camera Obscura; *provided* that (a) such event is being held or hosted by a resident of the Village of Greenport, (b) no such event shall be permitted to occur on any (x) public holiday, (y) Saturday or Sunday that falls immediately before or after a public holiday or (z) day on which any other mass assembly event is occurring in Mitchell Park and (c) no more than five (5) such events shall be permitted between the period beginning on the Friday immediately preceding the last Monday in May

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<sup>1</sup> NTD: Chapter 150-51 (Entertainment Permits) and other provisions of Chapter 150 to be amended to make clear that a mass assembly is also required in connection with any catered event involving 100 or more invitees.

(otherwise being known as the Friday immediately before Memorial Day) and continuing through the first Monday in September, known as Labor Day of any calendar year.

[In no event shall any person be permitted to offer for sale any food, beverages, goods, merchandise or services in Mitchell Park, except (x) catering services provided by Permitted Caterer in connection with a mass assembly event of the type described in clause (2) or (3) above to the extent expressly contemplated by the terms of the applicable mass assembly event or (y) pursuant to a concession agreement entered into pursuant to Chapter 101.]

**§ 44-3 Application procedure; review; contents of mass assembly permit.**

**A. Application procedure.<sup>2</sup>**

- (1) Any person seeking to organize or host any mass assembly event shall file an application with the Village Clerk at least 60 days prior to the date or dates upon which such mass assembly event is to take place or such later date as the Village Board of Trustees may agree to but in any event a date that is no later than seven (7) days prior to any regularly scheduled meeting of the Board of Trustees that precedes the date on which such mass assembly event is to take place.
- (2) The application shall include the following:
  - (a) A description of the proposed mass assembly event, including a description of the purpose of such event, all related activities to be carried out in connection therewith and the fee, donation or sponsorship required to be made in connection with participation (if any) in such event and the proposed property or location where such event is contemplated to be located.
  - (b) The expected maximum number of persons intended to use the relevant property, or location in connection with such event, including the total number of participants, guests, organizers, performers (if applicable), employees (if applicable), merchants (if applicable) and instructors (if applicable). In the event that any proposed mass assembly event is proposed to take place in Mitchell Park pursuant to Section 44-2(C)(3), the applicant shall also include a general description of the persons intended to be invited to attend such event (i.e relatives, friends, etc.) and indicate approximately what percentage of such attendees reside in the Village of Greenport and/or the Town of Southold.
  - (c) The proposed date or dates thereof.
  - (d) The proposed duration of the event.
  - (e) The means of accommodating attendees as to:
    - (i) Food and beverages, if food and beverage service is part of the event, including the name and address and telephone number of any person or persons who will be engaged in the preparation and/or sale of food and a copy of any applicable County Department of Health Services permit number.

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<sup>2</sup> NTD: VILLAGE CLERK TO REVIEW/UPDATE APPLICATION FORM ONCE FINAL FORM OF LAW HAS BEEN AGREED.

- (ii) Shelter (if applicable).
  - (iii) Facilities for toilet and other personal sanitary needs for men and women.
  - (iv) Emergency first aid.
  - (v) Parking of cars, showing the means of ingress, egress and parking areas for gatherings of 100 or more persons.
  - (vi) Provision for public safety, guards or special police assisting in the control of traffic and the supervision of those persons attending the event, for outdoor events.
  - (f) The name, address and telephone number(s) of the person(s) organizing the event and who can be contacted prior to and during the event by the Village or any Southold Town police officer.
  - (g) The names of any groups, organizations, charitable organizations, businesses or individuals who shall benefit from the proceeds of such event (if any).
  - (h) Whether it is contemplated that any additional equipment or structures and/or sound reproduction devices will be used in connection with such mass assembly event and, if so, a description of such additional equipment or structures, sound reproduction devices and the proposed placement and use thereof.
  - (i) Provisions for the disposition of any garbage, trash, rubbish or other refuse that arises in connection with such mass assembly event.
  - (j) A description of any signage or lighting to be utilized in connection with such mass assembly event.
  - (k) A description of any food, beverages, goods or other services to be sold or auctioned at, or otherwise be made available to attendees, in connection with such mass assembly event.
  - (l) If a transportation shuttle is proposed, the location of parking for shuttle passengers and any pick-up/drop-off locations within the Village.
  - (m) Any additional information required by the Board of Trustees.
- B. In making a determination as to whether to grant an application for a mass assembly permit, the Board of Trustees of the Village of Greenport shall review the application and consider the following:
- (1) The size and capacity of the proposed area where the mass assembly event is scheduled to take place to accommodate the proposed mass assembly event without unduly impinging on the public's right to access or use of any associated public space, public waterway or public right-of-way.
  - (2) The impact of the proposed mass assembly event on the safe and orderly movement of traffic in the area directly surrounding the proposed mass assembly event and in the Village more generally
  - (3) The need for the Southold Town Police Department or any emergency services to be present in connection with the proposed mass assembly event.

- (4) The potential impact of the proposed mass assembly event on fire and police protection and ambulance service to the areas contiguous to the proposed mass assembly event and to the Village in general.
- (5) The potential impact of the proposed mass assembly event on the movement of firefighting equipment or ambulance service in the Village of Greenport.
- (6) The potential impact of the proposed mass assembly event on adjacent property owners and the surrounding neighborhood.
- (7) Possible conflicts with other events and seasonal demands which may overtax or cause an undue burden on the Village of Greenport and/or Town of Southold. As a general rule, mass assembly events in public parks should be avoided on public holidays and Saturdays or Sundays immediately following or preceding any such public holiday except to the extent open to the general public and specifically related to such public holiday.
- (8) Whether the applicant is the subject of any outstanding violations in respect of the provisions of this Chapter or any other provisions of the Code.
- (9) The frequency of the proposed mass assembly event and whether it constitutes a use of the applicable property compatible with its character and that of the surrounding area.
- (10) Whether the proposed mass assembly event has a high probability of disorderly conduct likely to endanger public safety or to result in significant public damage.
- (11) The availability of parking for the event.
- (12) Any other matters that relate to the health, safety and welfare of the general public.

A mass assembly permit is a privilege and not a right and may be denied (a) if the applicant fails to comply with any applicable provision of this Chapter or (b) for any other reason not prohibited by law.

C. The Board of Trustees may issue a mass assembly permit upon such terms and conditions as the Board of Trustees deems necessary and proper to ensure the public health, safety and welfare. In particular, but without limitation, the Board of Trustees may place limitations on (1) the use or placement of any additional equipment or structures in connection with a particular mass assembly event, (2) the hours during which such mass assembly event may occur, (3) the total number of participants or guests permitted to attend such mass assembly event and (4) the use and placement of sound reproduction devices in connection with such mass assembly event.

