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VILLAGE OF GREENPORT  
COUNTY OF SUFFOLK : STATE OF NEW YORK  
-----x  
BOARD OF TRUSTEES  
WORK SESSION  
-----x

Third Street Firehouse  
August 18, 2022  
7:00 P.M.

B E F O R E:  
GEORGE HUBBARD, JR. - MAYOR  
JACK MARTILOTTA - DEPUTY MAYOR  
PETER CLARKE - TRUSTEE  
MARY BESS PHILLIPS - TRUSTEE  
JULIA ROBINS - TRUSTEE  
  
JOSEPH PROKOP - VILLAGE ATTORNEY  
SYLVIA PIRILLO - VILLAGE CLERK  
PAUL PALLAS - VILLAGE ADMINISTRATOR  
ROBERT BRANDT - VILLAGE TREASURER  
STEPHEN GAFFGA - VILLAGE DEPUTY TREASURER

1 (The Meeting was Called to Order at 7 p.m.)

2 MAYOR HUBBARD: Call the meeting to order  
3 with the Pledge to the Flag.

4 (Pledge of Allegiance)

5 MAYOR HUBBARD: Thank you. Okay. I just  
6 had a discussion with the Chief. He would be  
7 first up, but there was really nothing he had to  
8 report, except for that at the Board of Wardens  
9 meeting, they voted to go out for a new Chiefs'  
10 car, a new Chiefs' truck, but they're checking to  
11 see if it's on State bid. Okay, you're --

12 TRUSTEE PHILLIPS: Not unaware of that,  
13 because they must have done it after I left.  
14 There was just a discussion.

15 MAYOR HUBBARD: Okay.

16 TRUSTEE PHILLIPS: They went into -- they  
17 went into executive session and then --

18 MAYOR HUBBARD: But that, that wouldn't be  
19 something that would be discussed in executive  
20 session.

21 TRUSTEE PHILLIPS: No. They may have come  
22 out of the -- the discussion that I heard was that  
23 the Chief had told Chief Johnson to check with  
24 Robert as to what the process was to go out for a  
25 truck, because he was being rather specific as to

1 what kind of truck he wanted, which is not the  
2 normal process. You have to go out to bid, where  
3 they could get a --

4 MAYOR HUBBARD: Yes, and they were checking  
5 on State bid, but they weren't sure if it was on  
6 State bid or not. They heard that it was on State  
7 bid, but then had to verify that.

8 TRUSTEE PHILLIPS: Right, okay. Well,  
9 that -- but they didn't actually -- they  
10 actually -- a lot of it was just the discussion of  
11 doing it, but they had no specs to go on. So I  
12 don't --

13 MAYOR HUBBARD: Okay.

14 TRUSTEE PHILLIPS: -- remember doing a  
15 resolution.

16 MAYOR HUBBARD: Well, no, it just -- it was  
17 just a conversation --

18 TRUSTEE PHILLIPS: Oh, okay.

19 MAYOR HUBBARD: -- they had with me. He  
20 said, "Do I need to come in?" Because nothing  
21 really came up, except talking about a new Chiefs'  
22 car --

23 TRUSTEE PHILLIPS: Right.

24 MAYOR HUBBARD: -- and doing the accession  
25 planning, and taking the old Chiefs' car and

1 making that the 80 car, the 80 car --

2 TRUSTEE PHILLIPS: Yeah, they had the  
3 discussion, yeah.

4 MAYOR HUBBARD: Okay.

5 TRUSTEE PHILLIPS: But they did, yeah.

6 MAYOR HUBBARD: So, really, it was just a  
7 discussion.

8 TRUSTEE PHILLIPS: Oh, okay.

9 MAYOR HUBBARD: They're checking on State  
10 bid to see if it's there. Besides that, he had  
11 nothing else to bring to the table, so --

12 TRUSTEE PHILLIPS: The only thing, as I just  
13 mentioned to Sylvia, that they received a letter  
14 that the -- from Charles, Charles Sanders, that  
15 there's something on September 17th, that there's  
16 a walk from Southold through the Village of  
17 Greenport to East Marion, down to Orient, and then  
18 back again, that I asked them if they would  
19 make -- if it was also CC'd to the Village, which  
20 it wasn't. So Sylvia will have to find out,  
21 because it sounded like they needed the road  
22 closed.

23 TRUSTEE MARTILOTTA: For the American  
24 Legion?

25 TRUSTEE PHILLIPS: So that was September 17th.

1 TRUSTEE MARTILOTTA: I can check that just  
2 through the Legion and of the post. I believe  
3 it's only a handful of people.

4 TRUSTEE PHILLIPS: Well, I don't know. It's  
5 through the Fire Department, it was through the  
6 Chiefs Council.

7 TRUSTEE MARTILOTTA: Oh, it's through the --  
8 all right, because I know --

9 TRUSTEE PHILLIPS: It was Southold's Chiefs  
10 Council, you know, the Chiefs Council through the  
11 Town.

12 TRUSTEE MARTILOTTA: Okay.

13 TRUSTEE PHILLIPS: So that -- but the date's  
14 September 17th, because they were asking when the  
15 Maritime Festival was going to be --

16 TRUSTEE MARTILOTTA: Sure.

17 TRUSTEE PHILLIPS: -- and I said that's the  
18 next weekend.

19 MAYOR HUBBARD: Okay.

20 TRUSTEE PHILLIPS: Okay.

21 MAYOR HUBBARD: But if they're doing it  
22 through the Chiefs Council, they would be clearing  
23 that through the interim Chief of Police, and that  
24 would be all --

25 TRUSTEE PHILLIPS: Right.

1 MAYOR HUBBARD: -- through them, so --

2 TRUSTEE PHILLIPS: But I just mentioned it  
3 to Sylvia, so that maybe she could get a copy of  
4 the letter, that's all.

5 MAYOR HUBBARD: Okay. Okay. Was there  
6 anything else from the Fire Department?

7 TRUSTEE PHILLIPS: No. They had a rather  
8 lengthy executive session, which I -- I'm not -- I  
9 don't sit on. So I know that they had a lengthy  
10 discussion about --

11 ADMINISTRATOR PALLAS: Can you speak into  
12 the microphone?

13 TRUSTEE PHILLIPS: Can you hear me?

14 CLERK PIRILLO: Trustee Martilotta, can you  
15 get closer to the microphone.

16 TRUSTEE MARTILOTTA: Can you hear me? I'm  
17 sorry.

18 TRUSTEE PHILLIPS: Okay. They had a  
19 discussion about finances, seemed to be part of  
20 the topic before they went into executive session.  
21 So they were discussing a lot of that and trying  
22 to straighten out some things.

23 MAYOR HUBBARD: Okay.

24 TRUSTEE PHILLIPS: Okay?

25 MAYOR HUBBARD: I know they're working on

1 that with the local banks, trying to get  
2 everything in order. I haven't talked to anybody  
3 since they had the meeting last night, so I don't  
4 know.

5 TRUSTEE PHILLIPS: No. And I'll be honest  
6 with you, I -- there really wasn't much. As I  
7 said, they were -- they were kind of going over  
8 things, and it was getting a little excitable, so  
9 they went into executive session and I went home.

10 MAYOR HUBBARD: Okay.

11 TRUSTEE PHILLIPS: Okay?

12 MAYOR HUBBARD: All right. Thank you.

13 TRUSTEE MARTILOTTA: I got something for you  
14 on the 17th that -- from Mr. Sanders, just because  
15 doing this through the Legion, it's not through  
16 the Fire Department. It's the 22-mile walk.

17 TRUSTEE PHILLIPS: Okay.

18 TRUSTEE MARTILOTTA: It's called Walk For  
19 Life or Walk For Valor, something along those  
20 lines. It's a Marine Corps type thing.

21 TRUSTEE PHILLIPS: Yeah.

22 TRUSTEE MARTILOTTA: So we're going to be  
23 just opening up the bathroom at the Legion in case  
24 they have to go. I'm like that is -- that's the  
25 extent of --

1 TRUSTEE PHILLIPS: Okay, because they were  
2 asking the Chief -- they were asking the Board of  
3 Wardens if they could set up a water center here  
4 and use the --

5 TRUSTEE MARTILOTTA: Oh, okay.

6 TRUSTEE PHILLIPS: -- facilities, so --

7 TRUSTEE MARTILOTTA: Oh, no fine. I was  
8 just -- I mean, that's -- because he had reached  
9 out to me through them as well.

10 TRUSTEE PHILLIPS: Right. Well, I could --  
11 but this was -- this came from the Southold Town  
12 Chiefs.

13 TRUSTEE MARTILOTTA: No, no.

14 TRUSTEE PHILLIPS: So I don't know what's  
15 going on, so I'm just bringing it up, that  
16 September 17th there's something.

17 TRUSTEE MARTILOTTA: George is going to --  
18 George is going to walk 22 miles.

19 MAYOR HUBBARD: Yeah, why not?

20 (Laughter)

21 TRUSTEE MARTILOTTA: Yeah, to me, I'm like  
22 check the schedule.

23 MAYOR HUBBARD: Okay.

24 (Laughter)

25 TRUSTEE MARTILOTTA: So it's happening.

1           MAYOR HUBBARD: Okay. Anything else on the  
2 Fire Department?

3           TRUSTEE PHILLIPS: No.

4           MAYOR HUBBARD: Okay. We'll move on to the  
5 Village Administrator, Paul Pallas.

6           ADMINISTRATOR PALLAS: Thank you, Mr. Mayor.  
7 To begin, I had -- I did -- I was able to have a  
8 meeting with the representatives from the -- I  
9 guess it's the MTA. I'm not sure if it was the  
10 MTA or Long Island Railroad, I could never -- I'm  
11 never really sure, regarding Fourth, Fourth Street  
12 crossing and -- Fourth, Fifth and Sixth Street  
13 crossing. We focused on Fourth, because that's in  
14 the worst -- worst shape. They clearly understood  
15 the issues of the problems there, they acknowledge it.

16           They are going to be sending me a letter. I  
17 expect it either late this week, hasn't gotten it  
18 yet, or sometime next week, detailing what the  
19 process is going to be. Unfortunately, it's not  
20 fast, because in order for them -- they're going  
21 to try to do some temporary repairs, but in order  
22 for them to make permanent repairs, they actually  
23 have to redesign the entire crossing. And the  
24 equipment and material that they use is -- you  
25 can't -- it's not a direct replacement, they have

1 to rebuild it, including the track. They can't  
2 just replace the pads that are there. So it  
3 requires a very expensive, according to them,  
4 redesign and rebuild of that entire crossing. So  
5 I am hopeful that they get me all that  
6 information. And, you know, obviously, they have  
7 the budget issue that they have to put into their  
8 budget, and we'll -- I'll get some kind of a time  
9 frame from him. Once I have it, of course, I'll  
10 pass it along.

11 TRUSTEE ROBINS: Paul, is there willingness  
12 to commit to helping us out have anything to do  
13 with the fact that we provide so little ridership  
14 on the railroad, or it doesn't -- isn't that  
15 related at all?

16 ADMINISTRATOR PALLAS: They didn't indicate it.

17 TRUSTEE ROBINS: Okay.

18 ADMINISTRATOR PALLAS: They didn't bring it  
19 up at all, actually.

20 TRUSTEE ROBINS: Okay. I'm just curious to  
21 know.

22 ADMINISTRATOR PALLAS: You know, and I  
23 mentioned -- there was a couple of ancillary  
24 issues that I mentioned. One was the condition of  
25 the station platform railings. There were some

1 overgrowth in some areas that I mentioned to them  
2 that they acknowledged, and, you know, we'll see  
3 what comes of it.

4           Next, on the microgrid project, not a lot of  
5 change from my last report. I did want to just --  
6 again, the distribution portion is slowly coming  
7 to an end. They are working out on the one piece  
8 that's not being funded on Manhasset. Poles are  
9 in, I understand, and they started pulling wire,  
10 so that should improve some of the voltage issues  
11 we've had down in that area.

12           The wastewater plant and here, they're  
13 essentially done. There's some wiring issues that  
14 they -- you know, there are wiring changes that  
15 are needed at the wastewater plant to make the  
16 system all work together. Then the issue is  
17 there's one piece of equipment, the batteries,  
18 that are not available, it's a supply chain  
19 problem. And it's not -- and I'll make sure I got  
20 this right. It's not the batteries that aren't  
21 available, it's the rack that they sit in, and  
22 they're sold as a unit. So we would have to go  
23 through hoops to get it proved, UL approved with a  
24 different racking system. Even if it were  
25 identical, we would have to get it approved,

1           because it's sold as a unit. So I'm waiting for  
2           status on that.

3                     We did speak with the Governor's Office of  
4           Storm Recovery as to what any delay would mean.  
5           They were unconcerned about it, given the progress  
6           that we've made on it. And, you know, everything  
7           seems to be in order. There are just -- you know,  
8           they want to see it come to a close, as do we, but  
9           there's no issue with regard to that.

10                    I do want to mention, if -- I'm not sure if  
11           I mentioned last month, one of the elements of the  
12           distribution end of the project were installation  
13           of these ground-based switches, and last month,  
14           July, we had two outages, I believe, that those  
15           switches came in handy. It allowed us to do very  
16           rapid switching of circuits to restore power in a  
17           much more controlled fashion than we've done in  
18           the past. So that is a very large benefit all by  
19           itself of the project. The fact that it was  
20           grant-funded makes it even better. So that's the  
21           microgrid.

22                    The ferry queue project, I know we were --  
23           we were looking to post the overall site plan from  
24           the preliminary design, we are working on that.  
25           The engineer will get it to me as soon as he can.

1 He's been working for the last month on the  
2 detailed design. The DOT has -- it's been a  
3 little bit of a challenge working with them on  
4 getting everything to them. They didn't want  
5 things sent pieces, they wanted the entire  
6 package. So they wouldn't even look at it, the --  
7 to review until they had the entire package. It's  
8 a challenge, I'll just leave it at that. So that  
9 is nearly done. We've got almost all the  
10 documents into the DOT for that, and, hopefully,  
11 they'll approve it.

12 There was a concern about funding for it.  
13 Each year there's a different pot of money. The  
14 next slate of money for construction is from 2019.  
15 That expires at the end of the fiscal year, if we  
16 don't get the design approved and the money  
17 allocated. However, we understand that that will  
18 likely roll over anyway, so it's not as big a  
19 deal. But even if it doesn't, we were also  
20 advised that as part of the IIJA, the  
21 infrastructure funding package, the Federal  
22 infrastructure funding package, there was an  
23 additional 2.6 million allocated for this project.  
24 That's over and above the 2020 money, and I don't  
25 remember the numbers.

1 All told, we have more than the engineer's  
2 estimate for the project. The engineer's estimate  
3 is around 2.6 million. So we're, I think, in  
4 terms of funding, we're in good shape. That's not  
5 -- it's not like the microgrid project that's not  
6 fully funded. There's 2.6 allocated, but it's an  
7 80/20 match, so we would have to come up with 20%  
8 of the total.

9 So we have more than enough right now to  
10 cover the anticipated construction without RPs.  
11 We would have to have, obviously, a discussion of  
12 how we're going to fund that going forward.

13 TRUSTEE PHILLIPS: Paul, can you just -- I'm  
14 sorry, just go back one second. You said that,  
15 okay, this was in the 2019 funding?

16 ADMINISTRATOR PALLAS: Yes.

17 TRUSTEE PHILLIPS: Okay, which ends at the  
18 end of this year or --

19 ADMINISTRATOR PALLAS: The end of the  
20 Federal fiscal year, which is the end of  
21 September.

22 TRUSTEE PHILLIPS: Okay.

23 ADMINISTRATOR PALLAS: You need to have it  
24 allocated within three years, and the three years  
25 ends in mid September of this year.

1 TRUSTEE PHILLIPS: September of this --  
2 okay. You're on the Federal, Federal fiscal year.

3 ADMINISTRATOR PALLAS: That's the Federal  
4 fiscal year.

5 TRUSTEE PHILLIPS: Okay, that's what I  
6 wanted to know.

7 ADMINISTRATOR PALLAS: The DOT has been  
8 pushing us to get it, everything -- to get their  
9 portion approved by the end of August, so that the  
10 Federal people also have to approve it to give  
11 them a full month.

12 TRUSTEE PHILLIPS: Okay.

13 ADMINISTRATOR PALLAS: So I'm not sure why  
14 they think we need a full month in advance. The  
15 engineers have been working literally night and  
16 day on this. You know, I get emails literally two  
17 in the morning with questions that we need to  
18 answer. To be clear, I don't answer them at two  
19 in the morning, but -- so they are continually  
20 working to try to get -- be as cooperative as  
21 possible with the DOT's request.

22 DOT literally gave them three weeks to go  
23 from preliminary design to final design. It was  
24 an unrealistic deadline to begin with. And if you  
25 recall, we had a lot of trouble getting to approve

1 the preliminary design.

2 TRUSTEE PHILLIPS: Right.

3 ADMINISTRATOR PALLAS: So it's -- you know,  
4 they took a long time to get it approved. As soon  
5 as they did, they said, "Okay, now you have three  
6 weeks to finish." You know, again, we're working,  
7 we're working with them on it, it's a challenge.

8 TRUSTEE ROBINS: Paul.

9 TRUSTEE PHILLIPS: Okay. I just wanted to  
10 get clear about the -- I just wanted to get clear  
11 about which fiscal year you're talking about.  
12 Okay. I'm sorry, Julia.

13 TRUSTEE ROBINS: Just a timeline question,  
14 because I am continually asked when will that  
15 design be -- put back on our website for people to  
16 see?

17 ADMINISTRATOR PALLAS: I had mentioned at  
18 the beginning, we -- the engineer needs to parse  
19 out that one site plan drawing, but he's been  
20 working on the detailed design. So as soon as  
21 he's done with that, I'll have -- should have  
22 that -- could try to get it sooner. But what  
23 we're going to post is -- if you recall, there was  
24 a site plan, essentially, that would -- it's not  
25 the detailed design, but it's the layout, it's

1 the -- you know, the traffic pattern, all of those  
2 things that would be -- would be obvious. The  
3 rest of it --

4 TRUSTEE ROBINS: I recall we had like eight  
5 choices, or something like that, and I have one of  
6 them on my documents, you know --

7 ADMINISTRATOR PALLAS: Right.

8 TRUSTEE ROBINS: -- which I believe is the  
9 one that they're working on right now.

10 ADMINISTRATOR PALLAS: Yeah. I will -- I  
11 will get the right one posted.

12 TRUSTEE ROBINS: Okay.

13 ADMINISTRATOR PALLAS: The one that's been  
14 approved by the DOT.

15 TRUSTEE ROBINS: Two weeks, four weeks,  
16 eight weeks? Just --

17 ADMINISTRATOR PALLAS: I should have it --  
18 in about two weeks I should have.

19 TRUSTEE ROBINS: About two weeks.

20 ADMINISTRATOR PALLAS: Yeah.

21 TRUSTEE ROBINS: Okay. Thank you.

22 ADMINISTRATOR PALLAS: Again, that's just  
23 the preliminary design, it's not the detailed  
24 design.

25 TRUSTEE ROBINS: That's -- yeah. No, it's

1 something.

2 ADMINISTRATOR PALLAS: It doesn't have the  
3 drainage, the lighting fixtures, it doesn't have  
4 any of that.

5 TRUSTEE ROBINS: Right.

6 ADMINISTRATOR PALLAS: And, you know,  
7 unfortunately, given the time frame that we're  
8 under, we really don't have a lot of -- we don't  
9 have any time to comment on certain things at this  
10 point of landscaping, light fixtures. But,  
11 certainly, before we go out to bid, we can make  
12 those minor modifications.

13 TRUSTEE ROBINS: Right, right.

14 ADMINISTRATOR PALLAS: We just want to get  
15 this approved. So we just picked out some generic  
16 type planting, generic lighting, things like that,  
17 so just to be aware.

18 TRUSTEE ROBINS: All right.

19 ADMINISTRATOR PALLAS: Okay. Next, Central  
20 Pump Station, just a quick update. Site work is  
21 continuing. It's, I think, coming rapidly to a  
22 close, I sure hope. We were delayed for a few  
23 weeks. The Suffolk County Department of Health  
24 needed to witness us breaking the bottom floor of  
25 the station. So we had to -- that was a

1 coordination issue with equipment, availability,  
2 plus Suffolk County Health Department  
3 availability. It's their process. They want to  
4 make sure visibly see that the floor is no longer  
5 there, so there'd be proper drainage on the site.  
6 That's their -- that's their process.

7 Next, the -- we've been -- talked a few  
8 times about the potential generator installation  
9 at the antenna site. We've gone through a series  
10 of possibilities on that. Right now, it looks  
11 like the generator that is currently used by  
12 the -- I guess, the radio station, that actually  
13 has some equipment there, has some available space  
14 on it. So we're just at the beginning stages of  
15 working with them to figure out physically how to  
16 do it, and then whatever agreements we need in  
17 place for that, but it would basically be an  
18 almost no-cost item. We may need to provide a  
19 switch, which we may even have, to assist in that,  
20 but I'll keep everybody posted about that. It  
21 looks like that's in good shape.

22 I do also want to mention, we did have some  
23 issues with the air conditioning system at the  
24 building that houses the radio equipment. I'm in  
25 discussions with the AC contractor to provide a

1 fix for it, if you will.

2 As it turns out, there are actually two  
3 separate units, air conditioning units, and they  
4 were designed to fail over one to the other, they  
5 would switch back and forth. And I didn't even  
6 know we had two, to be honest. I should have  
7 known, I guess. But it turns out one of them has  
8 been failed for a number of years, and no one -- I  
9 was not aware of that. So when the other one  
10 fails, there's no backup.

11 In addition, his feeling, this is only  
12 recently told to me, that the unit is oversized,  
13 which means that it cycles too much, which would  
14 lead to premature failure. So we're working with  
15 them to try to get the proper size equipment and  
16 get some quotes for that. Not a big deal, not  
17 insurmountable, but it -- you know, certainly, if  
18 there's no air conditioning, those units do tend  
19 to shut down, and that's not good, so we're  
20 working on that as well.

21 TRUSTEE CLARKE: Excuse me, Paul.

22 ADMINISTRATOR PALLAS: Yeah.

23 TRUSTEE CLARKE: This is regarding air  
24 conditioning for radio relay equipment that is  
25 being used for?

1 ADMINISTRATOR PALLAS: Sorry. The Police  
2 Department, Fire Department. There is some  
3 private radio stuff in there.

