



236 Third Street  
Greenport NY  
11944

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**MAYOR**  
GEORGE W. HUBBARD, JR.  
EXT. 215

**TRUSTEES**  
JACK MARTILOTTA  
DEPUTY MAYOR

MARY BESS PHILLIPS

DOUGLAS W. ROBERTS

JULIA ROBINS

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

**CLERK**  
SYLVIA PIRILLO, RMC  
EXT. 206

**TREASURER**  
ROBERT BRANDT  
EXT. 217

February 23, 2017 at 7:00 PM  
Mayor and Board of Trustees - Regular Meeting  
Third Street Firehouse  
Greenport, NY 11944

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

- o Bernard P. Creedon
- o William T. Moller
- o Elise S. Webb

**ANNOUNCEMENTS**

**LIQUOR LICENSE APPLICATIONS**

- o Barbabianca Corporation, 102 Main Street

**PUBLIC HEARINGS**

- o Addition of \$ 1,243.75 to the tax bill for 221/223 Center Street, per the assessment of costs to abate nuisances
- o Proposed local law amending the on-street parking rules after a snowfall of two inches or more
- o Proposed local law amending the rental properties code to include all rental properties, and to revise the application requirements

**PSEG PROJECT PUBLIC COMMENT PERIOD**

**PUBLIC TO ADDRESS THE BOARD**

**REGULAR AGENDA**

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**CALL TO ORDER****RESOLUTIONS****RESOLUTION # 02-2017-1**

RESOLUTION adopting the February 2017 agenda as printed.

**RESOLUTION # 02-2017-2**

RESOLUTION accepting the monthly reports of the Greenport Fire Department, Village Administrator, Village Treasurer, Village Clerk, Village Attorney, Mayor and Board of Trustees.

**FIRE DEPARTMENT****RESOLUTION # 02-2017-3**

RESOLUTION declaring as surplus, and no longer needed for Fire Department purposes, two vehicles formerly used as Chiefs' vehicles for the Greenport Fire Department - a 2006 Chevrolet Suburban and a 2003 Chevrolet Tahoe.

**VILLAGE ADMINISTRATOR****RESOLUTION # 02-2017-4**

RESOLUTION approving the Board membership of Paul Pallas on the North Fork Chamber of Commerce, representing the Village of Greenport.

**RESOLUTION # 02-2017-5**

RESOLUTION approving an increase in the wage rate of Recreation Department employee Joanne Jackson, from \$ 14 per hour to \$ 16 per hour, effective March 1, 2017.

**RESOLUTION # 02-2017-6**

RESOLUTION ratifying the hiring of Michael Davis and Kerstan Pringle as seasonal, part-time employees at the Village of Greenport Ice Rink and Carousel at a pay rate of \$10.00 per hour, effective February 3, 2017.

**RESOLUTION # 02-2017-7**

RESOLUTION ratifying the hiring of Megan Gevinski as a seasonal, part-time employee at the Village of Greenport Mitchell Park Marina Office at a pay rate of \$12.00 per hour, effective February 2, 2017.

**RESOLUTION # 02-2017-8**

RESOLUTION authorizing Village Administrator Pallas to work with Historic Preservation Commission Chairman Bull on two grant applications for the Certified Local Government program through the New York State Parks, Recreation and Historic Preservation Division; with only in-kind services, and no monetary expense, to be incurred by the Village of Greenport.

**RESOLUTION # 02-2017-9**

RESOLUTION approving the purchase of an oil/water separator in the amount of \$ 47,646 from Highland Tank and Manufacturing Company, the sole source provider, to be expensed from account E.0352.205 (Transmission Substation Equipment).

**VILLAGE TREASURER****RESOLUTION # 02-2017-10**

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment # 3648, to transfer the remaining balance of the 2016 Tree Committee grant funds to fiscal 2017, and directing that Budget Amendment # 3648 be included as part of the formal meeting minutes for the February 23, 2017 regular meeting of the Board of Trustees.

**RESOLUTION # 02-2017-11**

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment # 3649, to fund professional services to be provided by J.R. Holzmacher for the Waste Water Treatment Plant, and directing that Budget Amendment # 3649 be included as part of the formal meeting minutes for the February 23, 2017 regular meeting of the Board of Trustees.

**RESOLUTION # 02-2017-12**

RESOLUTION scheduling a public hearing for the 2017-2018 Tentative Village Budget at 6:00 p.m. on April 11, 2017 at the Old Schoolhouse, Front and First Streets, Greenport, New York; and directing Clerk Pirillo to notice the budget hearing accordingly.

**RESOLUTION # 02-2017-13**

RESOLUTION ratifying the acceptance of the proposal as submitted by BST & Co., per the bid opening on October 6, 2016 for a rate study of the Village's sewer and water utilities, for a fee not to exceed \$ 10,976.00, to be expensed equally from accounts F.8310.413 (Special Services) and G.8110.411 (Miscellaneous Expense).

**RESOLUTION # 02-2017-14**

RESOLUTION approving the agreement between Munistat Services Inc. And The Village of Greenport with respect to the Annual Information Statement as required by the U.S. Security and Exchange Commission, at a cost of \$ 3,500.00, to be expensed proportionately from the General, Water, Electric and Sewer funds; and further authorizing Mayor Hubbard to execute the agreement with Munistat on behalf of the Village of Greenport.

**VILLAGE CLERK****RESOLUTION # 02-2017-15**

RESOLUTION authorizing the addition of \$ 1,243.75 to the property tax bill for the Property 221/223 Center Street, Greenport, New York, 11944; per the public hearing held on February 23, 2017.

**RESOLUTION # 02-2017-16**

RESOLUTION amending the Village of Greenport Travel Policy for Officials, Officers, Management and Employees to include a \$ 35 per day meal expense reimbursement limit, and stating that valid receipts must be provided for requested reimbursement.

**RESOLUTION # 02-2017-17**

RESOLUTION approving the Public Assembly Permit Application as submitted by Joe Cortale, on behalf of the Floyd Memorial Library, to use a portion of Mitchell Park from 4:00 p.m. through 8:00 p.m. on July 18, 2017 for the annual Children's Concert.

**RESOLUTION # 02-2017-18**

RESOLUTION accepting the bid for the removal of specified Village trees and stumps, in the amount of \$ 11,450.00 as submitted by Johnson Tree Company, the sole bidder, per the bid opening on January 26, 2017.