D. A mass assembly permit shall include the following information:<sup>3</sup>

- (1) The location of the applicable mass assembly event and date, starting and endings times therefore.
- (2) Whether such mass assembly event is permitted to utilize any additional equipment and structures or sound reproduction devices and, if so, any limitations applicable thereto. In the event that a mass assembly permit does not include a specific authorization for any of the foregoing, the use

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<sup>3</sup> NTD: VILLAGE CLERK TO DEVELOP APPROPRIATE FORM OF PERMIT FOR ISSUANCE BASED ON TERMS OF THIS CHAPTER

thereof shall not be permitted if otherwise prohibited pursuant to the terms of Chapter 88 or 101 or any other provision set forth in this Code.

- (3) The maximum number of participants permitted in connection with such mass assembly event or, if such mass assembly event consists of a parade, motorcade or other similar moving event, the maximum number of vehicles and/or length of such parade, motorcade or event.
  - (4) Any requirements for the presence of Southold Town police or any emergency services in connection with such mass assembly event.
  - (5) Any conditions around the use of signage in respect of such mass assembly event.
  - (6) The name and contact details of the organizers of the applicable mass assembly event.
- E. No mass assembly permit is transferable and shall expire at the close of the mass assembly event for which it is issued.
- F. An applicant who is denied a mass assembly permit by the Board of Trustees may apply to the Board of Trustees for reconsideration of the application by filing an appeal with the Village Clerk within 10 days of the date of the denial. A complete copy of the original application for the applicable mass assembly event shall accompany the request for reconsideration. The Board of Trustees may, following a public hearing, affirm, amend or reverse the determination of its prior decision subject to any conditions deemed appropriate under the circumstances.

**§ 44-4 Concurrent remedies.**

Nothing contained herein shall be deemed or construed so as to prevent the enforcement of any other remedy at law, concurrent or otherwise, available to the Board of Trustees or other law enforcement authority to avoid or prevent any violation or attempted violation of this chapter, such as but not limited to an injunction or restraining order. The Village of Greenport may maintain any action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.

**§ 44-5 Supplementary provisions.**

This chapter is in addition to any other law, ordinance or regulation affecting the subject matter herein and is not in limitation thereof.

**§ 44-6 Penalties for offenses.**

Any person or persons, who shall violate or aid in, take part in or assist in the violation of this chapter shall be subject to: (a) a minimum fine of not less than \$500 and not more than \$1,000 for the first offense and (b) a minimum fine of \$1,000 or a maximum fine of \$5,000 for each additional offense occurring within twelve (12) months of the first offense. Any penalties payable under this § 44-6 shall be in addition to any other penalties that such person or persons may be liable for pursuant to any other provision of this Code, including, without limitation, pursuant to Chapter 88 or Chapter 101.

**§ 44-7 Revocation of Permit.**

Any mass assembly permit may be summarily revoked by the Board of Trustees at any time, when, by reason of disaster, public calamity, riot or other emergency, it is determined that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by certified mail or by such other notice as the Board of Trustee may designate from time to time.



§ 44-8 Other Applicable Requirements.

- A. Each applicant for a mass assembly permit shall be required to pay to the Village Clerk an application fee of \$150 or such greater amount as the Board of Trustees may prescribe from time to time by resolution; *provided* that an applicant may include a request for approval of up to *six* (6) different mass assembly events in connection with any application for a mass assembly permit (without any greater cost in respect of the fee for such application)]; *provided further* that in connection with any mass assembly permit for any mass assembly event of either (i) the type described in §44-2(C)(2) which involves the payment of any fee or the making of any donation in order to participate therein or (ii) §44-2(C)(3), the applicant thereof shall further be required to pay a use fee in an amount of not less than (x) to the extent such event is to be held at the carousel, the amount determined to be equal to the Village's cost of opening and operating the carousel at such time (including the cost of staffing) *plus* not less than \$500 per hour (or such greater amount as the Board of Trustees may prescribe from time to time by resolution on account of staffing) for each hour of duration of such event, (y) in the case of any event of the type described in §44-2(C)(3) that is held at any location other than the carousel, \$5,000 or such greater amount as the Village Board of Trustees may prescribe from time to time by resolution and (z) in the case of any event of the type described in §44-2(C)(2) which involves the payment of any fee or the making of any donation in order to participate therein, ~~a fee equal to 10% of the proceeds received by the organizer thereof from the payment of any such fees or donations~~.
- B. Each applicant for any mass assembly event to be held at any public space, public right-of-way or public waterway shall be required to provide a certificate of general liability insurance naming the Village of Greenport as an additional insured with limits of \$1,000,000 per occurrence or such other limit as may be required by the Village Board of Trustees in connection with approving the applicable mass assembly permit for events where expected attendance is anticipated to exceed 100 persons.
- C. Each applicant that is hosting a mass assembly event to be held at any public space, public right-of-way or public waterway shall be required to make (1) a minimum clean up deposit with the Village of Greenport of \$500 which shall be returned upon a demonstration that no damage has occurred as a result of such mass assembly event and that all garbage, trash, rubbish, signage and other refuse has been satisfactorily disposed of in accordance with the provisions of this Section and any other applicable provisions of the Code, including Chapter 101 and (2) at the discretion of the Board of Trustees, a deposit in an amount to be determined based upon the estimated direct costs attributable to any additional police or emergency costs associated with the relevant mass assembly event. Any such deposit shall be used to cover any applicable costs associated with clean up or the provisions of additional police or emergency services and any monies remaining will be returned to the applicant.
- D. For all mass assembly events which anticipate attendance in excess of 100 persons, the organizers must retain the services of a security professional possessing either a private investigator's license or a watch, guard or patrol agency license from the State of New York. Said security professional shall submit to the Village Clerk and the Southold Town Police Department a detailed security plan, in a form acceptable to the Southold Town Police Department outlining potential security threats affecting the applicable mass assembly event and plans to mitigate the same. The Southold Town Police Department shall approve the security plans in order for any applicable mass assembly permit to be issued.
- E. The Board of Trustees for the Village of Greenport may waive in whole or in part any of the requirements set forth above in clauses A, B, C or D.

- F. No additional equipment or structures may be placed on the location of the proposed mass assembly event to be held at any public space, public right-of-way or public waterway prior to the date on which such event is permitted to occur and all such structures shall be removed at the close of such mass assembly event unless the mass assembly permit shall expressly provide for different time periods.
- G. No signage associated with the mass assembly event shall be permitted to be put up in any public space or public right-of-way more than five (5) days prior to the occurrence of such event and all such signage put up in connection with any mass assembly event shall be removed and disposed of offsite by no later than two (2) days after the end of such mass assembly event.

# Chapter 101

## Recreation Areas and Beaches

### GENERAL REFERENCES

Alcoholic beverages — See Ch. 35.  
Mass public assemblies — See Ch. 44.  
Boats and boating — See Ch. 48.  
Noise — See Ch. 88.

### § 101-1 Purpose.

The Village of Greenport, for the preservation and maintenance of suitable recreation facilities for its citizens and their guests, hereby enacts this chapter so as to ensure the peaceful, orderly and most beneficial use of any and all recreational facilities supported, in whole or in part, maintained or owned by the Village of Greenport.