4 TRUSTEE CLARKE: And where is that  
5 communications building?

6 ADMINISTRATOR PALLAS: It's at the antenna  
7 site up on Washington Avenue.

8 TRUSTEE CLARKE: Got it, okay. We segued  
9 from the pump station quickly to that and I didn't  
10 catch that piece.

11 ADMINISTRATOR PALLAS: Sure.

12 TRUSTEE CLARKE: Thank you.

13 ADMINISTRATOR PALLAS: In terms of  
14 resolutions, one that's listed there is relay  
15 testing at the power plant. We do that every two  
16 or three years. It's been three years. We're --  
17 it's going out to bid on that. It's not a lot of  
18 money, but I just wanted to make you aware of it.

19 There's an additional resolution that I'm  
20 hopeful to get completed by -- in time for next  
21 week's meeting. We have sent -- it's already in  
22 process, so it will be a ratification, one of our  
23 Road Barn employees for CDL training. The cost  
24 for the training is 20 -- 2,975. It's both online  
25 and in person. They provide the vehicle. There's

1       some additional mandatory training fees and the  
2       road test fees, and it's a relatively short  
3       duration, but it's needed. And I'm just trying to  
4       get their -- the information they provide us  
5       doesn't actually match the invoice that they sent,  
6       so we're trying to get a clarification. It's not  
7       like double, it's like \$50 here, \$20 there. But  
8       it doesn't match, so we're trying to get a  
9       clarification from them for that.

10           TRUSTEE PHILLIPS: Is this the CDL that the  
11       supervisor at the Road Barn filed, or did you come  
12       across the company?

13           ADMINISTRATOR PALLAS: I didn't find it  
14       myself. We -- staff --

15           TRUSTEE PHILLIPS: And what was the fee  
16       for it?

17           ADMINISTRATOR PALLAS: 2,975.

18           TRUSTEE PHILLIPS: Oh, 2,000. Oh, okay.

19           TRUSTEE ROBINS: I thought you said 22.

20           TRUSTEE PHILLIPS: I thought you said 20 --

21           TRUSTEE ROBINS: You said 22?

22           TRUSTEE PHILLIPS: Yeah, I thought you said  
23       22,000. That's okay. That's why I put --

24           ADMINISTRATOR PALLAS: No, no, no, 2,975.

25           TRUSTEE PHILLIPS: Okay. All right. That's

1 better.

2 ADMINISTRATOR PALLAS: Right.

3 TRUSTEE PHILLIPS: I was like whoa.

4 ADMINISTRATOR PALLAS: Oh, yeah, no, I would  
5 never -- I would not have done it. That would  
6 be -- no.

7 That's all I have, unless anybody has any  
8 questions for me.

9 MAYOR HUBBARD: Any questions for the  
10 Village Administrator?

11 TRUSTEE MARTILOTTA: No.

12 MAYOR HUBBARD: Thank you. Okay. Village  
13 Treasurer's report.

14 TREASURER BRANDT: All right. Good evening,  
15 everyone. I have on my report a request that we  
16 vote on two resolutions for a manual check. I  
17 need to process payment for the Fire Department  
18 insurance, the general liability, as well as  
19 property insurance, and the Ladies Auxiliary  
20 insurance. We missed processing it in time for  
21 the deadline last month. We need to get it out  
22 before next Wednesday, so I'd like to -- I'd ask  
23 if you could vote on that tonight.

24 MAYOR HUBBARD: Okay. I'll offer a  
25 *Resolution approving the issuance of a manual*

1        *check made payable to McMann Price Agency in the*  
2        *amount of \$82,840.46 as payment for the attached*  
3        *annual invoices for the Village of Greenport Fire*  
4        *Department insurances, and authorizing Mayor*  
5        *Hubbard to sign the manual check request.*

6        So moved.

7                TRUSTEE MARTILOTTA: Second.

8                MAYOR HUBBARD: All in favor?

9                TRUSTEE CLARKE: Aye.

10               TRUSTEE MARTILOTTA: Aye.

11               TRUSTEE PHILLIPS: Aye.

12               TRUSTEE ROBINS: Aye.

13               MAYOR HUBBARD: Aye.

14               Opposed?

15                        (No Response)

16               MAYOR HUBBARD: Motion carried.

17               All right. That's just some housekeeping.

18        It's a small local company, we want to get them  
19        paid, and, you know, it's the right thing to do.

20        Okay?

21               All right. *Resolution approving the*  
22        *issuance of a manual check made payable to*  
23        *Philadelphia Insurance Company in the amount of*  
24        *\$300 as payment for the attached invoice covering*  
25        *insurance for the Greenport Fire Department*

1        *Juniors and Ladies Auxiliary, and authorizing*  
2        *Mayor Hubbard to sign the manual check. So moved.*

3                TRUSTEE PHILLIPS: Second.

4                TRUSTEE ROBINS: Second.

5                MAYOR HUBBARD: All in favor?

6                TRUSTEE CLARKE: Aye.

7                TRUSTEE MARTILOTTA: Aye.

8                TRUSTEE PHILLIPS: Aye.

9                TRUSTEE ROBINS: Aye.

10                MAYOR HUBBARD: Aye.

11                Opposed?

12                                (No Response)

13                MAYOR HUBBARD: Motion carried.

14                Thank you all for approving that and  
15        getting it done.

16                TREASURER BRANDT: Thank you very much.

17                MAYOR HUBBARD: Okay, continue on.

18                TREASURER BRANDT: Thank you. I just wanted  
19        to give you an update on the Carousel kiosk and  
20        what's been holding that up. I finally have a  
21        final proposal from the company. The one last  
22        issue I'm trying to resolve is the credit card  
23        processing fee from the separate credit card  
24        company, Gravity Payments. I had a conversation  
25        with them this morning, in fact, and we have

1 another conversation that's scheduled for next  
2 week to see if we can come to terms on that.  
3 That's the only lingering issue. Once I'm  
4 satisfied that it is a competitive rate, then I'll  
5 issue the purchase order and we'll get moving on  
6 procuring the kiosk.

7 The Electric Audit: BST was here last week  
8 and they completed all field work. We have  
9 already received the draft copy of the NYPA report  
10 for review. So we got that in very, very quickly.  
11 And the financial statements should be due to --  
12 in our hands by the first week in October. The  
13 lag time there is awaiting the requested letters  
14 from the legal teams to make sure that we're  
15 clean.

16 Village-wide Audit: The field work is  
17 scheduled to begin September 12th. We have them  
18 in for two weeks. I doubt they're going to need  
19 the full two weeks, but I just wanted to keep you  
20 abreast of the dates on that.

21 That's all I have to add to my report. Are  
22 there any questions on my report?

23 MAYOR HUBBARD: Any questions for the  
24 Treasurer?

25 TRUSTEE CLARKE: The only question I had was

1 an update on the purchase of those speed signs for  
2 Route 25.

3 TREASURER BRANDT: I'm waiting for -- we're  
4 waiting for the --

5 TRUSTEE CLARKE: Are you waiting for a  
6 resolution from us to authorize it?

7 ADMINISTRATOR PALLAS: No. I contacted the  
8 DOT, and as I mentioned earlier, it's a challenge  
9 working with them. So I --

10 TRUSTEE CLARKE: You need their approval?

11 ADMINISTRATOR PALLAS: Yeah. It's a State  
12 road, so I -- well, I don't -- I don't even know.  
13 I posed the question, do I need an approval, and I  
14 haven't even gotten a response to that yet.

15 TRUSTEE CLARKE: Okay.

16 ADMINISTRATOR PALLAS: I will do a follow --  
17 I will follow up with them.

18 TRUSTEE CLARKE: Okay, got it. Thank you.

19 MAYOR HUBBARD: We could probably do Main  
20 Street, because that is considered our possession,  
21 but Front Street would be a challenge. And so  
22 before we go and buy \$5,000 signs, I'd rather make  
23 sure we can install them without an issue --

24 TRUSTEE CLARKE: Of course.

25 MAYOR HUBBARD: -- and that it's enforceable

1 if somebody goes with that. So they're just --  
2 they're trying to follow up and, you know, cross  
3 the T's, dot the I's, and make sure that it's okay  
4 to do it.

5 TRUSTEE CLARKE: Thank you very much.

6 MAYOR HUBBARD: But we will take care of  
7 that when we can.

8 TRUSTEE ROBINS: Just for clarification, so  
9 Front Street is a State road, correct, New York  
10 State 25?

11 MAYOR HUBBARD: Front Street is, yes.

12 TRUSTEE PHILLIPS: Yeah.

13 TRUSTEE ROBINS: So in light of the fact  
14 that the Governor just, you know, today, I guess,  
15 passed that law allowing --

16 TRUSTEE PHILLIPS: To 25, right.

17 TRUSTEE ROBINS: -- municipalities to reduce  
18 their speed limits to 25 if they so desire, would  
19 that have any impact on our being able to go ahead  
20 and do that on --

21 MAYOR HUBBARD: We've already done that.

22 TRUSTEE MARTILOTTA: Yeah.

23 TRUSTEE ROBINS: We have, yes, you know,  
24 but --

25 TRUSTEE PHILLIPS: That resolution --

1 TRUSTEE ROBINS: I'm talking about putting  
2 up a sign, you know.

3 MAYOR HUBBARD: There are already 25 mile an  
4 hour speed signs --

5 TRUSTEE PHILLIPS: Already.

6 MAYOR HUBBARD: -- on Front Street and Main  
7 Street.

8 TRUSTEE ROBINS: No, I'm talking about --  
9 I'm talking about the speed. You know --

10 TRUSTEE CLARKE: The flashing signs.

11 TRUSTEE ROBINS: -- Peter is referring to  
12 the flashing signs, "Your Speed Is". That  
13 wouldn't --

14 MAYOR HUBBARD: These are electric flashing  
15 signs, instead of regular street signs that are  
16 there.

17 TRUSTEE ROBINS: Right.

18 MAYOR HUBBARD: So we need permission if --  
19 okay. What's your question, then? Excuse me.

20 TRUSTEE ROBINS: I just was wondering if --  
21 you said it might take some time. Is there a  
22 legal reason why we wouldn't be permitted to do  
23 that? That's the question.

24 MAYOR HUBBARD: That's exactly what the  
25 Village Administrator asked the State, if we could

1 do that.

2 TRUSTEE ROBINS: Okay.

3 TRUSTEE PHILLIPS: The reso -- the  
4 legislation that was passed is giving -- in other  
5 words, the Town of Southold or the Village of  
6 Greenport could go locally -- or actually the Town  
7 of the Southold. The Town of Southold has to ask  
8 the State if they want to do a local road, they  
9 want to change the speed limit, okay? What that's  
10 doing now is it's saying that they could go ahead  
11 and just do it without asking the State.

12 TRUSTEE ROBINS: Oh.

13 TRUSTEE PHILLIPS: For their local roads.  
14 Not for their roads, but the local roads.

15 TRUSTEE ROBINS: Okay.

16 TRUSTEE PHILLIPS: That's what that  
17 legislation was.

18 TRUSTEE ROBINS: Yeah, I was just -- I was  
19 just wondering if that had any impact on us?

20 TRUSTEE PHILLIPS: But that's --

21 MAYOR HUBBARD: We asked the State and they  
22 said yes to us three years ago.

23 TRUSTEE ROBINS: Oh, okay.

24 ATTORNEY PROKOP: We already got that  
25 permission.

1           MAYOR HUBBARD: And that's why the signs  
2 were put up three years ago. So it is 25 miles an  
3 hour on Front Street and Main Street.

4           TRUSTEE ROBINS: No, I'm aware of that. I  
5 remember I voted on that resolution. I was just  
6 questioning about, again, these electric signs,  
7 that's all, sort of expedite that.

8           MAYOR HUBBARD: Okay. Well, as the Village  
9 Administrator said, he asked the State could we  
10 put up electric signs that are lighted and  
11 everything else, and he's waiting for an answer  
12 back from them if they are allowed on a State  
13 road.

14          TRUSTEE ROBINS: Okay. That's the end of my  
15 question right there. Thank you very much.

16          MAYOR HUBBARD: Okay.

17          TREASURER BRANDT: Anything else for me?

18          MAYOR HUBBARD: Okay. Anything else for the  
19 Treasurer?

20          TRUSTEE MARTILOTTA: No, sir.

21          MAYOR HUBBARD: All right. Thank you.

22          TREASURER BRANDT: Thank you.

23          MAYOR HUBBARD: Okay. The Village Clerk  
24 report.

25          CLERK PIRILLO: Hi, good evening, everyone.

1 As you see, I have an abbreviated report this  
2 month. I'm going to start with, since we've been  
3 using the word "challenging", I'm going to start  
4 with what's challenging in my area over the last  
5 month, which is working with vacancies that we  
6 have for open employment positions.

7 We have made quite a bit of progress. I've  
8 been working internally with the rest of  
9 management and other employees, and also working  
10 heavily with Civil Service. So I just wanted to  
11 let everyone know that.

12 In addition to that, again, back to  
13 challenging, we are once again looking for  
14 lifeguards just to close out the season, okay,  
15 over the next couple of weeks.

16 Lastly, as an add-on, I just wanted to say  
17 thank you to a lot our employees and crews. We  
18 had a very successful Skate Park Festival  
19 recently, and I believe that Rena Wilhelm will be  
20 reporting on that to the Board next week, she's  
21 scheduled to do so.

22 But, in the meantime, we had a lot of moving  
23 parts on our end. We had insurance that McMann  
24 Price worked very closely with me to provide. We  
25 have Billy Schulz, who made sure that we bought

1 all the paint on time and it was paid for, that it  
2 was deliverable, same with the extra  
3 porta-potties. Billy and Mike Flora worked on  
4 various other items, like extra Village garbage  
5 cans, getting the -- making sure that all the  
6 grass was cut. Mike Flora and his crew put  
7 together the stage. Doug Jacobs installed, at my  
8 request, extra electric to make sure that there  
9 was enough electric there. So it really did take  
10 a village. We also worked with paperwork for New  
11 York State and other to make sure that they had  
12 everything they needed.

13 So thank you to all of them. Thank you to  
14 Rena, and she'll be reporting further next week.

15 That actually ends my report this month,  
16 unless anyone has questions.

17 TRUSTEE PHILLIPS: I just want to know if  
18 you had an update from Suffolk County Water  
19 Authority. I noticed -- I'm sorry. I know that  
20 you put on the -- or you had put out the report  
21 that they were in -- asking for reduction in water  
22 use within the Town of Southold and other towns.  
23 Have we had an update from them at all, or have we  
24 had any further notice from them?

25 CLERK PIRILLO: No, we have -- I have not

1 received further notice. But I read recently, I  
2 believe it was in Newsday --

3 TRUSTEE PHILLIPS: Yeah.

4 CLERK PIRILLO: -- that their outreach  
5 efforts were a failure, because the Town of  
6 Southold was one of the ones cited for actually  
7 not reducing water consumption. I believe --  
8 Stephen, did we add that to our bills?

9 DEPUTY TREASURER GAFFGA: We did.

10 CLERK PIRILLO: Yeah. So we actually  
11 took -- thank you for that. We actually took an  
12 extra step and added that to our utility bills as  
13 well.

14 TRUSTEE PHILLIPS: Okay, that's what I  
15 wanted to know. Okay. Thank you.

16 CLERK PIRILLO: So, apart from that, and  
17 Constant Contact and THE other methods that we  
18 used, we wouldn't know what else to do.

19 TRUSTEE PHILLIPS: No. I just wanted to  
20 know if we had gotten an update from them, if we'd  
21 gotten an update from them, that's all

22 CLERK PIRILLO: I didn't. Any questions?

23 MAYOR HUBBARD: Okay. Anything else for the  
24 Village Clerk?

25 (No Response)

1 CLERK PIRILLO: Thank you.

2 MAYOR HUBBARD: Okay. Thank you. Okay.  
3 The Village Attorney report.

4 ATTORNEY PROKOP: I have one item which is  
5 not related to the zoning law that we're looking  
6 at, but that is that the Cablevision contract was  
7 in the process of being renewed. We have a --  
8 Altice submitted a proposed contract to us, and  
9 basically it contains many changes to what had  
10 been the standard contract that we had developed  
11 with Cablevision. So we're going through that  
12 with their attorney.

13 We had a meeting with myself and Management,  
14 and a senior attorney from Altice where those  
15 items were discussed. And the last open item that  
16 we had on that was that we -- we're trying to get  
17 funding for the Village to be able to -- for the  
18 cost that the Village has in broadcasting our  
19 meeting. So we're one of the village -- you know,  
20 we're a village that has a cost in actually  
21 broadcasting the meetings ourselves, and we're  
22 hopeful that Cablevision will -- Altice will  
23 contribute to that.

24 They've denied that for other villages for  
25 different reasons, but due to the unique way that

1       this -- that our Village does it, we are hopeful  
2       that they'll come -- be able to contribute towards  
3       that.

4               On the other front, I have -- I was -- we  
5       had a meeting two weeks ago on August 4th  
6       regarding the zoning, potential changes in the  
7       zoning chapter. I received last Thursday evening,  
8       a week ago, the transcript of that meeting, it's  
9       170 pages. And I spent several days going through  
10      the contract word for word. I created a memo to  
11      myself, which basically was a synopsis, a synopsis  
12      of the Trustee -- substantive Trustee comments  
13      that were made during that meeting. So I went  
14      through the transcript and pulled out each of your  
15      substantive comment -- what I -- substantive  
16      comments.

17             And then put -- I had discussions with Paul  
18      Pallas, as we had said that we would do. I  
19      received some further input from the Trustees and  
20      the Mayor. And then also yesterday, there was --  
21      Paul Pallas and I had a meeting with Trustee  
22      Clarke, as we had said that we would do. And  
23      based on that, I created a framework of revisions  
24      to several of the areas of the law that I -- we  
25      tried to -- I tried to keep simplistic, basically,

1 as the -- at the insistence of Trustee Clarke and  
2 what came up at the meeting that we had. And,  
3 hopefully, this can be at least an initial  
4 framework of moving forward.

5 My recommendations are -- I have many  
6 recommendations regarding definitions. I find  
7 that many of the definitions that we have in our  
8 code are either not -- are necessary, but are not  
9 there, or they're outdated, some of the ones that  
10 we do have. As an example, the one for Park  
11 District, that we really shouldn't have a  
12 definition in our definition section for Park  
13 District, so I'm recommending that that comes out.  
14 Motel/hotel need new definitions. I've included  
15 recommendations for definitions for bar,  
16 restaurant, nightclub, you know, things that we  
17 deal with now, so they would be new definitions.

18 And then going into the framework of the law  
19 itself, so based on what I got out of the  
20 August 4th meeting and subsequent discussion, I  
21 had -- the suggestion is that we create a new  
22 district, which would be this Waterfront View  
23 District, and that would be -- that would be  
24 basically any -- it's defined as any property  
25 currently in the Waterfront Commercial District

1 that does not have -- that is not waterfront,  
2 basically. It has -- you know, it's in the  
3 district, but it doesn't have a boundary of the  
4 property.

5 TRUSTEE PHILLIPS: Doesn't have access to  
6 the water?

7 ATTORNEY PROKOP: I have waterfront. We  
8 could -- because there were -- there would be  
9 other properties that are not waterfront that  
10 would have access. So whatever, whatever the  
11 Board's pleasure is.

12 TRUSTEE PHILLIPS: No, I just -- I'm just  
13 thinking it through, that's all.

14 ATTORNEY PROKOP: Yeah. Otherwise, I'd have  
15 to go through every deed and see who has access or  
16 not.

17 TRUSTEE PHILLIPS: Okay

18 ATTORNEY PROKOP: Which is okay, I mean,  
19 whatever you'd like me to do. What -- so right  
20 away, there's a decision that the Board has to  
21 make, because there's some -- there are two --  
22 there are two streets that have -- that have  
23 properties on them that are not -- that are in the  
24 Waterfront Commercial District, but they're not  
25 waterfront. It's Atlantic, and it's been -- and

1 this has been pointed out to me. It's Atlantic  
2 and --

3 TRUSTEE CLARKE: Sterling.

4 ATTORNEY PROKOP: Sterling, right. So the  
5 first question is what to do with those  
6 properties, those residential properties. One  
7 community, as I understand it, one of them is  
8 adjacent to R-1, an R-1 District, and the other is  
9 adjacent to an R-2 District. I would have to  
10 confirm that. That's verbal, you know, a verbal  
11 statement that was made to me. But, whatever the  
12 Board -- again, whatever the Board's pleasure is  
13 we could do.

14 TRUSTEE PHILLIPS: The properties along  
15 Atlantic Avenue have access to the water. That's  
16 why I'm saying they have access to the water.  
17 They're not water view, they have access. I kind  
18 of know that one.

19 TRUSTEE CLARKE: That wasn't the information  
20 that Joe and I received from the Administrator  
21 when he was reviewing the zoning map. So if  
22 that's incorrect, we stand corrected. But if you  
23 want to take it, Paul.

24 TRUSTEE PHILLIPS: Do you have anything  
25 on it?

1 ADMINISTRATOR PALLAS: Mr. Mayor, if I may.  
2 The -- just a clarification, because I -- if we're  
3 on the term water access, what I was talking about  
4 in our conversation, Trustee Clarke and Village  
5 Attorney, was properties that directly border the  
6 water staying as Waterfront Commercial.

7 TRUSTEE CLARKE: Yes.

8 ADMINISTRATOR PALLAS: I think -- I'm  
9 assuming you were talking -- when you say water  
10 access, has some rights to get the water, as  
11 opposed to being directly bordering the water, is  
12 that -- am I right?

13 TRUSTEE PHILLIPS: You have nonconforming  
14 buildings that are in the Waterfront Commercial  
15 District.

16 ADMINISTRATOR PALLAS: Yeah.

17 TRUSTEE PHILLIPS: Okay? But they -- on  
18 Atlantic Avenue, they can get to the water.

19 ADMINISTRATOR PALLAS: Yes, they border --  
20 the property does go to the water line, yes.

21 TRUSTEE PHILLIPS: Right.

22 ADMINISTRATOR PALLAS: At least to the water  
23 line, some of them extend beyond.

24 TRUSTEE PHILLIPS: Right.

25 ADMINISTRATOR PALLAS: Yes.

1 TRUSTEE PHILLIPS: That's what I'm talking  
2 about, okay, as far as having access to the water.

3 ADMINISTRATOR PALLAS: Okay. I just wanted  
4 to point -- I just wasn't sure. That's what I was  
5 saying on our call, that they do -- are bordering  
6 the water. That's -- to me, I'm just making sure  
7 that the access word means they have some rights  
8 to get to it, that -- you know, that's all.

