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

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Third Street Firehouse
November 17, 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
- STEPHEN GAFFGA - VILLAGE INTERIM TREASURER

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

2 MAYOR HUBBARD: Okay. I'll call the meeting
3 to order with the Pledge to the Flag.

4 (Pledge of Allegiance)

5 MAYOR HUBBARD: Is Wayde Manwaring here?

6 TRUSTEE PHILLIPS: Wayde's not here.

7 MAYOR HUBBARD: Okay.

8 TRUSTEE PHILLIPS: Albie is supposed to be
9 here? Was he there? Albie's supposed to be here.

10 MAYOR HUBBARD: Okay. All right. Well,
11 right now, we don't have anybody from the Fire
12 Department, so we'll move on to the next report
13 and Wayde -- oh, I didn't even notice she was out
14 of the room. I'm sorry, Lucia.

15 (Laughter)

16 MAYOR HUBBARD: With everything else going
17 on, I didn't realize that.

18 TRUSTEE PHILLIPS: Do you want me to check in
19 the Chief's office and see if he's in there?

20 MAYOR HUBBARD: If you want to. I mean --

21 TRUSTEE PHILLIPS: No, it's up to you.

22 MAYOR HUBBARD: Pete will go check. I
23 mean --

24 TRUSTEE PHILLIPS: Okay.

25 MAYOR HUBBARD: -- I think he knows what time

1 the meetings are, but that's -- and you were out
2 for the ladies room. I did not even notice that
3 with the people up there.

4 MS. BRAATEN: It's okay.

5 MAYOR HUBBARD: So I'm sorry. We did the
6 Pledge of Allegiance, that's all we've done.

7 MS. BRAATEN: Okay, no problem.

8 (Laughter)

9 MAYOR HUBBARD: Okay.

10 CHIEF DE KERILLIS: Sorry, Mayor. Sorry,
11 Board.

12 MAYOR HUBBARD: Okay.

13 CHIEF DE KERILLIS: Hello.

14 TRUSTEE CLARKE: Good evening.

15 CHIEF DE KERILLIS: Good evening. How are you?

16 MAYOR HUBBARD: Okay. What have you got for us?

17 CHIEF DE KERILLIS: We handed in all the
18 important reports that we needed to, and business
19 is all taken care of that Mary Bess took care of
20 this morning, so we're all set.

21 MAYOR HUBBARD: You have no requests, nothing
22 to discuss with the Board?

23 CHIEF DE KERILLIS: No requests, no requests
24 this month.

25 TRUSTEE PHILLIPS: The I.T. situation is --

1 CHIEF DE KERILLIS: Well, which you spoke --
2 you spoke to Paul today?

3 TRUSTEE PHILLIPS: Yeah, Paul and I spoke
4 this morning.

5 CHIEF DE KERILLIS: Oh, okay, great. So
6 that's the only thing that we have.

7 TRUSTEE PHILLIPS: The other thing I forgot
8 is that I'm not sure you're aware that the -- Paul
9 and the crew fixed -- how many fire hydrants?

10 ADMINISTRATOR PALLAS: I don't know.

11 TRUSTEE PHILLIPS: I think it's seven or
12 eight, I think, hydrants.

13 CHIEF DE KERILLIS: Oh, that's great.

14 TRUSTEE PHILLIPS: Okay. I didn't have --
15 there's wasn't an opportunity last night, you guys
16 were in rare form.

17 CHIEF DE KERILLIS: Do we have a list of
18 those numbers by chance, or no?

19 ADMINISTRATOR PALLAS: No. I actually didn't
20 know that, so I have to catch up --

21 CHIEF DE KERILLIS: Oh, okay.

22 ADMINISTRATOR PALLAS: -- with Mike.

23 CHIEF DE KERILLIS: So maybe, just on that
24 respect, then, just if you'll forward me or --

25 ADMINISTRATOR PALLAS: Sure.

1 CHIEF DE KERILLIS: And Wayde. That's all we
2 have, Mayor.

3 MAYOR HUBBARD: Okay.

4 CHIEF DE KERILLIS: Yep.

5 MAYOR HUBBARD: Thank you.

6 TRUSTEE PHILLIPS: Other than that, Mayor,
7 the Fire Department purchased the new chairs.

8 TRUSTEE MARTILOTTA: Thanks for the chairs,
9 they're awesome.

10 CHIEF DE KERILLIS: Yep.

11 TRUSTEE MARTILOTTA: These are killer.

12 TRUSTEE ROBINS: Good on you.

13 CHIEF DE KERILLIS: Yeah, yep, all right.

14 MAYOR HUBBARD: Okay. If you have no
15 requests and nothing to bring up --

16 ADMINISTRATOR PALLAS: If you could just hang
17 on for just one minute.

18 CHIEF DE KERILLIS: Yeah, sure.

19 ADMINISTRATOR PALLAS: I have a couple of
20 add-ons that I don't want to miss.

21 MAYOR HUBBARD: Okay. All right. That's it
22 for the Fire Department. We'll go on to the
23 Village Administrator report.

24 ADMINISTRATOR PALLAS: Thank you, Mr. Mayor.
25 So the two items that are added on here that relate

1 to the Fire Department, the roof at the firehouse,
2 plus the roofs, several roofs at the wastewater
3 plant, pump -- and pump stations. That will be
4 going out into the paper probably about two weeks
5 from now. Probably, probably won't make it for the
6 December meeting, but certainly for the January
7 meeting for the time for bid opening. And so
8 the -- that's the schedule, if you want to --

9 CHIEF DE KERILLIS: So bidding will start
10 somewhere around that time?

11 ADMINISTRATOR PALLAS: Right after your --
12 no, the bidding is already --

13 CHIEF DE KERILLIS: Oh.

14 ADMINISTRATOR PALLAS: We just have to finish
15 the spec, put it in the paper, and that should go
16 out in about two weeks.

17 CHIEF DE KERILLIS: Okay.

18 ADMINISTRATOR PALLAS: And then that will be
19 returnable in time for the January meeting.

20 CHIEF DE KERILLIS: Great.

21 ADMINISTRATOR PALLAS: And then it will be
22 awarded at the January meeting.

23 CHIEF DE KERILLIS: So we're thinking --

24 ADMINISTRATOR PALLAS: As soon as it's
25 awarded in February, we should be able to --

1 CHIEF DE KERILLIS: Okay, great.

2 TRUSTEE PHILLIPS: Paul, the --

3 MAYOR HUBBARD: Right. Well, roofing, you're
4 not going to do it in February when it's really
5 cold.

6 TRUSTEE ROBINS: Oh, no.

7 MAYOR HUBBARD: You're going to wait for
8 roofing until April --

9 CHIEF DE KERILLIS: Right. And I was going
10 to say --

11 MAYOR HUBBARD: -- or whatever. But
12 everything will be in place by that -- at that
13 point, so we'll be ready to go. So, okay, I
14 just --

15 CHIEF DE KERILLIS: That's okay.

16 MAYOR HUBBARD: I don't want you saying that
17 it's going to be done in February, because nobody
18 wants to do a roof in February --

19 ADMINISTRATOR PALLAS: Right.

20 MAYOR HUBBARD: -- if they want it to last 40
21 years.

22 ADMINISTRATOR PALLAS: Right.

23 CHIEF DE KERILLIS: And we have Washington's
24 Birthday, too, so.

25 TRUSTEE ROBINS: Yeah. It doesn't seal well

1 either, you know, it doesn't seal well.

2 MAYOR HUBBARD: No, you got to wait until
3 it's a little warmer.

4 (Laughter)

5 MAYOR HUBBARD: To get all the paperwork
6 done, the bidding and everything else taken care
7 of, get the contract signed.

8 CHIEF DE KERILLIS: Good.

9 MAYOR HUBBARD: And then do the work, you
10 know, mid April to end of April, beginning of May.

11 CHIEF DE KERILLIS: Good.

12 MAYOR HUBBARD: Okay.

13 CHIEF DE KERILLIS: I'll tell the Officers
14 tonight that they can expect that.

15 ADMINISTRATOR PALLAS: Yep. The second item
16 is the -- for the I.T. for the computers here. We
17 have specs that I'll send over to Chief Manwaring
18 tomorrow and we can disseminate it to you guys.
19 You let me know. I understand that you guy want to
20 take a look at the specs for the computers.
21 We'll -- you guys return that to us, we'll get that
22 process started as soon as we approve the specs for
23 the computers.

24 I think that's all I have.

25 TRUSTEE PHILLIPS: You know, the other thing

1 is the engineering RFP report.

2 ADMINISTRATOR PALLAS: Yeah. The contract --
3 I'm sorry. The architects will be getting back the
4 final version of the contract to me, hopefully,
5 next week. He said he would do his best to get it
6 to me next week. We can get that signed and get
7 that process started. I'll set up a meeting with
8 you folks and myself.

9 CHIEF DE KERILLIS: Great. Thank you very
10 much, Paul.

11 ADMINISTRATOR PALLAS: Okay.

12 CHIEF DE KERILLIS: Thank you very much,
13 everyone.

14 MAYOR HUBBARD: Okay.

15 CHIEF DE KERILLIS: Have a good night.

16 MAYOR HUBBARD: Thank you.

17 TRUSTEE MARTILOTTA: Take it easy now.

18 ADMINISTRATOR PALLAS: Just a few more
19 add-ons before I get to the regular items that I
20 have listed. I believe a notice was sent out about
21 the paving at Sterling. Milling will be tomorrow,
22 and paving, hopefully, early next week for Sterling
23 Avenue and Sterling Street.

24 Bucket trucks. I went through the specs that
25 were the -- the crews had prepared. It looks fine

1 to me. I'm going to sit down with them again
2 tomorrow, update the pricing. It's all off of
3 State contract, so it shouldn't be a problem. I
4 just have to get -- refresh the prices, because
5 they don't -- they don't hold them for more than, I
6 think, 30 days, a very short time frame. So I'm
7 going to update the pricing, and, hopefully, get a
8 resolution on for approval for the December
9 meeting.

10 I apologize. The next item, net metering.
11 I'm working through some requested edits from the
12 Power Authority. I should be able to finish that
13 in the next couple of weeks and get that out to
14 everybody for review on the -- on the tariffs for
15 that. We can probably set that up again for
16 discussion in the December meeting.

17 Oh, Sandy Beach sewer project, I had a
18 meeting this week with the engineering firm that's
19 working on that. They're working through the
20 pricing in terms of how to allocate it between the
21 Village and the marinas. As you remember, the
22 marinas are picking up a part of it, we're picking
23 up a part of it. We have funding for our part
24 through grants -- I'm sorry, through the funding
25 from Sandy Beach residents. The grant money would

1 be spread over the entire project. I mean, once
2 that's concluded, I'll send it out to you all, and
3 we can discuss that and see how we want to move
4 forward or not, depending on the ultimate balance.

5 I do have one -- will have one resolution.
6 I'm going to Albany to meet with NYSERDA to discuss
7 funding, IIJA funding, Federal funding that's going
8 to be flowing through NYSERDA. It's primarily
9 energy related, but it will give me an idea of how
10 that process will work for other agencies as well,
11 once money gets freed up for other things, for
12 example, the bulkhead, if there's anything
13 available there for us. It will just give me an
14 idea what the process is going to be.

15 On my regular items here, microgrid project,
16 they are working through on the distribution piece.
17 They're working through essentially punch list
18 items on that.

19 The battery here for here, the batteries are
20 in -- in, but the rack is still delayed. We just
21 got an update today that they're further delayed
22 until February, unfortunately. I have requested
23 them to look into alternatives.

24 I think I had reported earlier that the
25 alternative, because it's purchased as a unit, the

1 batteries and the battery rack, it gets it's UL
2 listing rating from the combined system. So if
3 they get a different rack setup, then they have to
4 get a new UL approval, which is a bit tedious. But
5 they're going to look into it anyway at the State,
6 because they're becoming concerned that this delay
7 is just going to keep repeating itself. And the
8 funding agency, GOSR, the Governor's Office of
9 Storm Recovery is also becoming a little concerned.
10 So that will -- you know, probably by the end of
11 the year, that should be almost the only thing left
12 to do on the entire microgrid project.

13 TRUSTEE CLARKE: How long is -- the extension
14 on that was until the end of 2023?

15 ADMINISTRATOR PALLAS: Yeah. I got a
16 clarification on that. That's not the construction
17 phase. They were -- when they expressed their
18 concerns, that I thought -- because I brought up
19 their letter and it did say September, actually, of
20 2023. And he said, well, no, that's just the
21 ultimate deadline for funding, but that's not
22 construction completion. Construction completion
23 is through the end of this year.

24 They don't see a problem with getting it
25 extended, and we're going to have to get it

1 extended, but they wouldn't extend the other date,
2 the September date, because that's when the --
3 that's actually all Sandy money, and after that
4 date, that will not be available.

5 TRUSTEE CLARKE: Okay.

6 ADMINISTRATOR PALLAS: So one way or another,
7 it has to be completed, regardless, by that time.

8 MAYOR HUBBARD: Okay. Have we made progress
9 with Verizon and Cablevision, Optimum --

10 ADMINISTRATOR PALLAS: Yeah, they continue --

11 MAYOR HUBBARD: -- on getting their stuff?

12 ADMINISTRATOR PALLAS: Yeah. They continue
13 to work on poles. You know, it's a process.

14 MAYOR HUBBARD: Very small amounts.

15 ADMINISTRATOR PALLAS: Yeah, they understood.
16 They're doing --

17 MAYOR HUBBARD: The second poles that are all
18 around next to everything. We're done with our
19 high power stuff up top. The rest of it is all
20 waiting on these other companies. And, you know,
21 to send two trucks out here when you've got to do
22 200 poles, it's going to take years.