**RESOLUTION # 02-2017-19**

RESOLUTION declaring as surplus, and no longer needed for municipal purposes, the fourteen (14) painted canvas rounding board images for the Village of Greenport Carousel.

**RESOLUTION # 02-2017-20**

RESOLUTION allowing the Carousel Committee to conduct an auction of the fourteen (14) painted rounding boards for the Village of Greenport Carousel, as well as for prints of the rounding boards, with the auction proceeds to be used exclusively for improvements to the Village of Greenport Carousel, with the improvements to be recommended by the Village of Greenport Carousel Committee.

**RESOLUTION # 02-2017-21**

RESOLUTION amending Resolution # 01-2017-9 to include an increase in the seasonal rate of stay for the Village of Greenport McCann Campground, from \$ 2,900 to \$ 3,400 per season.

**RESOLUTION # 02-2017-22**

RESOLUTION approving the use by the Greenport Farmers Market of a portion of the municipal parking lot at South Street, to be designated by the Village of Greenport on Saturday mornings from 8 a.m. through 1 p.m., beginning on June 24, 2017 and ending on September 16, 2017, at a fee of \$ 420.00 payable by the Farmers Market prior to June 24, 2017.

**BOARD OF TRUSTEES****RESOLUTION # 02-2017-23**

RESOLUTION adopting the attached resolution confirming the Village of Greenport as a Welcoming Community.

**RESOLUTION # 02-2017-24**

RESOLUTION approving the attached resolution in support of the preservation of tax exempt financing.

**RESOLUTION # 02-2017-25**

RESOLUTION scheduling a public hearing for 7:00 p.m. on March 23, 2017 at the Third Street Fire Station, Third and South Streets, Greenport, New York; regarding a proposed local law amending Chapter 132 (Vehicles and Traffic), Section 43, Schedule V: (Stop Intersections) of the Village of Greenport Code, to add a stop sign at the following locations: Madison Avenue at Fifth Avenue (heading east), West Street at Fifth Avenue (heading west), and at Fifth Avenue at South Street in both directions (heading north and heading south); and directing Clerk Pirillo to notice the public hearing accordingly.

**VOUCHER SUMMARY****RESOLUTION # 02-2017-26**

RESOLUTION approving all checks per the Voucher Summary Report dated February 17, 2017, in the total amount of \$ 405,713.58 consisting of:

- o All regular checks in the amount of \$ 367,122.94, and
- o All prepaid checks (including wire transfers) in the amount of \$ 38,590.64.

LOCAL LAW NO. OF THE YEAR 2017

AMENDING SECTION 132-18 OF THE GREENPORT VILLAGE CODE

ALL NIGHT PARKING

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE  
INCORPORATED VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,

Purpose and Definitions.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Amendment of Chapter 132

3.0 Severability

1.1 Title

This Local Law shall be entitled “Local Law of 2017 Amending Section 132-18  
of the Greenport Village Code, All Night Parking”.

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State  
of New York, the Incorporated Village of Greenport, County of Suffolk and State of  
New York, hereby enacts by this Local Law of 2017, a Local Law of the Village of  
Greenport.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the

Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to amend the existing Chapter 132-18 to Amend the regulations of the Village of Greenport regarding parking in the public streets of the Village after a snowfall or ice storm to maintain and protect the quality of life and safety of the residents of the Village of Greenport.

2.0 General Provisions.

2.1 Section 132-18. of the Greenport Village Code is hereby amended to read as follows:

“132-18 Street Parking Limited During and After Winter Storm Events

A. The Board of Trustees of the Village of Greenport does hereby find that there exists a threat to public safety any time that snow, freezing rain, sleet, or ice accumulates on Village roads and that the parking or abandonment of vehicles on or along the Village streets during snow and other winter-weather-related events prohibits and/or restricts the Village’s ability to remediate the hazardous conditions on the streets and impedes the ability of fire, police, and ambulance vehicles and personnel to provide necessary services to Village of Greenport residents and the public. For the above reason the Village of Greenport Board of Trustees finds it necessary to enact legislation prohibiting parking and standing of vehicles on Village of Greenport streets in anticipation of, during and after snow or winter weather events.

B. It shall therefore be unlawful for any person to place, park or leave any automobile, truck, sports utility vehicle, or other motor vehicle on any Village road or street within the corporation limits of the Village of Greenport after a fall or precipitation of snow of two inches or more and thereafter until the snow has been removed or cleared from such public road or street unless such automobile, truck or other vehicle is at all times attended by and in the

charge of a person capable of operating it as described in § 132-51, Schedule XIII. The Mayor or the Village Administrator shall determine the time for a particular storm that this prohibition shall go into effect and the prohibition as well as the end of the prohibition after the removal of the snow or ice shall be announced on the Greenport Village Website and WLNG, and the website of the Southold Times, however the prohibition shall take effect after a snowfall of two inches or more, even if the Village of Greenport has not announced the prohibition.

C. Vehicles parked or abandoned after a snowfall of two inches or more, or after the announcement of a snow emergency prohibition as provided herein shall be subject to a fine of two hundred and fifty dollars (\$250) per day for each day that the vehicle is parked or abandoned in violation of this Section 132-18 and the towing and removal of the vehicle by the Village of Greenport or the Southold Town Police, at the cost of the owner of the vehicle.

Severability

In the event that one or more of the provisions of this local law or Chapter shall be deemed to be unenforceable, the remaining provisions of this local law or Chapter shall remain in full force and effect.



Draft Rental Permit Law;  
February 8, 2017

LOCAL LAW NO. OF THE YEAR 2017

AMENDING CHAPTER 103 OF THE GREENPORT VILLAGE CODE

RENTAL REGULATIONS FOR RESIDENTIAL PROPERTIES

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE

INCORPORATED VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,

Purpose and Definitions.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Amendment of Chapter 103

3.0 Severability

1.1 Title

This Local Law shall be entitled “Local Law of 2017 Amending Chapter 103 of the Greenport Village Code, Rental Regulations for Residential Properties”.

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State of New York, the Incorporated Village of Greenport, County of Suffolk and State of New York, hereby enacts by this Local Law of 2017, a Local Law of the Village of Greenport.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the

Draft Rental Permit Law;  
February 8, 2017

Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to amend the existing Chapter 103 regulations for property rentals in the Village of Greenport to apply to all rentals in the Village in order to maintain minimum quality standards for habitation, and to maintain and protect the quality of life and safety of the residents of the Village of Greenport.

General Provisions.