9 TRUSTEE PHILLIPS: Well, that's -- okay. I  
10 mean, that's the point. I understand it's great  
11 that you had a conversation with Trustee Clarke,  
12 but if you were talking about certain properties  
13 on Atlantic Avenue or on Sterling, it would have  
14 been nice to give me a call to get a  
15 clarification. So, you know --

16 ADMINISTRATOR PALLAS: Just that -- I  
17 apologize, but to me, there was no -- there was  
18 no -- there was no issue. These properties I know  
19 border the water, there was no --

20 TRUSTEE PHILLIPS: Okay.

21 ADMINISTRATOR PALLAS: -- question in my  
22 mind --

23 TRUSTEE PHILLIPS: Oh, okay, all right.

24 ADMINISTRATOR PALLAS: -- ever.

25 TRUSTEE PHILLIPS: All right.

1 ADMINISTRATOR PALLAS: I may not have -- we  
2 may not have communicated it properly.

3 TRUSTEE CLARKE: Perhaps I may have  
4 misunderstood what Paul represented.

5 TRUSTEE PHILLIPS: Okay.

6 TRUSTEE CLARKE: Clearly, the properties  
7 that the Attorney is speaking of on Sterling have  
8 no direct property line on the water. I think the  
9 word "access" is, in my mind, a tricky one,  
10 because you might have deeded access to the water,  
11 but no property line that borders the water. And  
12 I believe that our intention in this code  
13 classification addition is to differentiate  
14 properties that have property lines bordering the  
15 water and those that do not.

16 TRUSTEE PHILLIPS: But Sterling Street --  
17 was it Sterling Street or Sterling Avenue?  
18 Whichever one it is.

19 ATTORNEY PROKOP: I think it's -- I think  
20 it's Avenue.

21 TRUSTEE PHILLIPS: I believe that most --  
22 some of those who have their small docks that are  
23 across from their houses are tied to their houses.

24 ADMINISTRATOR PALLAS: Yeah, there are --

25 TRUSTEE CLARKE: Those are not the

1 properties in question.

2 ADMINISTRATOR PALLAS: There are three, I  
3 think. I think three, I have to double-check my  
4 number, that are on -- do not -- are not directly  
5 bordering the water. They're -- again, I don't  
6 know whether it's Street or Avenue, but it's  
7 directly across the street from the 123 Sterling  
8 project. Directly across the street are three  
9 properties that are in the WC now --

10 TRUSTEE PHILLIPS: Right.

11 ADMINISTRATOR PALLAS: -- that have houses.

12 TRUSTEE PHILLIPS: You're talking about the  
13 ones that were -- okay. You're talking about the  
14 ones that were on the old Winter -- Winter Harbor  
15 parking lot piece.

16 ADMINISTRATOR PALLAS: Yeah, I believe  
17 that's correct, yes.

18 ATTORNEY PROKOP: So I think when we had the  
19 meeting on August 4th, and this -- we had the same  
20 exact discussion, my comment was that it was too  
21 vague to come up with this conceptual idea of  
22 which property -- how the properties would be  
23 divided, and we should really go property by  
24 property. So I think we're basically proving that  
25 now in these discussions.

1           So I was able to get a usable database from  
2           the Southampton Town Assessor -- I'm sorry, excuse  
3           me, the Southold Town Assessor that we could use  
4           to identify properties and which district they'll  
5           end up in, you know, as we go through this. So  
6           with that general concept in mind, and then going  
7           through property by property, I'll come up with a  
8           list for the Board that, hopefully, you can  
9           agree on.

10           TRUSTEE ROBINS: So, Joe, the idea is to  
11           identify them by tax map numbers, is that what you  
12           were getting from the Assessor?

13           ATTORNEY PROKOP: We're going to have to  
14           identify them by that, yes.

15           TRUSTEE ROBINS: Okay. And I did offer to  
16           help, if you'd like.

17           ATTORNEY PROKOP: That would be great. We  
18           just got a big list that we can work on.

19           TRUSTEE ROBINS: Okay. You know, I mean, we  
20           seem to be waffling on this a little bit for some  
21           reason. I think that's the key, though, really,  
22           is, you know, identify each property. I can think  
23           of a few properties that I believe that are on  
24           Sterling that are directly -- the property line  
25           goes right down to the water.

1           ATTORNEY PROKOP: Okay.

2           TRUSTEE ROBINS: It's not -- I'm going back  
3 to real estate, because there's a term water view  
4 and waterfront, and waterfront means that the land  
5 goes and ends directly in the water, you can stick  
6 your foot in the water, where as water view means  
7 you can see the water from your building, but, you  
8 know, you're not directly waterfront.

9           ATTORNEY PROKOP: Well, the next state is  
10 we'll propose a list for the Board.

11           All right. So then the property -- with  
12 regard to the Waterfront Commercial -- the  
13 existing Waterfront Commercial District and the  
14 properties that remain in that district, the  
15 proposal is to make amendments to the permitted  
16 uses in that district and remove gallery, studio,  
17 motels and hotels, and conference facilities,  
18 eating and drinking establishments, a section that  
19 contains special conditions for motels and hotels,  
20 and eating and drinking establishments, and also  
21 artist dwelling. So the suggestion is based on  
22 the discussion that we had to remove those uses  
23 from the Waterfront Commercial District, so the  
24 properties that would continue in that district.

25           And then we would have this new -- the new

1 district, which is the Water View Commercial  
2 District, and the proposal basically would be to  
3 take the uses that are in the Commercial Retail,  
4 the existing Commercial Retail District, and with  
5 a few modifications, move those -- move those uses  
6 into the new Water View District.

7 MAYOR HUBBARD: Can we just take and move  
8 them into Commercial Retail and just do it that  
9 way, instead of making a new district for half of  
10 a block?

11 ATTORNEY PROKOP: You could rezone, you  
12 could rezone those properties, but the --

13 MAYOR HUBBARD: Keep the waterfront, the  
14 waterfront separate, take the other ones that are  
15 on the inside of Front Street and everything else,  
16 make them Commercial Retail like across the  
17 street, and we don't need a new Water View Zone or  
18 anything else.

19 TRUSTEE PHILLIPS: Well, that was the  
20 original intent, was only talking about those  
21 properties that have the issue with the Downtown  
22 Business District that fall within -- hold on a  
23 second, I just lost it. That their uses are so  
24 similar to Commercial Retail, that it would  
25 behoove -- oh, I just lost it. Anyway, their uses

1 are really geared towards Commercial Retail, not  
2 for Waterfront Commercial. Those were the  
3 properties that we were originally discussing.

4 TRUSTEE ROBINS: Like a retail shop on the  
5 south side of Front Street, right?

6 TRUSTEE PHILLIPS: Right.

7 TRUSTEE ROBINS: Can see the water, has an  
8 apartment upstairs that's water view --

9 TRUSTEE PHILLIPS: Right.

10 TRUSTEE ROBINS: -- but they're not doing  
11 any kind of waterfront commercial activities.

12 TRUSTEE PHILLIPS: Waterfront commercial  
13 activities, right.

14 TRUSTEE ROBINS: Definitely.

15 MAYOR HUBBARD: So they would become  
16 Commercial Retail, like the other side of the  
17 street. Water View would be the ones that abut  
18 right onto the water -- I mean, Waterfront would  
19 be on the ones that actually abut the water.

20 TRUSTEE PHILLIPS: The ones that abut the  
21 water.

22 MAYOR HUBBARD: The other ones would just  
23 become Commercial Retail like the other side of  
24 the street. It would make it much easier than  
25 creating another new zone for those 25 pieces of

1 property --

2 TRUSTEE PHILLIPS: Right. Well --

3 MAYOR HUBBARD: -- and trying to create  
4 Water View instead of the others. Just them all  
5 Commercial Retail, and then Waterfront Commercial  
6 stays outside of it.

7 TRUSTEE ROBINS: Right.

8 TRUSTEE CLARKE: There were two reasons when  
9 the Village Attorney suggested that that were  
10 brought up that made that a little more  
11 complicated. One was the existence of Waterfront  
12 Commercial properties with no boundaries on the  
13 water would not be able to be changed to  
14 Commercial Retail. Of course, you could change  
15 them to R-2 or R-1, if you so chose. The second  
16 reason was that there was a perception that losing  
17 a waterfront title in the zoning classification  
18 for those property owners might cause them some --  
19 what's the word to put with that? Might cause  
20 concern and a desire to object. Whereas,  
21 retaining the waterfront term in the new  
22 classification could potentially be less  
23 threatening of a change.

24 MAYOR HUBBARD: But if they're not  
25 waterfront, then they really shouldn't be

1 considered that. I'm just --

2 TRUSTEE CLARKE: I agree wholeheartedly with  
3 you. I could go either way.

4 MAYOR HUBBARD: Okay.

5 TRUSTEE CLARKE: The Village Attorney --

6 MAYOR HUBBARD: I'm just trying not to  
7 separate --

8 TRUSTEE CLARKE: I understand.

9 MAYOR HUBBARD: -- Front and Main Street  
10 into three different zones when we could just take  
11 the north side of the street as one, the south  
12 side of the street as the other, and the people  
13 that are on the water are that.

14 TRUSTEE MARTILOTTA: Yes.

15 MAYOR HUBBARD: So you have two. Commercial  
16 Retail runs right down the side of the road,  
17 because you're not waterfront, and it runs both  
18 sides of the street, and Commercial Waterfront are  
19 the ones that are on the waterfront. That's just  
20 being very simplistic, but that's really just what  
21 I'm trying to do this, to make it so it's easier  
22 to get it passed and through, and make the  
23 property owners understand what we're trying  
24 to do.

25 TRUSTEE ROBINS: And if you use Joe's method

1 of using tax map ID numbers, then if there's an  
2 outlier, if there's something, a property that  
3 really doesn't fit into that category, then it  
4 would be identified by his property tax ID number.  
5 So that would fit into what you're talking about,  
6 I guess.

7 MAYOR HUBBARD: Yes. And Joe would have to  
8 notify each one that we plan on changing, changing  
9 the zoning on their property, which he talked  
10 about last month, and we'd have to notify them,  
11 and if they want to sign a petition and object to  
12 it, and then we would hear the repercussions on  
13 that.

14 I mean, basically, what we're talking about  
15 is the downtown area. I understand Sterling  
16 Street and Atlantic Avenue and all, but all those  
17 properties in Waterfront Commercial on Atlantic  
18 are on the waterfront. So they are on the  
19 waterfront, so they are still considered  
20 Waterfront Commercial, because they are right on  
21 the waterfront. Sterling, yes, the four houses on  
22 the bend --

23 TRUSTEE PHILLIPS: Right.

24 MAYOR HUBBARD: -- that have -- that own  
25 property across the street, that have a dock and a

1 marina across the street from them, their  
2 property, I believe those little spits of land  
3 that are on the other side of the street, similar  
4 to Shelter Island and Dering Harbor, with  
5 everything they went through, they own their  
6 property, which is Waterfront Commercial, then  
7 there's a road, and then they have --

8 TRUSTEE PHILLIPS: Right.

9 MAYOR HUBBARD: -- the commercial part on  
10 the other side of the street, but it's all deeded  
11 property that's theirs. So they would still, in  
12 my opinion, would still be considered Waterfront  
13 Commercial.

14 TRUSTEE CLARKE: If I may, the first part of  
15 your argument to change downtown to Commercial  
16 Retail, there's no reason not to, other than a  
17 perception, so I'm perfectly willing to go along  
18 with that.

19 In the zoning map, these properties, I don't  
20 know of any. And the Administrator brought this  
21 up, that if we were going to change the code, now  
22 if we don't change anything here, but these don't  
23 have properties across the street with docks, and  
24 this looks landlocked here as well. So that's why  
25 they stuck out. They're zoned Waterfront

1 Commercial. But if we're not going to change the  
2 design of the classification and just call it  
3 Commercial Retail, then you could just take those  
4 residential properties out and leave them alone  
5 with they're nonconforming uses, and call them  
6 whatever you want, I don't think it's material.

7 MAYOR HUBBARD: Okay.

8 TRUSTEE CLARKE: Unless you disagree.

9 MAYOR HUBBARD: No, I did not notice --

10 ADMINISTRATOR PALLAS: Yeah, yes.

11 MAYOR HUBBARD: -- the four properties  
12 you're talking about on Sterling that are  
13 considered Waterfront Commercial there.

14 ATTORNEY PROKOP: Yeah, it's those four  
15 properties. We were thinking about different  
16 properties.

17 TRUSTEE CLARKE: But I don't want to slow  
18 down our ability to make this change that's  
19 material --

20 MAYOR HUBBARD: Right.

21 TRUSTEE CLARKE: -- for the --

22 MAYOR HUBBARD: For downtown.

23 TRUSTEE PHILLIPS: For downtown.

24 TRUSTEE CLARKE: -- Commercial Retail  
25 District --

1           MAYOR HUBBARD: Right.

2           TRUSTEE PHILLIPS: Right.

3           TRUSTEE CLARKE: -- and get hung up on this  
4 residential issue. If we can just take that and  
5 set it aside and forget about it, that would make  
6 me happy.

7           TRUSTEE PHILLIPS: The Downtown District  
8 with these stores that are on, let's say, the old  
9 Mills building and that section, and then going  
10 down Main Street where you have Lucharitos and --  
11 they end up going before the Planning Board to get  
12 changed all the time and for their uses, and  
13 it's -- it just would be cleaner and probably more  
14 advantageous for other accessory units in down --  
15 down the road to make them Commercial Retail,  
16 okay?

17          MAYOR HUBBARD: Yes, and then their illegal  
18 apartments and everything else will become legal.

19          TRUSTEE PHILLIPS: That was -- you know, as  
20 long as -- because we originally start with the  
21 Arts District, which we need to get rid of,  
22 because it just doesn't -- we don't do it anymore,  
23 but it creates a loophole. So I just think that  
24 it would be easier to -- and it would probably be  
25 more beneficial to the property owners if they'd

1 have more opportunity for retail to show up into  
2 some of those stores. So that's -- that was the  
3 reason for it, was to just concentrate down here.

4 They -- you know, the Planning Board needs  
5 to have guidance on what to do with them if they  
6 fall under Commercial Retail, and we deal with the  
7 uses within the Commercial Retail and the uses  
8 within the Commercial -- Waterfront Commercial.  
9 Then I think that's probably where I was headed,  
10 is that, you know, let's look at the uses and see  
11 if some of them are still valid, or if we need to  
12 take them out.

13 I am still convinced that in order to  
14 protect the working waterfront, we need to take  
15 out of the Waterfront Commercial hotel/motels and  
16 restaurants in order to save what we have left.  
17 Those are some of the uses that I think we need to  
18 take out of Waterfront Commercial.

19 I think that the Commercial Retail has some  
20 options to increase for the property owner, if  
21 they decide to put in accessory -- or put in  
22 apartments above their buildings. That will also  
23 increase the value of their property, which in a  
24 sense would bring up our tax bases. So that's  
25 where it's coming from. How we get there, you

1 know, it was throw out the ideas to get the  
2 discussion started.

3 MAYOR HUBBARD: Okay. So is there a general  
4 consensus to take -- instead of doing Water View  
5 and make the other side of the street down there  
6 that we're talking about, to make that Commercial  
7 Retail? And then the Village Administrator,  
8 Village Attorney can concentrate on trying to do  
9 that, identify those properties and just make them  
10 similar to the other side, instead of creating a  
11 third zone on Front and Main Streets.

12 TRUSTEE PHILLIPS: As long as we go  
13 through --

14 MAYOR HUBBARD: Is that --

15 TRUSTEE PHILLIPS: As long as we go through  
16 the uses in the Commercial Retail.

17 TRUSTEE ROBINS: Right.

18 TRUSTEE PHILLIPS: That needs --

19 TRUSTEE ROBINS: The uses, whether permitted  
20 or conditional, right.

21 TRUSTEE PHILLIPS: Right. That needs --

22 TRUSTEE ROBINS: We still have to do that,  
23 but this step is good, I agree with this.

24 MAYOR HUBBARD: Right. So that -- so we're  
25 not creating a new one, we're just bringing the

1 other side of the street into the zoning map that  
2 we already have.

3 TRUSTEE PHILLIPS: That's fine.

4 MAYOR HUBBARD: Okay. But we've discussed  
5 this, we've talked about this and trying to  
6 simplify it. Instead of making a third zone down  
7 there, figure out who's in the third zone, take  
8 the zone we have, just move it across the street  
9 and try to do that. Is that --

10 ATTORNEY PROKOP: Okay.

11 MAYOR HUBBARD: You know, can we work on  
12 that?

13 ATTORNEY PROKOP: We'll work on that. Thank  
14 you.

15 MAYOR HUBBARD: Yes. And clarifying the  
16 terms of what's not allowed and everything else.  
17 Anything else that wants to go and do that in  
18 Waterfront Commercial would have to go to Planning  
19 and Zoning, if we outlawed the other uses that  
20 were discussed. All right? That's -- everybody  
21 agree with that, so that's what the Village  
22 Attorney can start working on?

23 TRUSTEE MARTILOTTA: Sound good.

24 TRUSTEE ROBINS: Yes.

25 TRUSTEE PHILLIPS: Yes.

1           MAYOR HUBBARD: Okay.

2           TRUSTEE PHILLIPS: And I think that we're  
3 going to need to come up among ourselves as to  
4 what we want to see in the Commercial Retail.

5           TRUSTEE ROBINS: Yeah, that's -- we'll fill  
6 in the details.

7           TRUSTEE PHILLIPS: Right, the details.

8           TRUSTEE ROBINS: But the general concept,  
9 yes, we'll create that.

10          MAYOR HUBBARD: Okay.

11          ATTORNEY PROKOP: Okay. So moving on, the  
12 next, the next thing that we talked about was  
13 parking. So the proposal for parking is the  
14 following:

15                 The Planning Board, the Planning Board  
16 raised a concern about the interaction between  
17 150-12, which has a per-square-foot and  
18 per-employee parking requirement, and 150-16,  
19 which has a per-use parking requirement. The  
20 proposal is to eliminate the per-square-foot and  
21 per-employee requirement of 150-12 and to actually  
22 move that into 150-16, which is the way that we do  
23 this anyway now. There hasn't been a problem,  
24 really.

25                 So there'll be like an either/or requirement

1 in 150-16, which is either by the use, or by  
2 the -- if the use isn't indicated, then it would  
3 be per-square-foot and per-employee. So that way  
4 we don't have to list 50, 50 different uses in  
5 150-16, we'll just have the uses that we currently  
6 have, which I feel are sufficient. And if  
7 somebody doesn't see their particular use, then it  
8 goes by per-square-foot and per-employee. The  
9 next thing is that --

10 TRUSTEE PHILLIPS: Whoa, whoa, whoa, whoa.  
11 Let's take a step back here. Do we need to  
12 review -- okay. I'm looking at the uses that are  
13 in 150-16(A)(1), okay? We don't really have any  
14 golf courses or country clubs. Undertake -- okay.  
15 We get through hotels and motels, bowling alleys,  
16 the home occupation. Is that something that --  
17 the home occupation or accessory, professional  
18 offices we have here, except for physicians and  
19 dentists, three spaces for each home occupation or  
20 accessory professional office. I mean --

21 ATTORNEY PROKOP: So if I -- if you go back  
22 to the letter that I wrote -- the memo that I  
23 wrote to the Board on August 3rd, if you go back  
24 to that, I listed -- what I did was I analyzed, I  
25 analyzed the parking code of every single village

1 that's east of 112, Route 112, and also Patchogue,  
2 and I compared it to our code. We actually have  
3 more uses than other codes list. But, like you  
4 said, some of our -- some of our specific uses are  
5 not that relevant, and I found some that were  
6 relevant, and I recommended some additions and  
7 some deletions.

8 So what I recommend you do, if you could,  
9 please, is to go back to that August 3rd letter,  
10 because you'll see what my recommendations are and  
11 you can make that decision. But you could, you  
12 definitely could delete some of what we have and  
13 then add some other ones, yes.

14 The other part, the other recommendation for  
15 the parking code is that we delete the -- we  
16 delete the exemption that we have now, which is by  
17 building and date, which is that any property  
18 which is -- was improved as of January 1st, 1991,  
19 that that section be removed. So there would not  
20 be a -- an exemption moving forward. So the  
21 properties that -- the properties that currently  
22 have uses that have a parking requirement, they  
23 would be grandfathered. You know, that use, that  
24 property and that use would be grandfathered. But  
25 then changes in the future would require compliance

1 with the parking requirement, okay? So that would  
2 be a change for us.

3 TRUSTEE PHILLIPS: So let me ask this  
4 question. Are you -- is it -- are we  
5 grandfathering the use that's within the property,  
6 or we're doing the property and the use?

7 ATTORNEY PROKOP: The -- it would be -- so  
8 changes, changes from existing uses would  
9 require -- changes from existing uses, or changes  
10 in the parking requirement for a use would be --  
11 would require compliance with parking, that  
12 change. Because what's existing now, the use, the  
13 use in a building that's existing now and the  
14 parking requirement for that use would be  
15 grandfathered, all right? So if you're exempt  
16 right now and your use requires 50 spaces, but you  
17 had -- didn't have to provide those 50 spaces,  
18 because under the old code you were exempt, you  
19 would -- that then would become something not -- a  
20 nonconforming protected status for that particular  
21 use. And if there was a change in the use, or if  
22 there was an increase in the use, then you would  
23 trigger a parking requirement.

24 TRUSTEE ROBINS: Now are you referring to  
25 change in the use meaning a change in the

1 business? Because you were saying this isn't  
2 building specific now, this is business specific,  
3 correct?

4 ATTORNEY PROKOP: Yes.

5 TRUSTEE ROBINS: Okay.

6 ATTORNEY PROKOP: So it would be a change in  
7 the business, yes.

8 TRUSTEE ROBINS: Okay.

9 TRUSTEE PHILLIPS: So that -- in other  
10 words, anyone that's -- okay. The building  
11 itself, the 1991 preexisting is -- would be  
12 removed, and we're now leaving it that what is  
13 currently existing in those buildings with their  
14 current occupancy, is that what we're going to  
15 gauge that on?

16 ATTORNEY PROKOP: Yes. Now that -- we don't  
17 have language specifying that. I could -- I could  
18 propose language that specifies that, or we could  
19 just treat it as a nonconforming -- a protected  
20 nonconforming -- a nonconformity.

21 TRUSTEE PHILLIPS: But how are you going to  
22 enforce something? I mean, it -- as I've said  
23 over the years, and I've said it from day one  
24 being a Trustee, it's great to make a code, but if  
25 you can't enforce it, there's no sense in it. So

1 that's why I'm asking you, is these, these  
2 preexisting uses that we're going to be  
3 grandfathering, they're going to be based on their  
4 current occupancy level, so that the Planning  
5 Board has some base to move forward, if for some  
6 reason, or if and when it should have a site plan  
7 come in for a change of use.

8 ATTORNEY PROKOP: Right. So the protected  
9 nonconformity would be the -- the protected status  
10 would be the parking requirement of the legal use  
11 of the building at the date of that we adopt this  
12 Local Law.