23 ADMINISTRATOR PALLAS: Some of them, some of
24 the poles are actually our responsibility, and
25 that's part of the punch list item from Haugland.

1 So now that they're back in town, I expect that a
2 lot of those are going to come out quickly --

3 MAYOR HUBBARD: Okay.

4 ADMINISTRATOR PALLAS: -- from their end. So
5 that will help visually the amount, will definitely
6 knock down the amount significantly.

7 TRUSTEE PHILLIPS: And Haugland was in front
8 of my house today. So it takes them about 20
9 minutes to do whatever they're doing, that's what
10 they explained to me, so.

11 ADMINISTRATOR PALLAS: Yes, yep.

12 TRUSTEE PHILLIPS: What was --

13 TRUSTEE CLARKE: They were on Carpenter the
14 other day. We were down like 20 minutes.

15 TRUSTEE PHILLIPS: Yeah. I wasn't down at
16 all, they just got it completed.

17 TRUSTEE ROBINS: And we had Verizon on our
18 poles before, but they're running fiberoptic cable
19 now, aren't they?

20 ADMINISTRATOR PALLAS: No. The fiber that's
21 being installed now, I believe, is -- as far as I
22 know, it's Cablevision, it's not Verizon.

23 TRUSTEE ROBINS: It's Cablevision?

24 ADMINISTRATOR PALLAS: Yeah.

25 TRUSTEE PHILLIPS: It's Cablevision, yeah.

1 TRUSTEE ROBINS: Okay. But then Verizon
2 trucks are here as well. What are they doing?

3 ADMINISTRATOR PALLAS: They have to transfer
4 their facilities from the poles to the new poles,
5 the old poles to the new poles.

6 TRUSTEE ROBINS: So they -- okay. They did
7 have original --

8 ADMINISTRATOR PALLAS: Yeah.

9 TRUSTEE ROBINS: -- service here as well,
10 Optimum. So there are two contractors --

11 ADMINISTRATOR PALLAS: Correct, two
12 different --

13 TRUSTEE ROBINS: -- working on the poles.

14 ADMINISTRATOR PALLAS: Yes, yes. The ferry
15 queue project status, we continue to work through
16 the comments with the DOT. The bigger -- biggest
17 open item, really, is the lease agreement with the
18 MTA. We just sent them an updated survey that
19 delineates all the different lease parcels. There
20 was one that I think they wanted changed. We
21 really didn't quite understand. I got
22 clarification from them. That was sent to them.
23 They have to prepare some documents that actually
24 get approved up in Albany, and there's a 90-day
25 waiting period. It's all part of the -- Public

1 Authorities Law is the -- part of the process for
2 that.

3 So moving -- that's all moving along. I
4 don't -- there's no funding issue. We -- I think
5 there's plenty of funding for it. Again, once
6 that's all done, we'll get an updated engineer's
7 estimate. We'll see about the match, our portion
8 of it, and see how we are going to move forward --

9 MR. SWISKEY: They're giving out free money
10 here tonight?

11 ADMINISTRATOR PALLAS: -- forward for that.
12 Any questions on that?

13 TRUSTEE CLARKE: On the ferry queue?

14 ADMINISTRATOR PALLAS: Yeah.

15 TRUSTEE CLARKE: No.

16 ADMINISTRATOR PALLAS: So the last item I
17 have is the Ice Rink. I don't really have a lot to
18 say. I did send a really detailed memo out to you
19 all. Basically, the open question is do we want to
20 reduce the size, do we want to relocate? And I
21 gave you some costs for keeping the same size for
22 a -- two different solutions for a cover. So I --
23 there's really nothing more for us to do at this
24 stage, so just waiting for --

25 MAYOR HUBBARD: Right. We're planning on

1 putting it up right after the Christmas Parade and
2 tree lighting and all.

3 ADMINISTRATOR PALLAS: Actually, Mayor,
4 that's going to change, so that we're actually
5 doing it a week earlier. We're doing it before the
6 parade. There's staffing issues. Sorry, I
7 apologize.

8 MAYOR HUBBARD: Okay. Well --

9 ADMINISTRATOR PALLAS: That just happened
10 today, I just found out about it today.

11 MAYOR HUBBARD: Okay.

12 TRUSTEE ROBINS: It will be up after
13 Thanksgiving, then.

14 ADMINISTRATOR PALLAS: It will be up the
15 week -- the week after Thanksgiving, yes. So then
16 they'll start, and then we'll just --

17 TRUSTEE PHILLIPS: Okay. So let me just -- I
18 just want to get clear in the process. The
19 Ice Rink is going up for this year just as it
20 normally does?

21 ADMINISTRATOR PALLAS: Correct.

22 TRUSTEE PHILLIPS: What you're looking for is
23 what are we going to do with it next year?

24 ADMINISTRATOR PALLAS: Yes. There's two,
25 there's two steps. So the first, the first thing,

1 as I -- as I had mentioned, just to keep it as it
2 is, we need a new mat system and we need to get new
3 anchors. The total, combined total for both of
4 those things I think is going to approach \$200,000
5 for the mat system and the anchors. So that's just
6 to keep it as it is. It doesn't extend the season.
7 It may buy us a couple of more days, but not
8 significant improvement in time.

9 TRUSTEE CLARKE: Would that investment help
10 us in the future? Would it be a one-time thing
11 that would be null and void if we were to remove it
12 in the following year?

13 ADMINISTRATOR PALLAS: I don't know, but I
14 could find that out. That I don't know. Once I
15 speak -- once you folks all let me know what the
16 game plan is here, then I can certainly start
17 asking some of those detailed questions. I think
18 the short answer is yes, but, again, the --
19 relocating it might -- I wouldn't say require, but
20 it might be beneficial to redesign it altogether,
21 so that we have a more permanent mat system,
22 instead of a temporary one. So it potentially
23 could make it, you know --

24 TRUSTEE PHILLIPS: So, just to be clear,
25 okay, we have time to get the facts and the

1 figures, and then we have time to get input from
2 the public as to how they feel about it. I mean,
3 it's great for us all to think about it, but at
4 what point are we going to get public comment on
5 where they think the Ice Rink should be? It's up
6 to us.

7 ADMINISTRATOR PALLAS: Yes.

8 TRUSTEE PHILLIPS: Okay, that's all I want to
9 know.

10 ADMINISTRATOR PALLAS: But, I mean, I will --
11 I will say that, you know, there's really --
12 there's no more facts and figures. I'm going to
13 get a -- some pricing for reducing the size. I
14 forget what size I can reduce it to, but just one
15 other size. And I'll let -- once I get those
16 numbers, I'll bring that to you, of course. But
17 beyond that, you have all the data that I have.

18 TRUSTEE PHILLIPS: Okay.

19 ADMINISTRATOR PALLAS: There wouldn't be any
20 other information for me to provide at this stage.

21 TRUSTEE PHILLIPS: Okay.

22 TRUSTEE ROBINS: So, Paul, I know that, you
23 know, like in construction, sometimes you reduce
24 size, but it doesn't necessarily reduce the cost by
25 half, you know. You still have, you know,

1 components and labor, and everything like that. So
2 we wouldn't necessarily assume that if you made the
3 size smaller, that it would make us -- have a
4 significant impact on cost for a tent or a cover,
5 or something like that?

6 ADMINISTRATOR PALLAS: Well, I think it -- I
7 think it would in this case. I mean, I don't know
8 what the break points are for a cover, but, you
9 know, these tents, there's a significant difference
10 in price for the one that would be like a typical
11 wedding size tent and the one that we're looking
12 at, you know, significant difference, you know, by
13 an order of magnitude, almost, so I do think that
14 it would. I haven't gotten that pricing, until I
15 get pricing for the rink itself, but, you know.

16 TRUSTEE CLARKE: The cost that you quote for
17 the size, I can't -- I figure you would need
18 monthly, is, you know, crazy money.

19 ADMINISTRATOR PALLAS: And the permanent
20 structure, I mean, I call it a permanent, but it's
21 really not. The bubble system does get dismantled
22 every season, which in and of itself is
23 problematic. In discussions with these
24 manufacturers, it takes a crew of about 12 people
25 to dismantle it. We don't -- we don't have 12

1 people to do that work, you know, and it takes
2 about a week to do that even with 12 people. This
3 is a significant infrastructure --

4 TRUSTEE MARTILOTTA: Really?

5 ADMINISTRATOR PALLAS: -- in addition to the
6 covering itself. There's mechanicals that go in
7 there, because it's air and heated, so that the --
8 it doesn't freeze up, so yeah.

9 TRUSTEE ROBINS: So those bubbles really
10 aren't meant to be used for, you know, a four-month
11 installation, they're meant to go up permanently?

12 ADMINISTRATOR PALLAS: No, no, it can -- it
13 is -- no, I'm sorry, maybe I wasn't clear. It is
14 meant to be taken down every season.

15 TRUSTEE ROBINS: It is? Okay.

16 ADMINISTRATOR PALLAS: It can be taken down
17 every season, yes.

18 TRUSTEE ROBINS: But a just can you --

19 ADMINISTRATOR PALLAS: A lot of people.

20 TRUSTEE ROBINS: A significant amount of
21 labor.

22 ADMINISTRATOR PALLAS: Each time that you put
23 it up and take it down, yes.

24 TRUSTEE ROBINS: Right.

25 MAYOR HUBBARD: And just so everybody is

1 clear, we're going to have input from the public
2 and people, if we want to make a permanent change
3 and make an investment in putting something up on
4 Moores Lane. There's been talk about that. People
5 said, you know, put it up there with all the other
6 stuff we're doing and the improvements on Moores
7 Lane. But if we're going to make a permanent
8 change to that and make -- I think I mentioned last
9 month that Port Jeff has -- their rink is over the
10 top of a parking lot, you know, and the stuff is
11 all in the ground. A lot of that, the mat and
12 everything else doesn't have to be taken up each
13 year, rolled up, stored, put away, brought back
14 out. It gets nicked, it gets banged, it does
15 whatever.

16 TRUSTEE ROBINS: Right.

17 MAYOR HUBBARD: If we were going to move it
18 to Moores Lane, it would be a big financial
19 investment on the part of the Village taxpayers to
20 go and to do that. So we would have input on that.
21 We would have a public hearing, do we want to
22 really go and move it to Moores Lane, or do we want
23 to keep it down there.

24 But we've always known from the beginning
25 that it's not a money-maker down there. We do it

1 for the good of the people, the tourists, the local
2 residents from -- you know, all the way from up
3 west out to here that use it. So we just need to,
4 you know, rationalize which way do we want to go,
5 and one -- you know, that's why we're setting it up
6 this year and going through this season.

7 We've had discussions. I had the meeting
8 with the Town, Paul and myself, and we went up and
9 we talked to them about doing something else. So,
10 you know, we're going to -- the future of where the
11 rink will end up being will be something that we
12 will have, you know, a meeting on and discussion
13 from the public, the people that use it, the hockey
14 clubs, everything else.

15 As Paul and I have discussed, the Hockey
16 Clubs say, "Well, it's not NHL regulation size, we
17 don't want to use it," you know. But if you look
18 at the prices, to go from 100-foot bubble, which I
19 researched a lot of stuff on this, to 150-foot
20 bubble is around \$250,000 difference in price. So
21 the extra 50 feet with the structure and everything
22 else makes a big difference, but we get a lot of
23 revenue from the hockey clubs. So we're going to
24 make it smaller and they're not going to use it,
25 then we're not going to get the revenue. So

1 that's all part of getting prices and figuring out
2 what we're going to do.

3 But to make a permanent move from where it's
4 been for the past 18 years to somewhere else will
5 be something that's going to be discussed by the
6 public, either with a questionnaire, meetings, a
7 separate public hearing on it -- you know, not a
8 public hearing, just a public comment on it and
9 all, and just ask for information, where do we want
10 to see this over the next 20 years. Before we make
11 any big investment on either location, we need to
12 know that and know what the costs are going to be,
13 and then we'll go from there, if that clears it up
14 at all. You know, that's --

15 TRUSTEE CLARKE: But either way, am I
16 incorrect that we need to spend \$200,000 to just
17 have this season ahead of us?

18 MAYOR HUBBARD: No.

19 TRUSTEE PHILLIPS: No, no, no.

20 ADMINISTRATOR PALLAS: No, this year we're
21 fine.

22 MAYOR HUBBARD: We're using what we have now.

23 TRUSTEE CLARKE: Okay. So that --

24 ADMINISTRATOR PALLAS: That would be for next
25 season.

1 TRUSTEE CLARKE: The mat and anchors --

2 ADMINISTRATOR PALLAS: We don't add any
3 changes, correct.

4 TRUSTEE CLARKE: -- that you mentioned are
5 not required for this year?

6 ADMINISTRATOR PALLAS: We're able to get by.

7 MAYOR HUBBARD: We'll get by this year, but
8 it's -- the original system was like a 10-year
9 system that was put up. We've gotten 18, this will
10 be 19 years out of it. It's at its life span of
11 the mat and the other part of what we're doing. So
12 before we make any big investment, either -- at
13 either location, we need to find out what we want
14 to do permanently with what's going on and the
15 location of it.