### § 101-2 Definitions.

### ADDITIONAL EQUIPMENT OR STRUCTURES

Has the meaning specified in Chapter 44.

### BEACH

Any land lying within the jurisdictional boundaries of the Village of Greenport between the mean high water line of a body of water and the base of any bluff or dune or where no bluff or dune is present, between such body of water and the naturally occurring beach grass or upland vegetation if no naturally occurring beach grass is present.

### ~~CONCESSION~~

~~The right of a person or persons to privately utilize any public space or public waterway for the purpose of: (A) selling food and/or beverages, (B) selling goods or merchandise, (C) renting or storing goods, merchandise or equipment, including, paddleboards, tennis rackets, kayaks, bicycles, beach chairs, beach umbrellas and other similar recreational items, or (D) providing instructional services such as yoga or other fitness classes, paddleboarding lessons or other similar types of lessons, involving outdoor activities, in each case, to, or for the benefit of, members of the public.~~

### ~~CONCESSION AGREEMENT~~

~~An agreement entered into between the Village and any person or persons granting such person or persons the right to operate a specified concession at any public space or in any public waterway which is consistent, in the opinion of the Village Board of Trustees, with the use of such public space or public waterway.~~

### MASS ASSEMBLY EVENT

Has the meaning specified in Chapter 44.

### MASS ASSEMBLY PERMIT



Has the meaning specified in Chapter 44.

**MITCHELL PARK**

Has the meaning specified in Chapter 44.

**PERSON**

Has the meaning specified in Chapter 44.

**PUBLIC PARK**

Any park, playground, athletic field, boat-launching ramp, skate park or beach that is owned by, leased by, maintained by, or otherwise under the control of, the Village of Greenport, regardless of whether zoned as “Park District” or otherwise, including without limitation, the park and beach area located at the south ends of Fifth and Sixth Streets, the playground located at Third Street adjacent to the Village of Greenport Firehouse, the basketball court located at Third Street north of Center Street, the skatepark located at Moore’s Woods and Mitchell Park.

**PUBLIC RIGHT-OF-WAY**

Has the meaning specified in Chapter 88.

**UNREASONABLE NOISE**

Has the meaning specified in Chapter 88.

§ 101-2 **Hours.**

- A. All public parks shall open at sunrise and close at one hour after sunset or such later hour as may be specified in any applicable mass assembly permit, with the following exceptions to closing time:
  - (1) The area set aside for the village campsite;
  - (2) Mitchell Park which shall close at 12:00 a.m.; and
  - (3) the public park located at Moore’s Woods (including the skate park) which shall close at 10:00 p.m.
- B. No person or persons shall remain in or enter a public park before opening time and/or after the closing time thereof without the prior written permission of the Board of Trustees.

§ 101-3 **Littering.**

No person shall bring in or dump, deposit or leave any bottle, broken glass, ashes, paper boxes, cans, dirt, rubbish, waste, garbage, refuse, brush, gravel, fill or other similar materials in any public park or any adjacent public right-of-way except in proper trash receptacles provided by the Village of Greenport expressly therefor. Where receptacles are not so provided, all such items shall be carried away from the public park by the person responsible for its presence and properly disposed of elsewhere.

§ 101-4 **Alcoholic beverage restrictions.**

Except to the extent specifically permitted pursuant to any duly issued mass assembly permit, no person or persons shall consume alcoholic beverages from any container in any public park.

§ 101-5 **Animals.**

- A. Dogs or domestic animals shall not be allowed on or within (1) any designated bathing beach during such time that a lifeguard is on duty or (2) any public park that is posted with signage indicating that dogs or domestic animals are prohibited.
- B. To the extent not prohibited pursuant to clause (A) above, dogs or domestic animals shall only be allowed on or within any public park (including any beach) in compliance with the conditions set forth in Chapter 39 and shall at all times be on a leash and restrained no more than four (4) feet from the owner or custodian of such dog or domestic animal.

§ 101-6 **Liability for injuries and stolen property.**

Anyone using any public park or any related facilities shall do so with the understanding that the Village assumes no responsibility for any injury or damage which such person may sustain while an occupant of the applicable public park or while using any related facilities; and the Village shall not be responsible in any manner for any article that may be stolen from any public park, any structure located on any public park or from any motor vehicle or motorboat parked on a right-of-way adjacent to any public park.

~~§ 101-7 **Selling; vending; concession agreements.**~~

101-7 **Selling; vending; distribution of certain goods.**

The selling, vending or offering for sale of any wares or merchandise or any tickets for admission to entertainment or other functions or chances or letters or lotteries or the distribution of leaflets, booklets or any advertising material whatsoever is strictly prohibited, except in such case and instances as the Village Board of the Village of Greenport has issued a permit therefor.

- ~~A. No person shall sell, vend, rent or offer for sale or rent any wares, merchandise, goods, services or tickets for admission, entertainment or other events at any public park or any adjacent public waterway except as expressly provided for in any validly issued: (1) mass assembly permit, (2) [concession agreement, (3)] license issued by the Town of Southold pursuant to Chapter 197 of the Code of the Town of Southold or (4) other permit granted by resolution by the Board of Trustees.~~
- ~~B. [The Board of Trustees of the Village of Greenport may grant concessions for the use of a portion of any public park or public waterway area to one or more persons from time to time pursuant to such terms and conditions as the Board may determine are in the best interest s of the Village; *provided* that (1) the granting of any such concession shall be subject to the terms of Chapter 29 and any other applicable laws or regulations relating to the Village' s granting of any concession and entering into of any related concession agreement, (2) the decision to put out to bid any concession or otherwise grant a concession shall be the subject of a public hearing, (3) the initial duration of any concession shall be no longer than [two (2)] years, (4) the process for bidding on any concession shall be subject to such other terms and conditions as the Board of Trustees shall set forth in any request for proposal for a concession. In conducting any bid for any concession, the Board of Trustees shall include provisions governing rights of appeal and protest in connection with any denial or determination of noncompliance by an application for a concession as are required by law or otherwise deemed advisable by the Board of Trustees. Any concession agreement entered into by the Village in connection with the granting of any concession shall expressly provide for the right of the Village Board of Trustees to terminate such concession agreement upon a finding that the person(s) holding the related concession are in breach of their obligations thereunder in addition to any other remedies that may be specified therein.]~~

§ 101-8 **Other Prohibitions.** Except to the extent expressly provided for to the contrary in any mass assembly permit or any other permit issued by the Board of Trustees from time to time, the following activities are prohibited in any public park and on any public waterway or public right-of-way immediately adjacent thereto:

- A. Except for areas designated for parking, parking aisles and driveways providing access to such parking areas, driving or use of a motor vehicle in any public park; placement of any motorboat in any public park (except to the extent that there is a marina expressly provided therefor).
- B. Any mass assembly event without a permit as required pursuant to Chapter 44 (other than any event that is not required to obtain a mass assembly permit pursuant to Chapter 44, including any demonstration).
- C. Conduct or activities, including any fighting or other violent, tumultuous or threatening behavior, that: (1) significantly interferes with ordinary park use by the public, (2) jeopardizes the safety of the public or (3) is indecent or disorderly.
- D. (1) Digging or removing sand, gravel, rocks or other similar materials located in any public park or adjacent public waterway or (2) cutting, carving, removing or otherwise damaging any tree or plant in any public park.
- E. Erecting, constructing or placing any additional equipment or structure, fence, barricade or sign without having obtained the express permission of the Board of Trustees of the Village of Greenport.
- F. Unreasonable noise.
- G. The playing or operation of any sound reproduction device (as defined in Chapter 88) except to the extent permitted under the terms of Chapter 88.
- H. The kindling, building, maintaining or use of any fire in any place or portable receptacle, except in places or receptacles provided by the Village of Greenport or as expressly permitted pursuant to any mass assembly permit.
- I. Any marking, defacing, injuring or damage to any building, structure, property or equipment located therein.
- J. Undressing or dressing either by changing from ordinary street clothes into bathing or beach attire or otherwise except in any building or structure provided therefore.
- K. Camping or sleeping or the erection of any additional building or structure, temporary or otherwise for such a purpose.
- L. Possession or discharge of fireworks.
- M. The playing of any games involving thrown or otherwise propelled objects, such as balls, stones, arrows, javelins or model airplanes except in areas set apart for such forms of recreation, including any field or court or other similar area established therefor.

- N. Distribution of any leaflets or handbills containing harassing, threatening or intimidating text or images.
- O. Harassing, threatening or intimidation of another person of reasonable sensitivities.

§ 101-9 **Use of Picnic Areas.** No person shall, in any public park:

- A. Picnic in a location in such public park other than a place designated for such purpose.
- B. Violate the regulation that use of any Village provided for grills or fireplaces, together with tables and benches provided therefor, follows generally the rule of first come, first served, except if it is an organized mass assembly event that exhibits a mass assembly permit.
- C. Use any portion of a picnic area or any of the equipment, furnishings, buildings or structures located at any public park for the purpose of holding a picnic to the exclusion of other persons or for an unreasonable time if the facilities are crowded.
- D. Leave a picnic area before a fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles or other refuse is placed in prior disposal receptacles where provided or carried away from the applicable picnic area.

§ 101-10 **[Mitchell Park.**

- A. No person shall organize any private event or activity involving the congregation of a [ten (10)/twenty-five (25)] or more persons (other than any use of the carousel, the camera obscura or skating park in the ordinary course of its business<sup>4</sup>) that is intended to take place in any portion of Mitchell Park without first obtaining a mass assembly permit in accordance with Chapter 44 (unless such event or activity is a type that is not required to have a mass assembly permit pursuant to §44-2(B) and is an otherwise permitted activity conducted during the hours that Mitchell Park is open).
- B. No additional equipment or structure or sound reproduction device shall be placed, used or operated by any person in Mitchell Park except to the extent expressly permitted pursuant to any Mass Assembly Permit or other resolution enacted by the Village Board of Trustees from time to time.
- C. Except as specifically permitted in section 101-10(A), the use of Mitchell Park by any person is subject to all of the other provisions set forth in this Chapter 101 with respect to the use of any public park.]

§ 101-11 **Beaches.**

- A. No person shall swim, bathe or wade in any waters or waterways in or adjacent to any beach except in such waters and at such places as are provided therefor and in compliance with such regulations as are herein set forth or may otherwise be adopted from time to time.
- B. Any designated bathing or swimming area shall be kept free from any form of motorboat, water equipment or other floating objects that may cause inconvenience, injury or discomfort to bathers, except of such equipment is intended for the protection of life.

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<sup>4</sup> NTD: Board will need to repeal and/or amend the resolution passed on May 28, 2015 relating to the use of Mitchell Park to reflect proposed provisions of Chapter 44 and 101 in respect of Mitchell Park once agreed.

- C. No person shall bring into or operate any boat, raft or watercraft, whether motor-powered or not, upon any water places designated for bathing.
- D. No person shall (1) fish within 20 feet of any designated bathing or swimming area or (2) use any surfboard, paddleboard or windsurfing equipment (except for the launch thereof) within 150 feet of any designated bathing or swimming area.

§ 101-12 **Penalties for offenses.**

- A. Any person or persons who shall violate or aid in, take part in or assist in the violation of this chapter shall be subject to: (a) a minimum fine of not less than \$500 and not more than \$1,000 for the first offense and (b) a minimum fine of \$1,000 or a maximum fine of \$5,000 for each additional offense occurring within twelve (12) months of the first offense. Any penalties payable under this § 101-15 shall be in addition to any other penalties that such person or persons may be liable for pursuant to any other provision of this Code, including, without limitation, pursuant to Chapter 88.
- B. A code enforcement officer or police officer of Southold Town Police Department shall have the authority to enforce and/or eject from any public park any person violating the provisions of this Chapter or any other provisions of the Code.

§ 101-12 **Concurrent remedies.** Nothing contained herein shall be deemed or construed so as to prevent the enforcement of any other remedy at law, concurrent or otherwise, available to the Board of Trustees or other law enforcement authority to avoid or prevent any violation or attempted violation of this chapter, such as but not limited to an injunction or restraining order. The Village of Greenport may maintain any action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.

§ 101-13 **Supplementary provisions.** This chapter is in addition to any other law, ordinance or regulation affecting the subject matter herein and is not in limitation thereof.

# Chapter 88

## Noise

### GENERAL REFERENCES

Mass Public Assemblies — See Ch. 44.  
Recreation areas and beaches — See Ch. 101.  
Entertainment Permits — See Ch. 150.

### § 88-1 Purpose.

The purpose of this Chapter is to minimize the exposure of residents and visitors in the Village of Greenport to unreasonably loud or excessive sound, which is harmful to the peace, welfare, comfort, safety, convenience, good order and prosperity of residents and visitors of the Village of Greenport. It is the public policy and findings of the Village of Greenport Board of Trustees that every person is entitled to be protected from sound that is detrimental to life, health and the enjoyment of his or her property. The intent of the Village of Greenport Board of Trustees is to enact legislation that: (A) serves to control the level of sound in a manner which promotes commerce, the use, value and enjoyment of property, sleep and repose and the quality of the environment by establishing limits on sound levels within the Village of Greenport; (B) provides for appropriate exceptions to the provisions of this Chapter to allow for the functioning of commercial businesses and the operation of construction, landscaping and emergency equipment; and (C) provides clear guidance that certain sound-producing activities constitute unreasonable noise and are therefore prohibited by this Chapter.

### § 88-2 Definitions; word usage.

- A. All terminology defined herein that relates to the nature of sound and the mechanical detection and recordation of sound is in conformance with the terminology of the American National Standards Institute or its successor body.
- B. As used in this chapter, the following terms shall have the meanings indicated:

#### **A-WEIGHTED SOUND PRESSURE LEVEL**

The sound pressure level measured in decibels with a general-purpose sound level meter complying with the provisions of the ANSI Specifications for Sound Level Meters (ANSI SI.4 1971), properly calibrated and operating on the A-weighting network. The level so read is hereinafter abbreviated as “dBA”.