13 TRUSTEE PHILLIPS: Okay.

14 ATTORNEY PROKOP: So whatever the legal use  
15 of the building was, legal use of the building was  
16 on that day, the parking requirement consistent  
17 with that legal use would be protected or  
18 grandfathered.

19 TRUSTEE PHILLIPS: Okay. But I'm talking  
20 about -- okay. So how are we going to  
21 documentate -- or we have documentation for the  
22 current businesses and their occupancy levels,  
23 correct?

24 ATTORNEY PROKOP: Yes.

25 TRUSTEE PHILLIPS: Okay. So in their

1 building file, we'll be able to go back to find  
2 out what the basis is, where the Planning Board  
3 has -- the Planning Board has a point to start.

4 ATTORNEY PROKOP: Yes.

5 MAYOR HUBBARD: Well, I mean, what's there  
6 right now is what's allowed.

7 ATTORNEY PROKOP: Right.

8 MAYOR HUBBARD: So there is no parking  
9 requirement on any of those places right now. So  
10 if they go to increase what they want to do or  
11 change the use of their business, then they would  
12 have to go to the Planning Board. And if they're  
13 going to intensify the use on it, then that would  
14 trigger -- they're going from zero, they're going  
15 to add "X" amount of tables, then they're going to  
16 have to pay for parking for the "X" amount of  
17 tables they're adding.

18 TRUSTEE PHILLIPS: Okay. But we have a  
19 clause in here that the Planning Board has the  
20 availability of, first of all, waiving it away,  
21 and they themselves, I believe, in their  
22 presentation to us was what is -- what is the  
23 guidelines for them to follow. It's pretty open  
24 at the moment. That's why I'm saying, what  
25 documentation is going to be the basis for moving

1 forward? Okay? We have this question all the  
2 time, okay?

3 ATTORNEY PROKOP: Yeah. So they --

4 TRUSTEE PHILLIPS: It's great for us  
5 old-timers to remember what was -- what and when,  
6 and who, what, when and where, but if it's not in  
7 that file, and it's not there for the Planning  
8 Board or the Zoning Board to follow as  
9 documentation, what guidelines are you giving  
10 them?

11 ATTORNEY PROKOP: So we have guidelines in  
12 our code, and that's actually one of the sections  
13 that -- I'm actually adding that language to  
14 150-16(D), which is the waiver section. The  
15 guidance that's in our code is in the Purpose and  
16 Intent of the Zoning Code, which is the first  
17 section in 150-2, and the -- I'm sorry, 150-1.  
18 And then we have -- we have -- also have guidance  
19 in giving to the Planning Board in the review and  
20 consideration of conditional uses and site plans,  
21 which is in 150-29 and 150-30.

22 So those -- with regard to these parking  
23 waivers moving forward, it would actually -- there  
24 would actually be a provision, as I said,  
25 requiring the Planning Board to consider the

1 guidance of those three sections, 150-1, 150-29,  
2 and 150-30.

3 TRUSTEE PHILLIPS: Which is fine, but that's  
4 the first I'm hearing about it. So --

5 ATTORNEY PROKOP: Well, this has all just  
6 happened. This is within --

7 TRUSTEE PHILLIPS: Oh, okay. All right.

8 ATTORNEY PROKOP: Yeah.

9 TRUSTEE PHILLIPS: That's what I'm asking.  
10 Okay.

11 ATTORNEY PROKOP: That document that you're  
12 looking at, that was pre-August 4th.

13 TRUSTEE PHILLIPS: Well, what I'm looking at  
14 right now is the draft law that was written up for  
15 May 4th that we were discussing.

16 ATTORNEY PROKOP: Right, but that was all --

17 TRUSTEE PHILLIPS: That is all gone now?

18 TRUSTEE MARTILOTTA: That was before the  
19 meeting.

20 ATTORNEY PROKOP: Yeah, then we had the  
21 August 4th meeting.

22 TRUSTEE PHILLIPS: Oh, okay. All right. I  
23 just --

24 ATTORNEY PROKOP: We couldn't get that to  
25 move forward, so we had the August 4th meeting.

1 TRUSTEE PHILLIPS: Okay, that's fine. All  
2 right, because --

3 TRUSTEE CLARKE: Mary Bess, can I ask you a  
4 question?

5 TRUSTEE PHILLIPS: Yeah.

6 TRUSTEE CLARKE: Is -- are you suggesting  
7 that the specificity of the Building Department's  
8 files and/or the documents that detail site plan  
9 approvals would need to be reviewed and/or updated  
10 prior to making this legislation change?

11 TRUSTEE PHILLIPS: I'm asking what -- you  
12 know, I'm asking -- what I'm saying is I have seen  
13 the Planning Board struggle with having some basis  
14 to move forward on. That's what I'm asking, okay?  
15 I have seen them at meeting after meeting struggle  
16 to come forth with a direction where they feel  
17 comfortable that they've made the right decision.

18 Sometimes I think they almost -- they're not  
19 sure. They were looking for something to fall  
20 back on as something to put their hands on to say  
21 okay, granted, this guy -- this project has a  
22 requirement for 100 parking spaces, but we only  
23 want to give them 20, okay? That's what is -- I  
24 think that's the maximum that was said in the  
25 thing, which maybe isn't comfortable for them. I

1 think they're looking for guidance from us, and  
2 that's why I'm asking the questions, okay?

3 ATTORNEY PROKOP: Well, the code limits them  
4 to 20. They took a -- you know, that's accurate.  
5 And, actually, the numbers you suggested are not  
6 that far off from some of the things that you  
7 reviewed, but the code limits them to 20. And so  
8 the proposal is, first off, to give them those  
9 criteria, the criteria contained in 150-1 and  
10 150-29 and 30.

11 The other -- the other thing that we -- is  
12 suggested, and this is just a framework for your  
13 discussion, is that the first 10 spaces are \$2,500  
14 a space, the next 10 spaces are \$5,000 per space,  
15 and that would be it for the Planning Board.

16 There was a suggestion that if additional  
17 spaces are considered by the Village, that they  
18 would be subject to approval by the Board of  
19 Trustees only, not the Planning Board. Anything  
20 over 20 would go to the Board of Trustees for  
21 consideration, and that they would be \$10,000 a  
22 space.

23 There had been -- there was a request at  
24 the -- at the August 4th meeting, or a suggestion  
25 to make -- to allow the waiver fee to be paid over

1 a period of time. The suggestion -- a suggestion  
2 is five years, an option for five years if the  
3 total amount of the fee is increased by 10%. So,  
4 in other words, if they had a 22 -- a 22,500,  
5 \$22,500 fee, which would be for 10 spaces, if the  
6 Planning Board agreed, you know, granted that, at  
7 the -- at the option of the owner of the business,  
8 that could be paid over five years, if it was  
9 increased by 10%, which would increase it to  
10 \$25,000 as an example.

11 These are just suggestions. I'm just trying  
12 to accommodate what was mentioned at the  
13 August 4th meeting.

14 And then going into accessory dwelling  
15 units, what was -- this was much more simplified  
16 than -- than the prior version of what we were  
17 looking at. So it would be accessory units --  
18 accessory apartments would be in the R-2 District  
19 only. The 10 conditions that everybody complained  
20 about on August 4th are reduced to five  
21 conditions, and they're simplified. And that's  
22 basically it. The accessory apartments were much  
23 more simplified. The main -- the main thing is  
24 they have to be one-year leases, they can't be  
25 short-term leases.

1           MAYOR HUBBARD: Right.

2           ATTORNEY PROKOP: And they have to be -- the  
3 owner has to remain on the property in the main  
4 dwelling, in the main structure.

5           TRUSTEE CLARKE: The owner or the full-time  
6 lessee, or the owner?

7           ATTORNEY PROKOP: The owner. The way it's  
8 written is the owner, but it could be --

9           TRUSTEE CLARKE: Does that match our  
10 recollection? In other words, if I own an R-2  
11 property and I only have -- and I'm still managing  
12 that property as a single-family dwelling, and I  
13 want to build an accessory unit, I can do so only  
14 if the unit is rented year-round, and if the main  
15 house is inhabited by me and no one else? I can't  
16 rent the house to a family and then rent the  
17 accessory unit to another family?

18          TRUSTEE MARTILOTTA: I thought that's what  
19 we talked about. I mean, I think it allows -- I  
20 think it also allows for a certain amount of -- A,  
21 to put the neighbors -- vis-à-vis, like somebody's  
22 accountable, right? So if I build an apartment in  
23 my backyard and move to New Jersey and rent it  
24 out, like I don't know what's going on, there's  
25 nobody to really call. That to me -- that to me

1 put my mind at ease.

2 TRUSTEE CLARKE: But what's the difference  
3 between that and owning an R-2 property that has  
4 two units already and I live in New Jersey anyway?

5 TRUSTEE PHILLIPS: That's true.

6 TRUSTEE CLARKE: So I think we're putting --

7 TRUSTEE MARTILOTTA: True.

8 TRUSTEE CLARKE: -- a burden onto creating  
9 an accessory dwelling unit that doesn't exist now  
10 for an R-2 property, and that doesn't seem  
11 logical.

12 ATTORNEY PROKOP: Well, this is the third --  
13 this was the third dwelling unit on the property.  
14 This is -- R-2 is two dwelling units on the  
15 property. This is two plus one.

16 TRUSTEE ROBINS: This would be an  
17 additional.

18 TRUSTEE PHILLIPS: I think what Peter's  
19 talking about are the houses that have revert --  
20 that even though they're zoned R-2, they've  
21 reverted them to single-family houses, which has  
22 been a discussion that we've had before. And I  
23 think that's what Peter -- if I'm -- if I'm saying  
24 it, is that they may not want to put these -- they  
25 may not want to make the building back to an R-2

1 with two apartments, they just may want to leave  
2 it as a single-family and using the accessory in  
3 the back, correct?

4 TRUSTEE CLARKE: Not exactly --

5 TRUSTEE PHILLIPS: Oh, okay.

6 TRUSTEE CLARKE: -- because when we  
7 discussed this at the very first go-round, and as  
8 the Attorney mentioned, we had many, many  
9 conditions that we were putting on it, I was  
10 reminded that the overall zoning in the Village's  
11 R-2, which means whether you have an accessory  
12 dwelling unit or not, there are no more than two  
13 units on that tax map lot. Did I misunderstand  
14 the clarification?

15 TRUSTEE MARTILOTTA: I don't believe so.

16 MAYOR HUBBARD: No, that's the way it is.

17 TRUSTEE MARTILOTTA: Yeah.

18 TRUSTEE CLARKE: So no, I'm not looking for  
19 three units on a tax lot number. Joe, did you  
20 mention potentially three properties -- three  
21 units?

22 ATTORNEY PROKOP: Yeah, I thought that it  
23 would be --

24 TRUSTEE ROBINS: No. I was under the  
25 impression that --

1           MAYOR HUBBARD: That would be an accessory  
2 unit, putting an apartment above your garage or  
3 something. You have an R-2 house, you could put  
4 an accessory apartment on -- above your garage or  
5 something in the back of it.

6           TRUSTEE ROBINS: So then you would have  
7 three accessory units on one property.

8           TRUSTEE PHILLIPS: You would have three  
9 units on the property.

10          ATTORNEY PROKOP: Three dwelling units.

11          TRUSTEE PHILLIPS: Yeah, dwelling units on  
12 the property.

13          MAYOR HUBBARD: Yes.

14          TRUSTEE ROBINS: We've discussed it.

15          TRUSTEE CLARKE: But when we first discussed  
16 it and -- okay. I thought I was told that the  
17 zoning is the zoning, and R-2 is R-2 and --

18          MAYOR HUBBARD: And we're trying to modify  
19 that and change that. So if you have a big house  
20 with two apartments in it now, you could add an  
21 accessory apartment unit above your garage that's  
22 in the back of it.

23          TRUSTEE CLARKE: I understand. I was in  
24 favor that, but I misunderstood and thought that I  
25 was told that that would be -- I misunderstood, I

1 beg your pardon.

2 MAYOR HUBBARD: Okay. No, that's fine. But  
3 that was the intention of what we're trying to do,  
4 that if somebody wants to add a small apartment  
5 above their garage, or something else.

6 TRUSTEE CLARKE: I understood that  
7 intention. I thought I was told when I was in  
8 support of it that I was wrong, that that couldn't  
9 happen.

10 MAYOR HUBBARD: Okay. I think the original  
11 question was about being owner-occupied or being  
12 long-term leases, because originally you said, you  
13 know, so it has to be owner-occupied, the main  
14 dwelling. But I believe the intent of what we're  
15 trying to do, some of these places are -- as long  
16 as it's a long-term lease in the main house, the  
17 accessory apartment can also be long-term leased,  
18 it cannot be an Airbnb, is what we originally had  
19 talked about.

20 TRUSTEE MARTILOTTA: Definitely.

21 MAYOR HUBBARD: Because a lot of these  
22 people that have -- you know, some people own  
23 seven or eight houses and they want to do other  
24 things. So they can't live in every one of the  
25 multiple houses that they might own in the

1 Village. But as long as it's all done by  
2 long-term leases in every dwelling unit on the  
3 property, then they're allowed to go and do the  
4 accessory apartment.

5 TRUSTEE CLARKE: Okay. So --

6 MAYOR HUBBARD: It can't be an Airbnb. Like  
7 our short-term rental law is different.

8 TRUSTEE PHILLIPS: I think that's what's  
9 getting -- that's where I think it's getting -- we  
10 were having the conversation and we brought up how  
11 the short-term rental law is not working the  
12 way -- or it's -- that's when we were discussing  
13 putting the -- when they do the rental permits, to  
14 putting a notation on the applications that they  
15 are doing short-term rentals, so that we could  
16 distinguish between -- or there's -- distinguish  
17 between those who are short-termining and those who  
18 are doing long-term rentals. I think that's where  
19 we were headed, and that conversation kind of got  
20 all clouded together, if I remember correctly.

21 TRUSTEE CLARKE: Well, I'm not sure where I  
22 fell off the wagon with this, but I was definitely  
23 a proponent of trying to increase density and  
24 allow accessory dwelling units, regardless if an  
25 R-2 zoned property had one family in the main

1 house or two. And I distinctly remember I was  
2 told that's not how it's going to work, but I  
3 concede, I misunderstood.

4 MAYOR HUBBARD: No, no.

5 TRUSTEE CLARKE: If that's the case and  
6 we're now back on to that you can have up to three  
7 units. The reason I'm getting stuck on this is  
8 because I specifically tried to make an example of  
9 a property that would have three units, and in --  
10 at any rate, it's going the way I'd like it to go,  
11 so I'm going to shut up.

12 (Laughter)

13 TRUSTEE CLARKE: Now, to the term of whether  
14 it's owner occupied or not, and short-term rental  
15 or not, short-term rental law says if you have a  
16 two-family and you have a full-time resident in  
17 one of the units, that you can short-term-rent the  
18 other.

19 TRUSTEE PHILLIPS: Correct.

20 TRUSTEE CLARKE: So if I have an accessory  
21 dwelling unit, I don't have to live there, but I  
22 do have to have two of the three units with  
23 year-round leases, and I can only short-term-rent  
24 one of them, and it can't be the ADU.

25 MAYOR HUBBARD: Okay. I would disagree with

1 that. If somebody's going to --

2 TRUSTEE CLARKE: It's not that I think that.

3 MAYOR HUBBARD: No.

4 TRUSTEE CLARKE: I'm trying to tell you what  
5 I think the code says.

6 MAYOR HUBBARD: And if we add the accessory  
7 units on, if you're going to get an accessory  
8 unit, they all have to be long-term rentals.

9 TRUSTEE CLARKE: I understand that. But I  
10 could still Airbnb my second unit in my two-family  
11 house.

12 MAYOR HUBBARD: No, not if you're going to  
13 put an accessory unit and change -- by the new  
14 code, you will not be allowed to do Airbnb on any  
15 of them.

16 TRUSTEE CLARKE: Okay. So the proposal is  
17 that our ADU law would prohibit any short-term  
18 rental on the entire tax lot number?

19 MAYOR HUBBARD: Yes. If you're going to add  
20 an accessory unit and get a third unit on the  
21 property, they all have to be long-term rentals.

22 TRUSTEE CLARKE: Thank you. I support that  
23 as well.

24 ATTORNEY PROKOP: Okay.

25 TRUSTEE PHILLIPS: That's where we were

1 coming from.

2 MAYOR HUBBARD: That's what I thought we had  
3 all come up with --

4 TRUSTEE PHILLIPS: That's where we -- yes.

5 MAYOR HUBBARD: -- that that's the only way  
6 we're going to allow this. If you want to add  
7 another unit, they all have to be long-term  
8 rentals, and none of them could be Airbnbs.

9 TRUSTEE CLARKE: Great.

10 ATTORNEY PROKOP: Okay.

11 TRUSTEE CLARKE: Thank you.

12 MAYOR HUBBARD: Okay? No, that's fine.

13 ATTORNEY PROKOP: The owner has to reside in  
14 the main house or --

15 TRUSTEE ROBINS: No, I don't think that's  
16 the case.

17 MAYOR HUBBARD: No, it doesn't, because some  
18 people own multiple houses. So, I mean -- but  
19 they all have to be long-term rentals. You cannot  
20 have a short-term rental on any of them if you're  
21 going to go and use the accessory dwelling unit.

22 TRUSTEE PHILLIPS: In other words, if we're  
23 giving -- if we're allowing the third residency to  
24 be on the property, the give-back is that you  
25 can't short-term rental it.

1 MAYOR HUBBARD: Any of them.

2 TRUSTEE PHILLIPS: Any of them, period.

3 MAYOR HUBBARD: Correct.

4 TRUSTEE PHILLIPS: That's --

5 MAYOR HUBBARD: Everybody is in agreement  
6 with that.

7 TRUSTEE PHILLIPS: Yeah.

8 MAYOR HUBBARD: So okay.

9 TRUSTEE PHILLIPS: Oh, yeah, I'm totally in  
10 agreement.

11 MAYOR HUBBARD: That's fine.

12 TRUSTEE ROBINS: Joe, one of the changes  
13 that I would like to see made is that there could  
14 also be an accessory dwelling unit in the R-1  
15 District, okay? I mean, personally, I'd like to  
16 see two R-1 Districts remaining become R-2, which  
17 would make that easier. But there's certainly  
18 properties in the R-1 that are big enough to have  
19 an accessory dwelling unit. You could rent one of  
20 those property right now, you know.

21 TRUSTEE CLARKE: That was brought up in our  
22 original conversation, but I thought we agreed,  
23 for efficiency of moving forward and getting  
24 something done, that we were going to consider  
25 that at a later time, and just focus on what we

1 had, to move it forward.

2 TRUSTEE ROBINS: Well, that wasn't -- what I  
3 meant was, you know, we were eliminating  
4 affordable units in the conversation, not, you  
5 know --

6 TRUSTEE CLARKE: Because that to me is  
7 yet -- you know, it's another, it's another zoning  
8 change and another code change.

9 TRUSTEE ROBINS: Okay. You know, just I  
10 thought it was important, you know, that this part  
11 of this final law was in now, given -- again, you  
12 know, not that it's going to control the rents or  
13 anything like that, but --

14 TRUSTEE CLARKE: No, I agree with you.

15 TRUSTEE ROBINS: -- a shortage of housing,  
16 which is just, I mean --

17 TRUSTEE CLARKE: I agree. I was not on  
18 board with that idea, I suggested it as well.

19 TRUSTEE ROBINS: I suppose at some point,  
20 right.

21 TRUSTEE CLARKE: But I conceded in our  
22 August 4th meeting that in an effort to move this  
23 Board of five opinions to a resolution and a  
24 public hearing and get something done, that we  
25 should just focus on the way the Mayor outlined

1 the ADU as it was at our August 4th meeting. And  
2 we did not talk about R-1 being turned into R-2,  
3 or ADUs being added to R-1 at that meeting, unless  
4 I missed something.

5 TRUSTEE ROBINS: I mean, I didn't think we  
6 had written a new law yet based on that meeting.

7 TRUSTEE CLARKE: Right.

8 TRUSTEE ROBINS: So this was part of my  
9 original request, you know.

10 TRUSTEE CLARKE: Right.

11 TRUSTEE ROBINS: I was really under the  
12 impression we were going to remove the affordable  
13 part of the language, not, you know, the other  
14 that I advocated for.

15 TRUSTEE CLARKE: Well, that may be. We  
16 should find out how everyone feels about that, so  
17 that we can move something forward and get it  
18 accomplished, rather than spend another month  
19 discussing it.

20 TRUSTEE ROBINS: I mean, I don't think the  
21 purpose of what we're doing here right now is just  
22 to ram legislation through, okay? I mean, I  
23 think, you know, we want to try and get things as  
24 right as we can.

25 TRUSTEE CLARKE: I don't think anyone would

1       accuse us of ramming any legislation through in  
2       the term I've served.

3               TRUSTEE ROBINS: Okay. You know, just this  
4       is a very important issue to me, okay, and I --

5               TRUSTEE CLARKE: I understand.

6               TRUSTEE ROBINS: I know.

7               TRUSTEE CLARKE: But I am trying to get us  
8       to move forward.

9               MAYOR HUBBARD: No, I agree.

10              TRUSTEE CLARKE: I am trying to support the  
11       majority of what I'm hearing here. And do you  
12       want to change R-1 into R-2 in this move and put  
13       ADUs in R-1?

14              TRUSTEE PHILLIPS: Well --

15              TRUSTEE CLARKE: Do you, George? Do you,  
16       Jack?

17              TRUSTEE MARTILOTTA: I do not. I think that  
18       might be discussion for a different --

19              TRUSTEE PHILLIPS: That's --

20              TRUSTEE MARTILOTTA: -- a different piece of  
21       legislation.

22              TRUSTEE CLARKE: I'm not trying to put down  
23       any idea you have. I like that idea, too, but I'm  
24       trying to be pragmatic. I don't want to ram  
25       legislation, but I want to be pragmatic, that some

1 legislation should come out of this Board. At the  
2 rate we're going, it's not.

3 TRUSTEE ROBINS: I understand your opinion,  
4 I'm just expressing mine, you know.

5 TRUSTEE CLARKE: Of course, of course.

6 MAYOR HUBBARD: Yes. No, that's fine. I  
7 mean, we all heard you. We're not saying no, but  
8 it just -- I think right now the consensus is try  
9 to move this forward and get this done to take  
10 care of R-2, which is three-quarters of the  
11 Village is the bigger section of it, to get this  
12 in place, so people might be able to start doing  
13 some stuff, if they want to, that we could start  
14 allowing it.

15 TRUSTEE ROBINS: I'm not going -- I  
16 certainly am not going to obstruct creation of  
17 accessory apartments, okay?