16 TRUSTEE CLARKE: Very good. So you don't
17 really need an answer to these questions tonight.

18 MAYOR HUBBARD: No. It's really --

19 ADMINISTRATOR PALLAS: Not tonight.

20 MAYOR HUBBARD: The rink is going up and
21 we're going to have the season down at Mitchell
22 Park this year, and we're moving straight forward
23 with that, and they're going to set it up and get
24 it ready to go. Hopefully, we get some cold
25 weather and we could have some really good ice, and

1 everybody could use it more than last year, but
2 that part we don't know. But we know the long-term
3 solution is to cover the ice and do something else,
4 something more permanent in the ground that's going
5 to keep the ground frozen and keep the ice away
6 from the rain and the sun that hits it, or putting
7 a cover over it.

8 TRUSTEE PHILLIPS: Right. It's just that it
9 was a little confusing, and that's why I brought it
10 up, is that to make it clear that this year it is
11 going to go up, that this is preplanning for next
12 year, which does have to have public input, because
13 it's the community's Ice Rink and they should have
14 the input as to --

15 MAYOR HUBBARD: Oh --

16 TRUSTEE PHILLIPS: -- where it is and --

17 MAYOR HUBBARD: -- we would not make any
18 decision without having input from the people that
19 use it, and, you know, monitor it, and go down
20 there and enjoy it.

21 TRUSTEE CLARKE: I mean, it is encouraging to
22 hear that your meeting was well received with the
23 Town and that they were receptive. And, you know,
24 it's logical that they want us to have a longer
25 term plan before they make a commitment.

1 MAYOR HUBBARD: Uh-huh.

2 TRUSTEE CLARKE: So until that time, it's the
3 status quo.

4 MAYOR HUBBARD: We're going to get through
5 this season, then we're going to start working on
6 everything else and get more prices, and we'll be
7 discussing that in the spring. And, hopefully,
8 we'll have ice through March and we'll talk about
9 it after that.

10 TRUSTEE CLARKE: Yeah. I just want to
11 make -- the only thing that I think is important to
12 the public is making sure that they really
13 understand that the situation and the availability
14 may not be any greater than it was last year,
15 because I received so many complaints and there was
16 so much negative comments about it, and, you know,
17 it generated more complaints than good will, at
18 least as far as I'm concerned, last year, from what
19 I heard. And so I just want make sure everybody
20 knows what to expect, that there's no miracle
21 that's going to happen this year for this to be up
22 and running, you know, without any stop from when
23 it's put in, and then the holidays when people want
24 it, and, you know, just manage expectations.

25 MAYOR HUBBARD: Right. We're very dependent

1 on Mother Nature. Hopefully, she cooperates and we
2 get a really cold winter. If this is any
3 indication right now, it's pretty chilly out there,
4 it's going to be cold all this week. We didn't
5 have these cold temperatures during the night in
6 the month of January last year when we were trying
7 to make ice.

8 TRUSTEE CLARKE: Right.

9 MAYOR HUBBARD: Down into the twenties at
10 night, which is what's forecasted for the next ten
11 days, you know, with a high of 40. You know, we
12 were getting 60 degree days with a low of 42, and
13 whatever ice we made when it was cold was melting
14 on us. So, you know, not that I want a really
15 frigid winter, but, you know.

16 TRUSTEE PHILLIPS: It would be good for the
17 bay scallops.

18 MAYOR HUBBARD: Yeah. Okay.

19 TRUSTEE CLARKE: Thank you.

20 MAYOR HUBBARD: You're welcome. Anything for
21 Paul?

22 ADMINISTRATOR PALLAS: That's all for me.

23 MAYOR HUBBARD: Okay. That's all for the
24 Village Administrator. Interim Village Treasurer,
25 Stephen Gaffga.

1 INTERIM TREASURER GAFFGA: Good evening,
2 Mayor and the Board. I have no additions to my
3 report. Just some -- going to my report, just have
4 a few budget amendments, to go over some
5 housekeeping items. I'm just moving some funds
6 around to fund the Ice Rink expense, is one of
7 them, and also moorings next year, to put the
8 moorings in.

9 Two other things are I have the lease
10 amendment for Verizon, to redo the lease that we
11 currently have with them, because it was expiring
12 next year. It's a re-term five-year lease. So I'm
13 really excited about that, keep them on our cell
14 tower.

15 TRUSTEE MARTILOTTA: Nice.

16 INTERIM TREASURER GAFFGA: And also to
17 approve the NYCLASS that I had talked about in the
18 September work session. Just to remind everybody,
19 NYCLASS is an investment pool, it's a municipal
20 investment pool. And there's a lot of
21 municipalities on Long Island, fire districts,
22 school districts, that all -- that put their money
23 into that. It's a daily -- it's a daily
24 investment. So what we put in there, you know, we
25 can transfer money daily, and it has better

1 interest rates than the banks are offering right
2 now.

3 So I'm very -- I have a positive feeling
4 about it. I think it's something that can
5 certainly help the Village, you know, put a little
6 bit more money back in their coffers. I'm not
7 going to invest a whole lot of our money, somewhere
8 between, I would say, 10, 20% at the most of our
9 total funds to go in there.

10 TRUSTEE PHILLIPS: Stephen, thank you for the
11 listing of the municipalities that are part of
12 this. And I do know that you mentioned in your
13 email that we need to update our investment policy.

14 INTERIM TREASURER GAFFGA: Yeah, just some --
15 you know, there's some housekeeping items in the
16 investment policy that need updating, some names,
17 you know, names of the banks.

18 TRUSTEE PHILLIPS: Yeah, okay.

19 TRUSTEE ROBINS: Yeah, I noticed a couple of
20 banks that changed.

21 TRUSTEE PHILLIPS: Okay.

22 INTERIM TREASURER GAFFGA: The main -- the
23 meat and potatoes of it doesn't really need any
24 change, just some housekeeping stuff --

25 TRUSTEE PHILLIPS: Okay.

1 INTERIM TREASURER GAFFGA: -- that was a
2 little outdated.

3 TRUSTEE PHILLIPS: That was my question.
4 Okay.

5 TRUSTEE ROBINS: And the fact that they're
6 secure investments, that's fine, not risky.

7 INTERIM TREASURER GAFFGA: No.

8 TRUSTEE ROBINS: Not crypto.

9 INTERIM TREASURER GAFFGA: No, it's not
10 crypto. Does anybody have any questions on it?

11 TRUSTEE MARTILOTTA: No, sir.

12 ATTORNEY PROKOP: So I just want to comment
13 that CLASS, I think -- I was just thinking, CLASS
14 has been -- well, CLASS has been making a
15 marketing -- basically, what I believe is a
16 marketing drive among municipalities trying to
17 increase its customer base. And at the same time
18 that Stephen was asking me to look over the
19 documents that we had received, I received calls
20 from other villages to look over documents that
21 have been provided. It must have to do with the
22 interest rates right now, which -- where there's --
23 money can be borrowed from depositors at a low
24 rate, although CLASS is higher than -- still higher
25 than most banks, and lent out at a greater rate for

1 these companies to make money.

2 I reviewed CLASS, the CLASS documents that
3 Stephen provided, that were -- that were given to
4 him by CLASS. I think that the -- largely, the
5 investments that CLASS makes are suitable for the
6 New York State requirements, that there are in
7 municipal investments.

8 There are a couple of things I want to bring
9 to your attention. Some of the -- they disclose
10 that some of the investments that they make have
11 maturities of between one and two years. So
12 there was a question the last time that we had a
13 financial crisis in -- not having -- I'm not making
14 this comment specific to CLASS, but some investment
15 vehicles that were available to municipalities.
16 The municipalities were made whole, but it took
17 some time to get your money out.

18 So I had mentioned to Stephen, and I'll just
19 mention the same thing, it looks like Stephen is on
20 top of this, and I'm confident, based on what he
21 said, that he'll manage this correctly. But I just
22 want to mention that probably money should not be
23 put in this that we -- you know, we need
24 immediately as pure liquid fund. It should be
25 considered to be a longer term --

1 INTERIM TREASURER GAFFGA: Yeah, and --

2 ATTORNEY PROKOP: -- situation.

3 INTERIM TREASURER GAFFGA: That's exactly
4 what my longer term plan is, is to put some of our
5 longer term money that sits, you know, in there to
6 earn better interest rates.

7 ATTORNEY PROKOP: But it is a, you know, well
8 organized sort of cooperative of municipalities,
9 similar to NYMIR, only it's more profit oriented
10 than NYMIR is.

11 TRUSTEE PHILLIPS: Where does Munistat fit
12 into this, because we have had them give us
13 financial information before, so --

14 INTERIM TREASURER GAFFGA: I called Munistat.

15 TRUSTEE PHILLIPS: Okay.

16 INTERIM TREASURER GAFFGA: They had no issues
17 with it.

18 TRUSTEE PHILLIPS: Okay. All right. So they
19 were good. Okay. So let's get back to this
20 maturity timeline that Joe just mentioned.

21 INTERIM TREASURER GAFFGA: Uh-huh.

22 TRUSTEE PHILLIPS: I know that we have
23 funding that we do have that's in long-term
24 situations. And how much of a percentage are you
25 thinking of putting in?

1 INTERIM TREASURER GAFFGA: Total across all
2 of the funds, that is we have roughly, I think,
3 just estimating this off what I remember, is around
4 \$13 million total, and I'm not going to put any
5 more than 10 or 20% based off, you know, what our
6 needs are at the time. In the wintertime, that
7 number will be a little lower, because we have less
8 money coming in in the winter. And summertime, you
9 know, when we have a new budget and we have more
10 revenue coming in, that's when more money can get
11 put over there.

12 You know, I would manage it on a monthly
13 basis, you know, and it's a daily -- you know, I
14 could take money -- I could put money in daily, I
15 could take money out daily, depending on what our
16 needs are. As long as I get my request in,
17 that's -- I can get it out.

18 TRUSTEE PHILLIPS: So it is similar to the
19 money market idea that we currently have on our
20 financial statements, where usually the bulk of the
21 property tax money goes into the beginning of the,
22 you know, tax year.

23 INTERIM TREASURER GAFFGA: Yes, that's in --

24 TRUSTEE PHILLIPS: Is that the money you're
25 talking about or --

1 INTERIM TREASURER GAFFGA: Some -- yes, some,
2 you know, across all of our funds, so A, E, F and
3 G, you know, our sewer, water, electric. I would
4 put some of our General Fund money over there, yes,
5 because right now, our money market fund is earning
6 .05% --

7 TRUSTEE PHILLIPS: Correct.

8 INTERIM TREASURER GAFFGA: -- interest, and
9 this is right now earning 3.5, because it's based
10 off of the Fed.

11 TRUSTEE PHILLIPS: All right. So we --

12 INTERIM TREASURER GAFFGA: It's a drastic
13 difference right now, and if they increase rates
14 again, that will go up a little bit more. Now
15 this, it won't stay this way forever, it will go
16 back down.

17 TRUSTEE PHILLIPS: Right.

18 INTERIM TREASURER GAFFGA: But, you know,
19 it's something that I think could be beneficial for
20 our -- some of our longer term investments, like
21 the Ice Rink and, you know, other things that we're
22 going to need money for in the future.

23 TRUSTEE PHILLIPS: Okay. So in reference to
24 the Electric Fund, since we have another governing
25 agency over that, that is not a problem with that?

1 INTERIM TREASURER GAFFGA: No.

2 TRUSTEE PHILLIPS: Okay. I'm just checking,
3 because we have a good relationship with them, and
4 I don't want to see that --

5 INTERIM TREASURER GAFFGA: Yeah, and
6 anything, anything I do, I would check it, you
7 know.

8 TRUSTEE PHILLIPS: Okay. So let me ask you
9 this. How are you going to keep us up to date on
10 this particular activity? Is it going to start --

11 INTERIM TREASURER GAFFGA: I'm going to put
12 it --

13 TRUSTEE PHILLIPS: -- showing up in the
14 report?

15 INTERIM TREASURER GAFFGA: Yes.

16 TRUSTEE PHILLIPS: Okay.

17 INTERIM TREASURER GAFFGA: I'm going to be --
18 it will be part of like, you know, where I put in
19 the financials.

20 TRUSTEE PHILLIPS: Correct, okay.

21 INTERIM TREASURER GAFFGA: You'll see it in
22 there with the banking information. So it will be
23 in there, I'll list it.

24 TRUSTEE PHILLIPS: Okay.

25 ATTORNEY PROKOP: It's going to be a

1 resolution on the agenda to approve this?

2 INTERIM TREASURER GAFFGA: Yes, I have a
3 resolution on it.

4 ATTORNEY PROKOP: Okay.

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

7 TRUSTEE MARTILOTTA: No, that's good.

8 MAYOR HUBBARD: Okay. Thank you. Village Clerk.

9 CLERK PIRILLO: Good evening, everyone.

10 TRUSTEE CLARKE: Good evening.

11 CLERK PIRILLO: Hi. My report is abbreviated
12 as well. Just going back to the investment policy,
13 my office has already begun working on it. The
14 format that we have for the investment policy is a
15 little bit older and it's a PDF, so we've already
16 converted that today into a Word document. And I
17 will make the -- make the requested edits and work
18 with the Treasurer to make sure that we have
19 everything complete, so that it's done well before
20 the Org Meeting, okay, but that's already in
21 progress.

22 Going to my report, the LOSAP service fee
23 agreement, I just want to make you aware that that
24 was the second iteration. We did receive a fee
25 agreement that I rejected and later negotiated. So

1 that the rates that are quoted to us that you see
2 are a little bit higher than last year, but not as
3 high as they would have been. The rates that we
4 initially were quoted were not a lot dollar wise,
5 but they were very high percentage wise, and I
6 didn't think that was acceptable. So just to let
7 you know, those are negotiated rates, okay?

8 Again, on my report, under Agreements and
9 Contracts, the contract with DeAl was fully
10 executed on the 14th and -- of this month.