#### **ABATEMENT**

An action to reduce, cease, remove, stop or otherwise reduce the level of any sound or sound source.

#### **ANSI**

The American National Standards Institute.

#### **CODE ENFORCEMENT OFFICER**

Any person who is designated to enforce the ordinances and regulations for the Village as appointed by the Board of Trustees of the Village pursuant to § 53-3 from time to time; *provided* that if such person



is enforcing the provisions of this Chapter that relate to a specific dBA and require the use of sound level meter, such person shall only be entitled to enforce such provisions to the extent that he or she has been trained in the measurement of sound using such a device.

**COMMERCIAL AREA**

Any real property located within any of the areas zoned by Chapter 150 of the Code of the Village of Greenport and the Zoning Map of the Village of Greenport as CR (Retail Commercial) District, CG (General Commercial) District or WC (Waterfront Commercial) District, including any public waterway or public right-of-way located within the jurisdictional boundaries of any such zone or district, but excluding any public park that is located in any such zone or district.

**COMMERCIAL LANDSCAPER**

Any person who, for a fee, uses mowers, tractors or other tools or machinery for the purpose of cutting grass and providing other services associated with landscaping.

**CONSTRUCTION**

Any site preparation (including blasting), assembly, erection, demolition, repair, alteration or similar action for, or of, public or private rights-of-way, buildings, structures, utilities or other property.

**CONSTRUCTION DEVICE**

Any power device or equipment designed and intended for use in construction, including, but not limited to, air compressors, bulldozers, backhoes, trucks, shovels, derricks and cranes.

**DECIBEL (dB)**

The unit of measurement for sound pressure level. The number of "decibels" of a measured sound is equal to twenty (20) times the logarithm of the base 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound twenty (20) micropascals, abbreviated "dB".

**DEMOLITION**

Any dismantling, intentional destruction or removal of buildings, structures, rights-of-way, roadways or other similar property.

**EMERGENCY WORK**

Any work or action required to (1) restore property to a safe condition following a public calamity, (2) protect persons or property from imminent exposure to danger or (3) to provide or restore immediately necessary utility and emergency services, including, but not limited to, repairing water, gas, electricity, telephone and sewer facilities and public transportation, removing fallen trees on public rights-of-way and abating other life-threatening conditions.

**ENTERTAINMENT PERMIT**

Has the meaning specified in Chapter 150.

**GAS-POWERED LEAF BLOWER**

Any portable, handheld or backpack style power equipment that is powered by fuel and used in any landscape maintenance, construction, property repair or property maintenance for the purpose of blowing, moving, removing, dispersing, vacuuming or redistributing leaves, dust, dirt, grass clippings, cuttings and trimmings from trees and shrubs or any other type of litter or debris.

**IMPULSIVE SOUND**

A sound of short duration usually less than one (1) second and of high intensity with an abrupt onset and rapid delay. Examples of "impulsive sound" would be explosions, drop forge impacts, discharge of

firearms.

**LANDSCAPING**

The maintaining of and/or providing care of lawns, including, but not limited to, mowing, cutting and trimming, also the gathering, raking, blowing and/or removal of leaves, grass or lawn clippings and/or other debris on any lot, plot or parcel of land. This includes regular maintenance as well as fall and spring clean-ups. “**LANDSCAPE**” shall have a similar meaning.

**LANDSCAPING EQUIPMENT**

Any engine or motor-power device or equipment, including any gas-powered leaf blower, utilized in connection with landscaping.

**MOTOR VEHICLE**

Any vehicle that is propelled or drawn on land by an engine or motor, including, but not limited to, passenger cars, trucks, truck-trailers, campers and motorcycles.

**MOTORBOAT**

Any vessel that operates on water and that is propelled by a motor, including, but not limited to, boats, barges, water ski towing devices, jet skis and hover craft.

**MULTI-DWELLING BUILDINGS**

Any building wherein there are two (2) or more dwelling units.

**PERSON**

An individual, association, firm, syndicate, company, trust, partnership, corporation, department, bureau or agency, or any other entity recognized by law.

**PERSONAL SOUND REPRODUCTION DEVICE**

Any battery powered radio, tape player, compact disc player, MP3 player, phone or a portable compact blue tooth speaker, in each case of a type that is generally considered to be for personal use.

**PLAINLY AUDIBLE**

Any sound that can be detected by a person using his or her unaided hearing faculties. As an example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to be plainly audible sound.

**PUBLIC HOLIDAY**

The first day of January, known as New Year’s Day; the third Monday of January, known as Dr. Martin Luther King, Jr. Day; the twelfth day of February, known as Lincoln’s birthday; the third Monday in February, known as Washington’s birthday or Presidents’ Day; the last Monday in May, known as Memorial Day; the second Sunday in June, known as Flag Day; the nineteenth day of June, known as Juneteenth; the fourth day of July, known as Independence Day; the first Monday in September, known as Labor Day; the second Monday in October, known as Columbus Day or Indigenous People’s Day; the eleventh day of November, known as Veterans’ Day; the fourth Thursday in November, known as Thanksgiving Day; and the twenty-fifth day of December, known as Christmas Day; each general election day and each day appointed by the President of the United States or the Governor of New York State as a day of general thanksgiving, general fasting and prayer or other general religious observance day.



**PUBLIC PARK**

Has the meaning specified in Chapter 101.

**PUBLIC RIGHT-OF-WAY**

Any street, avenue, boulevard, lane, road, highway, sidewalk, alley or similar place that is owned or controlled by a governmental entity.

**PUBLIC SPACE**

Any real property (including any public park) or structures thereon that are owned or controlled by a governmental entity.

**PUBLIC WATERWAY**

Any navigable waterway within the boundaries of the Village of Greenport, including the area commonly referred to as “Mitchell Park Marina”

**REAL PROPERTY LINE**

- (1) The imaginary line, including its vertical extension, that separates one (1) parcel of real property from another.
- (2) The vertical and horizontal boundaries of a dwelling unit that is one (1) in a multi-dwelling-unit building.

**REPETITIVE IMPULSIVE SOUND**

Any sound that is composed of individual impulsive sounds which are repeated continuously.

**RESIDENTIAL AREA OR PROPERTY**

Any real property located within an area zoned by Chapter 150 of the Code of the Village of Greenport and the Zoning Map of the Village of Greenport as R-1 One-Family Residence District, R-2 One- and Two-Family Residence District or Park District and including any public waterway or public right-of-way located within the jurisdictional boundaries of any such zone or district.

**SHORT-TERM RENTAL**

Has the meaning specified in § 103-4 of the Code.

**SOUND**

Any variation in ambient barometric pressure.

**SOUND LEVEL METER**

An instrument, including a microphone, an amplifier and output meter and frequency-weighting networks, for the measurement of sound levels.