18 MAYOR HUBBARD: Okay.

19 TRUSTEE ROBINS: So I'm --

20 MAYOR HUBBARD: And then we could get -- if  
21 we could get this through and get this taken care  
22 of, and then, you know, six months from now, we  
23 say, "You know what, that worked out well, let's  
24 include R-1 now," and we could have another  
25 discussion on that. But at least we could get

1 this part of it going through. So if somebody  
2 wants to start creating units, we're allowing them  
3 to do that per our code.

4 That's -- you know, we're not saying  
5 definitely no, but as, you know, Trustee Clarke  
6 said, let's try to get this part of it, move  
7 forward, get the public hearing set, get -- you  
8 know, it's a part of Chapter 150, so it goes to  
9 the Planning Board. Let's get through the  
10 process, so we can have the public hearing and get  
11 this part moved. And it includes a good portion  
12 of the Village, not all of it, but we could get  
13 this part moving forward.

14 TRUSTEE ROBINS: Okay.

15 MAYOR HUBBARD: Okay, that's fine.

16 ATTORNEY PROKOP: So I just have two more  
17 things quick. The first is that I also added a  
18 proposal to basically copy the enforcement and  
19 penalty provisions that we have in our -- in our  
20 rental law chapter. So Chapter 103 has like the  
21 modern version of fines and penalties and other  
22 language, and, you know, allowing us to get an  
23 injunction, things like that.

24 The current fine and penalty language in  
25 Chapter 150 is like 40 or 50-year-old language,

1 it's not really suitable for modern -- you know,  
2 for current enforcement. So I proposed to copy  
3 the fines from one -- from the rental chapter and  
4 put them into the zoning chapter to give the  
5 Village some basis to enforce the code.

6 And then, finally, the question, the  
7 question I have for you is the way I -- you know,  
8 I divided this up into sections. So the question  
9 I have for you, would you like me to put this  
10 forward as one Local Law containing all of this  
11 that we discussed, or would you like three  
12 separate, three or four separate laws? So that  
13 the idea of having --

14 TRUSTEE PHILLIPS: Separate.

15 TRUSTEE MARTILOTTA: Separate.

16 TRUSTEE CLARKE: Separate.

17 TRUSTEE MARTILOTTA: Separate for me.

18 TRUSTEE PHILLIPS: But I think --

19 TRUSTEE CLARKE: It's easier for the  
20 public --

21 TRUSTEE MARTILOTTA: I think, absolutely.

22 TRUSTEE CLARKE: -- and it's easier for us.

23 TRUSTEE PHILLIPS: Right.

24 TRUSTEE ROBINS: Yeah.

25 TRUSTEE MARTILOTTA: Absolutely. I think

1 it's something to digest.

2 TRUSTEE PHILLIPS: And I believe we can  
3 keep --

4 TRUSTEE MARTILOTTA: Sorry, I didn't mean to  
5 speak over you.

6 TRUSTEE CLARKE: So you noticed, right?

7 (Laughter)

8 TRUSTEE PHILLIPS: Well, we could keep it --

9 MAYOR HUBBARD: Let's pick one, let's finish  
10 one, let's get it done, get it passed, and then --

11 TRUSTEE PHILLIPS: Well, I think that we can  
12 kind of glide three of them, we can keep moving  
13 them forward, in other words. We may get setting  
14 the public hearing for one, but be prepared to get  
15 the next public hearing moving right after that.  
16 I don't -- sometimes we have a tendency to  
17 stagnate, I don't want to see that.

18 So I think that the first -- you know, we  
19 have to discuss the uses in the CR, those are some  
20 of the things that we have to discuss. So we need  
21 to kind of decide which, or talk about which one  
22 of these we want to get out to public hearing  
23 first.

24 MAYOR HUBBARD: Okay.

25 TRUSTEE ROBINS: So I did want to just go

1 back to the parking, one more thing. Can you give  
2 me some kind of an example, a tangible example of  
3 what the, you know, application of the waivers  
4 would be, and, you know, a business example, say  
5 if something -- an existing business in the  
6 Village, of how that would work?

7 ATTORNEY PROKOP: Of an existing -- well,  
8 no. The waivers apply to new applications.

9 TRUSTEE ROBINS: Only to new applications?

10 ATTORNEY PROKOP: Yeah.

11 TRUSTEE ROBINS: Okay. So --

12 TRUSTEE CLARKE: So I could give you one  
13 that would be hypothetical, if the law had been  
14 passed.

15 TRUSTEE ROBINS: Okay.

16 TRUSTEE CLARKE: For example, last year,  
17 when Claudio's eliminated parking and added a new  
18 deck off the main restaurant --

19 TRUSTEE ROBINS: Right.

20 TRUSTEE CLARKE: -- and created roughly 80  
21 or 100 more seats, that would have changed. They  
22 would have been asked to produce additional  
23 parking, or pay in lieu of parking for doing that.

24 TRUSTEE ROBINS: Right.

25 TRUSTEE CLARKE: There was nothing

1 transacted. They were allowed to increase the  
2 intensity of their property, and there was nothing  
3 exchanged or changed with the -- I mean, they had  
4 a site plan approval, but there was no review of  
5 parking. It was still considered grandfathered,  
6 and the intensification was allowed with no other  
7 transaction taking place.

8 If that were to happen six months from now,  
9 and this law were in place, that would be treated  
10 as a requirement for additional parking. If they  
11 did not have that additional parking, which they  
12 don't, they would be required to pay in lieu of  
13 parking, their choice of either a one front up --  
14 one-time upfront payment of what the Planning  
15 Board decided, or to create a payment plan over  
16 five years.

17 TRUSTEE ROBINS: I'm not sure about the  
18 payment plan over five years. I mean, I don't  
19 like the payment.

20 TRUSTEE CLARKE: The payment plan --

21 TRUSTEE ROBINS: This whole thing doesn't  
22 work for me anyhow.

23 TRUSTEE CLARKE: The payment plan was  
24 suggested, because the public hearing brought  
25 several people to the forefront who spoke about

1 the Village Board creating conditions for only  
2 wealthy people that would have big checkbooks, and  
3 that a small person would not be able to enter  
4 into a business in the Village.

5 I spoke with a couple of small mom and pop  
6 business and asked them could they have opened  
7 their business if they had been charged an  
8 additional 5 or \$10,000 for their retail store.  
9 And they told me that if they had been charged  
10 that, the first year it would have been a huge  
11 burden. But if it had been something that they  
12 could have paid over five years at a couple grand  
13 a year while they were operating, that they could  
14 have absorbed it, and it would not have prevented  
15 them from opening their business.

16 So, I mean, I didn't do a survey, I asked a  
17 couple of people. So that forced my opinion that  
18 giving an alternate to have a payment plan versus  
19 up front would benefit any future mom and pop  
20 businesses that want to open in the Village.

21 TRUSTEE ROBINS: Okay. I mean, I wanted to  
22 see mom and pop businesses be exempt completely  
23 from the parking requirements. That was my --

24 TRUSTEE CLARKE: I don't think that's legal.

25 TRUSTEE ROBINS: Really?

1 TRUSTEE CLARKE: Well, it would be somewhat  
2 discriminatory to say that one person gets it free  
3 and the other person doesn't, just based on their  
4 income.

5 TRUSTEE ROBINS: Well, no. But it's based  
6 on the size of the business, and the occupancy,  
7 and the number of employees, and all those other  
8 things as well, you know. And it would be an  
9 owner-occupied business who was working at that  
10 business, not, you know, bringing in --

11 TRUSTEE CLARKE: Sure.

12 TRUSTEE ROBINS: -- somebody else to manage  
13 and run the property, like some of the bigger --

14 TRUSTEE CLARKE: Sure, I understand what you  
15 mean.

16 TRUSTEE ROBINS: -- hotels and restaurant  
17 chains, and that kind of thing.

18 TRUSTEE CLARKE: I understand.

19 TRUSTEE ROBINS: That's what I'm talking  
20 about.

21 TRUSTEE PHILLIPS: But really --

22 TRUSTEE ROBINS: An owner-occupied business.

23 TRUSTEE PHILLIPS: I'm sorry. But, really,  
24 if you get to the occupancy, we already are  
25 established. Let's say that we have one of the

1 local businesses downtown that's a small, a small  
2 retail store.

3 TRUSTEE ROBINS: Correct.

4 TRUSTEE PHILLIPS: They're going to have  
5 what, two employees, maybe, three employees?

6 TRUSTEE ROBINS: Maybe.

7 TRUSTEE PHILLIPS: Okay. So now let's take  
8 that case, Joe, and we have a -- they sell the  
9 business, and it's now going to have 10 employees,  
10 how is that going to work?

11 ATTORNEY PROKOP: They would have to -- they  
12 would have to pay -- they would have a parking  
13 requirement on the incremental -- the seven  
14 employees.

15 TRUSTEE ROBINS: And what are you going  
16 to do?

17 ATTORNEY PROKOP: So now we -- yeah, I just  
18 want to point out to you, I had originally -- the  
19 original version that I had drafted, the Local  
20 Law, which I had I guess in May, or whatever the  
21 day is that you're looking at.

22 TRUSTEE PHILLIPS: May 4th, yeah.

23 ATTORNEY PROKOP: That had -- that had  
24 language in it that explained this, you know,  
25 process. The emphasis on August 4th was to get

1 that out of here, get that out of there, you know,  
2 the 10% or 20% that we were talking about, and  
3 just take out the 1991 exemption that we have now.  
4 If you'd like -- if you would like a pair -- a few  
5 sentences explaining that, then that would be  
6 fine, I could draft that for the Local Law.

7 TRUSTEE ROBINS: A little more clarification  
8 in the language would be important, yes.

9 ATTORNEY PROKOP: Okay. And I -- okay.  
10 It's --

11 TRUSTEE PHILLIPS: Because you had in here  
12 but not to exceed a waiver of more than 50% of the  
13 required parking spaces, or 20 required parking  
14 spaces, whichever results in a lesser waiver of  
15 required parking spaces.

16 ATTORNEY PROKOP: The discussion that you  
17 just had about protecting mom and pop versus the  
18 larger businesses that can just write a check,  
19 that was -- that was the discussion that we had at  
20 the end of the meeting the other day -- the other  
21 week -- day, because that really -- the Planning  
22 Board, again, does not have to grant a waiver.  
23 It's not -- you know, the Planning Board doesn't  
24 have to make, you know -- so there is -- there is  
25 no -- you know, there is no leverage that a larger

1       financed business has, because, you know, like I  
2       said, the Planning Board, it's at the discretion  
3       of the Planning Board.

4               TRUSTEE ROBINS: Right. And don't they use  
5       the language in there in the best interest of the  
6       Village?

7               ATTORNEY PROKOP: Yes, that's what I'm  
8       talking about.

9               TRUSTEE ROBINS: I mean, that's kind of a  
10       broad level of interpretation to give to the  
11       Planning Board, to be honest with you. I would  
12       think that the guidelines would be clearer than  
13       that.

14              ATTORNEY PROKOP: Well, they are. That's  
15       why we're -- that's why we -- it's included -- the  
16       language for the Planning Board is in the code, in  
17       those three sections that I mentioned before, but  
18       now we're -- now we're -- we put those in,  
19       actually. We put -- we cited those three sections  
20       in, actually, the parking waiver, so the Planning  
21       Board knows that that's what their criteria are.

22              TRUSTEE ROBINS: What happens if the  
23       Planning Board decides that a business is not in  
24       the best interest of the Village? I'm just  
25       curious.

1           ATTORNEY PROKOP: Well, it's like the Zoning  
2 Board, you know, they just have to rely on the  
3 criteria. They have the criteria before them and  
4 they could just make that decision, citing the  
5 criteria. But they would have to have, you know,  
6 findings that are -- they would have to have  
7 findings on each of the criteria that are  
8 supported by -- you know, with a rational basis.  
9 But, sure, you know, if that's -- if they're able  
10 to support that decision.

11           TRUSTEE PHILLIPS: So we're still going with  
12 the original, back to this May 4th draft?

13           ATTORNEY PROKOP: Can I -- can I just finish  
14 one point?

15           TRUSTEE PHILLIPS: Oops, I'm sorry, go ahead.

16           ATTORNEY PROKOP: This is the scaling  
17 discussion that I mentioned, at the end of August  
18 4th, the scaling concept that was mentioned where  
19 the scale, the scale of a business is something  
20 that the Planning Board should review, not -- they  
21 shouldn't discriminate necessarily -- excuse me.  
22 In addition to the -- the particular business is a  
23 difficult decision to make, but the scaling, the  
24 scale of the business, which is related to the  
25 parking requirement, that's why the parking

1 requirement -- one of the reasons why it's in the  
2 code to begin with. That's something that the  
3 Planning Board should be dealing with in their  
4 decisions.

5 TRUSTEE ROBINS: I mean, could the Planning  
6 Board come back to a business and say, you know,  
7 "You have to reduce your lot coverage if you're  
8 building and put parking spaces in instead"? You  
9 know, I mean, that's an option, if --

10 ATTORNEY PROKOP: That's a discussion  
11 that -- there's a -- they -- to have a condition,  
12 they need to have a rational basis. So as long  
13 as -- as long as the -- there's a rational basis  
14 and the condition is reasonable and tied, tied to  
15 things that they -- you know, findings that they  
16 have in their decision, they could make a  
17 condition, you know, such as that.

18 TRUSTEE CLARKE: To the extent that it's new  
19 construction and not tearing off part of the  
20 building.

21 TRUSTEE ROBINS: No. Exactly, for new  
22 construction.

23 TRUSTEE CLARKE: Which is, to your point on  
24 August 4th, very limited. There's very few places  
25 to build or tear down and renovate.

1 TRUSTEE ROBINS: I think there were two that  
2 were before the Planning Board. You know, I  
3 thought the one on 200 Front Street was a  
4 teardown, and also the proposed Emilio's, which I  
5 don't know if that's moving forward, was supposed  
6 to be a teardown, I think, wasn't it?

7 TRUSTEE CLARKE: Yes.

8 ATTORNEY PROKOP: Yes.

9 TRUSTEE ROBINS: So that does occur.

10 TRUSTEE CLARKE: You're right, those are  
11 the two.

12 ATTORNEY PROKOP: So, okay. So I'll add  
13 some language to that, like the Board said.

14 And thank you very much for your -- the --  
15 your time and efforts in this.

16 TRUSTEE CLARKE: Well, I believe that the  
17 question was on the table when we went back to  
18 parking the second time.

19 ATTORNEY PROKOP: I interrupted you.

20 TRUSTEE PHILLIPS: Yeah, you did.

21 ATTORNEY PROKOP: I interrupted Trustee  
22 Phillips, I'm sorry.

23 TRUSTEE PHILLIPS: Yeah, you did.

24 TRUSTEE CLARKE: I mean, I'll wait.

25 TRUSTEE PHILLIPS: Okay. Let's go back to

1       there was a big discussion about the fee for  
2       parking. Is that still staying the same with the  
3       1,000, the 2500 and the 5,000?

4             ATTORNEY PROKOP: The proposal was the first  
5       10, the first 10 would be 2500, the second, you  
6       know, zero -- one to 10 would be 2500, 11 through  
7       20 would be 5,000.

8             TRUSTEE PHILLIPS: Okay. So that's --

9             ATTORNEY PROKOP: And then anything else  
10       would be with the Trustees' consent.

11            TRUSTEE PHILLIPS: All right. Is that in  
12       your document here, because I --

13            ATTORNEY PROKOP: It's what I -- yes, it's  
14       in what I sent.

15            TRUSTEE PHILLIPS: Okay, all right.

16            TRUSTEE CLARKE: The date, the August 16th  
17       document?

18            ATTORNEY PROKOP: Yes. Yeah, I just want to  
19       mention, that was -- that document was --  
20       Management helped me with some of the reviewing.  
21       There were some edits that had to be done, and  
22       Management put some time into that over the last  
23       24 hours, which I appreciate.

24            TRUSTEE PHILLIPS: Is it in her, because  
25       I -- maybe I don't see it.

1 TRUSTEE CLARKE: On Page -- Page 1, after  
2 Page 5, Local Law, which has all sorts of --  
3 Classification of Districts. Amendments to  
4 Parking. Page 9. There you go. So it's on 9, 10  
5 and 11 -- 9 and 10.

6 TRUSTEE PHILLIPS: Maybe I'm not looking at  
7 the same -- oh.

8 TRUSTEE ROBINS: Page 9 you're talking  
9 about?

10 ATTORNEY PROKOP: It says 9 at the bottom of  
11 that. Pardon me.

12 TRUSTEE CLARKE: My Page 9 is different from  
13 your Page 9.

14 TRUSTEE PHILLIPS: Yeah, it is different  
15 from your Page 9, okay? So that's --

16 TRUSTEE MARTILOTTA: Yeah, there's three  
17 different packets.

18 TRUSTEE ROBINS: Oh, okay, maybe I didn't  
19 download that.

20 TRUSTEE MARTILOTTA: It's in packet, this  
21 packet right here.

22 TRUSTEE ROBINS: Oh, it was on the table  
23 when I came in.

24 TRUSTEE PHILLIPS: No, it's not in here.  
25 That's mine. Okay, whatever. I'm getting caught

1 up with --

2 ATTORNEY PROKOP: It was circulated tonight,  
3 it wasn't in an email.

4 TRUSTEE ROBINS: Yeah, it was circulated  
5 tonight.

6 TRUSTEE PHILLIPS: It was circulated  
7 tonight?

8 TRUSTEE ROBINS: Yeah, I printed my own  
9 earlier, but I didn't get that one.

10 TRUSTEE CLARKE: Yeah, I have another one.

11 TRUSTEE ROBINS: I have it here, okay.

12 TRUSTEE PHILLIPS: Oh, okay. I thought it  
13 was the same one. Okay. Page 9?

14 TRUSTEE MARTILOTTA: Yeah.

15 TRUSTEE CLARKE: Would you like to go  
16 through it together with us, Joe?

17 ATTORNEY PROKOP: Whatever you would --  
18 whatever the Board wants.

19 TRUSTEE CLARKE: I think it might be  
20 helpful, because there seems to be -- you know,  
21 it's, A, new, people haven't reviewed it yet, and  
22 it's a material change. So it might be comforting  
23 to take a moment to just -- it's only a couple of  
24 paragraphs. Is that okay with you, Mr. Mayor?

25 MAYOR HUBBARD: Yeah, unless you need time

1 to digest it and go through it. I mean, it's not  
2 something -- we don't need an answer on this right  
3 now, I mean, it's --

4 TRUSTEE PHILLIPS: That's fine, Joe, because  
5 I'll be honest with you, this is the first time --  
6 I've been going on this document that was emailed  
7 to us back the other day. I wasn't -- I just  
8 assumed that when the Clerk handed this to me,  
9 that it was the same document.

10 ATTORNEY PROKOP: So what was -- what was  
11 emailed to you the other day was the -- my summary  
12 of the transcript.

13 TRUSTEE ROBINS: Right, yeah, correct.

14 ATTORNEY PROKOP: And which, when I  
15 completed that, then I started the actual Local  
16 Law, and that was -- that was actually just done  
17 as of last night, and that's what you received  
18 today.

19 TRUSTEE ROBINS: Yes, I'd like an  
20 opportunity to read it --

21 TRUSTEE PHILLIPS: Yeah. No, yeah.

22 TRUSTEE ROBINS: -- if I had questions about  
23 it, yes

24 ATTORNEY PROKOP: But I had -- yeah, just  
25 remember, I haven't even had the transcript. It

1 was a 170-page transcript. I haven't --

2 TRUSTEE ROBINS: Yeah.

3 ATTORNEY PROKOP: -- even had it for more  
4 than a couple of days.

5 TRUSTEE ROBINS: I know you've been working  
6 on this.

7 ATTORNEY PROKOP: I tried to get this all  
8 together.

9 TRUSTEE ROBINS: I appreciate, but, yeah, we  
10 need a little more time.

11 ATTORNEY PROKOP: But everything I just  
12 discussed is in this, Pages 1 through whatever it  
13 is, 1 through 13.

14 MAYOR HUBBARD: Okay. But the definitions,  
15 the terms and everything else that we wanted to  
16 remove, and everything else, if everybody could  
17 just take that, highlight what you want removed,  
18 what you wanted added into it and all, it would be  
19 beneficial to get that to the Village Attorney and  
20 the Village Administrator this week, so we  
21 could -- he could finalize the definitions of that  
22 part of it. A lot of stuff was said.

23 I don't think we're going to see bowling  
24 alleys, or new gas stations, or other things  
25 coming up in the middle of the Village, there's no

1 place to put them, and it's not something that's  
2 happening anywhere in a small scale area.

3 So if everybody could just go and highlight  
4 what you want removed from all of those  
5 definitions, that's the first start, that's the  
6 first four pages of the document that he's working  
7 on, and take out -- if there's something you think  
8 should be added in there, take it out. You wanted  
9 him to make sure that there's no motels,  
10 restaurants, bars in Waterfront Commercial. Write  
11 down what you want and get that all to them, so  
12 they could sit there and work on that.

13 TRUSTEE PHILLIPS: Okay.

14 MAYOR HUBBARD: And at least clarify the  
15 first five pages of the document of what everybody  
16 has a consensus on, so he could send that back  
17 around so everybody can review that.

18 TRUSTEE ROBINS: Did you email this to us,  
19 Joe, or just printed it? Did you email this  
20 to me?

21 TRUSTEE PHILLIPS: No, Sylvia just gave it  
22 to me.

23 TRUSTEE ROBINS: Yeah. No, I'm --

24 ATTORNEY PROKOP: No, this was the -- what  
25 you -- that was emailed to you a couple of days

1 ago.

2 TRUSTEE ROBINS: No, but the revisions of  
3 the law was just --

4 ATTORNEY PROKOP: Oh, the law was just  
5 handed out tonight.

6 TRUSTEE ROBINS: Yeah.

7 ATTORNEY PROKOP: Yeah.

8 TRUSTEE ROBINS: So could we also have that  
9 in an email? Yeah, okay, August. So it was  
10 drafted yesterday, right? August 17th was the  
11 date on it.

12 ATTORNEY PROKOP: After the discussions that  
13 we had, I had it emailed, the draft, I guess, late  
14 last night, late last night.

15 TRUSTEE PHILLIPS: And I understand that the  
16 copy of the minutes for the August 4th meeting,  
17 Sylvia confirmed, and they're on the website, if  
18 you want to go back to it.

19 TRUSTEE ROBINS: I saw them.

20 TRUSTEE PHILLIPS: Yeah, okay.

21 TRUSTEE ROBINS: He did send a text alerting  
22 me to it, so I saw that.

23 MAYOR HUBBARD: Okay. So the four proposals  
24 and stuff that Joe is working on, what do we want  
25 him to concentrate on to try to move forward for

1 the next meeting?