2.1 Chapter 103 of the Greenport Village Code is hereby amended to read as follows:

103-1 Legislative Intent

The Village Board of the Village of Greenport hereby finds that it is in the public interest to prevent unsafe conditions arising from the rental of dwelling units that are in violation of the 2015 International Building and Fire Prevention Code, New York Supplement, or the Greenport Village Code, and any other code or regulation applicable within the Village of Greenport, and dwelling units that are inadequate in size, overcrowded and dangerous; or which pose hazards to life, limb and property of residents of the Village of Greenport or that tend to promote and encourage deterioration of the housing stock of the Village of Greenport; create blight, excessive vehicle traffic and parking problems; and overburden municipal services. The Board of Trustees further finds that additional Code provisions are required to halt the proliferation of such conditions and that the public health, safety, welfare and good order governance of the Village of Greenport will be enhanced by enactment of the regulations set forth in this Chapter.

103-2 Applicability

This Chapter shall apply to all rental units located within the Village of Greenport, whether or not the use and occupancy thereof shall be permitted under the applicable use

regulations for the zoning district in which such rental unit is located. Any dwelling unit, rooming house unit, boarding house unit or any other premises subject to this Chapter shall be presumed to be rented for a fee and consideration if said premises are not occupied by the legal owner thereof.

#### 103-3 Relation to other Laws and Regulations

The provisions of this Chapter shall be deemed to supplement applicable State and local laws, codes and regulations. Nothing in this Chapter shall be deemed to abolish, impair, supersede or replace existing remedies or existing requirements of any other provision of state or local law or code or regulation. In case of conflict between any provision of this Chapter and any applicable state or local law, code or regulation, the more restrictive or stringent provision or requirement shall prevail, except that in the event that any provision of this Chapter is inconsistent with a provision of the 2015 International Building and Fire Prevention Code, New York State Supplement, the 2015 International Building and Fire Prevention Code, New York State Supplement, will prevail. The issuance of any permit or the filing of any form under this Chapter does not make legal any action or state of facts that is otherwise illegal, unlawful or unpermitted, or otherwise in contravention of any other applicable law, code, rule or regulation.

#### 103-4 Definitions

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

**BUILDING DEPARTMENT;** The Building Department of the Village of Greenport or any agent or officer of such Department.

**BUILDING INSPECTOR;** The Building Inspector of the Village of Greenport or any person duly appointed as such Inspector by the Mayor and approved by the Board of Trustees.

**CODE ENFORCEMENT OFFICER;** Any officer of the Village of Greenport that is authorized to act as a Code Enforcement Officer by the New York State Uniform Building and Fire Prevention Code. For purposes of this Chapter, Code Enforcement Officer shall also

include those officers and employees of the Village of Greenport that are designated to enforce the Greenport Village Code and issue violations under this Chapter, which shall include the Building Inspector, Village Administrator, Housing Inspector, any Fire Marshal, Fire Inspector or Chief of the Fire Department, or their designees that may be appointed by the Mayor and approved by the Board of Trustees.

**CONVENTIONAL BEDROOM;** A room designed as a bedroom or, as in the case of a studio apartment, a common room used for sleeping purposes. Rooms having other purposes, such as dens, kitchens, living rooms or hallways, are not to be interpreted or used as conventional bedrooms. A room that is not a conventional bedroom may not be converted to a conventional bedroom without the permission of the Building Department. The definition and interpretation of the use of a room as a bedroom shall be as provided in the 2015 International Building and Fire Prevention Code, New York State Supplement.

**DWELLING, ONE FAMILY;** A unit designed and authorized for exclusive occupancy as a home or residence for not more than one family, which building shall have not more than one kitchen.

**DWELLING UNIT;** A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, and having no enclosed space (other than vestibules, entranceways, or other hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit and which contains at least and not more than one kitchen.

**FAMILY;** Two or more persons that are related by blood, adoption, civil union or marriage, or up to five persons that are not related by blood, adoption, civil union or marriage, that are occupying one dwelling unit and living together as a family or the functional equivalent of a family. There shall be a presumption that more than five persons that are not related by blood, adoption, civil union or marriage occupying one dwelling unit are not a family, which presumption may be rebutted by proof presented to the Building Inspector of the Village of

Draft Rental Permit Law;  
February 8, 2017

Greenport.

IMMEDIATE FAMILY; The owner's spouse, children, parents, siblings, grandparents or grandchildren.

INTERNATIONAL CODE: The 2015 International Building and Fire Prevention Code, New York State Supplement.

KITCHEN; Any assembly of cabinets, appliances, countertops or plumbing used in connection with the storage, preparation or cooking of food.

MANAGING AGENT; Any individual, business, partnership, firm, corporation, enterprise, trustee, company, industry, association, public entity or other legal entity responsible for the maintenance or operation of any rental property as defined within this Chapter.

MULTIPLE DWELLING BUILDING; A building or portion thereof containing three or more dwelling units and designed for, or occupied by, three or more families living independently of each other.

NEW PERMIT; A permit that is issued to the owner of an intended rental dwelling unit where such premises does not possess a rental permit that is valid and in force prior to the date that the application is submitted for said rental permit.

NONCONFORMING BUILDING OR USE; A building or use that does not conform to the applicable building, zoning or other relevant regulations of the district in which it is situated.

NONHABITABLE SPACE; Space used as kitchenettes, pantries, bath, toilet, laundry, rest, dressing, locker, storage, utility, heater, boiler and recreation rooms, closets and other space for service and maintenance of the building, and those spaces used for access and vertical travel between stories and specifically excluding any rooms used for sleeping, eating and cooking, other than kitchenettes and as may otherwise be designated by the International Code or other codes and regulations of the State of New York. The presence of a bed or bed frame, crib or

other sleeping provisions in a room is presumptive evidence that the room is being used for sleeping purposes.

OWNER; Any person, partnership, corporation or other entity who alone, or jointly with others, has legal title to any premises, with or without accompanying actual possession thereof; or who shall have charge, care or control of any dwelling unit as a cooperative shareholder or as executor, administrator, trustee, receiver or guardian of the estate or as a mortgagee in possession, title or control; including but not limited to a bank or lending institution, regardless of how such possession, title or control was obtained.

OWNER-OCCUPIED; Occupation (other than a multiple-dwelling structure), by the owner and/or his immediate family.

PERSON; Includes any individual, business, partnership, firm, corporation, enterprise, trustee, company, industry, association, public entity or other legal entity.

PUBLISH; Promulgation of an available rental property to the general public or to selected segments of the general public, in a newspaper, magazine, flyer, handbill, mailed circular, bulletin board, sign or electronic media.