**SOUND PRESSURE LEVEL**

The weighted sound pressure level in decibels obtained using a sound level meter and frequency-weighting network, such as A, B or C. If the frequency weighing employed is not indicated, the A-weighting slow response shall apply.

**SOUND REPRODUCTION DEVICE**

Any device that is designed to be used or is actually used for the production, reproduction or amplification of sound, including but not limited to any musical instrument, radio, television, tape recorder, compact disc player, phonograph, loudspeaker, public address system or any other electronic

device used for the amplification of sound.

**SOUND SIGNALING DEVICE**

Any device that is designed to be used or is actually used to produce a sound signal, but not spoken language, including, but not limited to, any horn, whistle, bell, gong, siren, rattle, clapper, hammer, drum or air horn.

**SOUND SOURCE**

Any activity or device whatsoever that produces sound.

**SOUND SOURCE SITE**

Any one (1) parcel of land, or a tract of land consisting of two (2) or more parcels that includes all contiguous land and water areas under the ownership or control of a person in or upon which one (1) or more sound sources are located. The "sound source site" includes all individual sound sources that are located on such site, whether stationary, movable or mobile. A "sound source site" is created by the installation of one (1) or more sound sources thereon.

**SPECIAL EVENT PERMIT**

Has the meaning specified in Chapter 44.

**UNREASONABLE NOISE**

Sound that:

- (1) Endangers or injures any person or animal; or
- (2) Annoys, disturbs or discomforts a reasonable person of normal sensitivities; or
- (3) Adversely affects the sleep, repose, health or safety of any person.

Standards to be considered in determining whether "unreasonable noise" exists in a given situation include but are not limited to the following:

- (a) The volume of the sound.
- (b) The intensity of the sound.
- (c) Whether the nature of the sound is usual or unusual.
- (d) Whether the origin of the sound is natural or unnatural.
- (e) The volume and intensity of the background sound, if any.
- (f) The proximity of the sound to residential sleeping facilities.
- (g) The nature and zoning district of the areas within which the sound emanates.
- (h) The time of day or night the sound occurs.
- (i) The time duration of the sound.
- (j) Whether the sound source is temporary.

- (k) Whether the sound is impulsive sound or a repetitive impulsive sound.

**§ 88-3 Enforcement; Use of Sound Level Meter.**

- A. The provisions of this chapter shall be enforced by one or more code enforcement officer and/or any police officer of the Town of Southold.
- B. Any sound measurement utilizing a sound level meter for purposes of determining compliance with this Chapter 88 shall be made as follows:
- (1) Using a sound level meter that is designated by its manufacturer as meeting the precision requirements of ANSI S1.4 or IEC 651 for Type 1 or Type 2 sound level meters.
  - (2) Using a sound level meter shall be appropriately calibrated and adjusted as necessary by means of an acoustical calibrator of the coupler-type to assure meter accuracy within the tolerances set forth by the ANSI.
  - (3) Using a “slow” meter response, except as necessary to identify a repetitive impulsive sound.
  - (4) Using a windscreen approved by the manufacture of the instrument.
  - (5) At a height of at least four feet above the ground and not closer to the sound source than the real property line of the property on which the sound source is located.
  - (6) For purposes of any outdoor measurement, the back of the curb, the outside edges of driveways, fences, hedges, docks or other physical features commonly associated with property boundaries are presumed to be at a point which is at or beyond the applicable real property line of the applicable sound source site.
  - (7) When measuring sound indoors, the microphone shall be at least three feet distant from any wall, ceiling or partition and the average measurement of at least three microphone positions throughout the room shall be determined.
  - (8) When measuring sound within a multi-dwelling unit, all doors and windows shall be closed and the measurements shall be taken in the center of the room most affected by the applicable sound or sound source.
  - (9) Indoor measurements shall only be taken if the sound source is on or within the same property as the receiving property, as in the case of a multi-use property or a multi-dwelling property.
- C. In all cases, the maximum sound pressure level permitted in any applicable zoning district shall be determined based on the applicable zoning district of the property from which the sound pressure level is measured. When a sound source can be identified and the sound emanating therefrom can be measured in more than one zoning district, the limits of the most restrictive zoning district shall apply.

**§ 88-4 Maximum permissible sound pressure levels.**

- A. Subject to § 88-6, no person shall make, continue to make, cause to be made or continued any sound, or use any sound source, within the boundaries of the Village of Greenport, including any waters or beaches falling within the jurisdictional boundaries of the Village, in such a manner as to create a sound pressure level that exceeds the particular limits set forth in Table I when measured at or beyond the real

property line of the applicable sound source site, except those acts specifically prohibited pursuant to § 88-5 for which no measurement of sound pressure level is required.

- B. Subject to § 88-6, no person who is in custody and control of any property *or the owner and operator of any motor vehicle or motorboat*, located within the boundaries of the Village of Greenport shall permit any other person to make, continue to make or continued any sound, or use any sound source on any such property in such a manner as to create a sound pressure level that exceeds the particular limits set forth in Table I measured at or beyond the real property line of the applicable sound source or which shall create any sound that would otherwise be prohibited pursuant to § 88-5 except to the extent expressly permitted pursuant to § 88-6. For purposes of this Chapter, the following persons shall be presumed to be in “custody and control” of a property: (1) an individual owner or owners where the premises are owner-occupied, (2) (a) in the case of any short-term rental, the owner or owners of such property and (b) in all other cases where a property is rented or leased to a tenant, the tenant or tenants occupying such property, (3) (a) in the case of any business that has an entertainment permit, each responsible person specified in the application relating to the issuance of such entertainment permit and (b) in the case of any other business, the manager or the person in charge of such business and (4) in the case of any motor vehicle or motorboat, the operator thereof. A person found to be in custody and control of any property that is the subject of a violation of this Chapter shall be responsible for the payment of any fines imposed pursuant to § 88-9. Any person who is in custody or control of any short-term rental shall ensure that any person staying therein from time to time is aware of the applicable limitations set forth in this Chapter 88, including the limitations set forth in § 88-5 below.

**§ 88-5 Prohibitions.**

Subject to § 88-6, no person shall make, continue to make, permit or cause to be made or continued any unreasonable noise as defined in § 88-1 within the boundaries of the Village of Greenport, including any waters or beaches following within the jurisdictional boundaries of the Village of Greenport. In particular, without limitation of the foregoing provision of this Section, the following enumerated acts are declared to be in violation of this Section:

A. Sound reproduction devices.

- (1) The operation, playing, use or permitting the operation or playing or use of any sound reproduction device that results in any sound that is plainly audible within 50 feet from the applicable sound source (including, any motor vehicle or motorboat) ~~or at the real property line~~ of the applicable sound source site on which or from which such sound is produced as follows:
- (a) in any residential area:
- (i) on any Friday, Saturday or any public holiday occurring between May 15 and October 1 of each calendar year, between the hours of 11:00 p.m. of such day and 10:00 a.m. of the immediately following day; and
  - (ii) on any other day, between the hours of 10:00 p.m. of such day and 10:00 a.m. of the immediately following day; and
- (b) in any commercial area:
- (i) on any Friday or Saturday occurring between May 15 and October 1 of each calendar year, between the hours of 12:30 a.m. and 10:00 a.m. of the immediately following day;
  - (ii) on any public holiday occurring between May 15 and October 1, between the hours of 11:00

p.m. of such day and 10:00 a.m. of the immediately following day;

(iii) on any other Friday or Saturday, between the hours of 11:00 p.m. of such day and 10:00 a.m. of the immediately following day; and

(iv) on any other day, 10:00 p.m. of such day and 10:00 a.m. of the immediately following day.