2 TRUSTEE CLARKE: Okay. That's good. We're  
3 going back that, great.

4 MAYOR HUBBARD: Well, I just --

5 TRUSTEE CLARKE: Yeah. So I would say --

6 MAYOR HUBBARD: I want to come up with some  
7 idea of what everybody wants to try to --

8 TRUSTEE CLARKE: I would say --

9 MAYOR HUBBARD: -- move forward and work on.

10 TRUSTEE CLARKE: I would say that the most  
11 clear and the ready-to-go would be the change of  
12 the zoning classification.

13 TRUSTEE PHILLIPS: Zoning code.

14 TRUSTEE CLARKE: That's the cleanest and the  
15 easiest, fastest thing to get done.

16 TRUSTEE ROBINS: Yeah.

17 TRUSTEE CLARKE: And then second to that  
18 would be the usage changes in WC.

19 TRUSTEE ROBINS: I thought that's what you  
20 were talking about, the first one.

21 TRUSTEE CLARKE: No, the first one is the  
22 zoning classification change.

23 TRUSTEE PHILLIPS: Well, even if you -- if  
24 you're change the zoning classifications on those  
25 to Commercial Retail, I think, then -- I think

1 what the Mayor is suggesting is that we take a  
2 look at the uses in that as well --

3 TRUSTEE ROBINS: Yeah.

4 TRUSTEE PHILLIPS: -- and see --

5 TRUSTEE ROBINS: Hand in hand with each  
6 other, so those are both the same thing, right?

7 TRUSTEE CLARKE: Okay.

8 MAYOR HUBBARD: Right. You're talking about  
9 the uses on Waterfront Commercial. We're talking  
10 about taking properties out of Waterfront  
11 Commercial, adding them to Commercial Retail.

12 TRUSTEE PHILLIPS: Right.

13 MAYOR HUBBARD: So we do that part first.  
14 We're not changing Waterfront Commercial.

15 TRUSTEE PHILLIPS: No. What I'm saying is  
16 we had the discussion just a little bit ago that  
17 we were going to look at the uses in the  
18 Commercial Retail as well, did we not?

19 MAYOR HUBBARD: That's what I just -- I said  
20 that two minutes ago.

21 TRUSTEE PHILLIPS: Okay. But --

22 MAYOR HUBBARD: Okay.

23 TRUSTEE PHILLIPS: Okay. But if you're  
24 going to -- blah, blah, blah. If you're going to  
25 be changing their zone, or if we're going to

1 create the code change within the code book, then  
2 we need to look at the uses as well, for  
3 Commercial Retail as well before we -- correct?  
4 Am I not right or wrong?

5 ATTORNEY PROKOP: Well, you have that  
6 opportunity, though.

7 TRUSTEE PHILLIPS: Well, you have the  
8 opportunity.

9 ATTORNEY PROKOP: Yes. So the -- so just  
10 about -- several of the Trustees expressed on  
11 August 4th that in the Water -- in the remaining  
12 Waterfront Commercial properties, they wanted some  
13 of the uses --

14 TRUSTEE PHILLIPS: Changed, right.

15 ATTORNEY PROKOP: -- eliminated. So --

16 TRUSTEE CLARKE: But that is separate from  
17 changing the classification, in my mind. Just  
18 changing the classification is like this (moving  
19 documents), you know, and we can get that done.  
20 Changing the usages in WC and in CR are, in my  
21 mind, separate changes, and we do want to do them,  
22 but I don't see them tied together. Are you  
23 suggesting that they're tied together?

24 TRUSTEE PHILLIPS: Well, if -- okay. If  
25 you're changing the uses in the Waterfront

1 Commercial, and you want to change --

2 TRUSTEE CLARKE: No. The first thing we're  
3 doing is we're changing some Waterfront Commercial  
4 properties to Commercial Retail. In my mind,  
5 that's an act that could happen on its own.

6 TRUSTEE PHILLIPS: Okay. We need to present  
7 the document to the Planning Board or to the  
8 Building Department as to what uses would be in  
9 the CR. Are we all in agreement that we want to  
10 leave all of those uses in the CR?

11 TRUSTEE ROBINS: No, we want changes in  
12 them, so I --

13 TRUSTEE CLARKE: No. I believe they need to  
14 be reviewed and changed.

15 TRUSTEE ROBINS: I agree, you know.

16 TRUSTEE CLARKE: But I don't think they need  
17 to be reviewed and changed in the same code change  
18 and public hearing as just changing the  
19 classification. Because we're ready with changing  
20 the classification, that can go to public hearing  
21 next month. We're not ready with all the usage  
22 changes, because it's -- we don't have a final  
23 document in front of us to approve or say -- or  
24 discuss or say we're ready, unless I'm missing  
25 something.

1 TRUSTEE MARTILOTTA: I agree with you 100%.

2 I think this will --

3 TRUSTEE CLARKE: Mr. Mayor, please correct  
4 me if I'm off --

5 MAYOR HUBBARD: No.

6 TRUSTEE CLARKE: -- if I'm off base.

7 MAYOR HUBBARD: No. I agree. That's why  
8 I'm asking what part do we want to try to go  
9 through and try to move forward. And I don't want  
10 to have a public hearing and then have it get shot  
11 down by our Board. So I want a consensus of what  
12 we want to try to do, so we can present a united  
13 front for a public hearing, so we could all be  
14 together. And then when we have the public  
15 hearing, we don't go back and hash it all apart  
16 again ourselves.

17 TRUSTEE CLARKE: Right.

18 MAYOR HUBBARD: So what we're saying to the  
19 public, this is what the Board wants.

20 TRUSTEE MARTILOTTA: I think, to Trustee  
21 Clark's point, I think it's really a lot simpler  
22 to get consensus when we break these larger ideas  
23 up into smaller bite size pieces. So, to your  
24 point, if we're just going to change it from  
25 Waterfront Commercial to Commercial Retail, I

1 think that's a relatively simple lift. I think we  
2 can get everybody behind it. I think this is  
3 something we can accomplish in a few -- whatever.  
4 You've got to notice it, but in a reasonable  
5 amount of time, which would then free us up to  
6 have the secondary discussion of what uses do we  
7 want in this area. And I think as long as we're  
8 breaking it up, I think we're going to find a lot  
9 more success. Again, I think if we keep rolling  
10 these things together --

11 TRUSTEE CLARKE: It gets too confusing.

12 TRUSTEE MARTILOTTA: It gets too confusing.  
13 People have different opinions about different  
14 things. Maybe opinions change as you talk to  
15 different people throughout town. But a narrow  
16 focused -- a narrow -- some narrow-focused  
17 legislation will go right through. I don't see  
18 any problem in passing this piece and then moving  
19 on to the next piece. I think simpler is always  
20 better, and I support that, too, if that's what --

21 MAYOR HUBBARD: Right. I mean, because  
22 Commercial Retail that's on the north side of  
23 Front Street is going to be the same allowances on  
24 the south side of Front Street when that becomes  
25 Commercial Retail. So we're not really changing

1        what they're allowed to do, because Commercial  
2        Retail already has what's allowed. Correct? And  
3        we're just taking those stores that are right down  
4        the corridor going down there, would be able to do  
5        exactly what's allowed across the street, and  
6        they're not restricted by what's on Waterfront  
7        Commercial where they're zoned now. If that's not  
8        answering your question, tell me, are you --  
9        what's --

10                TRUSTEE PHILLIPS: I'm trying to -- okay.  
11        In my mind, people are going to want to know what  
12        we're going to change in Commercial Retail. I  
13        mean, it's clear what we want to change in  
14        Waterfront Commercial, okay, it's very clear. But  
15        Commercial Retail, we've discussed there are some  
16        concerns about some of the uses in there that  
17        perhaps shouldn't be there anymore, they should be  
18        taken out. And to me, if we're going to do that,  
19        it would be a clearer direction to the property  
20        owners that we're saying, okay, "We're switching  
21        your property to CR," and that, you know, anybody  
22        that wants to plan for future investments, or  
23        whatever, are going to be beholding to us to wait  
24        until the next time we go to make a decision on  
25        the uses.

1           So -- and your concern was always about  
2 investment, that was one of your phrases from a  
3 previous meeting.

4           MAYOR HUBBARD: Uh-huh.

5           TRUSTEE PHILLIPS: That, you know, we don't  
6 want to discourage investment. But investment is  
7 also depending upon what the uses are  
8 within the -- within the zones.

9           So if it's going to get it so that we start  
10 with one public hearing and get it so that the  
11 zoning gets changed, but I will be looking for and  
12 I will be asking that our next work session we  
13 start working on the uses. In other words, keep  
14 going meeting to meeting, not hold off a month  
15 until the public hearing's over on one section.  
16 Get through that, and just keep moving, so at our  
17 next work session, we'll be discussing the uses in  
18 the CR. Am I making sense now?

19           TRUSTEE CLARKE: Yes, you make perfect  
20 sense.

21           TRUSTEE PHILLIPS: Okay.

22           TRUSTEE ROBINS: And I do feel --

23           TRUSTEE CLARKE: And you're right, I do have  
24 changes that I'd like to see made. There are  
25 things I've worked on with many of you and we've

1 worked together.

2 TRUSTEE ROBINS: We've worked with you and  
3 you worked with me.

4 TRUSTEE CLARKE: But I have come to the  
5 opinion that, as Jack I think put very well, that  
6 going a step at a time is easier for us to do  
7 without getting confused, and without being on  
8 different pages, uniting us, and furthermore, to  
9 the Mayor's point, by presenting a united front  
10 when we are at a public hearing, rather than  
11 changing our legislation after public hearing, and  
12 then not succeeding in actually having any  
13 legislation passed.

14 TRUSTEE ROBINS: I think that, you know,  
15 maybe we'll just have to wait and see what the  
16 public hearing -- you know, the kind of feedback  
17 we get through the public hearing.

18 TRUSTEE PHILLIPS: Okay.

19 TRUSTEE ROBINS: I mean, that's --

20 MAYOR HUBBARD: Okay. Just --

21 TRUSTEE ROBINS: I'm tending to agree with  
22 Mary Bess, you know, I don't really want to do  
23 these things separately, but I understand your  
24 point as well, you know.

25 MAYOR HUBBARD: Okay. But --

1 TRUSTEE ROBINS: But, I mean, I think these  
2 questions will come up in a public hearing, people  
3 will want to know.

4 TRUSTEE PHILLIPS: At this point, the  
5 consensus seems to be to move something, so that  
6 this next -- at the regular Board meeting, we can  
7 set the date for a public hearing for this,  
8 correct, is that my understanding?

9 TRUSTEE CLARKE: Yes, that's what I think.

10 TRUSTEE PHILLIPS: Well, that's what I want  
11 to do, so.

12 TRUSTEE ROBINS: Let's have a public hearing  
13 and see what the public --

14 MAYOR HUBBARD: Okay. Anybody that has  
15 property now that's in the Waterfront Commercial  
16 has a lot more restrictions on them now than they  
17 will under CR. So they'll be allowed to do a lot  
18 more, like the people across the street. A lot of  
19 things are not allowed in Waterfront Commercial.  
20 So it actually would be easier for them to do  
21 other things that are allowed across the street  
22 from them. That Waterfront Commercial, there's  
23 only certain things that are allowed. You can't  
24 do the apartments, you can't do all the other  
25 stuff.

1 TRUSTEE PHILLIPS: Right.

2 MAYOR HUBBARD: So if they become CR, then  
3 those people across Main -- up at Front Street  
4 corridor would be allowed to do more stuff with  
5 their properties, with their investments and  
6 everything else.

7 TRUSTEE PHILLIPS: And I'm not disagreeing  
8 with that, okay, I'm not disagreeing. What I'm --  
9 what I'm concerned about is there are some uses in  
10 CR that the community is -- wants to see out, and  
11 I think some of our Board Members want to see  
12 taken out. And that's where I'm coming from, is  
13 that those are the uses that we need to discuss  
14 and --

15 MAYOR HUBBARD: Okay. What uses? I mean,  
16 tell me what uses and we'll -- we can work on  
17 that.

18 TRUSTEE ROBINS: Hotels/motels, restaurants.

19 TRUSTEE PHILLIPS: Hotels/motels.

20 MAYOR HUBBARD: That was Waterfront  
21 Commercial, that wasn't CR. Before you said you  
22 wanted that in Waterfront Commercial.

23 TRUSTEE PHILLIPS: No, I want it out of --

24 MAYOR HUBBARD: Both of you said that.

25 TRUSTEE PHILLIPS: I want it out of

1 Waterfront Commercial. But I'm not sure whether  
2 hotels/motels are going to fit in downtown  
3 Greenport anymore. I'm sorry, I just --

4 TRUSTEE ROBINS: I think so.

5 TRUSTEE PHILLIPS: I know that everyone is  
6 talking about infrastructure and whatever, but I  
7 just feel that hotel/motels, we are getting away  
8 from looking at creating a Business District that  
9 is for year-round residents and not just for the  
10 tourist season. And I --

11 MAYOR HUBBARD: Okay. If I misunderstood  
12 the two of you, you both said Waterfront  
13 Commercial, you want to put guidelines on and  
14 stuff that was allowed in Waterfront Commercial.  
15 I did not hear you say you wanted that in  
16 Commercial Retail also, so if I missed that, I'm  
17 sorry.

18 TRUSTEE CLARKE: The --

19 TRUSTEE PHILLIPS: Yeah.

20 MAYOR HUBBARD: I thought -- I didn't think  
21 you were talking about the whole downtown.

22 TRUSTEE CLARKE: In the --

23 MAYOR HUBBARD: You said Waterfront  
24 Commercial, you wanted to restrict -- those  
25 restrictions on Waterfront Commercial. I did not

1 hear you say Commercial Retail.

2 TRUSTEE PHILLIPS: We did mention it, but it  
3 kept getting -- it kept getting it around in a  
4 circle with the Waterfront Commercial discussion,  
5 so --

6 TRUSTEE ROBINS: Yeah.

7 MAYOR HUBBARD: Okay. So you want no  
8 motels, bars or restaurants in anywhere downtown,  
9 then.

10 TRUSTEE PHILLIPS: No.

11 TRUSTEE ROBINS: No, I mean --

12 TRUSTEE PHILLIPS: No, that's --

13 MAYOR HUBBARD: That's what you had said  
14 earlier, so that's everywhere, then.

15 TRUSTEE PHILLIPS: No.

16 MAYOR HUBBARD: Okay.

17 TRUSTEE PHILLIPS: No, that's -- no, no.  
18 The restaurants are fine, okay? What I'm  
19 concerned about is that we have properties that  
20 could potentially be used better for housing,  
21 making a -- making a community that is a  
22 year-round community, and not one that's based on  
23 tourist activity continuously. Hotels and -- our  
24 hotels and motels, I've watched them in the  
25 wintertime. They -- other than the Greenporter,

1 and then she works hard at what she does.

2 TRUSTEE ROBINS: Right

3 TRUSTEE PHILLIPS: Okay? She does. But the  
4 other ones do not thrive during wintertime. And I  
5 just feel that the community, maybe we're just not  
6 ready -- maybe we just want to go back to having a  
7 little bit of a step-back from being jammed,  
8 crammed all summer long, where you can't breathe,  
9 you can't move, you can't drive, you're constantly  
10 dealing with U-turns. I just think that it's time  
11 that the -- we think about where we want to be and  
12 what we want to look like.

13 And I'm concerned about hotel/motels, it  
14 being in the downtown. You know, the waterfront,  
15 I'm definitely -- it needs to be out. But I think  
16 we really need to rethink either the size that  
17 goes in for a hotel/motel, the size -- the amount  
18 of rooms. I think we need to discuss it, so.

19 TRUSTEE ROBINS: I mean, that was kind of  
20 where the whole discussion about a moratorium  
21 started, you know, six months ago when we started  
22 to become alarmed at the fact that, you know, this  
23 Village seems to be bursting at the seams of  
24 people wanting to come in here and create more  
25 businesses. They're going to put more strain on

1 the infrastructure, that we don't have the, you  
2 know, services to deal with it. You know, we're  
3 in the midst of having a housing crisis. We don't  
4 have people that can afford to live here anymore.

5 So there are multiple tiers of things going  
6 on. I'm not trying to complicate things, I'm just  
7 trying to give you a thought process of where I  
8 think Mary Bess and I have been coming from on  
9 this, you know, so.

10 TRUSTEE CLARKE: In the work session report  
11 that Mary Bess presented in July, there were seven  
12 suggestions for revisions to CR, Mr. Mayor.

13 MAYOR HUBBARD: Okay.

14 TRUSTEE CLARKE: So it was put on the table.  
15 I am on board with many of them. And the fact  
16 that we're suggesting moving forward with a zoning  
17 classification change ahead of a usage change  
18 doesn't disturb me. I think that doing them  
19 sequentially, rather than all at once, is a step  
20 in the right direction, namely because the  
21 Article I purpose, number F, which says the  
22 gradual elimination of nonconforming uses. We are  
23 going to achieve that purpose and intent in the  
24 Zoning Code by just passing the zoning  
25 classification change. So it's a positive

1 movement forward.

2 We cannot discount the seven suggestions we  
3 have for changes in uses in retail -- Commercial  
4 Retail, but trying to do them at the same time, I  
5 think we should do these things sequentially,  
6 that's just what I'm saying.

7 TRUSTEE PHILLIPS: As I just said before, as  
8 long as we start with the first public hearing,  
9 and our next work session we start working on the  
10 uses, that --

11 TRUSTEE CLARKE: Well, my suggestion would  
12 be that the WC usages are more critical than the  
13 CR usages, so I would do it out of sequence.

14 TRUSTEE PHILLIPS: Okay. I --

15 TRUSTEE CLARKE: Don't you agree?

16 TRUSTEE PHILLIPS: Yes, I agree, the WC are  
17 important to getting the uses --

18 TRUSTEE CLARKE: That's more critical.

19 TRUSTEE PHILLIPS: Yes. That's fine. As  
20 long as it moves forward, that's the most  
21 important thing, because things have a habit of  
22 stagnating. And I'm not going to disagree with  
23 the Mayor, that sometimes things get moved, and  
24 then all of a sudden they stop dead, i.e. the  
25 noise ordinance, okay?

1 TRUSTEE CLARKE: Yes, yes. And I definitely  
2 pay attention to your comment on that.

3 MAYOR HUBBARD: Okay. So what portion of  
4 the law and what do we want to propose for a  
5 public hearing for next month? What is everybody  
6 comfortable with scheduling a public hearing for?

7 TRUSTEE MARTILOTTA: Changing the zoning  
8 from Waterfront Commercial to Commercial Retail.

9 TRUSTEE PHILLIPS: Commercial Retail.

10 TRUSTEE ROBINS: Commercial Retail.

11 TRUSTEE MARTILOTTA: On that side, yeah.

12 MAYOR HUBBARD: Right, that's -- I mean, all  
13 the comments were -- yes, there were comments, but  
14 that was all when we were doing Water View and not  
15 making it part of Commercial Retail. So that all  
16 just came up tonight, so it is different than what  
17 we had before, but we're just trying to keep it  
18 simple, trying to take that third code out and  
19 have two codes -- two zones.

20 TRUSTEE PHILLIPS: Two boats is fine.

21 MAYOR HUBBARD: Right.

22 TRUSTEE PHILLIPS: We don't want two boats  
23 anymore, one is enough.

24 MAYOR HUBBARD: Right, okay. So we're going  
25 to -- Joe, if you and Paul can get together with

1 scheduling a public hearing with paperwork as soon  
2 as possible to get it out, to go and change that  
3 section, the landlocked pieces of the Waterfront  
4 Commercial to Commercial Retail. If we could  
5 focus on that to schedule a public hearing, get  
6 paperwork out for us to review.

7 ATTORNEY PROKOP: So where Sterling goes --  
8 there's a part of Sterling that runs east and  
9 west, and on the north side are four houses that  
10 don't have anything to do with the water.

11 MAYOR HUBBARD: Right. They're in  
12 Waterfront Commercial, they're not going to become  
13 Commercial Retail --

14 TRUSTEE PHILLIPS: Commercial Retail.

15 MAYOR HUBBARD: -- because it's residential.  
16 So it would not affect them, in my opinion.

17 TRUSTEE PHILLIPS: You're not -- you're not  
18 going that far down.

19 ATTORNEY PROKOP: They're going to stay in  
20 Waterfront. We're not going to go that far down.

21 TRUSTEE ROBINS: Stay in the Downtown  
22 Business District.

23 MAYOR HUBBARD: Right, because they can't  
24 become Commercial Retail down there, because  
25 they're residential houses.

1 TRUSTEE PHILLIPS: The original was to only  
2 deal with the downtown area, it wasn't to go  
3 through the whole Waterfront Commercial.

4 MAYOR HUBBARD: Right, but it -- well, it's  
5 part of the zone.

6 TRUSTEE PHILLIPS: The zone, right.

7 MAYOR HUBBARD: But, still, you can't take a  
8 residential place and all of a sudden make it  
9 Commercial Retail.

10 TRUSTEE PHILLIPS: Right, no, you can't.

11 MAYOR HUBBARD: So they're -- basically,  
12 they're just out of Waterfront Commercial, they  
13 just become part of R-2, because that's the  
14 neighborhood that they're in. That's my opinion,  
15 if that's --

16 ATTORNEY PROKOP: But you want me to change  
17 them to R-2, or you want me to just leave them in  
18 Waterfront Commercial?

19 TRUSTEE PHILLIPS: At this point, I think  
20 that's only going to confuse the issue, because  
21 we're discussing the Downtown District.

22 MAYOR HUBBARD: Right.

23 TRUSTEE PHILLIPS: I think we need to just  
24 stay with the Downtown District.

25 TRUSTEE ROBINS: Stay in the Downtown

1 District.

2 ATTORNEY PROKOP: Okay.

3 TRUSTEE ROBINS: Yeah, absolutely. Let me  
4 know if you want the tax map numbers this week,  
5 I'll search them.

6 MAYOR HUBBARD: Just leave them as  
7 Waterfront Commercial, we could change them at a  
8 later date. But if they revert to a new code,  
9 they would be back to R-2, they wouldn't be from  
10 Commercial Retail. I just don't want somebody to  
11 go to use the law to say, "Okay, now I could open  
12 up a boutique across from 123 Sterling."

13 TRUSTEE PHILLIPS: That's -- no.

14 MAYOR HUBBARD: That's not the intent of  
15 what we're trying to do.

16 ATTORNEY PROKOP: Okay.

17 MAYOR HUBBARD: That, we'll get together and  
18 we'll work on this, you know, tomorrow and Monday,  
19 and we'll get something out as soon as possible so  
20 everybody could see it. So when we schedule the  
21 public hearing, we have some kind of document that  
22 everybody feels comfortable with, and we'll  
23 schedule the public hearing and say this is what  
24 we're proposing.