RENEWAL RENTAL PERMIT; A permit which is to be issued to the owner of the rental property where such dwelling unit has been the subject of a rental permit continuously prior to the date of the application for the permit.

RENT; A return, in money, property or other valuable consideration (including payout in kind or services or other thing of value), for the use and occupancy or the right to the use and occupancy of a rental property, whether or not a legal relationship of landlord and tenant exists between the owner and the occupant or occupants thereof.

RENTAL PERMIT; A permit issued by the Building Inspector to the owner to allow the use or occupancy of a rental property.

RENTAL PROPERTY; A dwelling unit which is occupied for habitation as a residence

by persons, other than the owner or the owner's immediate family, and for which rent is received by the owner, directly or indirectly, in exchange for such residential occupation. For purposes of this Chapter, the term "rental property" shall mean all non-owner-occupied single-family residences, two-family residences (where neither of the dwelling units is owner-occupied), multi-family residences, and townhouses, and shall exclude:

A. Properties used exclusively for nonresidential commercial purposes in any zoning district; or

B. Any legally operating commercial hotel/motel business or bed-and-breakfast establishment operating exclusively and catering to transient clientele, that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel business.

TWO-FAMILY BUILDING; A building containing two dwelling units and designed and authorized for exclusive occupancy as a home or residence for not more than two families living independently of each other, which building shall have at least, but not more than, one kitchen per dwelling unit.

103-5 Confidential Information Maintained by Owner

The Owner shall maintain a confidential record of the names and telephone numbers of the Tenants.

103-6 Rental permit required

Effective the date of the filing of this local law with the New York State Department of State no owner shall cause, permit or allow the occupancy or use of a dwelling unit as a rental property without a valid rental permit and no person shall occupy or otherwise use a dwelling unit or any part thereof as a rental property without a valid rental permit being issued for the rental unit. A rental permit issued under this Chapter shall only be issued to the owner(s) of

the real property at issue.

Section 103-7 Application for a Rental Permit

A. An application for a rental permit that has been signed and sworn to by the owner and the managing agent, where applicable, is required to be filed for all dwelling units that are used as rental properties and existing rentals. Where a dwelling unit is to be used as a rental property, an application for a rental permit that has been signed and sworn to by the owner and the managing agent, where applicable, shall be filed with the Building Inspector before the term of the rental is to commence.

B. The application shall contain the following:

1. The legal residence of each owner and in the event that the owner of the rental property is a corporation, partnership, limited liability company, or other business entity, the name, proof of legal residence, and telephone number of the responsible party of the owner or owner entity shall be provided.
2. The name, address and telephone number of the managing agent, if applicable.
3. The location of the rental property, including the street address and the Suffolk County Tax Map parcel number.
4. Verification of an inspection by the Village of Greenport or a written certification from a licensed architect or licensed engineer, or proof of inspection or report by a governmental agency or representative of that agency that states that the rental property fully complies with all of the provisions of the Greenport Village Code, the 2015 International Fire Prevention and Building Code, New York State Supplement, and any other applicable codes and regulations of the State of New York, which certification shall not have been completed more than thirty (30) days prior to the date of the application.

Section 103-8 Review of application; issuance of rental permit

The Building Inspector or the inspector's designated agent shall review each application



for completeness and accuracy and shall make an on-site inspection of the proposed rental property unless the owner has elected to provide a certification from a licensed architect or a licensed engineer, or from a governmental agency complying with Section 103-7(B)(7) above. The Building Inspector shall issue a rental permit when the application is complete and fee paid, and when the Building Inspector, based on an inspection or on the paperwork submitted, is satisfied that the proposed rental property fully complies with the Greenport Village Code, the 2015 International Fire Prevention and Building Code, New York State Supplement, and the other codes and regulations of the State of New York.

103-9 Term of permits and renewal

All permits issued pursuant to this Chapter shall have a term of two years. A renewal rental permit application signed by the owner shall be completed and filed with the Building Inspector not later than thirty (30) days prior to the expiration of any valid rental permit. The renewal rental permit application shall contain the following:

1. An official copy of the prior valid rental permit;
2. Either: (a) a signed and sworn affidavit by the owner affirming that the rental property, to the best of his/her knowledge, fully complies with all of the provisions of the Greenport Village Code and the 2015 International Building and Fire Prevention Code, New York State Supplement, that the structure has not been physically altered in any way, except in full conformance with a valid building permit, and the owner is not aware of the property being in violation of the Greenport Village Code or the 2015 International Fire Prevention and Building Code or (b) an inspection by the Building Inspector of the Village of Greenport.

Section 103-10 Register of permits

It shall be the duty of the Building Inspector to maintain a register of permits issued pursuant to this Chapter. Such register shall be kept by street address, showing the name and

address of the permittee, the number of rooms in the rental property, and the date of expiration of the rental permit.

Section 103-11 Fees

A. A nonrefundable biannual permit application fee, in the amount of \$100, shall be paid upon the filing of an application for a rental permit or a renewal rental permit.

B. The nonrefundable annual permit application fee shall be waived if the owner of a rental property leases for the entire rental term to households that are verified as low income households, in such rental amounts as adopted by the Board of Trustees through the annual resolution which updates the rental formula multipliers for units reserved for income-eligible households pursuant to the Greenport Village Code.

C. The nonrefundable biannual rental permit application fee shall be waived if the owner of a rental property qualifies for any of the following real property tax exemptions at his or her primary residence located in the Village of Greenport:

1. Enhanced STAR;
2. Veterans exemption; or
3. Senior citizens exemption.

4. The owner of a rental property submits a sworn affidavit affirming that the rental property will be leased to any active member of a volunteer fire department or ambulance corps and/or if the owner is qualified for a volunteer firefighter or ambulance worker real property tax exemption.

5. The non-refundable biannual rental permit application fee shall be waived if the owner of a rental property submits a sworn affidavit affirming that the rental property will be leased to a senior citizen or a qualified disabled person.

D. If an owner of a rental property is found by any court of competent jurisdiction to have violated this Chapter, within a two year period preceding the date of the commencement of

the renewal period, the nonrefundable biannual rental permit application fee for the property involved will be \$500.