11 And I have only one addition, and that is for
12 a public assembly permit application that was
13 submitted by Linda Kessler on behalf of the
14 Greenport BID for the use of the Firehouse on the
15 10th of December for a letter-writing and
16 ornament-creating event.

17 And that's all I have.

18 TRUSTEE PHILLIPS: Sylvia.

19 CLERK PIRILLO: Yes.

20 TRUSTEE PHILLIPS: Do you have the renewal
21 for Granicus, which is our system that we use for
22 the agendas and minutes? And I'm assuming it's
23 also for the videoing on the live -- the live video
24 that's going on right now. Is that part of this
25 contract?

1 CLERK PIRILLO: I believe that the streaming
2 is included in that, yes, and that has not
3 increased, that's the same price as last year.

4 TRUSTEE PHILLIPS: So this is -- this is a
5 system that -- is there any updating to the
6 Livestreaming system?

7 CLERK PIRILLO: There is updating. I'm
8 working with them right now, because they have
9 suggested that we purchase an enhanced encoder.
10 It's a few thousand dollars. I would like to
11 know before we jump into that, I'm sure the
12 Treasurer would like to know, what the -- what the
13 enhancement is, what the enhancements are. I don't
14 want to spend \$2,000 and not know what this new and
15 improved encoder does for us, so my Deputy is
16 working on those answers.

17 TRUSTEE PHILLIPS: Okay. All right. So that
18 was not part of this negotiation?

19 CLERK PIRILLO: That's correct.

20 TRUSTEE PHILLIPS: Okay.

21 CLERK PIRILLO: Anything else?

22 MAYOR HUBBARD: Anything else for the Clerk?

23 (No Response)

24 MAYOR HUBBARD: Thank you.

25 CLERK PIRILLO: Thank you.

1 TRUSTEE MARTILOTTA: Straightforward.

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

4 ATTORNEY PROKOP: Good evening.

5 TRUSTEE CLARKE: Good evening.

6 ATTORNEY PROKOP: So a few things I wanted to
7 mention in -- so I don't forget, I have one or two
8 things that I need to bring to your attention that
9 I briefly need an answer on in executive session.
10 Please, if we could just stay a few minutes, I
11 would appreciate it.

12 Since the last meeting, the following has
13 developed and I've been working on. We continue
14 with discussion with Cablevision regarding the
15 renewal of the agreement, the franchise agreement
16 that we have with Cablevision. We -- there's some
17 information that the Village -- that we're putting
18 together to bring to their attention, and we're
19 hoping to, hopefully, get something for maybe as
20 soon as the next meeting to bring to you to review.
21 And, possibly, we would then have a public hearing,
22 if it meets your approval, and vote on it after the
23 public hearing, if that's -- if it's agreeable.

24 I -- in my report, I -- there's a couple of
25 things I wanted to mention regarding Local Laws

1 before I get into the discussion about the
2 moratorium. I -- the first is that we -- as you
3 heard, we -- I had done editing of the LWRP, and
4 we -- I have reviewed the -- we've gotten some
5 information, and, also, I've reviewed the status
6 with the New York State Department of State, and
7 we're hoping to -- I'm hoping to be able to report
8 back to the Board in detail as far as what exactly
9 would need to be done procedurally to bring the --
10 to at least start the process of formalizing the
11 LWRP, if that's something that you request me
12 doing, if you agree to do that.

13 TRUSTEE PHILLIPS: Joe, before you go on, so
14 has the Department of State agreed to take and
15 review the draft that you just finished going
16 through and fixing the errors in?

17 ATTORNEY PROKOP: Not as of yet, because
18 there's that last section that needs to be
19 correct -- there's that last section where the font
20 needs to be corrected and we're working on that.

21 TRUSTEE PHILLIPS: I know, but I understand,
22 and I appreciate all the work on it. But my
23 question is, is --

24 ATTORNEY PROKOP: They haven't agreed to it
25 in person.

1 TRUSTEE PHILLIPS: They haven't, they haven't
2 agreed to taking this draft because of the length
3 of time since its original public gathering of
4 information, and all the work that went into it
5 that got to this point?

6 ATTORNEY PROKOP: We're more -- at this
7 point, we're more involved in the discussion about
8 the process, rather than having them seeking an
9 answer as to whether or not they'll accept this
10 draft. And I didn't know that the Board -- whether
11 the Board wanted to do that or not, but I will ask
12 that question and report back to the Board.

13 TRUSTEE ROBINS: Wouldn't you have to have a
14 public hearing on that draft before you submit it
15 to the State?

16 ATTORNEY PROKOP: We're --

17 TRUSTEE ROBINS: To have public input on it?

18 ATTORNEY PROKOP: That's one of the things
19 we're discussing with the State, and that would
20 also be up to the Board.

21 TRUSTEE PHILLIPS: Well, back in 2014, we
22 passed a resolution that says, "Resolution
23 approving the LWRP final draft document for release
24 to New York State Department of State." So, I
25 mean, we must have done -- back in 2014, we must

1 have moved that ahead so that it was sent up to
2 them. Because the reason they sent it back to us
3 was because of the disparity in the printing, and
4 it was in the wrong format. So that's why I'm
5 asking, is if they're going to accept, once you get
6 complete with it -- we already -- we already passed
7 back in 2014 to send it on to -- up to them to be a
8 approved -- to review, excuse me, review, that's
9 why I'm asking.

10 TRUSTEE CLARKE: I have similar questions.
11 I'm trying to get as educated as I can in terms --
12 especially with the public's interest in calling
13 for a new version, an updated version before this
14 version is finalized. I'm trying to understand
15 whether it's required for us to finalize and finish
16 this before we can revise and submit another one.
17 And I'm not very clear at all on what's required by
18 the State, and what's required and incumbent on us
19 to accomplish in order to comply with the rules
20 around this particular planning document.

21 So I'm looking for a better understanding
22 of -- we weren't sure, like Trustee Robins is
23 asking, if we need another public hearing when it
24 comes back. So I'm just trying to get a tighter
25 grip, so we can share with the public exactly like

1 where we are, since this is such a hot topic, if
2 you will.

3 MAYOR HUBBARD: Uh-huh.

4 TRUSTEE CLARKE: You know, and what is the
5 protocol, and what can we expect in terms of future
6 protocol, and dates and events to happen.

7 ATTORNEY PROKOP: So there's two things. The
8 first is, as Trustee Phillips said, I agree with
9 the position -- with her statement about the
10 status. It was sent to the State, more or less,
11 for final review. However, there were -- there
12 were changes in the form of corrections that were
13 made to that document. And although we were -- you
14 know, I can report to you that they were not
15 substantive, they were just corrections of current
16 donors and things like that, they were made.

17 And the second thing is that the -- you know,
18 due to the passage of time, that may be another --
19 that may be an objection that the State has, but
20 we're looking into that. I'm just -- I'm just
21 reporting to you that we are looking for these
22 answers now.

23 TRUSTEE CLARKE: Okay.

24 ATTORNEY PROKOP: I don't -- I don't have the
25 answers tonight, but we --

1 TRUSTEE CLARKE: Got it.

2 ATTORNEY PROKOP: It is -- we didn't -- it's
3 not dropped after the last meeting. I'm hoping to
4 be able to report back to you these -- the process
5 that's going to be necessary.

6 TRUSTEE CLARKE: Would prior experience
7 suggest that in this resubmission and corrected
8 formatting and errors being fixed, that then there
9 could be a content review, and that in that content
10 review, it could get kicked back for things to be
11 changed? And if that were the case, would we then
12 engage in a change process whereby, again, you
13 would need to involve the public hearing and that
14 sort of thing before it were returned again to the
15 State, or is that something I should wait on to
16 understand at another time?

17 ATTORNEY PROKOP: Well, I'm hoping to give
18 you your options, more or less a decision for you,
19 so you could --

20 TRUSTEE CLARKE: Okay.

21 ATTORNEY PROKOP: You know, you'll have --
22 you'll know what your options are based on what the
23 State reports back to us.

24 TRUSTEE PHILLIPS: If you go down the LWRP
25 review and approval process document that's on

1 Department of State, after it's been presented to
2 them, the next step is for the Department of State
3 to review and comment on the preliminary draft
4 LWRP. And then they circulate this document to the
5 Department of State's Counsel Office, and then to
6 the Coastal Consistency Review Unit for review.
7 And then they'll be sending back comments, which is
8 why I asked where we were last month, because that,
9 that would be the next step. But, as Joe just
10 mentioned, it's going to be a matter of whether
11 they're going to accept the draft at this point
12 because of the length of time it's taken to go from
13 A to B.

14 TRUSTEE CLARKE: Got it.

15 TRUSTEE PHILLIPS: Okay.

16 TRUSTEE CLARKE: So there's still a lot of
17 unknowns here.

18 TRUSTEE PHILLIPS: Well, there's a lot of
19 questions that still need to be answered, and I'm
20 sure with COVID up in Albany and the Department of
21 State, I'm sure there's been delays and things are
22 behind, and, hopefully, Joe will get an answer
23 sooner than later. But these -- you know, this is
24 part of the process, and this is part of what the
25 public needs to know what's going on, you know,

1 because there's a lot of speculation and there's a
2 lot of you need to redo, and whatever. Well, we're
3 in -- we're in a catch-22 as to where we need to be
4 until the Department of State gives us guidance.

5 TRUSTEE CLARKE: Thank you.

6 TRUSTEE PHILLIPS: That's my understanding
7 of it.

8 TRUSTEE ROBINS: And we're working with a
9 dated document at this point and --

10 MAYOR HUBBARD: What's that?

11 TRUSTEE ROBINS: We're working with a dated
12 document. I mean, it's 2014 to 2000-almost-23 now,
13 so --

14 MAYOR HUBBARD: Yes, but the document was
15 completed and submitted to them and they rejected it.

16 TRUSTEE ROBINS: Right.

17 MAYOR HUBBARD: And so that was on them, not
18 on us, because we had a grant money, we had stuff.
19 We did all the paperwork, we did everything else.
20 The State changed the format of what they wanted
21 the stuff to be sent to them in 2015, and didn't
22 get back to what they really wanted until 2017. So
23 we've been working on it and they still wouldn't
24 accept it. So we don't know.

25 Joe's working on correcting the deficiencies

1 that they said they wouldn't accept it for. Once
2 he has that done, then if they accept what's re --
3 they receive, then they'll tell us what we need to
4 do from that, as Trustee Phillips just said, with
5 the guideline. Right now, he's just working on
6 straightening out the document from what they had,
7 you know, because we had it all done with the grant
8 and everything else and the consultants.

9 TRUSTEE PHILLIPS: It's done.

10 MAYOR HUBBARD: We did all the work. We did
11 exactly what they said they wanted and then they
12 changed their format. So they rejected it because
13 of their protocol, not ours.

14 TRUSTEE PHILLIPS: Right.

15 MAYOR HUBBARD: We did everything right at
16 that point. We had everything together. We did
17 all the public hearings, the meetings, the stuff at
18 the school, the round-tables, we did all of that,
19 you know. So everything was done properly at that
20 point. Now it's more them changing the game plan
21 in the middle of the game, and something
22 different --

23 TRUSTEE ROBINS: Moving the goal posts.

24 MAYOR HUBBARD: Well, moving the goal posts,
25 whatever, you know. It's any different analogies

1 you want to use. So now we're trying to correct
2 that to get it back to them to try to then move
3 this forward. And then if we need a public --
4 another public hearing, or we want to change
5 things, we can do that. But they -- at least they
6 have to look at the document that we made to their
7 specifications at that time. They changed it and
8 now there's been issues trying to get it
9 straightened out to what they would accept.

10 So, hopefully, with these corrections that
11 Joe is working on, along with Paul, that they'll
12 accept it, they'll review it and say, "This is what
13 we need to do now," and they'll tell us exactly
14 what we need to do, so we're in compliance and
15 we'll do whatever needs to be done to finalize
16 this.

17 TRUSTEE ROBINS: Okay.

18 MAYOR HUBBARD: Okay, that, you know --

19 TRUSTEE ROBINS: That makes sense.

20 MAYOR HUBBARD: Just a little background on
21 where it was and where we were, and we're working
22 on it.

23 ATTORNEY PROKOP: I just want to mention, the
24 work -- the work that the Mayor is talking about
25 that he's supporting us in is not on the -- is not

1 on like the work session cycle. My goal is to get
2 you an answer right now, you know, not for the
3 December work session. So, hopefully, we'll get
4 something to you shortly.

5 MAYOR HUBBARD: Okay.

6 ATTORNEY PROKOP: I had made a recommendation
7 regarding fines, in particular, the zoning chapter.
8 And I know that there's other discussions about the
9 zoning chapter, but I think that -- I just want to
10 mention that at some point, hopefully, I'll be able
11 to get through the entire code to review fines.
12 But, right now, I just want to note -- make you
13 aware that I think that the -- we need to address
14 that section of the Chapter 150 with some kind of
15 priority. The fine section is very limited and
16 outdated.

17 TRUSTEE PHILLIPS: Do you have some examples,
18 Joe, what you're talking about?

19 ATTORNEY PROKOP: Yeah. I gave -- well,
20 actually, I think it would be similar to -- what
21 I'd be recommending, which is in my report, is
22 similar to what's in the rental law. It basically
23 would be similar to -- parallel to the fines and
24 other relief that's contained in the rental
25 code chapter.