25 TRUSTEE PHILLIPS: Okay.

1           MAYOR HUBBARD: And we still have time to  
2 modify that or change that as we're working on it,  
3 but at least we have the general idea of what  
4 we're proposing to the public.

5           TRUSTEE PHILLIPS: That's fine, as long as  
6 it gets out there and we keep moving.

7           MAYOR HUBBARD: Well, we'll keep working on  
8 all parts of this. This is not going away, we're  
9 going to keep working on it.

10          TRUSTEE PHILLIPS: Okay.

11          MAYOR HUBBARD: But -- go ahead.

12          TRUSTEE CLARKE: No, I'm done. Are there  
13 any other pieces of the conversation tonight that  
14 we feel are ready to move forward at the same  
15 time, or is that the only piece? We have the ADU,  
16 I don't know if that's ready to move forward or  
17 not. And we have the usages in WC, I don't know  
18 if that's ready to move forward or not. We have  
19 striking the grandfathering. We could just do  
20 that without -- or we could tackle all of parking.  
21 Or we could just simply strike the grandfathering  
22 as one step, and then work on the new suggestions  
23 that Joe's given us and do that as a second step.

24          TRUSTEE PHILLIPS: Peter --

25          TRUSTEE ROBINS: I would just ask for a time

1 to digest what Joe wrote yesterday in the parking  
2 changes.

3 TRUSTEE CLARKE: Okay. So that wouldn't be  
4 ready.

5 TRUSTEE ROBINS: I'm not ready to move  
6 forward with that.

7 TRUSTEE CLARKE: What about the WC usages?

8 TRUSTEE ROBINS: I thought we just said we  
9 were going to wait on those.

10 TRUSTEE CLARKE: We said we were going to  
11 wait on CR.

12 TRUSTEE ROBINS: I thought we were going to  
13 wait on both.

14 TRUSTEE CLARKE: I'm just asking is there  
15 anything else that we're ready to move forward  
16 with, or is this the only thing?

17 TRUSTEE PHILLIPS: Well, my understanding  
18 from the Mayor was, and I believe that, you know,  
19 Jack mentioned it, is that we're just going to  
20 move from this one section of getting the  
21 separation of the Waterfront Commercial, those  
22 pieces in the Waterfront Commercial to the CR; am  
23 I not correct?

24 TRUSTEE CLARKE: Yes.

25 TRUSTEE PHILLIPS: Okay.

1           MAYOR HUBBARD: Yes.

2           TRUSTEE PHILLIPS: And then we would be  
3 dealing with the uses --

4           TRUSTEE CLARKE: On CR.

5           MAYOR HUBBARD: Well, uses on all of them.

6           TRUSTEE PHILLIPS: On all of them.

7           TRUSTEE CLARKE: All the usages as a  
8 separate action, and we're not ready for any of  
9 that.

10          MAYOR HUBBARD: No. I asked if everybody  
11 could go through the list of the definitions in  
12 the first five pages of --

13          TRUSTEE CLARKE: Okay.

14          TRUSTEE ROBINS: Right.

15          TRUSTEE PHILLIPS: Yeah.

16          MAYOR HUBBARD: -- the paperwork. We could  
17 work on that and strike out what you don't want,  
18 add something in that you do want, or whatever.  
19 Take out everything that's antiquated in there.  
20 Let's just, everybody, take a yellow highlighter  
21 and just mark that, I want all them out.

22          TRUSTEE PHILLIPS: All them out.

23          MAYOR HUBBARD: And get that back in as soon  
24 as possible, so we could take it at least through  
25 the first five pages of the definitions of what we

1 do or don't want.

2 TRUSTEE CLARKE: Okay. So that's the second  
3 piece.

4 TRUSTEE PHILLIPS: Right.

5 MAYOR HUBBARD: Right.

6 TRUSTEE CLARKE: Got it.

7 MAYOR HUBBARD: Because, I mean, these are  
8 all Chapter 150. So they're all going to have to  
9 go to the Planning Board for review, they're going  
10 to have to go to Suffolk County Planning. So it's  
11 all stuff that we -- you know, there's a process  
12 for all of those changes, but we need to get stuff  
13 going as soon as possible.

14 TRUSTEE CLARKE: Understood.

15 MAYOR HUBBARD: So, everybody, just, you  
16 know, taking, you know, Chapter 150, we all got a  
17 copy last month before the August 4th meeting, and  
18 just go through it, "This doesn't make sense,  
19 there's no reason for that, we're not going to do  
20 that, it's not going to happen here."

21 TRUSTEE PHILLIPS: Right.

22 MAYOR HUBBARD: And we could incorporate all  
23 that, and Joe could condense that list and make  
24 what's pertinent in there matter, and that could  
25 be part of the public hearing that we're doing,

1 moving forward with changing -- changing from  
2 Waterfront Commercial to Commercial Retail, along  
3 with the definition page.

4 TRUSTEE CLARKE: Understood.

5 MAYOR HUBBARD: And we could do all that for  
6 the public hearing next month.

7 TRUSTEE CLARKE: Okay.

8 ATTORNEY PROKOP: So the -- so 150-32  
9 requires that we refer to the Planning Board prior  
10 to the public hearing.

11 TRUSTEE CLARKE: Yes.

12 MAYOR HUBBARD: Right.

13 ATTORNEY PROKOP: The Board on its own  
14 motion, or upon recommendation -- "This chapter or  
15 any part thereof may be amended, supplemented or  
16 repealed from time to time by the Village Board on  
17 its own motion or upon recommendation" -- "Prior  
18 to public hearing, every such proposed amendment  
19 shall be referred by the Village Board to the  
20 Planning Board for a report."

21 MAYOR HUBBARD: Right, and they have 45 days  
22 to respond back. And if we can get the paperwork  
23 out, we could schedule the public hearing, send in  
24 the paperwork, and we would -- I heard we could --  
25 from last time we went through this, we could do

1 that concurrently. We could schedule the public  
2 hearing, get that information to the public, to  
3 the Board Members, and to the Planning Board and  
4 Suffolk County Planning, and get it all to them,  
5 get the ball rolling on it, have the public  
6 hearing, but we're not going to close it until we  
7 hear responses back from them.

8 TRUSTEE PHILLIPS: That's correct, that's  
9 what's my understanding.

10 TRUSTEE ROBINS: Would you be able to have  
11 the public hearing in September, or would that not  
12 be soon enough?

13 MAYOR HUBBARD: No. I would like to  
14 schedule -- I would like to vote on scheduling a  
15 public hearing with the paperwork and get this  
16 moving.

17 TRUSTEE ROBINS: Next -- next week.

18 TRUSTEE PHILLIPS: Yeah.

19 MAYOR HUBBARD: Vote next Thursday --

20 TRUSTEE ROBINS: Right.

21 MAYOR HUBBARD: -- to take the definition  
22 page of what we want to do, and changing the zone  
23 from Waterfront Commercial to Commercial Retail --

24 TRUSTEE PHILLIPS: Right.

25 MAYOR HUBBARD: -- on the landlocked pieces

1 of property that are in WC, and take the  
2 definition page and that and move that section  
3 forward right now. It's still going to take a  
4 couple of months to go through the process, but  
5 let's get that much going forward. And then as  
6 we're going through the public hearing stage and  
7 the 45 days for a response from Suffolk County  
8 Planning and from our Planning Board, we can start  
9 on a next section to start moving that forward for  
10 October or November.

11 ATTORNEY PROKOP: So get comments on the  
12 definitions before next week's meeting.

13 TRUSTEE ROBINS: Okay.

14 TRUSTEE CLARKE: Is the code that's been  
15 developed so far on the ADU in shape to also  
16 advance that to public hearing, or do we need  
17 to --

18 MAYOR HUBBARD: I think we ought to get a  
19 version of that written, and so everybody can  
20 review it before we schedule a public hearing.

21 TRUSTEE CLARKE: Okay.

22 MAYOR HUBBARD: I just think, because  
23 there's still some concerns and everything else,  
24 I'd rather see a written document that we can  
25 review to make sure we're putting that forward

1 when we really want. And, you know, let him take  
2 care of what he needs to do over the next two  
3 weeks to get this part going, and then they can  
4 work on doing the ADU part of it, and we could  
5 schedule that public hearing in September for  
6 October. But we could all review it, and the  
7 public can also, so neighbors know what might  
8 happen next to their property, or whatever. So I  
9 want to make sure that we're very clear on what  
10 we're doing with that.

11 TRUSTEE CLARKE: Okay, very good.

12 MAYOR HUBBARD: Okay? All right. It's  
13 still your report, Joe. Are you done?

14 (Laughter)

15 MAYOR HUBBARD: We're still under your  
16 chapter.

17 ATTORNEY PROKOP: That's Page 1. I don't  
18 have anything else.

19 MAYOR HUBBARD: Okay.

20 ATTORNEY PROKOP: Unless you have questions.

21 TRUSTEE PHILLIPS: There was one question.  
22 Hold on a second. I see we lost you. Here we go.

23 Getting back to this Cablevision franchise  
24 renewal, are we paying for the broadcasting of the  
25 Village meetings? Are you talking about on the

1 public channel station that Cablevision has?

2 ATTORNEY PROKOP: No.

3 TRUSTEE PHILLIPS: Okay. What are you  
4 talking about?

5 ATTORNEY PROKOP: Yeah. The cost of the --  
6 our service, the camera, the camera or video and  
7 the videographer.

8 TRUSTEE PHILLIPS: So we would not be using  
9 the system that we have now?

10 ATTORNEY PROKOP: You could propose that, if  
11 that's something you're interested in doing.  
12 That's --

13 TRUSTEE PHILLIPS: But how is that going to  
14 get it so that it goes onto our website and --  
15 okay. You'll have to explain that, you know.

16 ATTORNEY PROKOP: So we're not -- we weren't  
17 talking about broadcasting it on television, on a  
18 Cablevision channel.

19 TRUSTEE PHILLIPS: Okay.

20 ATTORNEY PROKOP: We were just talking about  
21 having the videographer reimbursed by Cablevision,  
22 and the equipment that he -- you know, whatever  
23 cost we have.

24 TRUSTEE CLARKE: And it's part of the  
25 existing franchise agreement?

1           ATTORNEY PROKOP: Yes.

2           TRUSTEE PHILLIPS: So it does mean it's  
3 going on the public -- is it going on the public  
4 section of the --

5           ATTORNEY PROKOP: No. Whatever we do now,  
6 there's a cost to what we do now. There's -- to  
7 have Jay here, and then have it put on our  
8 website, there is a cost to that. So we were --  
9 we were hoping to have that reimbursed by  
10 Cablevision, since -- since that's a --  
11 There's -- there's a feature, the FCC regulations,  
12 that's -- that allows what's called PEG money,  
13 which is public access, a public access grant, and  
14 this is -- this is actually public access,  
15 although it's not broadcast on Cablevision, a  
16 Cablevision channel, per se. So we were hoping --  
17 we were -- we're proposing to Cablevision that  
18 they give us money, an upfront payment on the  
19 signing of the contract, that would reimburse our  
20 costs that we have in this broadcast. Right now,  
21 this is being broadcast to the residents, and then  
22 it also gets uploaded to the website.

23           TRUSTEE PHILLIPS: Okay. But there is no  
24 more -- didn't we used to take something to the  
25 Town of Southold to have it go onto the public --

1 Cablevision doesn't do the public channel station  
2 anymore?

3 CLERK PIRILLO: We haven't done that in  
4 years.

5 TRUSTEE PHILLIPS: Okay. All right. But is  
6 that what you're talking about?

7 CLERK PIRILLO: Attorney Prokop, this --

8 ATTORNEY PROKOP: No.

9 MAYOR HUBBARD: No.

10 CLERK PIRILLO: Management is just  
11 wondering, can we be discussing this, or is this a  
12 contract negotiation?

13 ATTORNEY PROKOP: The details of it are.  
14 The details of it should be discussed in executive  
15 session.

16 CLERK PIRILLO: Thank you.

17 TRUSTEE PHILLIPS: Then I'll call you,  
18 because I'd like to know more about that.

19 MAYOR HUBBARD: Okay. Anything else for the  
20 Village Attorney?

21 (No Response)

22 ATTORNEY PROKOP: If there's any other  
23 concerns regarding Cablevision that anybody has,  
24 now's the time to -- I don't mean tonight, but  
25 by -- you know, just let me know by --

1 (Laughter)

2 ATTORNEY PROKOP: Yeah, with Altice, just  
3 let me know. And one concern that has come up in  
4 other villages is the fact that it's very  
5 difficult to call them and actually get somebody.  
6 If you have -- if you have a certain -- an issue,  
7 it's difficult to actually get a person to help  
8 you deal with whatever the issue is. But if  
9 there's any other concerns, now's the time to  
10 bring them up, because we're going to the  
11 contract.

12 MAYOR HUBBARD: Okay, yes, we will be.  
13 Robert's going to be working on some paperwork to  
14 make sure that all Village utilities are supposed  
15 to have free cable access for weather updates,  
16 emergency broadcasts and stuff like that. Some of  
17 the bills, doesn't seem like everything's being  
18 included in firehouses and other things. So he's  
19 going to be reviewing that, and he'll give you a  
20 report on anything that's questionable. And  
21 that's part of our franchise agreement, is we're  
22 supposed to have that access for first responders,  
23 road crew, whatever, to get weather updates. We  
24 shouldn't be paying for those bills. And some was  
25 included in it, but it seems like it's creeping up

1 again and they're starting to rebill for stuff.  
2 So we will be reviewing that and submitting that  
3 to you to talk to them about.

4 ATTORNEY PROKOP: Thank you.

5 MAYOR HUBBARD: Okay. Anything else for the  
6 Village Attorney?

7 TRUSTEE PHILLIPS: No.

8 MAYOR HUBBARD: Okay. I do have a few  
9 things from my report. First off, I'd like to  
10 publicly announce that our Treasurer, Robert  
11 Brandt, is going to be retiring next month. I  
12 want to commend Robert for the work that he's done  
13 over the past many -- 15 years?

14 TREASURER BRANDT: No, no, 11.

15 MAYOR HUBBARD: Eleven, okay. Excuse me.

16 TREASURER BRANDT: Almost 12.

17 MAYOR HUBBARD: Okay. I gave you a couple  
18 of extra years credit.

19 TREASURER BRANDT: Thank you.

20 MAYOR HUBBARD: But I want to wish you the  
21 best --

22 TREASURER BRANDT: I'm okay with that, I'll  
23 take it.

24 (Laughter)

25 MAYOR HUBBARD: The best in retirement.

1 You've done a great job for us.

2 TREASURER BRANDT: Thank you.

3 MAYOR HUBBARD: It's been a pleasure working  
4 with you --

5 TREASURER BRANDT: Appreciate that.

6 MAYOR HUBBARD: -- having you be part of the  
7 team. I just want the public to know that you are  
8 retiring, and best of luck in the future to you.

9 TREASURER BRANDT: Thank you very much.

10 (Applause)

11 MAYOR HUBBARD: Sitting next to Robert is  
12 Stephen Gaffga, who is going to be -- we're going  
13 to be voting on him as the interim Treasurer at --  
14 when Robert retires. He has been the Assistant  
15 Treasurer for quite a few years now. He's going  
16 to be stepping up. We're going to go and work him  
17 into the job, and we're going to work on a  
18 succession plan behind him as we move forward with  
19 that. So when you see that resolution come up,  
20 that's what we're -- that's what we're planning on  
21 doing at that point. Welcome, Stephen.

22 (Applause)

23 MAYOR HUBBARD: I just want to let you know  
24 that we got a check for \$30,000, anonymous  
25 donation, to help with the Mitchell Park bathrooms

1       downtown, for the upgrade on that. That came in  
2       this past week. It's anonymous, so enough said.  
3       But it's going to help towards the overall goal of  
4       upgrading them, improving them, and make them more  
5       handicapped accessible. So thank you to that  
6       anonymous person.

7               The Tree Committee is going to be meeting a  
8       week earlier, so everybody knows, is going to be  
9       meeting on September 6th, the day after Labor Day,  
10      because we have the NYPA paperwork for the  
11      buy-one-tree-get-one-free. Has to be submitted by  
12      the 15th, so we would be trying to do the whole  
13      application with a day's notice. So they moved  
14      the meeting up a week.

15             If anybody has anyplace that they'd like to  
16      see a tree, we're working on a list. Last year,  
17      we got 22 trees, paid for 11, got 11 free. We'd  
18      like to get some more, if we can. But if anybody  
19      has a location for a tree, there's also a list of  
20      the type of trees. So come up, give us any ideas  
21      before September 6th, and I can bring them back  
22      and send them to Sylvia, she'll add them to the --  
23      to the Village -- send them to the Village Clerk,  
24      she'll send them to the chair people of the Tree  
25      Committee. If we find out we need 30 trees, we'll

1 pay for 15 and we'll get 15 free.

2 TRUSTEE CLARKE: Great.

3 MAYOR HUBBARD: And the Road Crew planted  
4 them last year, we worked it all out and it worked  
5 out well.

6 The Fire Department has been working on  
7 getting a fireboat. I have a meeting scheduled  
8 for September with representatives from Lee  
9 Zeldin's Office, Jodi Giglio's Office, the Coast  
10 Guard, the Town and the Boat Committee. We're  
11 going to meet here to get together and try to put  
12 this all together to coordinate the whole response  
13 of what we're trying to do with it with -- I  
14 talked about the Intermunicipal Agreement with the  
15 Town last month. While that's all together, we've  
16 contacted all those people, and we've got --  
17 scheduled a meeting. I don't remember the exact  
18 date, but we're going to meet here to get together  
19 to try to move this all forward.

20 TRUSTEE PHILLIPS: Is it the 14th?

21 MAYOR HUBBARD: The 14th, I think, but I  
22 didn't want to say it, because I wasn't sure.

23 TRUSTEE PHILLIPS: Yeah, I think it's  
24 September 14th.

25 MAYOR HUBBARD: Okay. So that's a very

1 positive step. It's going to be something that,  
2 if this all goes through, is going to be really  
3 good for the whole North Fork to have a boat here,  
4 especially being sanctioned with the Coast Guard.  
5 Getting them involved was a big step.

6 So I want to congratulate the whole  
7 committee, and everybody, you know, Village staff  
8 and the Boat Committee from the Fire Department,  
9 Mr. Jester, that have been working on this. It's  
10 all -- they got all their plans and specs  
11 together. So we really got a good -- a good group  
12 to move forward, and now we're just trying to get  
13 the funding for it.

14 I did attend the Unity Picnic last Saturday,  
15 it was a very nice event. We need to encourage  
16 more people to show up to it. Attendance was low,  
17 it -- a lot less than it had been, because COVID  
18 had a lot to do with it, and everything else.  
19 People are getting back into it. But they had a  
20 ton of food and everything else. It was a really  
21 nice event. It really showed a lot of unity  
22 between everybody that was there, but we need to,  
23 you know, try to get more people involved in  
24 showing up to it. You know, they had enough food  
25 for 300 and they had 50, you know. So we need to

1 try to get more people involved to try to show up  
2 to it. Just show support to whatever the Southold  
3 Town Antibias Task Force does for everybody in  
4 Southold Town, they do a really good job.

5 Also, we have some additional ARPA money.  
6 So we're looking at paving Sterling Street and  
7 Sterling Avenue coming up for the Fall. Some  
8 additional money came in. Robert's working on  
9 quotes and prices on that now. So, hopefully, we  
10 can get that project done this Fall. They've been  
11 talking about it for quite a few years. It's a  
12 long road, but -- and it's long overdue to be  
13 done. But just to say to everybody in the  
14 neighborhood down there, or whatever, hears about  
15 it, we've got some funding coming in, additional  
16 payment that we got. That's the American Recovery  
17 Payment Assistance, whatever the acronym stands  
18 for. But we have additional money coming in for  
19 that, and then we should be under budget with what  
20 we're getting to be able to take care of paving  
21 that road, going from Main all the way around  
22 coming up to Carpenter, where Carpenter was paved  
23 a few years ago.

24 TRUSTEE CLARKE: Is that the road, or the  
25 road, curbs and sidewalks?

1 TRUSTEE ROBINS: There are no curbs there.

2 MAYOR HUBBARD: There's a few sidewalks down  
3 there. There's not much in the way of curbs. If  
4 we added curbs in, we would not be able to do that  
5 project.

6 TRUSTEE CLARKE: Okay.

7 MAYOR HUBBARD: And curbs would really  
8 restrict parking, because it's so narrow.

9 TRUSTEE PHILLIPS: It's already restricted  
10 with parking.

11 MAYOR HUBBARD: So I think with it being  
12 open, if we just -- just let it go with just the  
13 blacktop, fill in the big ruts, especially around  
14 the bend, you know, coming off the bend heading  
15 back up to Main Street. And I think it would  
16 really cramp the road too far if we took away a  
17 little part down on the grass if we did curbs down  
18 there, so it's really just paving the road.

19 TRUSTEE CLARKE: Thank you.

20 MAYOR HUBBARD: That's what we have money  
21 for. And that's -- that's all I've got.  
22 Trustees?

23 TRUSTEE MARTILOTTA: I think you got  
24 everything I was going to say (Laughter).

25 MAYOR HUBBARD: Okay. Trustee Robins.

1 TRUSTEE ROBINS: I did Carousel and BID  
2 reports, but I don't think there's anything that I  
3 really need to bring up.

4 MAYOR HUBBARD: That's fine.

5 TRUSTEE ROBINS: Everything is good.

6 MAYOR HUBBARD: Okay. Trustee Phillips?

7 TRUSTEE PHILLIPS: The only thing I would  
8 like to bring up is, and I've heard from some of  
9 the police officers when I've been walking through  
10 Mitchell Park, or they stop me on the street,  
11 could we possibly get a representative from the  
12 Southold Police Department to come talk with us at  
13 a work session to kind of explain some of the  
14 things they've been seeing? And that perhaps  
15 maybe we could help them cure some of the problems  
16 that have arisen late at night in Mitchell Park  
17 and some of the other parks, the street park, and  
18 with some activities that are scaring some  
19 residents, to be honest with you. And I think  
20 it's a discussion that would be helpful in working  
21 towards a unity of everyone in the community in  
22 the Village of Greenport. So I'd like to request  
23 that we kind of try to set that up.