Section 103-12 Regulations

- A. A rental property shall only be leased, occupied or used by one person or a family.
- B. No rental property shall be occupied by more than the number of persons permitted to occupy the rental property under the International Code and the other codes and regulations of the State of New York.
- C. No more than two bedrooms shall be permitted in the basement of a rental property.
- D. The selling of shares to subtenants where they obtain rights for use and/or occupancy in a dwelling shall be prohibited.
- E. The leasing, subleasing, occupancy or use by a tenant of less than the entire rental property is prohibited.
- F. The owner(s) and tenant(s) shall ensure that all applicable parking regulations provided for in the Greenport Village Code are satisfied.
- G. A rental property shall only be occupied or otherwise utilized in accordance with the certificate of occupancy issued for the rental property.
- H. The owner(s) and tenant(s) shall ensure that all property maintenance regulations provided for in the Greenport Village Code, the codes and regulations of the State of New York, and the United States Department of Housing and Urban Development Section 8 Housing Quality Standard Inspection Checklist standards are satisfied as may be applicable.
- I. Dumpsters are prohibited on residential property for anything other than incidental short term use.

Section 103-13 Inspections

The Building Inspector and Village personnel or agents for the Village who are

engaged in the enforcement of the provisions of this Chapter and the 2015 International Building and Fire Prevention Code, New York Supplement, are authorized to make or cause to be made inspections to determine the condition of rental properties to safeguard the health, safety, and welfare of the public. The owner of a rental property may request assistance from the Village with regard to an eviction that is related to a dangerous, hazardous or unsafe condition at a premises, and the Village can go to an owner for the assistance in the inspection or removal of a dangerous, hazardous of unsafe condition.

Section 103-14 Application for search warrant authorized

The Village is authorized to make application for the issuance of a search warrant in order to conduct an inspection of any rental property where the owner or tenant refuses or fails to allow an inspection of its premises and where there is reasonable cause to believe that a violation of this Chapter or the New York State Uniform Fire Prevention and Building Code or the other codes and regulations of the State of New York.

Section 103-15 Revocation of permit

A. The Building Inspector shall revoke a rental permit when the Building Inspector finds that the permit holder has caused, permitted or allowed to exist and remain upon the rental property a violation of any provision of the Greenport Village Code for a period of fourteen (14) calendar days or more after written notice has been provided to the permit holder, owner, managing agent, or tenant of the rental property by mail, certified mail, or hand delivery.

B. An appeal from such revocation may be made in writing by the permit holder to the Board of Trustees within 30 days from the date of such revocation. The Village Board of Trustees shall hold a public hearing on such appeal within 30 days after receipt of written notice of such appeal and, after such hearing, shall make written findings and a decision either sustaining such permit revocation or reinstating such permit within 30 days after close of such public hearing.

Section 103-16 Presumptive evidence dwelling unit is being used as rental property

A. The presence or existence of any of the following shall create a presumption that a dwelling unit is being used as a rental property:

1. The property is occupied by someone other than the owner or his/her immediate family;

2. Voter registration, motor vehicle registration, a driver's license, or any other document filed with a public or private entity which states that the owner of the rental property resides at an address other than the rental property;

3. Utilities, cable, phone or other services are in place or requested to be installed or used at the premises in the name of someone other than the record owner;

4. Persons residing in the dwelling unit represent that they pay rent to occupy the premises;

5. A dwelling unit which has been published or advertised in print, on social media of any kind or form, or any other form of media or publication as being available for rent;

B. The foregoing may be rebutted by evidence presented to the Building Inspector or any court of competent jurisdiction.

Section 103-17 Presumptive evidence of multifamily occupancy

A. It shall be presumed that a single- or one-family dwelling unit is occupied by more than one family if any two or more of the following features are found to exist on the premises:

1. More than one mailbox, mail slot or post office address;

2. More than one electric meter annexed to the exterior of the premises;

3. More than one doorbell or doorway on the same side of the dwelling unit;

4. More than one connecting line for cable television service;

5. More than one antenna, satellite dish, or related receiving equipment;

6. There are three or more motor vehicles registered to the dwelling and each vehicle owner has a different surname;
  7. There are more than three waste receptacles, cans, containers, bags or boxes containing waste from the premises placed for pickup at least twice during a weekly garbage pickup area;
  8. There are separate entrances for segregated parts of the dwelling;
  9. There are partitions or internal doors which may serve to bar access between segregated portions of the dwelling, including but not limited to bedrooms;
  10. There exists a separate written or oral lease or rental arrangement, payment or agreement for portions of the dwelling among the owner and/or occupants and/or persons in possession thereof;
  11. Any occupant or person in possession thereof does not have unimpeded and/or lawful access to all parts of the dwelling unit;
  12. Two or more kitchens, each containing one or more of the following: a range, oven, hotplate, microwave or other similar device customarily used for cooking or preparation of food and/or a refrigerator;
  13. There are bedrooms that are separately locked.
- B. If any two or more of the features set forth in Subsection A(1) through (13) are found to exist on the premises by the Building Inspector or Village personnel engaged in the enforcement of the provisions of this Chapter, a verified statement will be requested from the owner of the dwelling unit by the Building Inspector that the dwelling unit is in compliance with all of the provisions of the Greenport Village Code the laws and sanitary and housing regulations of the County of Suffolk and the laws of the State of New York. If the owner fails to submit such verified statement, in writing, to the Building Inspector within ten (10) calendar days of such request, such shall be deemed a violation of this Chapter.

Section 103-18 Presumptive evidence of owner's residence

A. It shall be presumed that an owner of a rental property does not reside within said rental property if two or more of the following sets forth an address other than that of the rental property:

1. Voter registration;
2. Motor vehicle registration;
3. Driver's license; or
4. Utility Bill
5. Any other document filed with a public or private entity.

B. The foregoing may be rebutted by evidence presented to the Building Inspector or any court of competent jurisdiction.

Section 103-19 Presumptive evidence of over-occupancy

A. It shall be presumed that a bedroom is over-occupied if more than two mattresses or sleeping provisions for more than two persons exist in a single bedroom.

B. The existence of the number of motor vehicles at the premises may be used by the Village as a presumption of the number of individuals occupying the premises.

Section 103-20 General applicability of presumptions.

The presumptions set forth in this Chapter, subject to the limitations contained therein, shall also be applicable to the enforcement and the prosecution of building and zoning Greenport Village Code violations.

Section 103-21 Appeals of Building Inspector Determinations

An appeal from the Building Inspector's determination may be taken to the Board of Trustees, by written request, within 30 days of such determination. The Board of Trustees shall hold a public hearing on such appeal within sixty (60) calendar days after receipt of written notice of such appeal and, after such hearing, shall make written findings and a decision either

sustaining or reversing such determination within thirty (30) calendar days after close of such public hearing.