1 TRUSTEE PHILLIPS: Was that a -- that was a
2 document that you gave us, was it last month or the
3 month before?

4 ATTORNEY PROKOP: I think it was last month.

5 TRUSTEE PHILLIPS: Okay.

6 ATTORNEY PROKOP: But I'll get that to you
7 again. So it's actually Page 2 of my report, the
8 whole thing is there. And it was tailored, this
9 language was tailored for the Chapter 150, but it's
10 basically --

11 TRUSTEE PHILLIPS: Oh, here it is, okay.

12 ATTORNEY PROKOP: It's basically a copy.
13 It's basically identical to the rental law chapter,
14 just so it matches that.

15 TRUSTEE PHILLIPS: So what you're saying is
16 the first violation in this chapter within an
17 18-month period.

18 ATTORNEY PROKOP: Yeah, I think that the --
19 you might consider having the fines stepped up, you
20 know, if there's repeat offenses. There's one
21 thing as an example, and then the per diem
22 provision should be -- needs to be updated. And,
23 also, what the -- the provision about authorizing
24 the Village Attorney to go to Supreme Court to get
25 a restraining order or injunction, that language

1 also -- should also be updated.

2 TRUSTEE PHILLIPS: Okay. And you're talking
3 about No. 7, "The Village may make an application
4 for a search warrant upon authorization by the
5 Board of Trustees of the Village and bylaw". Okay.
6 I'm a little confused as to -- I understand the
7 Board of Trustees of the Village, but -- and bylaw?

8 ATTORNEY PROKOP: And -- no it's by law.
9 It's not bylaw. It's not bylaw, it's by law.

10 TRUSTEE PHILLIPS: Oh, okay.

11 ATTORNEY PROKOP: Sorry.

12 TRUSTEE PHILLIPS: That's okay. It just --
13 it just didn't make sense to me, I'm sorry. But
14 the fines that you're talking about, for the first
15 time, the violation is not less than 250, but no
16 more than 1500? That's a decision, you're working
17 within that range?

18 ATTORNEY PROKOP: Yeah, just a -- this is
19 just an example.

20 TRUSTEE PHILLIPS: Right. No, I know, this
21 is just a suggested amount, that's all. I'm
22 just --

23 ATTORNEY PROKOP: It would be within that
24 range, and it doesn't even -- you know, based on --
25 there's a lot of discretion that's involved here.

1 TRUSTEE PHILLIPS: Right.

2 ATTORNEY PROKOP: So, you know, if it's an
3 agreement with the court, I mean, it could even be
4 adjusted, so. But if it was -- this is --
5 basically, if there was a -- if there was a trial,
6 if we could not reach a resolution with the person
7 receiving the notice, then -- if we could not reach
8 a resolution and it was court ordered, then the
9 minimum would be 250. But often we do reach a
10 resolution, and, you know, based on circumstances,
11 it could -- that number could be negotiated or
12 resolved. You know, in general, we're looking for
13 compliance.

14 TRUSTEE PHILLIPS: I would hope so.

15 MAYOR HUBBARD: Yes. But in today's numbers
16 and figures, with the cost of everything else, the
17 cost of attorneys when this was written 20 years
18 ago compared to now, everything costs a lot more.
19 And we need to adjust the penalties and the fines
20 for people that do stuff illegally and they get
21 caught on it, and they just say, "Well, I'll just
22 pay the bill," and that's been said numerous times.

23 TRUSTEE PHILLIPS: No, we've all heard had.

24 MAYOR HUBBARD: And the bill -- yes, we all
25 hear it, so the bill should be higher. And we need

1 to just adjust that accordingly with, you know, the
2 recommendation from Joe, who's in court for us --

3 TRUSTEE MARTILOTTA: True.

4 MAYOR HUBBARD: -- that, you know, these
5 numbers 20 years ago meant one thing, but we know
6 everything has gone up so high now, that those
7 numbers should be doubled or tripled, and just
8 don't do what's wrong. Comply with the code and do
9 it properly and you won't get any fines and --

10 TRUSTEE PHILLIPS: No, I know. I'm just --

11 MAYOR HUBBARD: So that's where he's coming
12 with that, because he's in court with the stuff.
13 And, you know, they're like, well, that's really
14 cheap. But, you know, a person does something
15 illegally and they get off with \$150, they're like,
16 okay, that was just the cost of doing business on
17 one weekend, you know.

18 TRUSTEE PHILLIPS: No, I understand. No, I
19 just --

20 MAYOR HUBBARD: So that's why we need to, you
21 know, address that and try to update that more
22 sooner than later on that part, just so we can
23 get -- put together something complete and to do
24 that.

25 TRUSTEE MARTILOTTA: These --

1 TRUSTEE PHILLIPS: So is that -- whoops, I'm
2 sorry, go ahead.

3 TRUSTEE MARTILOTTA: These are 20 --

4 TRUSTEE PHILLIPS: That's something, Joe,
5 you're asking to go out for public hearing, a
6 resolution to go out to public hearing for --

7 ATTORNEY PROKOP: Yeah, whenever --

8 TRUSTEE PHILLIPS: -- on this agenda?

9 ATTORNEY PROKOP: Yes, whenever you get ready
10 to. I'd like you to -- I'd like you to be -- to
11 look at that, and then maybe give me some feedback,
12 and then I'll create a Local Law. We could go out
13 to public hearing on the Local Law. Maybe next
14 month we'll talk about that, or you could do it
15 now, it's up to you, if you want to.

16 MAYOR HUBBARD: Will you have the information
17 available to the Board and the public before we
18 have a public hearing in December?

19 ATTORNEY PROKOP: I'll have the -- I could
20 have a Local Law, you know, ready by Monday, and
21 then we could put it on the agenda to set a public
22 hearing in -- at the December meeting.

23 MAYOR HUBBARD: Right. Well, we could vote
24 to have the public hearing at our November meeting.

25 TRUSTEE PHILLIPS: Right, that's what I'm

1 asking, that you put a resolution on for November.

2 TRUSTEE ROBINS: Yeah.

3 MAYOR HUBBARD: But, you know, to notice the
4 public --

5 ATTORNEY PROKOP: I would do a public notice.

6 MAYOR HUBBARD: To notice the public hearing,
7 we need to have something available for people of
8 what it's going to be.

9 TRUSTEE PHILLIPS: Right.

10 MAYOR HUBBARD: So it probably should give
11 him time to do that, with the holiday coming up and
12 everything else. Let's get everything together to
13 all of us and the public, and then schedule a
14 public hearing. In December, we'll vote to
15 schedule a public hearing for January.

16 TRUSTEE PHILLIPS: Okay. Thank you.

17 MAYOR HUBBARD: All right. Is everybody
18 comfortable with that?

19 TRUSTEE MARTILOTTA: Absolutely.

20 ATTORNEY PROKOP: That's what I had thought,
21 yeah.

22 MAYOR HUBBARD: Yes, okay. No, I'm just --
23 just clarifying the timeline on it, you know.

24 TRUSTEE PHILLIPS: I'm just asking, because
25 you -- we all know what the costs are, and it's a

1 point that you brought up. So I just wanted to
2 know, you know --

3 MAYOR HUBBARD: Yeah.

4 TRUSTEE PHILLIPS: -- what the timeline was.

5 MAYOR HUBBARD: With the holiday next week
6 and all that, let's just give him time to get
7 everything together to us, and then we'll review it
8 at the December work session and then schedule the
9 public hearing for January.

10 ATTORNEY PROKOP: Okay. So I wanted to just
11 before -- again, one more thing before we get into
12 the next discussion. There's been a couple of
13 comments in our -- in the Board's discussions, and
14 I've been asked questions about, providing
15 standards for the Planning Board to make decisions,
16 you know. So the question about, you know, what
17 is -- decisions that are, you know, quote-unquote,
18 in the best interest of the Village. And, you
19 know, I think that we -- the Village is very
20 fortunate now that it has an excellent Planning
21 Board.

22 And we -- traditionally, the Board of
23 Trustees sets the policy, the policies for the
24 Village and for, you know, the -- the laws that are
25 adopted are really formulated by the Board of

1 Trustees, and the Planning Board, the Planning
2 Board's job, really, is to apply those policies in
3 the decisions that they make. So that's just a
4 general overall statement. So the broader
5 questions about what's in the best interest of the
6 Village really would come to the Board of Trustees
7 for the policies and laws that are adopted, and
8 then applied by the -- by the Planning Board.

9 So we could give the Planning Board criteria
10 in laws and policies, but, really, the -- it's the
11 Planning Board that's at the forefront of this, you
12 know, in the application of those policies in the
13 decisions that they make.

14 But does anybody have a question about that?
15 I just wanted to mention that, because I have been
16 asked that question a couple of times.

17 TRUSTEE PHILLIPS: Okay. I mean, our
18 Planning Board goes by what the code says, and they
19 have public hearings to gather how the community
20 feels about projects. They have the presubmission
21 conferences that puts the information out. So what
22 kind of criteria would we be developing other than
23 what's already in existence? I mean --

24 ATTORNEY PROKOP: I'm not sure that you need
25 any, but I've been asked that in question -- in our

1 discussions that we've had about Chapter 150 in the
2 past. I -- when it came to certain portions that
3 we're considering changing, there was -- there were
4 questions to me about how the Planning Board would
5 know how to apply, you know, what was in -- like if
6 we use the term, I guess, what was in -- what is in
7 the best interest of the Village, the question is
8 how the Planning Board applies that term.

9 TRUSTEE CLARKE: I mean, I can use myself as
10 an example. In Section 150-16, the language is the
11 Planning Board may require an owner to deposit a
12 payment in lieu of parking. You could take issue
13 that the -- setting the boundaries of criteria are
14 not subject to the word "may", and it should be
15 that the Planning Board --

16 TRUSTEE ROBINS: Shall.

17 TRUSTEE CLARKE: -- "should" or "shall",
18 rather than "may", and then allow other tools for
19 discretionary payment within the Board. But
20 it's -- in my understanding, it's just setting the
21 code up so that the guardrails or the parameters
22 are logical for interpretation.

23 If it's -- if we really intend that the
24 decision of whether or not -- and I can't help but
25 get straight to this piece of the code, because

1 this is what we've been working on and it's the
2 most familiar to me at this time. If we really
3 think that the entire responsibility on deciding
4 whether or not an application is required to pay
5 anything or not, then I think putting the word
6 "may" in there is fine. But if our expectation is
7 in setting code and law for the Village for our
8 Boards to follow, I think "may" is an incorrect
9 word to put into this code. I think we should be
10 more explicit that we expect, or that the Planning
11 Board shall or will do this. "May" allows a set of
12 discretion that's so wide that another 10 years
13 could go by and no one will get charged anything.

14 TRUSTEE PHILLIPS: Well, I think that's what
15 I'm bringing up, is -- and we are the ones who set
16 that. So if we need to change the wording in it,
17 that's what we need to be putting on the table.
18 You know, if everybody is not happy with the word
19 "may expect", then we've got the code in front of
20 us, and that's -- you know, we're the policy-makers
21 and we're the ones in control of the code.

22 TRUSTEE CLARKE: Yes, I agree with that.

23 TRUSTEE PHILLIPS: And I think that -- you
24 know, that's why I'm getting to say that I don't
25 think you can give them a set of criteria, you need

1 to look at the code and give the code as the
2 guidelines for them.

3 TRUSTEE CLARKE: Right, but the code -- the
4 code is what provides the criteria, if you will.

5 TRUSTEE PHILLIPS: Right, but that's what
6 we're -- that's our job.

7 TRUSTEE CLARKE: Right.

8 TRUSTEE PHILLIPS: Okay. All right.

9 TRUSTEE ROBINS: I'm having an even harder
10 time with not the word "may", but the -- but the
11 term, you know, "In the best interest of the
12 Village." I mean, I'd find that extremely
13 troubling and difficult if I was a Planning Board
14 member.

15 TRUSTEE CLARKE: Well --

16 TRUSTEE ROBINS: I mean, what is? What is?
17 I mean, it's up to them to decide what is in the
18 best interest of the Village, or is that a question
19 that should come back to the Board of Trustees?

20 TRUSTEE CLARKE: I believe that there are
21 words in our code that do establish or suggest what
22 some of the criteria is for the best interest of
23 the Village. They're right up front in the zoning
24 chapters. You know, are they as tight as they
25 should be this day and age or not? Do they need

1 enhancement? Perhaps, but, you know, it's --
2 there's a lot to go through in there, but there are
3 parameters that are outlined.

4 TRUSTEE ROBINS: I see it can go either way,
5 that expression.

6 TRUSTEE CLARKE: Of course, of course. But
7 if you -- in the best interest for the Village
8 would imply that we would look deeper into guidance
9 for the Planning Board and guidance for the overall
10 zoning chapter, which is stated in the front. I
11 mean, when we were first starting to go through
12 this, they were in our notes, because, if you look
13 at it -- well, I'm not going to dig for that.