Notwithstanding the foregoing, the operation, playing, use or the permitting of operating, playing or use of any sound reproduction device in any public space, public right-of-way or public waterway shall be subject to the provisions of § 88-5A(4) below.

- (2) The operation, playing, use or the permitting of operating, playing or use of any sound reproduction device for commercial or business advertising purposes or for the purposes of attracting attention to any performance, show or sale or display of merchandise in connection with any commercial operation, as follows:
  - (a) in front or outside of any building, structure or on any property abutting or adjacent to a public right-of-way or public space, where the sound therefrom is plainly audible in any residential area or on any adjacent public right-of-way or public space; or
  - (b) on any boat or in any other manner on the waters within the jurisdiction of the Village of Greenport; or
  - (c) anywhere on any public right-of-way or public space.
- (3) The operation, playing, use or permitting of the operation, playing or use of any sound reproduction device by any person in any commercial area in connection with providing any entertainment (as defined in Chapter 150 of the Village Code), the hosting of any catered event (as defined in Chapter 150 of the Village Code) or the hosting of any mass assembly event (as defined in Chapter 44 of the Village Code) unless:
  - (a) the use thereof is otherwise permitted pursuant to § 150-51J of the Village Code without a valid entertainment permit as required under § 150-51 of the Village Code; or
  - (b) such person has (i) a valid and existing entertainment permit issued pursuant to § 150-51 of the Village Code and the use of such sound reproduction device is otherwise being operated in accordance with the terms of such entertainment and (ii) to the extent applicable, a special event permit issued pursuant to Chapter 44 and the use of such sound reproduction device is otherwise being operated in accordance with the terms of such special event.
- (4) The operation, playing, use or permitting the operation, playing or use of any sound reproduction device at any public space, public waterway or any public right-of-way except as follows:
  - (a) the use by an individual person of a personal sound reproduction device to the extent that either:
    - (i) the user thereof is using headphones or earphones in connection therewith; or
    - (ii) the sound emanating from such personal sound reproduction device is played at a low level and is not plainly audible either (A) within 25 feet from the emitting sound source or (B) at the real property line of any property located in any residential area; or
  - (b) the use thereof is expressly authorized pursuant to a special event permit issued pursuant to Chapter

44.

B. Vocal Disturbances and Peddling.

- (1) Vocal disturbances, including shouting, yelling, hooting, or the making of any other loud outcries, exclamations or other loud or boisterous sounds or loud and boisterous singing by any person or group of persons or the use of any device to amplify the aforesaid sound on, or in, any public right-of-way, public waterway or public space between the hours of (a) the earlier of (i) the hour on which any public space is required to close pursuant to § 101-2 of the Village Code and (ii) 9:30 p.m. of any day and (b) 8:00 a.m. of the immediately following day except to serve as a danger warning.
- (2) Vocal disturbances, including shouting, yelling, hooting, crying or bellowing or the use of any device to amplify any such sound by any peddler, hawker or vendor for the purpose of advertising goods, services, wares or merchandise. The provisions of this subsection shall not apply to the sale of merchandise, food and beverages (a) pursuant to a special event permit duly issued in accordance with Chapter 44 or (b) to the extent the applicable peddler, hawker or vendor is in receipt of a valid and effective permit issued pursuant to Chapter 197 of the Code of the Town of Southold and is otherwise operating in accordance with the terms thereof.
- (3) Human conversation from a group gathering area on any property (including at any swimming pool or hot tub) intermittently or at continuously for a period of more than 15 minutes at a volume plainly audible inside a closed residence located at 25 feet or more from such gathering area between the hours of 9:30 p.m. and 8:00 a.m. The actual words of the conversation need not be intelligible; audibility of the sound of conversation under the conditions described is sufficient to constitute unreasonable noise. A closed residence shall be a dwelling unit located in a residential area which has all windows and doors closed to the outside.

.C. Noise-Sensitive Zones. The creation of any sound by means of any device or otherwise on any public right-of-way, public waterway or public space adjacent to any school, court, house of worship or public library while such facility is in use or adjacent to any hospital or nursing home at any time, so that such sound disrupts the normal activities conducted at such facilities or disturbs or annoys persons making use of such facilities. Any such activity that is plainly audible within any such noise sensitive zone shall constitute *prima facie* evidence of a violation of this Section.

D. Loading and Unloading. The loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials or similar objects between the hours of 8:00 p.m. and 7:00 a.m. the following day so as to be plainly audible across or into any residential property.

E. Sound Signaling Devices. Causing or permitting to be caused the sounding of any sound signaling device on or in any motor vehicle or motorboat except to serve as a danger warning.

F. Motor Vehicles and Motorboats

- (1) The operation of any engine of any motor vehicle, motorboats or any auxiliary equipment attached thereto for a period longer than five (5) minutes in any hour while such motor vehicle or motorboat is stationary, for reasons other than traffic congestion, on any private property, public waterway, public right-of-way or other public space such that the sound therefrom is plainly audible at either (a) a distance of 50 feet from such motor vehicle, motorboat or equipment or (b) at any property located in a residential area, on any day between the hours of (i) 9:00 p.m. of such day and (ii) 8:00 a.m. of the following day.



- (2) The operation of any motor vehicle or motorboat that does not include a muffler or other sound-suppression equipment in operable condition.
  - (3) Any disturbing or raucous sounds caused on any public right-of-way, public spaces or in public waterway at any time by racing or accelerating the engine of any motor vehicle or motorboat while moving or not moving, by the willful backfiring of any engine and exhaust from the engine tailpipe or muffler or from the screeching of tires.
  - (4) The operation of any sound reproduction device on any motorboat or other vessel so that the sound therefrom is plainly audible at a distance of 25 feet from such motorboat or vessel.
- G. Construction. The operation or permitting of the operation of any construction device, including, but not limited to, construction and demolition work, excavating or earthmoving equipment:
- (1) Between the hours of (a) on any Monday through Saturday, 8:00 p.m. of such day and 8:00 a.m. the following day on weekdays or (b) at any time on Sundays or on any public holiday, such that the sound is plainly audible on any adjacent property.
  - (2) At any other time such that the continuous sound-in-air level at or across the real property line of the sound source site on which such construction device is being operated exceeds an L10 of eighty (80) dBA.
  - (3) At any other time such that the impulsive sound-in-air level has a peak sound pressure level at or across the real property line of the sound source site on which such construction device is being operated is in excess of one hundred thirty (130) dBA.
- H. Landscaping Equipment. The operation or permitting of the operation of any landscaping equipment by any commercial landscaper during the following days and times: (1) Monday through Friday between the hours of 7:00 p.m. on such day and 8:00 a.m. on the following day, (b) Saturday, prior to 9:00 a.m. or after 6:00 p.m. or (c) on any Sunday or public holiday,
- I. Air Conditioning and Heat Pump Equipment. The operation of any air-conditioning or air-handling equipment, swimming pool or spa pump, exhaust fan or other heat-pump based equipment in such a manner as to exceed 55 dBA over a ten (10)- minute period of time, measured from a distance of 50 feet or more from the sound source ~~or the real property line of the applicable sound source site at any time of day or night.~~
- J. Garbage Pick Up. Garbage collection between the hours of 8:00 p.m. and 7:00 a.m. in such manner as to be plainly audible across or into any residential property.
- M. Animals. Barking or other sounds made by a dog or other domestic animal intermittently or continuously for more than 15 minutes.