Section 103-22 Penalties for offenses

A. The first violation of this Chapter within an eighteen (18) month period by the owner(s) and/or tenant(s) shall be punishable by a fine of not less than \$ 500 nor more than \$1,500.

B. The second violation of this Chapter within an eighteen (18) month period shall be punishable by a fine of not less than \$1,000 nor more than \$2,500.

C. The third violation of this Chapter within an eighteen (18) month period shall be punishable by a fine of not less than \$1,500 nor more than \$5,000.

D. Each day that a violation of this Chapter should exist shall constitute a separate violation of this Chapter.

E. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of this Chapter shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply. Each day's continued violation shall constitute a separate additional violation.

F. A violation existing at the premises shall be a violation by both the tenant and the owner and at the sole discretion of the Village either the tenant or the owner or both the tenant and the owner may be charged with and prosecuted for the existence of a violation.

G. Additionally, in lieu of imposing the fine authorized by this Chapter, in accordance with Penal Law § 80.05(5), the court may sentence the defendant(s) to pay an amount, fixed by the court, not exceeding double the amount of the rent collected over the term of the occupancy.

H. The court may dismiss the violation or reduce the minimum fine imposed where it finds that the defendant has cooperated with the Village of Greenport in the investigation and



prosecution of a violation of this Chapter.

I. Where authorized by a duly adopted resolution of the Board of Trustees, the Village Attorney may bring and maintain a civil proceeding, in the name of the Village, in the Supreme Court, to permanently enjoin the person or persons conducting, maintaining or permitting said violation or for other relief as may be appropriate or to take such other civil action as may be necessary to correct, prevent or remove a violation or unsafe and hazardous condition. The owner and tenants of the residence wherein the violation is conducted, maintained or permitted may be made defendants in the action. The commencement of a civil proceeding by the Village shall not be deemed or construed to be a waiver by the Village of the right to bring an action for prosecution or enforcement of the violation and the fines and penalties under this Section or as otherwise may be applicable under the law and the election of either a prosecution or civil proceeding by the Village shall not be exclusive of any other remedy. The Village shall be entitled to an award of all costs in the proceeding, including but not limited to administrative, engineering, filing, and other costs and legal fees, and to bring a separate action for those costs as may be necessary.

J. The Village shall have the right, after the determination by the Building Inspector, or other appropriate official or employee of the Village, that a dangerous, hazardous or unsafe condition exists on a premises that is subject to this Chapter, after the expiration of ten (10) calendar days from the date of the mailing of written notice to the owner and the occupant served by regular and certified mail return receipt requested, to enter the premises and cure, correct or repair the dangerous, hazardous or unsafe condition, and all costs and expenses associated with that action by the Village, (including administrative, engineering and professional fees in the amount of 25% of the actual costs and expenses incurred in curing, correcting or repairing the condition), shall be reimbursed by the owner of the property to the Village, and in the event that the amount has not been paid to the Village within ten days of the date of billing, the amount

Draft Rental Permit Law;  
February 8, 2017

shall become a lien on the property and billable in the next Village real estate tax bill for that property. The notice required in this section shall not prejudice or affect any other right that the Village may have under the law to address or remedy a dangerous, hazardous or unsafe condition, including the right to immediately enter the property to correct a condition that is an imminent danger to life, property or public safety.

Severability

In the event that one or more of the provisions of this local law or Chapter shall be deemed to be unenforceable, the remaining provisions of this local law or Chapter shall remain in full force and effect.

Date Prepared: 02/08/2017 10:29 AM

# VILLAGE OF GREENPORT

## Budget Adjustment Form

GLR4150 1.0

Page 1 of 1

Year: 2017                                  Period: 2                                  Trans Type: B2 - Amend                                  Status: Batch  
Trans No: 3648                                  Trans Date: 02/08/2017                                  User Ref: ROBERT  
Requested:                                  Approved:                                  Created by: ROBERT                                  02/08/2017  
Description: TO TRANSFER THE BALANCE OF 2016 TREE COMMITTEE GRANT FUNDS TO  
                                FISCAL 2017                                  Account # Order: No  
    Print Parent Account: No

Account No.	Account Description	Amount
A.5990	APPROPRIATED FUND BALANCE	3,675.71
A.8510.400	TREE COMMITTEE EXP	3,675.71
Total Amount:		7,351.42

# VILLAGE OF GREENPORT

## Budget Adjustment Form

Year: 2017 Period: 2 Trans Type: B2 - Amend Status: Batch  
Trans No: 3649 Trans Date: 02/08/2017 User Ref: ROBERT  
Requested: P. PALLAS Approved: Created by: ROBERT 02/08/2017  
Description: FUNDING OF PROFESSIONAL SERVICES TO BE PROVIDED BY J.R. Account # Order: No  
HOLZMACHER REGARDING THE WASTE WATER TREATMENT PLANT Print Parent Account: No

Account No.	Account Description	Amount
G.5990	APPROPRIATED FUND BALANCE	5,000.00
G.8130.201	EQUIPMENT / SECONDARY TREATMENT..	5,000.00
<b>Total Amount:</b>		<b>10,000.00</b>

Phone: (631) 331-8888  
Fax: (631) 331-8834



January 12, 2017

Robert W. Brandt  
Treasurer  
Village of Greenport  
236 Third St.  
Greenport, NY 11944

Re: SEC Filing Requirement

Dear Robert:

We are hereby offering our services to the Village with respect to the preparation and filing of the Annual Information Statement as required by SEC Rule 15c2-12 with respect to the issuance of each of the Village's Serial Bonds.

Enclosed are forms setting forth the contractual arrangement between the Village and Munistat Services, Inc. These forms are required by the rules and regulations promulgated by the United States Securities and Exchange Commission and the Municipal Securities Rulemaking Board, as required by the Dodd-Frank Financial Reform Act. Please execute each of the documents where indicated and return them to us as soon as possible. Also, please feel free to contact us if you have any questions or comments regarding the documents.

Thank you for the opportunity to offer our services to the Village. We look forward to working with you and your staff in the 2017 – 2018 year.

Very truly yours,

Noah Nadelson  
Chief Executive Officer

NN:vp

## MUNICIPAL ADVISOR SERVICES AGREEMENT

THIS MUNICIPAL ADVISOR SERVICES AGREEMENT (the "Agreement") is entered into as of, January 20, 2017 (the "Effective Date") between the Village of Greenport, ("Village") and Munistat Services, Inc. ("Munistat") (collectively referred to herein as the "Parties").