14 TRUSTEE PHILLIPS: No.

15 TRUSTEE CLARKE: It does, it does talk about
16 the wellbeing of residents and businesses to
17 coexist, the -- encouraging the free movement of
18 traffic and pedestrians, that they not be
19 restricted in any way. That any undue congestion
20 or constriction or -- I mean, there are -- they're
21 not specific terms, but they're general things
22 about quality of life that are wide parameters for
23 someone to use to guide their judgment. Certainly,
24 we could revisit those at any time. But I'm not
25 sure if we are -- if I took us off topic on what

1 you wanted to --

2 ATTORNEY PROKOP: No, this is --

3 TRUSTEE CLARKE: -- convey to us in terms of
4 criteria.

5 ATTORNEY PROKOP: We kind of came in, you
6 know, indirectly into what the next topic was, but
7 thank you.

8 I just wanted to mention one thing about this
9 discussion about "may" or "shall", because I think
10 that this is important. And maybe I'm missing
11 something, but I -- there's -- I think the logic to
12 that is different from what is being discussed. In
13 other words, when the Planning Board gets a project
14 and the Building Department or the Planning Board
15 determines that there's a need for, say, 20 parking
16 spaces, that the requirement is 20 spaces, if the
17 language says may grant a waiver, then the -- then
18 the project -- that's a limitation on the size of
19 the project, basically. You know, if, say, the
20 Planning Board doesn't grant the 20, 20 spaces. So
21 if the -- if the language continues to say may
22 grant a waiver of "X" number of spaces, then the
23 Planning Board can make a decision as to basically
24 the scope of the project indirectly by this
25 dimensional, this dimensional requirement of the

1 parking, or the bulk requirement of the parking,
2 because that's an impact.

3 One of the criteria that the Planning Board
4 can apply is the impacts on the Village, on the
5 neighborhood, on traffic, on parking, on services
6 that we need to provide. Those are all criteria
7 that the Planning Board can take into consideration.
8 And if the Planning Board determines that the
9 impacts would be too great, or, you know, for the
10 project that's applied for, and that a different
11 version of the project with lesser impacts is more
12 appropriate, one of the ways that the Planning --
13 one of the tools the Planning Board has is not to
14 grant all the waivers. You know, not to just take
15 the parking requirement and multiply it on the
16 table and come up with the figures, here's the
17 dollar value that you need. That's not what my
18 goal was in writing any of this, and I -- and I
19 hope that it's not the Village's goal, but, rather,
20 it's just a tool that the Planning Board has --

21 TRUSTEE CLARKE: I understand.

22 ATTORNEY PROKOP: -- in its review of these
23 projects, one of the tools that it has.

24 TRUSTEE CLARKE: So my example, in trying to
25 understand criteria, is probably not, not a good

1 one, because in this instance, you're right, the
2 word "may" allows the Board to decide that the
3 project is not in the best interest to the Village,
4 and no waiver will ever be granted at all.
5 Whereas, if it said "will" or "shall", it doesn't
6 give them that latitude.

7 So I'm going to withdraw my comment on that,
8 because one of the things that I finally realized
9 is that I misunderstood the concept of waiver for
10 at least three or four months now in our
11 discussions. I thought waiver was a reference to
12 the ability to -- there's another word for it.
13 It's similar to like amnesty or -- rather, I
14 thought waiver referred to a concept of granting --

15 TRUSTEE PHILLIPS: An abeyance?

16 TRUSTEE CLARKE: An abeyance, some sort of a
17 gift, if you will. You need 20, the grandfathering
18 has gone away. We love this project, we're going
19 to grant you a -- in my mind, waiver meant a gift
20 of 10 spaces, and we're only going to charge you
21 for 10.

22 So a lot of comments that I've received about
23 the law that we've been working on, I couldn't
24 understand the comments that were being made to me,
25 because I misunderstood the law from the beginning.

1 So I've been operating in, unfortunately, an
2 inaccurate interpretation of what we've been trying
3 to do.

4 So then, in reviewing the example that came
5 to us from the Chairman of the Planning Board, and
6 looking at each example, it became very clear to me
7 that I misunderstood the intent of the word
8 "waiver", and that "waiver" basically meant that if
9 no parking was provided, that the waiver referred
10 to what they could request payment for in lieu of
11 the actual parking. And that, then, since that
12 waiver was restricted to -- I thought the 50%
13 number was tied to the idea of this amnesty or
14 gift, so that it would mean that if I came forward
15 and needed 20 spots, that the Planning Board would
16 be able to gift me 10, if they really thought this
17 was a great thing for the Village, and that I would
18 only have to pay for 10. But, in reality, as I
19 understand it today, the waiver would be that I
20 would pay for 10, and then if I still needed the
21 additional 10 for my project, I still have to go to
22 the Zoning Board and ask for a variance for the
23 other 10. So now I understand that every project
24 that would come before the Planning Board would by
25 default, if it involved parking, would have to go

1 to the ZBA.

2 So, all of a sudden, none of this feels right
3 to me anymore. And it's an eleventh hour
4 confession to tell you that I didn't understand it,
5 but I don't know if we're all on the same page
6 about these terms and where we're going. Clearly,
7 other people were, because they made comments about
8 it and it didn't make sense. I didn't understand
9 the comments, because I thought it meant something
10 else.

11 So I'm sorry for bringing it up at this late
12 date, but I think it's very important that we're
13 all on the same page and know exactly what we're
14 talking about, and I didn't. The idea of having
15 every project that involves parking having to go to
16 both Boards, I mean, if somebody wanted to go to
17 the Board of Zoning Appeal to appeal a decision
18 that the Planning Board made, that would be one
19 thing. But to be forced to go every time, because
20 the Planning Board doesn't have the jurisdiction to
21 manage the parking in its entirety within the
22 Planning Board -- maybe I don't fully understand
23 the way the two Boards are supposed to work
24 together, but it doesn't make sense to me that
25 every project that required parking would have to

1 go through both Boards in order to have resolution.

2 ATTORNEY PROKOP: Well, the code, the code
3 actually provides that appeals or review of this
4 waiver provision go to the Board of Trustees. So I
5 don't think it's clear that every application would
6 go to the ZBA, but I don't know, I don't know the
7 number of the applications that we're talking
8 about. I don't know, you know, because I'm not --
9 I'm not working with the Boards. You know, I
10 reviewed these applications --

11 TRUSTEE CLARKE: Sure.

12 ATTORNEY PROKOP: -- and I follow what's
13 going on with the Boards, but I'm not sure that --
14 of the number that it would actually be, is what I
15 guess I should say. But I'm more concerned that
16 when somebody comes along with a project that
17 has -- is determined to have a significant parking
18 requirement and they don't have any -- either they
19 don't have any parking, or they have very limited
20 parking, I'm more concerned that we have a code
21 that protects the right -- the ability of the
22 Planning Board to not grant a waiver, because they
23 think that the -- you know, maybe the -- maybe the
24 projects isn't -- the scope of the project isn't
25 proper for a number of reasons. You know, if

1 parking is one of the issues, then there's likely
2 to be other impacts that are up for discussion.

3 TRUSTEE PHILLIPS: So that -- just so let me
4 be clear on that. So by not granting the waiver
5 for an application, that gives the Planning Board
6 the ability to deny the application?

7 TRUSTEE CLARKE: Yeah.

8 TRUSTEE MARTILOTTA: Sure.

9 TRUSTEE PHILLIPS: Okay. I just want to be
10 clear on that.

11 TRUSTEE MARTILOTTA: And I think that's one
12 of the strengths in the code, is that we have an
13 effective plan, right? And this says may grant --
14 may grant or may whatever is not by right, so they
15 can decide to do as they see fit. Like we put them
16 on there, and, you know, we're entrusting them to
17 do the right thing for the Village, and I think
18 they do.

19 TRUSTEE PHILLIPS: Yeah.

20 TRUSTEE MARTILOTTA: You know, but I think,
21 to Peter's point before, I'd be hesitant to remove
22 any words, "may", or "best interest of the
23 Village". Planning Board are residents of the
24 Village, they have a really good idea what's in the
25 best interest of the Village. And, again, as long

1 as -- and they do understand this, right? What
2 they may do is not a by-right. Like if I want to
3 open up, I don't know, whatever, some wild store in
4 town and they don't think that's in the best
5 interest of the Village, they can say so.

6 I think to remove their -- I would be very
7 hesitant to answering them in any way, and to like
8 corral them into the decisions that we see fit
9 here, because, again, right, if you have to go -- I
10 don't know. If I open up a store that needs 20
11 parking spots, well, if I'm investing enough to
12 open this store wherever it is, I have really no
13 problem at all with them going through Planning and
14 then to Zoning, and then back, like that doesn't
15 bother me in the least. You know, I think it gets
16 more people involved in it and I think that makes
17 the process better. That's my own thought.

18 TRUSTEE PHILLIPS: Well, as I said, you know,
19 if there is a denial of the application, the
20 applicant has the right to go to the Zoning
21 Board --

22 TRUSTEE MARTILOTTA: Of course.

23 TRUSTEE PHILLIPS: -- to appeal it, okay, or
24 to change it, to go through the process.

25 TRUSTEE MARTILOTTA: Of course.

1 TRUSTEE PHILLIPS: And I think that's where I
2 was trying to get to before, is we already have
3 this process.

4 TRUSTEE MARTILOTTA: This is what it is now.

5 TRUSTEE PHILLIPS: This is what it is now.
6 Yes, the code is our responsibility to take a look.
7 And we should have the discussions as to what Julia
8 is saying and Peter is saying, is we need to review
9 that.

10 TRUSTEE MARTILOTTA: Sure.

11 TRUSTEE PHILLIPS: This document goes back to
12 19 whatever. I mean, the code has had some hit
13 and -- not hit and miss, I don't want to use that
14 word. It has had some changes.

15 TRUSTEE MARTILOTTA: Of course.

16 TRUSTEE PHILLIPS: There are some more
17 changes that we all can foresee. The biggest thing
18 is when the ZBA starts getting more applications
19 that are for the same item, then that should be
20 kicking into the Village Board to say we need to
21 take a look at the code and see what's wrong with
22 it. You know, that's --

23 TRUSTEE MARTILOTTA: I don't want to
24 say I'm -- I'm not trying to say I'm --

25 TRUSTEE PHILLIPS: No, no, no. That's why

1 I'm saying that's how it should work.

2 TRUSTEE MARTILOTTA: Sure, absolutely.

3 TRUSTEE PHILLIPS: That's how it should work,
4 and I think that it is set that way. I think that
5 we have a Planning Board now who are people who
6 have actual -- you know, they're -- they take an
7 interest. They're extremely involved in the
8 community, they listen to what people say.

9 TRUSTEE MARTILOTTA: Absolutely.

10 TRUSTEE PHILLIPS: And I think that they --
11 I'm glad to see it. And our ZBA is working in a
12 way that it should be. So for the first time in a
13 long time, it's nice to see the activity of people
14 volunteering to do those Boards.

15 TRUSTEE MARTILOTTA: Absolutely.

16 TRUSTEE PHILLIPS: But I do understand that
17 sometimes they feel pressured because of that key
18 word or key words, that for the best interest of
19 the Village.

20 TRUSTEE MARTILOTTA: I understand.

21 TRUSTEE PHILLIPS: That's a heavy duty lift,
22 because we all feel it all the time.

23 TRUSTEE MARTILOTTA: Without question.

24 ATTORNEY PROKOP: I did want to also say this
25 is -- this is -- I don't want to give an opinion on

1 this tonight, it's not a formal opinion I wanted to
2 say. But I just want to mention that not all
3 Planning Board decisions are automatically
4 reviewable to the ZBA. Our code has that one
5 provision that I mentioned otherwise, and some
6 decisions go to court, you know, would go to court,
7 it wouldn't go to the ZBA. So it's actually a
8 combination of different things that are involved.

9 TRUSTEE PHILLIPS: I think the word you're
10 using is Article 78.

11 (Laughter)

12 TRUSTEE CLARKE: But you also state in this
13 particular draft that the appeal would be to the
14 Board of Trustees, not to the Zoning Board.

15 ATTORNEY PROKOP: Which is the way -- which
16 is what it says now. That's what the code
17 provides.

18 TRUSTEE PHILLIPS: That's already in the
19 current code, which brings me to this. We received
20 the new copy this morning.

21 ATTORNEY PROKOP: Right. So I wanted to --
22 we've been actually work -- the reason why it came
23 up is we've been working on this for a few weeks
24 and we've been getting -- we constantly get
25 comments from Board Members and the public,

1 suggestions, good suggestions that we have been
2 trying to keep in these laws as we keep them -- you
3 know, present them to you.

4 So we got -- we received comments regarding
5 the parking law, and there was -- some of the
6 comments that we received from the parking law we
7 wanted to put into another update and at least get
8 that front of you, you know, not to discuss
9 tonight, because you just got it, but for future
10 discussion. And the changes were that -- there was
11 a comment that -- the Management decided that it
12 wanted to keep this Section 150-12 and 150-16
13 and -- in our discussions, and we --

14 (Outside Audio Interference)

15 ADMINISTRATOR PALLAS: What's that noise?

16 TRUSTEE MARTILOTTA: Sounds like something
17 weird's going on.

18 ATTORNEY PROKOP: And the connecting word
19 between those two, it would -- the concept was
20 supposed to be that -- the parking calculation was
21 supposed to be the greater of 150-12 or 150-16, and
22 the connecting language in the law that we were
23 looking over made it look like it could be
24 interpreted to be additive, not alternative, or
25 greater than. So I changed that language, so it's

1 clear now that it's the greater of either 150-12 or
2 150-16. There was another comment, which I forgot
3 when the music started. There was another comment.

4 TRUSTEE PHILLIPS: Noise ordinance, noise
5 ordinance.

6 (Laughter)

7 ATTORNEY PROKOP: Yeah.

8 TRUSTEE PHILLIPS: Yeah.

9 ATTORNEY PROKOP: There are one or two other
10 comments that we thought -- that are valuable that
11 were made by either a Trustee or a member of the
12 public that were -- oh, I changed the triggering
13 for what triggers the parking requirement on an
14 existing -- existing tenancy or building.

15 So Paul and I spent a good amount of time
16 going over this and kicking it around, and we
17 wanted to make -- the language wasn't clear. It
18 just -- the language just got muddled in the
19 discussions that we had over time, so we simplified
20 and tried to -- tried to simplify and clarify what
21 will actually trigger a -- you know, whether it's a
22 change in use or a building permit, or whatever.