**§ 88-6 Exceptions.**

The following activities and/or sounds are exempt from the provisions of this Chapter:

- A. Sounds created by bells, chimes or carillons not operating continuously for more than five (5) minutes in any hour.
- B. Emergency work as defined in Section 88-2 BC. Sounds from snowblowers, snow throwers and snowplows, when operated with a muffler, for the purpose of snow removal and when used in

accordance with manufacturer's specifications,

- D. Sound from stationary emergency signaling devices owned and operated by any public utility, municipal subdivision, fire department or ambulance corps when used in connection with an emergency or for testing purposes, including, but not limited to, train switching.
- E. Sound from a burglar alarm of any building or motor vehicle, provided that such burglar alarm shall terminate its operation within fifteen (15) minutes after it has been activated and shall not be operated more than fifteen (15) minutes in any one-hour period.
- F. Sounds from generators during periods when there is no electrical service available due to natural disaster or power outage; *provided* that the sound created by any stationary generator shall not exceed 75dBA at any real property line of the applicable sound source site.
- G. Sound resulting from any vehicle when responding to an emergency call or acting in time of emergency.
- H. Outdoor speakers aboard excursion boats or ferries used to announce sights or make other customary announcements to passengers; *provided* that the sound created thereby shall not exceed 65dBA as measured on any property located within the boundaries of the Village of Greenport.
- I. Sounds caused by natural phenomena or wildlife.
- J. Stationary amplified announcements at athletic events, political events or civic events.
- K. Sound resulting from or, in connection with, any event that is the subject of a special event permit that specifically provides for relief from the provisions of this Chapter 88 during the approved duration of such event; *provided* that any applicable sound reproduction device used in connection with any such event shall be expressly permitted to be used pursuant to the terms of such special event permit.
- L. Sound associated with any demonstration (as defined in Chapter 44) that is permitted to occur without a special event permit pursuant to the terms of Chapter 44, other than any sound that results from the use of a sound reproduction device of any type other than a musical instrument, megaphone or bullhorn.

§ 88-7 Prima Facie Evidence of Offenses.

The following shall constitute *prima facie* evidence of a violation of this Code:

- A. The occurrence of any activity set forth in §§ 88-5A through 88-5M that is plainly audible at a distance of 50 feet from the location from where the sound source thereof is located.
- B. With respect to unreasonable noise of the types described in §§ 88-5A(1), 88-5A(3), 88-5A(4), 88-5B(1), 88-5B(3), 88-5D, 88-5F(1), 88-F(2), 88-(G)(1), 88-(H), 88-5(J) or 88-5(M), the making of separate and distinct but substantially similar reports to a code enforcement officer or police officer by two or more persons living in separate dwelling units (which may include apartments or condominiums located within the same building) alleging that the applicable sound constitutes unreasonable noise and specifying as to the time, duration and general location of the sound source of the applicable unreasonable noise.
- C. The occurrence of any of the activities set forth in § 88-5 that any individual person hears and reports to a code enforcement officer or police officer and the occurrence of which is corroborated by a code enforcement officer or police officer.



**§ 88-8 Penalties for offenses.**

- A. Any person who violates any provision of this chapter shall be guilty of a violation and shall be subject to penalties in the following manner:
- (1) Upon a first violation, by a fine of not less than \$250 nor more than \$1500.
  - (2) Upon a second violation in any twelve (12)-month period, by a fine of not less than \$1000 nor more than \$2500.
  - (3) Upon a third violation in any twelve (12)-month period by a fine, of not less than \$1500 nor more than \$5000.
  - (4) Upon a fourth or consecutive violation in any twelve (12)-month period by a fine, of not less than \$5,000 nor more than \$20,000.
  - (4) Each action that constitutes a violation of this Chapter 88, which either continues or is repeated more than 30 minutes after the issuance of any notice of abatement has been issued pursuant to § 88-9 or a code enforcement officer or police officer has issued an order to cease said activity, shall be considered an additional separate and distinct offense.
- B. Nothing herein contained shall prevent the Village of Greenport from taking whatever action in law or equity as may be available to prevent and remedy an offense, including, without limitation, any action for declaratory judgment and/or the enjoinder of any continued violation of this Chapter or any action by the Village Board of Trustees pursuant to §150-51 to revoke any entertainment permit as a result of violations by any person of this Chapter 88.

**§ 88-9 Abatement.**

- A. Except as provided in Subsection **B** below, in lieu of issuing a summons, any code enforcement officer or police officer may issue a warning requiring abatement of any source of sound alleged to be in violation of this chapter.
- B. A warning shall not be issued when the applicable code enforcement officer or police officer has reason to believe that there will not be compliance with the warning, when the alleged violator has been served with a previous warning or had previously been convicted for a violation of this chapter.

**§ 88-10 Construal.**

No provision of this chapter shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this chapter or from other law.

**Attachments:**

088a Appendix A

APPENDIX A

TABLE I

Maximum Permissible A-Weighted Pressure Levels by Receiving Property Category, in dBA

Sound Source Property Category	Receiving Property Category			
	Residential, Public Space or any Public Right-of-Way or Public Waterway abutting a Residential Area		Commercial or any Public Right-of-Way or Public Waterway abutting a Commercial Area, Public Waterway	
	12:30 p.m. to 8:00 a.m. (next day)	8:00 a.m. to 12:30 p.m. <sup>1</sup>	12:30 a.m. to 8:00 a.m.	8:00 a.m. to 12:30 a.m. (next day) <sup>2</sup>
Residential Area, Public Space or any Public Right-of-Way or Public Waterway abutting a Residential Area	50	65	60	70
Commercial Area, or any Public Right-of-Way or Public Waterway abutting a Commercial Area	50	65	60	70

<sup>1</sup> NTD: Set at 60 dBA in current Code. Changes made based on review of various other Code standards.  
<sup>2</sup> NTD: Set at 75 dBA in current Code. Changes made based on review of various other Code standards.