### RECITALS

WHEREAS, Munistat is a Municipal Advisory firm specializing in municipal finance and municipal government related matters; and

WHEREAS, the Village desires to engage Munistat to provide certain services relative to the preparation and filing of the Village's Statement of Financial and Operating Information ("Work Order"), and Munistat desires to provide services to the Village in connection with such Work Order.

### AGREEMENT

NOW THEREFOR, the Parties agree as follows:

1. Municipal Advisory Services. The Parties hereto agree that Munistat shall provide those services set forth on **Appendix A** hereto, and Munistat's services as the Village's Municipal Advisor shall be expressly limited to the services noted therein.
2. Term and Termination. This Agreement shall be effective as of the Effective Date and shall remain in effect until any such Work Order is completed or until terminated by either party upon (30) days written notice; provided, however, that in the event of termination of any such engagement, Munistat reserves that right to assess fees for any work performed pursuant to a Work Order in accordance with the Fee Schedule set forth in **Appendix B**.
3. Agreement to Provide Information. The Village agrees to provide Munistat with factual, not misleading information as shall be required by Munistat in furtherance of the services set forth herein, including financial statements, budgets, and other relevant documents. The Village further agrees to not intentionally omit any material information relevant to Munistat's provision of services. Munistat agrees to promptly amend or supplement this Agreement to reflect any material changes or additions to this Agreement.
4. Compensation. Munistat shall receive a fee for any services rendered to the Village pursuant to this Agreement in accordance with the fee schedule set forth in **Appendix B** attached hereto and incorporated herein by reference.
5. Indemnity. Each party shall defend, indemnify and hold harmless the other from and against any loss, liability, assessments, or expense (including reasonable attorneys' fees) incurred or assessed arising out of, or in connection with, Munistat's acceptance, administration, or performance of its duties hereunder, except such as may arise from Munistat's own bad faith, willful misconduct, or gross negligence, including the cost and expense of defending itself against any claim or liability in connection with the exercise or performance of any of its powers or duties under the terms of this Agreement.

6. Dodd-Frank Compliance. Munistat is registered as a “municipal advisor” pursuant to Section 15B of the Securities Exchange Act and rules and regulations adopted by the United States Securities and Exchange Commission (“SEC”) (Registration #867-00429) and the Municipal Securities Rulemaking Board (“MSRB”) (Registration #K0114). As part of this registration, Munistat is required to disclose to the SEC information regarding criminal actions, regulatory actions, investigations, terminations, judgments, liens, civil judicial actions, customer complaints, arbitrations and civil litigation involving Munistat. Pursuant to MSRB Rule G-42, Munistat is required to disclose any legal or disciplinary event that is material to the District’s evaluation of Munistat or the integrity of its management or advisory personnel. Munistat has determined that no such event exists. Copies of Munistat’s filings with the United States Securities and Exchange Commission can currently be found by accessing the SEC’s EDGAR System Company Search Page which is currently available at <https://www.sec.gov/edgar/searchedgar/companysearch.html> and searching for either “Munistat Services Inc.” or for our CIK number which is 0001608472.

7. Disclosure of Conflicts of Interest. The Village acknowledges that it has received those disclosures set forth and contained within **Appendix C** attached hereto and incorporated herein by reference. The Village further acknowledges that it has been given the opportunity to raise questions and discuss such disclosures with Munistat and that it fully appreciates the nature of such disclosures and any and all conflicts noted therein. The Village hereby waives such conflicts and authorizes Munistat to provide services pursuant to this Agreement. From time to time, Munistat may provide additional disclosures to the Village. In this regard, Village hereby authorizes the Treasurer to acknowledge any such additional disclosures of Munistat on behalf of the Village.

*[Signature page follows]*

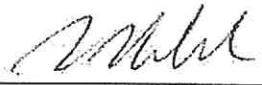
**SIGNATURE PAGE**

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed by their respective representatives as of the date first written above.

**VILLAGE OF GREENPORT**

**MUNISTAT SERVICES, INC.**

By: \_\_\_\_\_

By:  \_\_\_\_\_

Name: \_\_\_\_\_

Name: Noah Nadelson

Title: \_\_\_\_\_

Title: Chief Executive Officer



## APPENDIX A

### **SERVICES**

#### FOR THE SEC FILING REQUIREMENT

As the Village's designated dissemination agent, we will be responsible for all necessary research and analysis in order to prepare the Annual Information Statement as required and will file it together with the audited financial statements of the Village, on or before the due date with the SEC's designated repositories in accordance with SEC Rule 15c12-12 and the Village's Undertaking to Provide Continuing Disclosure. We will also be responsible for the filing of all Notices of Material Events with the SEC's Designated Information Repositories.

**APPENDIX B**

**FEE SCHEDULE**

The all inclusive fee for our services will be \$3,500. The administrative and out-of-pocket costs, such as postage, word processing, overnight delivery charges, website posting, email distribution, submission of documents to ratings agencies, copies and scanning are included in the fees set forth above.

## APPENDIX C.

### DISCLOSURE OF CONFLICTS OF INTEREST

#### VARIOUS FORMS OF COMPENSATION

The Municipal Securities Rulemaking Board (MSRB) requires us, as your municipal advisor, to provide written disclosure to you about the actual or potential conflicts of interest presented by various forms of compensation. We must provide this disclosure unless you have required that a particular form of compensation be used.

**Forms of compensation; potential conflicts.** The forms of compensation for municipal advisors vary according to the nature of the engagement and requirements of the client, among other factors. Various forms of compensation present actual or potential conflicts of interest because they may create an incentive for an advisor to recommend one course of action over another if it is more beneficial to the advisor to do so. This document discusses various forms of compensation and the timing of payments to the advisor.

**Fixed fee.** Under a fixed fee form of compensation, the municipal advisor is paid a fixed amount established at the outset of the transaction. The amount is usually based upon an analysis by the client and the advisor of, among other things, the expected duration and complexity of the transaction and the agreed-upon scope of work that the advisor will perform. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, the advisor may suffer a loss. Thus, the advisor may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. There may be additional conflicts of interest if the municipal advisor's fee is contingent upon the successful completion of a financing, as described below.

#### OTHER MATERIAL CONFLICTS OF INTEREST

The MSRB requires us, as your municipal advisor, to provide written disclosure to you about material conflicts of interest.

There are no material conflicts of interest known to Munistat as of the date of this Agreement.