23 TRUSTEE PHILLIPS: Is that 150-12(C) that
24 you're talking about here?

25 ATTORNEY PROKOP: Yeah, I think so.

1 TRUSTEE PHILLIPS: Okay.

2 ATTORNEY PROKOP: Yes. So what actually
3 triggers a parking -- the -- a recalculation of the
4 parking for a building, at least for a building.
5 So that was changed. And I think that was
6 basically it.

7 TRUSTEE PHILLIPS: So you want us to take a
8 look and think about 150-12(C)?

9 ATTORNEY PROKOP: Yeah, that's our -- that's
10 our suggestion for the basis of the parking. So
11 now to get -- to get into the real discussion, so
12 that -- I received some comments regarding a
13 moratorium.

14 MAYOR HUBBARD: Okay. Well, just before we
15 get to that, let me just finish.

16 ATTORNEY PROKOP: Okay.

17 MAYOR HUBBARD: I just -- Trustee Robins, you
18 had said that, you know, you don't think the
19 Planning Board knows what's in the best interest of
20 the Village, that we should be doing that.

21 TRUSTEE ROBINS: I didn't say -- no, I didn't
22 say that. I just said --

23 MAYOR HUBBARD: That's what this --

24 TRUSTEE ROBINS: Well, I said that it puts a
25 lot of pressure on them to make that determination,

1 that's all. I didn't say that they don't know,
2 aren't able to do that. But I just thought that it
3 was --

4 MAYOR HUBBARD: Okay. No, I just wanted to
5 just clarify, because you said that should be our
6 responsibility, not theirs, but they are the
7 Planning Board and that's where the stuff goes.

8 TRUSTEE ROBINS: Yes, I get that. You know,
9 I was only commenting that this --

10 MAYOR HUBBARD: Okay.

11 TRUSTEE ROBINS: You know, the situation, not
12 that to take it away from them. I'm just saying
13 that, you know --

14 MAYOR HUBBARD: Okay.

15 TRUSTEE ROBINS: I thought it was --

16 MAYOR HUBBARD: So the whole discussion, we
17 can decide what we want the code to read --

18 TRUSTEE ROBINS: Right.

19 MAYOR HUBBARD: -- and how to do that, if you
20 think that's going to satisfy what you feel is in
21 the best interest of the Village.

22 TRUSTEE ROBINS: Right.

23 MAYOR HUBBARD: Or is there something else
24 that you were planning on to come up that's in the
25 best interest of the Village?

1 TRUSTEE ROBINS: I have not been able to come
2 up with better language than what is in there
3 right now.

4 MAYOR HUBBARD: Okay. I was just trying -- I
5 just wanted to clarify that, you know, just to make
6 sure where we are with it, so there's not something
7 else, you know, that we need to work on with that.

8 And, also, just to be clear, the Planning
9 Board doesn't have to offer a waiver.

10 TRUSTEE MARTILOTTA: No.

11 MAYOR HUBBARD: You know, so if the project
12 comes in on these 20 parking spots, to say, "Well,
13 you can do 10 parking spots by paying for it and
14 that's all you're going to get." So you need to
15 modify the project to fit the parking that's there,
16 and they do not -- they're not required to offer a
17 waiver or send it to Planning Board -- I mean, to
18 the Zoning Board or anything else. They could just
19 say, "In the best interest of the Village, that's
20 too big a project for what it is, and you need 10
21 parking spots, you have six, you pay for four," and
22 that's it, and there is no other waiver. And you
23 need to make the project fit the guidelines of the
24 property and the interest of the Village.
25 That's --

1 TRUSTEE MARTILOTTA: And I agree. I agree.

2 MAYOR HUBBARD: No, that's my interpretation
3 of it. It doesn't -- they're not -- they don't
4 have to do the waiver for the additional 10, or
5 whatever. They could say, "Tone down your project.
6 Instead of 30 room, you can only have 15 rooms."

7 TRUSTEE PHILLIPS: Right.

8 MAYOR HUBBARD: Whatever. They can do that
9 by right of what's in the code and just say, "We're
10 not going to give you a waiver, so you have to do
11 your project to fight the size of what you have."
12 If you have six, you pay for four, and you're done,
13 and that's your 10 parking spots.

14 TRUSTEE PHILLIPS: Well, I think that's --

15 MAYOR HUBBARD: Is that correct, Joe.

16 ATTORNEY PROKOP: Very well said.

17 MAYOR HUBBARD: Okay.

18 TRUSTEE ROBINS: Is that it? Yes. Thank you.

19 TRUSTEE MARTILOTTA: I agree. But that's the
20 thing, it's not like a waiver is not granted by
21 right.

22 MAYOR HUBBARD: Well, that's why I just
23 wanted to be sure we're on it right now.

24 TRUSTEE ROBINS: That actually helps, I
25 appreciate it.

1 MAYOR HUBBARD: Okay.

2 TRUSTEE CLARKE: And then if we could spend
3 just a few more minutes to help me make sure I
4 understand everything, since I seem to lag behind.

5 MAYOR HUBBARD: No, that's fine.

6 TRUSTEE PHILLIPS: No, it's confusing at
7 times.

8 TRUSTEE CLARKE: The -- what is the logic of
9 switching from -- what's the logic of having a cap,
10 both in the existing law or in the proposed law?

11 MAYOR HUBBARD: In a cap on?

12 TRUSTEE CLARKE: Waiver request is capped at
13 20 spaces, and will be changed --

14 MAYOR HUBBARD: Okay. All right.

15 TRUSTEE CLARKE: -- to being capped at 50%.

16 ATTORNEY PROKOP: Well, the idea is that it
17 limit -- it's a way of limiting the amount of
18 waiver that could be granted, could be granted, and
19 that?

20 TRUSTEE CLARKE: Because it could be a
21 project that comes up that we all support that
22 would require by code, you know, 100 parking
23 spaces. And, you know, what do you do with that
24 project if we think it's a good project for the
25 Village? If it's capped at 50% and the waiver is

1 given --

2 ATTORNEY PROKOP: Then the project could --
3 so what would happen is --

4 TRUSTEE CLARKE: -- then the project would
5 proceed to the Zoning Board for the additional --

6 ATTORNEY PROKOP: No, it would proceed --
7 excuse me, I'm sorry, I interrupted.

8 TRUSTEE CLARKE: That's fine.

9 ATTORNEY PROKOP: It would proceed to the
10 Board of Trustees.

11 TRUSTEE CLARKE: For the additional variance?

12 ATTORNEY PROKOP: Yes.

13 MAYOR HUBBARD: It would come to us and we
14 could say --

15 TRUSTEE CLARKE: You know what I'm thinking
16 of? I'm thinking of in the event somebody actually
17 wants to renovate the Arcade, and we establish
18 that, or to renovate and reestablish the
19 Auditorium, both which are blighted projects in the
20 business community that would -- everyone, I think,
21 residents and business people alike would welcome
22 any chance for those properties to enjoy a new
23 life, and not have them be hamstrung by parking
24 regulations that we might put on other projects,
25 such as just a store, a bar, a restaurant, or a

1 club, you know.

2 ATTORNEY PROKOP: So the way the language
3 is --

4 TRUSTEE CLARKE: Or a motel or a hotel, or
5 things of that nature.

6 ATTORNEY PROKOP: The way the language is,
7 the waiver, the available waiver is 50%, and that
8 would be the available waiver for the Board of
9 Trustees, also. So we'd have to put language in
10 there that -- and the Board of Trustees in its
11 discretion could make -- could grant a larger
12 waiver. That language -- the language would have
13 to be modified if you wanted to have a provision
14 that the Board of Trustees could grant a larger
15 waiver.

16 TRUSTEE CLARKE: You know, otherwise, some of
17 those projects would not be able to be completed.

18 MAYOR HUBBARD: Correct, and those buildings
19 would deteriorate the way they are.

20 TRUSTEE CLARKE: And that would be really
21 unfortunate for us to, after all this work, end up
22 with a code that would, you know, limit the
23 potential development of properties that are crying
24 for development.

25 TRUSTEE PHILLIPS: You need to -- okay. So

1 what you're saying here, Joe, is this particular
2 piece of the -- any decision of the Planning Board
3 as to the granting or denial of a grant of payment
4 in lieu of parking pursuant to this section may
5 appeal to the Village Trustees only within 60 days
6 of the filing of the Planning Board's decision. So
7 you're suggesting putting some type of a language
8 in there to -- not for us, the Planning -- the
9 Village Board not to exceed a certain percentage?

10 ATTORNEY PROKOP: No, no. Right now, the
11 Village -- right now, the Planning Board is limited
12 to -- the suggestion way back, when we started
13 talking about this, was to limit the waiver that
14 could be granted. So now we're talking about there
15 may be a project that we don't want to limit it.
16 And the -- so I was suggesting that we might want
17 to put language in where the Planning -- the Board
18 of Trustees, on an application, could grant a
19 larger waiver as an alternative to the Planning --
20 you know, giving it -- leaving that discretion --
21 you know, that burden on the Planning Board.
22 Because, otherwise, the Planning Board then would
23 have -- they -- we wouldn't have a limit. The
24 Planning Board on every application would be
25 appealed to make -- to grant the full waiver. It's

1 up to the Board. I mean, these are just things
2 we're discussing.

3 MAYOR HUBBARD: Right. No, I'm just -- as an
4 example that Peter had just brought up, if you take
5 the Greenport Auditorium, they go to the Planning
6 Board with the stuff that they've already had
7 discussions about and stuff they wanted to do with
8 it, and the Planning Board says, you know, you have
9 zero parking on the property with what you're
10 putting in, with the handicapped bathrooms in the
11 back and everything else, he has zero parking,
12 okay, so there is no waiver.

13 TRUSTEE CLARKE: (Shook Head No)

14 MAYOR HUBBARD: You need to go to the Village
15 Board to decide if you're going to do the project.
16 There's no waiver or anything else. You have to
17 come to the Village Board, and the Village Board,
18 as in the best interest of the Village and the
19 development, can just say, "You have no room for
20 onsite parking, but we want this building to be
21 rehabbed and make it into a cultural center," like
22 they had talked about, and we could just say,
23 "There is no parking requirement for you."

24 ATTORNEY PROKOP: Or we'll grant, yeah.

25 MAYOR HUBBARD: Well, the word "waiver" just

1 sounds really bad. We could just -- you know, we
2 could just say for the betterment of the Village
3 and to protect this property and make something
4 happen there. We could just say, "We are going to
5 allow you to go forward with the project with
6 approval of the Planning Board and parking is not
7 an issue on that project."

8 ATTORNEY PROKOP: That would have to be
9 provided for in the code.

10 TRUSTEE PHILLIPS: That's right.

11 MAYOR HUBBARD: Okay.

12 TRUSTEE PHILLIPS: That's what I'm saying.

13 TRUSTEE ROBINS: Would it be like a special
14 exemption waiver?

15 ATTORNEY PROKOP: Right.

16 MAYOR HUBBARD: Yes.

17 TRUSTEE PHILLIPS: That's a special
18 exemption.

19 ATTORNEY PROKOP: A special permit, yeah.

20 TRUSTEE PHILLIPS: That's what I'm --

21 ATTORNEY PROKOP: That's what it would be, a
22 special permit.

23 TRUSTEE PHILLIPS: That has to be in the
24 code.

25 MAYOR HUBBARD: Okay. So if we could do --

1 word that in there, so that we could just say --
2 because we know the piece of property, you know,
3 and if they put the handicapped bathrooms in the
4 back, they have room for two cars. Right now they
5 have room for four cars. And you're never going to
6 be able to have a place that's going be able to
7 house 100 people inside there with the multiple
8 venues. With the original proposal that was put
9 forward, they would never be able to do that. So,
10 really, parking on that piece of property, it's
11 landlocked. You know, the Temple is right next
12 door, there's an alleyway that's 18 inches wide,
13 there's no other place to put parking there.

14 So for the betterment of the Village, we
15 could say special exemption, whatever term you want
16 to do, that properties that appeal that way, the
17 Planning Board says, "We like your project, but you
18 need to go to the Village Board to deal with your
19 parking issue," and then we deal with the parking
20 issue and then we take care of that. And then the
21 Planning Board does their job and takes care of all
22 the other particulars on the site plan and
23 everything else, but the parking issue is taken out
24 of that as being deemed best interest of the
25 Village --

1 TRUSTEE PHILLIPS: That's right.

2 MAYOR HUBBARD: -- and we move forward.

3 TRUSTEE PHILLIPS: Right, as part that.

4 MAYOR HUBBARD: Same with the Arcade. You
5 know, two perfect examples, because they have no
6 parking at all, but we want to see something happen
7 with those properties and get them functional.

8 TRUSTEE CLARKE: Yeah, absolutely.

9 TRUSTEE PHILLIPS: And it also -- it also --
10 if you're thinking through the whole process, it
11 also gives the Planning Board the opportunity to
12 really get into the description and what's within
13 the project. And if they know that parking is an
14 issue, that can get put onto another Board to make
15 a decision. They can get into the other parts of
16 it without -- you know, with having the opportunity
17 to have another Board respond to the parking issue,
18 if that is for the betterment of the community.

19 TRUSTEE CLARKE: So just a request for, you
20 know, just another moment to try and understand.
21 In our proposed legislation, how a project moves
22 through on a parking decision, and where and when
23 does the Zoning Board of Appeals come in versus the
24 Board of Trustees? Just if you could just give me
25 an example so that I can understand it.