24 MAYOR HUBBARD: We will reach out to them.  
25 Again, some of the issue is we're playing

1 Whack-A-Mole.

2 TRUSTEE PHILLIPS: Yes, I know.

3 MAYOR HUBBARD: Because we're kicking them  
4 out of Mitchell Park and they go to Adams Street.  
5 We kick them out of Adams Street and they're going  
6 behind the Legion Hall, and they're just traveling  
7 around. It's a group of some people, that I don't  
8 know if they're homeless or where they are, but  
9 they're just hanging out there --

10 TRUSTEE PHILLIPS: Well, that's --

11 MAYOR HUBBARD: -- every day, and we keep  
12 chasing them from one area, they go to another.

13 TRUSTEE PHILLIPS: Maybe there's just some  
14 ideas that could come up that would be able to be  
15 drawn from that discussion --

16 MAYOR HUBBARD: Okay.

17 TRUSTEE PHILLIPS: -- to help those people,  
18 and to make it a safe -- you know, make a safer  
19 feeling for some who are walking at nighttime.

20 MAYOR HUBBARD: I totally agree, and we've  
21 been -- we've been working on it, we've been  
22 trying to get them out. And, you know, we  
23 actually had our Code Enforcement Officer down  
24 there one time and somebody pulled a knife out,  
25 and it was like it's a police officer matter, it's

1 not for our Code Enforcement Officer to do.

2 TRUSTEE PHILLIPS: No. That's why I'm  
3 saying it, because there have been --

4 MAYOR HUBBARD: So we tried to handle what  
5 we could during the daytime hours when we saw it,  
6 and so it's really a police matter, we will  
7 contact them.

8 TRUSTEE PHILLIPS: As I said, some of them  
9 reached out to me, because we solved the problem  
10 on our own property on First Street that was  
11 having a problem back there, so they're familiar.  
12 And I think there's some opportunities for us as a  
13 community, kind of make it -- make it move  
14 forward.

15 MAYOR HUBBARD: Okay.

16 TRUSTEE PHILLIPS: Okay?

17 MAYOR HUBBARD: We will reach out.

18 TRUSTEE PHILLIPS: Other than that, I would  
19 like to say thank you for moving forward on  
20 getting the Waterfront Commercial discussion  
21 going, because it's an important -- it's important  
22 to all of us, it's what we are, and it's  
23 Greenport, so okay. Other than that, that's it.

24 MAYOR HUBBARD: Okay. Trustee Clarke?

25 TRUSTEE CLARKE: Quickly, just to build on

1 the Clerk's report, the Skate Park Festival I  
2 thought was incredible. I want to personally  
3 recognize Rena Wilhelm, and Colette and Dan  
4 Galvez, who put something together that I was  
5 blown away by. There were over 200 cars parked  
6 successfully on Moores Lane for this event without  
7 impinging on any circulation. So that's a side,  
8 you know, pitch for our development of Moores Lane.

9 MAYOR HUBBARD: Correct.

10 TRUSTEE CLARKE: And the fact that we could  
11 increase parking in the Village by over 25 to 50%.  
12 And, anyway, you got my pitch.

13 MAYOR HUBBARD: Okay.

14 TRUSTEE CLARKE: There were over 100  
15 vendors. I thought the vendors and their quality  
16 and selection rivaled the Maritime Festival. They  
17 raised over \$10,000, and I was really very  
18 impressed.

19 As the Clerk mentioned, the organizers will  
20 be coming and giving us a bigger report, but I  
21 really wanted to get that out, and I wanted to  
22 personally recognize the organizers here publicly.

23 MAYOR HUBBARD: Sure.

24 TRUSTEE CLARKE: And that's all I have.

25 MAYOR HUBBARD: Okay.

1 TRUSTEE ROBINS: Mayor, there was one thing  
2 I didn't mention in the BID, and I don't have a  
3 lot of details, actually, maybe Rich Vandenburg  
4 can mentioning it. But I think they're going to  
5 be doing a Narcan training program over at the  
6 Greenport Harbor Brewery here. I don't have -- do  
7 you have date on that now?

8 RICHARD VANDENBURGH: Yes. It's the 31st,  
9 which is World Addiction Awareness Day.  
10 August 31st is a Wednesday.

11 TRUSTEE ROBINS: Okay.

12 RICHARD VANDENBURGH: I think it is. And  
13 Eastern Long Island Hospital reached out to me to  
14 help coordinate that for Narcan training at  
15 6 o'clock, whereas we also plan to offer Narcan  
16 recovery rescue kits to all of the local  
17 businesses, as well as signage that the businesses  
18 can have in their -- at their establishments for  
19 that purpose.

20 TRUSTEE ROBINS: I just thought to get that  
21 out there.

22 MAYOR HUBBARD: Very nice. Thank you.

23 TRUSTEE ROBINS: So thank you.

24 MAYOR HUBBARD: Okay. Thank you.

25 Okay. That's all we have. Anybody from the

1 public wish to address the Board?

2 GARY SCHARFMAN: (Raised Hand)

3 MAYOR HUBBARD: Yeah, come up.

4 GARY SCHARFMAN: Gary Scharfman, 312 Fifth  
5 Street, Greenport. It was a very productive  
6 meeting, I must say, just sitting here hearing all  
7 this going on today.

8 I did want to just ask Paul Pallas to  
9 elaborate a little bit more on what he had  
10 discussed about the LIRR or MTA representatives  
11 that he met with. When I had -- at the last  
12 meeting I attended here, I explained about this  
13 letter I sent to Senator Palumbo, and that the  
14 District Office Director, Angela Non --

15 CLERK PIRILLO: Noncarrow.

16 GARY SCHARFMAN: -- had offered that if  
17 there's not movement the way the Village would  
18 like to see, she is very happy and wants to be  
19 updated on where things stand. So from what I  
20 heard earlier this evening, I'm not clear I have  
21 all the information I would want to be able to  
22 share with her. I think there's a letter that's  
23 supposed to come, I think, next week; is that what  
24 you said?

25 ADMINISTRATOR PALLAS: They -- yes. They

1 said that they would provide a letter explaining  
2 what the work is that needs to be done and a  
3 tentative time frame.

4 GARY SCHARFMAN: And would that be available  
5 for the public to see that letter, share it?

6 ADMINISTRATOR PALLAS: I would have to defer  
7 it to the FOIL laws to see if that is able to be  
8 released. I don't know.

9 GARY SCHARFMAN: So --

10 ADMINISTRATOR PALLAS: Sitting here, I don't  
11 know. It depends on the content of the letter.

12 GARY SCHARFMAN: So would you recommend I  
13 follow up with you next week or --

14 ADMINISTRATOR PALLAS: I would say late next  
15 week, yes.

16 GARY SCHARFMAN: Okay.

17 ADMINISTRATOR PALLAS: I will -- I'll also  
18 be following up with them if I don't get it.

19 GARY SCHARFMAN: Okay.

20 ADMINISTRATOR PALLAS: But I can't make them  
21 send me a letter.

22 GARY SCHARFMAN: No, I understand. She  
23 really was like -- I had sent her photographs, and  
24 she was ready to reach out to her contact at the  
25 LIRR/MTA. And when I showed her the one of the

1 film of this plate that I had mentioned, I think,  
2 at the meeting last time I was there as well, and  
3 the way it toggles, and she was like -- I hadn't  
4 thought of it, but she said, you know, some kid's  
5 going to get their hands caught, and that's on  
6 Fifth Street.

7 So even though it didn't seem like -- it  
8 seemed like there were some that were thinking  
9 that maybe Fourth was worse than Fifth, and, you  
10 know, what have you, but Fifth is pretty like bad,  
11 and that is a particular hazard that is specific  
12 to Fifth Street.

13 So if I also understood, you were saying  
14 that they might -- this might be a really  
15 important, very big project for them to have to  
16 work with the tracks, and a whole -- a whole  
17 production, if you will, which is more long-term  
18 and perhaps more expensive, and what have you, for  
19 how that's going to get budgeted and all by the  
20 MTA/LIRR. But is there something that they'd be  
21 doing in the short term? Did I understand you say  
22 something about that?

23 ADMINISTRATOR PALLAS: Yes, that's what they  
24 told me, they would try to do whatever they could  
25 on a temporary basis.

1           GARY SCHARFMAN: So I guess it's a question  
2 of just understanding like what the timeline on  
3 that is, because --

4           ADMINISTRATOR PALLAS: Again, they haven't  
5 sent me the letter.

6           GARY SCHARFMAN: Right. No, I understand  
7 that, but that's -- that's, basically -- I mean,  
8 I'm going to -- I'm going to as a courtesy to her,  
9 I'm going to reach out, because she didn't know  
10 you were meeting last Friday. And I'm just going  
11 to say exactly what you just said to me, and when  
12 we have more information from the letter, I can  
13 share that with her as well and we can go from  
14 there.

15          ADMINISTRATOR PALLAS: Okay.

16          GARY SCHARFMAN: Because there's the  
17 short-term and the long-term, and the long-term  
18 sound great, but it depends how far down the  
19 horizon that might be, correct?

20          ADMINISTRATOR PALLAS: Yes.

21          GARY SCHARFMAN: Okay. Thank you. Thank  
22 you all.

23          MAYOR HUBBARD: Thank you.

24          RICHARD VANDENBURGH: So Rich Vandenberg,  
25 Greenport BID. Listening to the discussion, which

1 I thought was very enlightening and helpful,  
2 relative to the zone change, it kind of came to my  
3 mind in terms of some of the abstract discussion  
4 about, you know -- and I think, Mary Bess, you  
5 were alluding to it. You know, how does the  
6 process, the actual kind of tangible process work  
7 with the change of zone? Because while I  
8 understand and appreciate the objective that you  
9 have as a Board to kind of segregate and create  
10 these two zones, you know, the issue of a change  
11 of use to me is -- you know, certainly, the  
12 devil's in the details. And so I think of -- I  
13 think of the brewery as a tangible example of how  
14 that would work, let's say, where we are presently  
15 in that Waterfront Commercial carveout area. And  
16 if we were to, for example, sell to an ice cream  
17 parlor at some point in the future, whatever, you  
18 know, what happens relative to the impact -- and  
19 Joe's not here, of course, but what happens to the  
20 impact of the parking requirement in that case?  
21 That would be a change of an actual business use  
22 from brewery to ice cream parlor. But, you know,  
23 that's kind of question number one.

24 Question number two is, if we have, let's  
25 say, five tables and two employees that work in

1       that -- inside that building, but then we were  
2       to -- without necessarily building a deck, like  
3       in, Peter, your example of Claudio's. If we're  
4       not necessarily changing the footprint, but let's  
5       say we're adding more tables within the building,  
6       or adding more employees that are actually working  
7       inside, it is a question in my mind as to how you  
8       expect the Planning Board, and the Building  
9       Department, and I'll call it the dossier on my --  
10      on my business in terms of the change of that  
11      intensity or increase of use, where there's no  
12      necessarily visual appearance or change of  
13      footprint, but there is potentially that change of  
14      intensity with inside the four walls of the  
15      building.

16             So I don't -- I don't know that there's an  
17      answer that you have right now, but that is a  
18      question in terms of how you -- how you expect  
19      businesses to be able to anticipate what they  
20      should or should not do, and from a Code  
21      Enforcement point of view, how you, to your point,  
22      enforce the code that you've now created.

23             I think all of that, to me, begs the  
24      question of even more so kind of in a broader --  
25      in a broader sense. You know, we're working on

1 kind of like -- and again, Mary Bess, you had  
2 pointed out to it, you know, what is it that we  
3 want to be as Greenport? What is -- you know,  
4 what is it we want to protect, what is it we want  
5 to preserve?

6 And I -- on the Village website is the LWRP  
7 that's dated 2014. Has there been any real effort  
8 to kind of embrace revising or updating that in  
9 any substantial fashion? I mean, it's eight years  
10 old now, it's going to be 10 years old before we  
11 know it. I know that there was some discussion, I  
12 remember, from several meetings back about there  
13 was some work that was being done on that, but I  
14 don't --

15 MAYOR HUBBARD: Yeah, the Village Attorney  
16 and the Village Administrator are working on that  
17 concurrently now.

18 RICHARD VANDENBURGH: So -- and my  
19 recollection, I can't quote what exactly was said,  
20 but it was like months away that it was going to  
21 be updated.

22 MAYOR HUBBARD: I thought we had said by the  
23 end of the summer, we thought we would have  
24 something together.

25 (Laughter)

1           RICHARD VANDENBURGH: Okay. So we're -- but  
2 we don't really know. Or do we know, or do we  
3 have a target for when that would be?

4           ATTORNEY PROKOP: The target date was  
5 tonight.

6           RICHARD VANDENBURGH: Target date was  
7 tonight?

8           ATTORNEY PROKOP: Yeah.

9           RICHARD VANDENBURGH: Okay.

10          ATTORNEY PROKOP: And we got involved in the  
11 zones, so --

12          RICHARD VANDENBURGH: Okay.

13          ATTORNEY PROKOP: It will be moved along --

14          RICHARD VANDENBURGH: Okay.

15          ATTORNEY PROKOP: -- in a month, whatever  
16 it -- whatever it takes.

17          RICHARD VANDENBURGH: And that process of --  
18 because to me, it's like when you talk about  
19 creating or modifying specific codes and zoning  
20 issues, it seems to be more piecemeal in terms of  
21 doing that, as opposed to understanding that in a  
22 more global fashion what we want Greenport to  
23 really be. So I -- you know, just my opinion is  
24 that in doing that, it's not necessarily a  
25 comprehensive view or plan, it's more of a shorter

1 term reactionary effort to try and plug, you know,  
2 the holes in the dike type of thing, rather than  
3 really embrace a larger vision of what we really  
4 want Greenport to be.

5 So that update to the LWRP is going to be  
6 updating statistics, or what are -- what are we --  
7 what are we ultimately expecting to see from that  
8 update of the LWRP, do we know?

9 MAYOR HUBBARD: I mean, you could look at  
10 the draft version, it's on the Village website  
11 now. I mean, it's -- last time it was done with a  
12 grant from New York State back when they were  
13 working on that, and they had roundtable meetings  
14 and everything else, there was about 50 people  
15 involved in it, and this is finalizing what that  
16 vision was at that point. The State changed the  
17 format of when we almost had it completed, so it  
18 had to be resubmitted, and it got backlogged with  
19 what was done with that -- I think it was a  
20 \$65,000 grant, where consultants had come out and  
21 met with all local businesses and community  
22 members and put that together.

23 RICHARD VANDENBURGH: Okay. Well, I would  
24 just encourage the fact that if that -- if it's  
25 close, if it's close to being finalized, I feel

1 like that should be your north star towards -- in  
2 creating additional code.

3 TRUSTEE PHILLIPS: Mr. Mayor, can I respond  
4 to him?

5 MAYOR HUBBARD: Sure.

6 TRUSTEE PHILLIPS: Okay. The LWRP in  
7 existence, the one that you're seeing on the -- on  
8 the website, is -- if you were to compare the  
9 previous one to this one, there's modest changes  
10 that were created, okay? I believe that the  
11 Village Attorney and the Village Administrator are  
12 going through the corrections of misspelling of  
13 things that need to be cleaned up. We're not  
14 really changing anything in it.

15 ADMINISTRATOR PALLAS: Yeah, that's correct.

16 TRUSTEE PHILLIPS: That's correct, okay.

17 Now, as far as the Waterfront Commercial, if  
18 you were to read the current LWRP, which was back  
19 in 1998 was the original concept, and you were to  
20 compare it to what's in there now, exactly what  
21 we're discussing as far as protecting the  
22 Waterfront Commercial is already in existence in  
23 that, okay? So that's where I came from.

24 So it is using the LWRP as a guideline,  
25 because, at that point, it did suggest, and it

1 suggested in both versions that the properties  
2 that we are now contemplating and going out to  
3 discuss changing to CR was at that point suggested  
4 to be pulled out of the Waterfront Commercial,  
5 okay?

6 So to answer the question, yes, and -- yes,  
7 we are looking at the -- or I'm looking at it, and  
8 I'm sure that everyone else here is looking at the  
9 LWRP when we start thinking about changing the  
10 code. So if that answers your question, it might  
11 be a clearer version as to what's going on.

12 RICHARD VANDENBURGH: Yeah.

13 TRUSTEE PHILLIPS: Then I hope that allays  
14 away some of the fears that we're just doing it  
15 piecemeal, because I'm not doing it piecemeal.  
16 I'm looking at the general whole, and I think all  
17 of us, including the Mayor, will agree that that's  
18 how we're doing it, okay?

19 RICHARD VANDENBURGH: I just didn't know. I  
20 mean, I've heard about the updates to the LWRP, so  
21 it was unclear to me in terms of what level of  
22 update we were really expecting to see.

23 TRUSTEE PHILLIPS: Updating. In order to do  
24 a true revision of it, we would have to go through  
25 the whole process again, okay?

1 RICHARD VANDENBURGH: Right.

2 TRUSTEE PHILLIPS: All right. So --

3 RICHARD VANDENBURGH: Which, I mean, this is  
4 now, as I say, eight -- well, '98. We're more  
5 than --

6 TRUSTEE PHILLIPS: Right.

7 RICHARD VANDENBURGH: -- 10 years plus, 20  
8 years plus, so --

9 TRUSTEE PHILLIPS: But, in all honesty, our  
10 waterfront is our waterfront, and the LWRPs, if  
11 you are to compare them page by page, are pretty  
12 similar.

13 RICHARD VANDENBURGH: Yeah, yeah.

14 TRUSTEE PHILLIPS: Okay. All right.

15 RICHARD VANDENBURGH: And I don't know, I'm  
16 on not saying that anything has changed, I'm just  
17 saying from -- yeah, it's important to make sure  
18 that we have a comprehensive view, rather than an  
19 individual specific location view, so -- but I  
20 appreciate that answer. That's all I have.  
21 Thank you.

22 MAYOR HUBBARD: Thank you. Anybody else  
23 wish to address the Board?

24 PATRICK BRENNAN: Patrick Brennan, 620 First  
25 Street. I'll try to keep this brief, because it's

1 late.

2 I think all the work you're all doing on the  
3 zoning changes is really important. I know it's a  
4 lot of time. I hope it's time well spent, because  
5 I think, you know, there may come a time in the  
6 future when we look back on the Village and think  
7 that this was an inflection point. And your  
8 leadership and guiding us through it, hopefully,  
9 this will do a lot to preserve and enhance what  
10 people really like about the Village, so thank  
11 you.

12 I wanted to address a question that came up  
13 at the last meeting, the special work session. I  
14 think it was a question that Trustee Robins put  
15 forward, kind of a rhetorical question, saying  
16 will these zoning changes that we're contemplating  
17 have any kind of financial impact. And I'm just  
18 paraphrasing, but I think that was the gist of it.  
19 And I'd say in short, yes, absolutely. And  
20 Trustee Clarke touched on this a little bit this  
21 evening, too, and I'd say kind of danced around  
22 it. But I think it's important to just recognize  
23 that, and kind of hit that head on, because there  
24 are always financial implications to zoning  
25 changes.

1           There's a land use concept that says any  
2           time you make a land use change, there's going to  
3           be a change in value going into or out of the  
4           affected properties, so it's like money flowing in  
5           or money flowing out of the parcels that are  
6           affected. And what we're talking about in the  
7           Waterfront Commercial or the Commercial Retail,  
8           you're talking about kind of upzoning or  
9           down-zoning, so allowing maybe a little more  
10          intensity in one area, or maybe less intensity in  
11          the other area. And I'll give you an example.  
12          Let's not get hung up in the details, because I  
13          know the conversation is involved.

14                 But if you take hotels out of the Waterfront  
15          Commercial as one of the allowable uses, you could  
16          say that you're down-zoning Waterfront Commercial,  
17          because you're not going to allow that kind of  
18          intensity of use, a hotel. And hotel might be  
19          considered the highest and best use right now of  
20          Waterfront Commercial. So if you take that use  
21          out of there, those property owners are going to  
22          see a decrease in value, so money is going to flow  
23          out of those properties. Now, if you have other  
24          properties that were in the Waterfront Commercial,  
25          the ones that you're talking about moving into

1 Commercial Retail, if those properties are allowed  
2 to continue with, say, a hotel use, they're going  
3 to gain from this, because you've manufactured a  
4 scarcity of properties now in the Village that can  
5 have hotels.

6 So it's important. Even if you don't really  
7 subscribe to the concept, I would encourage you to  
8 think about it, because it's an important way to  
9 kind of test what you're doing, so -- because you  
10 want to anticipate what the property owners'  
11 reactions are going to be. You all talked about  
12 that a little bit tonight. So if you kind of use  
13 this model of money flowing in or out of the  
14 properties, that will help you kind of understand  
15 what the reaction is you're going to get at the  
16 public hearing. And you want to kind of reduce  
17 the amount of unanticipated consequences once you  
18 make these changes, right?

19 And there's also a way of kind of testing  
20 the proposed changes against what it is that  
21 you're trying to -- what the outcome is that you  
22 desire, right? So I'm just asking you to think  
23 about that, and kind of think that way as you're  
24 making these changes.

25 And related to that, there's been a lot of

1 discussions about businesses and uses and property  
2 owners. And I understand there's an interest in  
3 protecting people's investment, or whether it's  
4 future investment in the Village, or like a nest  
5 egg, whether it be a mom and pop investing in a  
6 business. The Mayor's talked about this a lot,  
7 about trying to look out for those people, so  
8 that's -- that's important.

9 But the interest of a business owner and the  
10 interest of a property owner can be divergent,  
11 right? So you could have someone that's built a  
12 business, a mom and pop business in the downtown.  
13 Maybe they own their piece of property, and  
14 they're thinking about how they're going to exit  
15 and can how they're going to sell that in the  
16 future. But that's very different than a small  
17 business that's a tenant, right? So when you make  
18 these changes, you might -- there may be a real  
19 gain for the landlord, but there could be a loss  
20 for the tenant. So I just say be careful about  
21 that, and remember to keep that distinction  
22 between businesses and property owners, they can  
23 be very different.

24 If you have fewer properties that are going  
25 to have hotels, for example, those remaining

1 properties that are now going to be in the CR,  
2 which could have a hotel, those values will go up.  
3 But if there's a boutique in there now, that  
4 tenant business is going to be at a loss, because  
5 the landlord could command a higher rent based on  
6 the scarcity of the properties that are allowed  
7 for those other uses.

8 So I'm not suggesting there's an easy answer  
9 for it, I just would like you all to think that  
10 way about it, and, hopefully, that will help in  
11 moving it forward. So thank you.

12 MAYOR HUBBARD: Thank you.

13 TRUSTEE CLARKE: Thank you very much.

14 TRUSTEE PHILLIPS: Thank you, Patrick.

15 MAYOR HUBBARD: Anybody else wish to address  
16 the Board?

17 (No Response)

18 MAYOR HUBBARD: Okay. I'll offer a motion  
19 to adjourn the meeting at 9:36.

20 TRUSTEE PHILLIPS: Second.

21 MAYOR HUBBARD: Second. We have a second.

22 All in favor?

23 TRUSTEE CLARKE: Aye.

24 TRUSTEE MARTILOTTA: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

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

7 (The Meeting was Adjourned at 9:36 p.m.)

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