WHEREAS, the moral well-being and financial prosperity of our global community and individual, local neighborhoods depend on ensuring that ALL residents feel valued and welcome; and

WHEREAS, all Greenport residents are vital threads to the fabric of the Greenport community and neighborhoods, all with their own, unique perspectives and original ideas, and all contributing to the vibrant diversity that we all value; and

WHEREAS, we continue to honor the spirit of unity that brings neighbors and families together and makes our community the kind of place where diverse people feel appreciated and want to live, participate, and raise their families; and

WHEREAS, regardless of where we are born or what we look like, we are, as always, Greenport residents united in our efforts to continue building a strong community; and

WHEREAS, by recognizing and applauding the contributions that we all make to sustain and enhance our already vibrant culture and growing economy, we continue to make our community more prosperous and more inclusive to all who call it home.

Ratified by the Greenport Village Board of Trustees on the \_\_\_\_\_ day of February, 2017

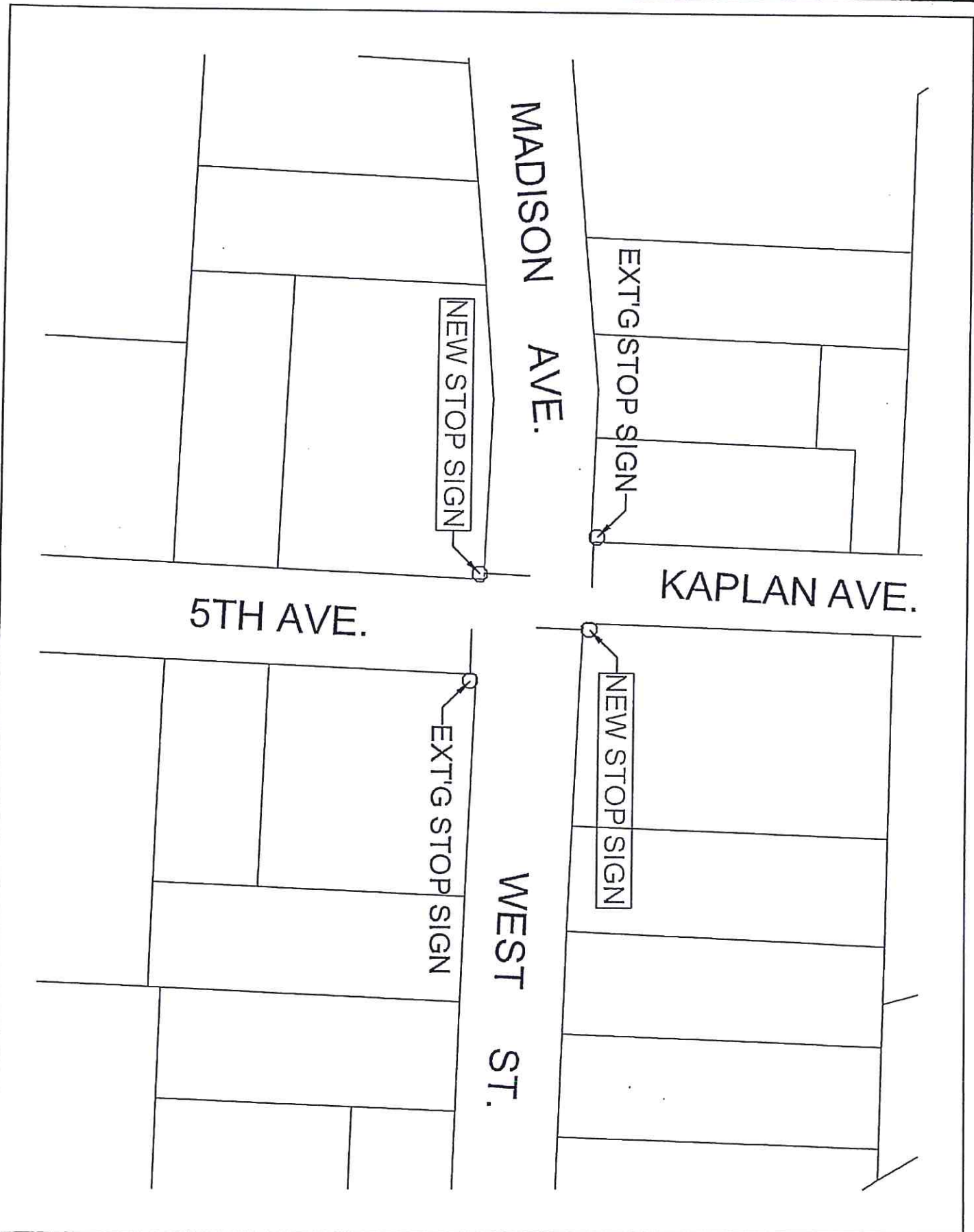
**A RESOLUTION IN SUPPORT OF  
THE PRESERVATION OF TAX EXEMPT FINANCING**

**WHEREAS** a fundamental principle of tax-exempt financing is the ability of local governments to determine the services needed in their respective communities and to raise capital free from federal tax on the bonds used to finance those services. The exclusion of interest on state and local obligations from federal gross income tax is a critical financing tool during this time when job creation and rebuilding critical infrastructure is essential for our nation's state and local economies.

**NOW THEREFORE BE IT RESOLVED**, that the Village of Greenport opposes efforts by Congress and the Administration to eliminate or limit the use of tax-exempt bonds by State or Local governments or eliminate or limit the federal tax exemption on interest earned from municipal bonds; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to our Congressional Representatives and the Administration.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be submitted to the New York Conference of Mayors with a request that it be submitted to the membership for debate and action.



DW-PSS2

SCALE: NO SCALE  
 DATE: FEB 16, 2017  
 DRAWN BY: DLB

VILLAGE OF GREENPORT  
 236 THIRD STREET  
 GREENPORT, NY 11944  
 P:631.477.0248 F:631.477.1707

PROPOSED 4-WAY STOP  
 5TH AVE., KAPLAN AVE., WEST ST. AND  
 MADISON AVE.



5TH AVE.

NEW STOP SIGN

NEW STOP SIGN

EXT'G STOP SIGN

SOUTH ST.

DW-PSS1

SCALE: NO SCALE  
DATE: FEB 16, 2017  
DRAWN BY: DLB

VILLAGE OF GREENPORT  
236 THIRD STREET  
GREENPORT, NY 11944  
P: 631 477 0248 F: 631 477 1707

PROPOSED 3-WAY STOP  
5TH AVENUE AND SOUTH STREET