1 ATTORNEY PROKOP: So I think that --

2 TRUSTEE CLARKE: On an application to final
3 resolution.

4 ATTORNEY PROKOP: Yes. I just want to again
5 say that all this is -- you know, needs to be put
6 down on paper and drafted, and then I don't want to
7 give a formal opinion until we -- you know, we have
8 time to think this through and come up with those
9 recommendations.

10 But, however, in general, I think that the
11 calculation of the parking requirement, you know,
12 whatever, things like that are things that would be
13 appealed to the ZBA. That's an example of
14 something I think could probably be kept appealable
15 to the ZBA. So, in other words, if the Building
16 Department comes up with 20 spaces required, that
17 might be something that could be appealed. That
18 calculation of determination -- as a determination
19 of the Building Department would probably be an
20 example of something that could be appealed to the
21 ZBA.

22 TRUSTEE CLARKE: So the Building Department
23 states that it needs 20 spaces. The Planning Board
24 supports the project, thinks it's a great project
25 for the Village, recognizes that that project has

1 no actual parking, does the maximum waiver that
2 they can, which is 10 spaces, and charges
3 appropriately, as they are guided to, for those 10
4 spaces. Do they then kick it to the ZBA with the
5 recommendation that the ZBA, that -- do they put
6 their recommendation that the ZBA grant the other
7 10, because they think this is a project that's
8 good for the Village?

9 ATTORNEY PROKOP: No, that's what we wanted
10 to stay away from. I think the -- I think that's
11 the appeal to the -- the determine -- the decision
12 about a waiver is a -- would go to the Trustees.
13 I'm more -- I was mentioning more about the
14 application of the determinations of the area
15 limitations -- dimensional limitations, and
16 normally --

17 TRUSTEE CLARKE: I'm mostly focused on
18 parking.

19 ATTORNEY PROKOP: Yeah, the bulk -- I was
20 going to say bulk limitation, which is parking. So
21 what the Building Inspector reported -- there's an
22 initial determination that 20 spaces are required,
23 and that somebody wants to appeal that calculation,
24 because they think that really -- it has nothing to
25 do with waivers. They think that really only 10

1 spaces should be required. I think that that's a
2 possibility of something that could go through the
3 ZBA.

4 TRUSTEE CLARKE: Got it. So then an appeal
5 for a greater waiver would not go to the ZBA, it
6 would go to the Board of Trustees.

7 ATTORNEY PROKOP: The way our code is
8 written.

9 TRUSTEE CLARKE: Okay. Thank you, I got it.
10 I appreciate that. I appreciate everyone in the
11 audience being patient with me.

12 MAYOR HUBBARD: Okay. Continue on.

13 ATTORNEY PROKOP: Yeah, thank you for that
14 discussion, it was very helpful.

15 So the next thing, the next thing is to talk
16 about the moratorium. So when we -- when the idea
17 of the moratorium came up, I mentioned that there
18 were three things, three components for the
19 moratorium, that if you wanted to go forward, that
20 we needed. One was the length of time that the
21 moratorium would exist. The second one was the
22 reason for the moratorium, or what's going to --
23 basically, what's going to happen while the
24 moratorium is in place. And then the third thing
25 is what the moratorium is going to be, what it's

1 going to be a moratorium on.

2 So I recently had -- I know the Trustees had
3 been working on this, and I recently got comments
4 from them, which I appreciate. And it looks like
5 the comments that I received so far are talking
6 about a six-month moratorium, if I'm not mistaken.
7 Please correct me. And then the other -- the
8 common comment was also that during the moratorium,
9 there should be a committee. The idea was to form
10 a committee that would consider changes in the
11 Zoning Code during the moratorium. One of the
12 comments was specific to consider changes in the
13 Commercial Dist -- I'm sorry, I guess they both
14 were, both comments were to consider changes in the
15 Commercial Districts. And so that would be the
16 purpose or the charge, I guess, for this committee.

17 And -- but the third thing about what -- I
18 really -- I haven't gotten the third with definity,
19 the third thing, component, which is what exactly
20 is going to be stopped during the moratorium
21 period, you know, what this is going to be a
22 moratorium on exactly. So, you know, maybe it's
23 obvious to you, but I need some kind of feedback
24 that I can put into a law and a resolution, please.

25 TRUSTEE PHILLIPS: Julia, go ahead, because

1 you --

2 TRUSTEE ROBINS: Okay. I don't know if I
3 want to read it, or just give you the high points,
4 but I'll read it.

5 I propose that the Board of Trustees adopt a
6 Local Law to commence a moratorium that pauses the
7 issuance of building permits and site plan
8 approvals, so that the Village can conduct a
9 comprehensive review of current permitted and
10 conditional uses in the Waterfront Commercial,
11 Commercial Retail and general commercial districts.
12 The moratorium should clearly define what outcomes
13 we are looking to achieve, and the duration should
14 be tied to the meeting of these goals.

15 I'd like to see the creation of a Waterfront
16 Advisory Committee to seek input from the community
17 on updating the LWRP. The committee should include
18 Village residents and businesses, the Village
19 Board, Village Management, Planning Board, the ZBA,
20 the Conservation Advisory Committee, and the
21 Historic Preservation Commission.

22 Updating the LWRP is going to be a lengthy
23 process, and I don't think that it's realistic that
24 it can be achieved within the scope of the
25 moratorium. I believe we are at a crossroads now,

1 and that if we don't do something to define what we
2 want this Village to be, it would be too late so.

3 ATTORNEY PROKOP: So what are you -- what is
4 that that you're reading from?

5 TRUSTEE ROBINS: I wrote this.

6 ATTORNEY PROKOP: So where -- can I have a
7 copy of it?

8 TRUSTEE ROBINS: Yeah.

9 ATTORNEY PROKOP: Thank you.

10 TRUSTEE ROBINS: So I'm not looking for
11 necessarily a six-month moratorium. I think
12 there -- if there are very specific goals about
13 what we are trying to achieve, and if they're
14 achieved within less time, that's fine, or beyond
15 that. But I'm not putting a -- you know, saying,
16 well, we have to get it done in six months. It
17 really should be based on what we achieve, if we
18 achieve the goals that we're attempting at this
19 time.

20 TRUSTEE MARTILOTTA: Just for -- if I may for
21 clarification. You said stop permits and --

22 TRUSTEE CLARKE: I was going to ask you.

23 TRUSTEE ROBINS: Building permits and --

24 TRUSTEE MARTILOTTA: I'm trying to figure out
25 where --

1 TRUSTEE ROBINS: -- you know, applications.

2 I have copies for you guys.

3 TRUSTEE MARTILOTTA: Permits and --

4 TRUSTEE ROBINS: Applications before the
5 Statutory Boards.

6 TRUSTEE PHILLIPS: You're talking about
7 applications.

8 TRUSTEE ROBINS: Applications.

9 MAYOR HUBBARD: Ones that are already in.

10 TRUSTEE ROBINS: Right.

11 MAYOR HUBBARD: Stop everything, okay.

12 TRUSTEE MARTILOTTA: And you want to stop
13 them in Commercial, in Waterfront Commercial?

14 TRUSTEE ROBINS: All three Commercial
15 Districts.

16 TRUSTEE MARTILOTTA: All three, okay.

17 TRUSTEE PHILLIPS: I think, to expand on the
18 goal, one of the goals is to review the usages that
19 are -- the uses that are within those, those
20 districts. And I'll be honest with you, in
21 thinking it through, parking kind of comes along
22 with the uses. We struggle with that.

23 I also had suggested that this mor -- the
24 moratorium have a committee of the Mayor, a
25 member -- you know, a member from each of the

1 Statutory Boards, a member from the Business
2 Improvement District, a business owner who is not
3 on the BID Board, either one or two Village
4 residents, and someone who is very familiar with
5 the water -- you know, the Commercial Waterfront.
6 I think that's an important component.

7 The length, I think we're -- that is
8 something that if we have set goals of dealing with
9 the discussion on the uses and what's entailed with
10 them, as I said, parking, it goes throughout all
11 the zones and all the uses. And I know that we're
12 talking on one portion of it, but I think that, to
13 make it clear, it's an overall, overall look at the
14 uses and their projected requirements, parking.

15 But I also feel that -- and, as I said
16 before, I'm torn, because we have pushed forward
17 with the Commercial Waterfront discussions and
18 we've pushed forward with the parking. But we are
19 at a situation where development is based upon our
20 Village Code. That's what everybody relies on for
21 looking at the criteria.

22 I don't want to use the word "investment",
23 because I think that just dilutes, dilutes the
24 goal. The goal is to have us, as the
25 policy-makers, really take a look and have a

1 discussion and reach out to the public.

2 If we were able to have started this a couple
3 of months ago, I think that the time frame could --
4 would be the six months. I'm -- at this point,
5 Joe, I rely on you to tell me exactly. You know,
6 reviewing the uses and the discussion, can that be
7 done in three months? I mean, I know what -- if
8 you get a committee together to work it and to push
9 it to get it done, it could probably get done. But
10 I -- you know, it's -- I just don't want to fall
11 back on where we've moved forward with some of the
12 discussions on all of this, all of the commercial
13 areas.

14 TRUSTEE CLARKE: Can you give a sliding scale
15 on length of time, or does it have to be
16 established a finite date or duration?

17 ATTORNEY PROKOP: So it should be a finite
18 date, but the date can always be extended if need
19 be. I think the three months -- we're far enough
20 into this that I think the three months probably --
21 probably a good goal would be three months. And
22 then if we -- if you approach that and it looked
23 like additional time was necessary, it could be
24 extended.

25 TRUSTEE CLARKE: For how long?

1 ATTORNEY PROKOP: As long as you --

2 TRUSTEE PHILLIPS: As long as --

3 ATTORNEY PROKOP: You know, as long as you're
4 making due diligence, you can extend it.

5 TRUSTEE CLARKE: Okay.

6 TRUSTEE ROBINS: Well, one, we'll have to
7 schedule public hearings. You know, a big
8 component of this is hearing from the public on
9 this. I think that they are engaged and very
10 interested in what we're doing right now.

11 TRUSTEE CLARKE: So a resolution to establish
12 a moratorium would be subject to public hearing
13 before it could be voted on?

14 TRUSTEE PHILLIPS: Yes, that's my
15 understanding, is it not?

16 TRUSTEE CLARKE: I'm not -- I'm not clear on
17 that.

18 TRUSTEE PHILLIPS: Is it the resolution --

19 MAYOR HUBBARD: We have to write the law to
20 be able to schedule a public hearing.

21 ATTORNEY PROKOP: Yeah, right. So this is
22 all done by Local Law. So the moratorium itself is
23 actually created by Local Law, so we would have
24 to --

25 TRUSTEE CLARKE: Got it.

1 ATTORNEY PROKOP: Basically, this last thing
2 that you're telling me tonight, I'm now going to
3 draft a Local Law with these components in it, and
4 a resolu -- and a resolution adopting it, and there
5 will be a public hearing on that Local Law.

6 TRUSTEE CLARKE: So that in itself would take
7 at least another two months from now.

8 ATTORNEY PROKOP: Well, it --

9 TRUSTEE ROBINS: I don't think three months
10 is realistic, to be honest with.

11 TRUSTEE MARTILOTTA: Three months for a
12 moratorium?

13 TRUSTEE CLARKE: Well, I mean, three months
14 wouldn't start ticking until which time that it
15 was --

16 TRUSTEE ROBINS: The law -- the public
17 hearing, we'd have the public hearing on that.

18 TRUSTEE CLARKE: And then it's passed --

19 ATTORNEY PROKOP: It's adopted.

20 TRUSTEE CLARKE: -- and adopted.

21 MAYOR HUBBARD: It would have to pass, and
22 then the State would have to review it, and then
23 make -- they would notify us that the Local Law was
24 accepted, and, at that point, that's when you would
25 start the moratorium.

1 ATTORNEY PROKOP: Right. So we had -- the
2 other part of this is the Local Law has to be --
3 when we think we have the final form of the Local
4 Law, it has to be sent to Suffolk County Planning,
5 and also circulated to the local municipalities in
6 New York State, and the county -- and other parts
7 of the county. But it may be in Suffolk County
8 Planning for 45 days, 45 days in advance of the
9 proposed adoption date, and then we -- the County
10 has those 45 days to comment on the moratorium.

11 If the County has a change in the moratorium
12 that they'd like to make -- the moratorium itself
13 can be approved or is required to be approved by a
14 simple majority, which would be three members of
15 the Board. If the County puts -- if the County
16 determines that it doesn't like the moratorium, or
17 wants to make a change in the Local Law that the
18 Board doesn't agree with, then you would need a
19 super-majority to override that, which would be
20 four votes.

21 TRUSTEE PHILLIPS: That's what I thought.

22 ATTORNEY PROKOP: So that --

23 TRUSTEE CLARKE: Four, not five.

24 ATTORNEY PROKOP: Four out of five. But the
25 main, the main thing is that we have to -- you have

1 to allow yourself 45 days to get it to the County.
2 Most often, the County gives it -- gives their --
3 and something at the Village level, most often the
4 County will respond right away, it doesn't make you
5 wait the 45 days.

6 TRUSTEE PHILLIPS: That doesn't -- that
7 doesn't fall under the local jurisdiction
8 resolution that Suffolk County passed with the
9 Planning Board years ago?

10 ATTORNEY PROKOP: No, that was -- that covers
11 area variances, residential area variances.

12 TRUSTEE PHILLIPS: Okay.

13 ATTORNEY PROKOP: This would be a change --
14 the moratorium is a change to the Zoning Code, so
15 it has to go to the County.

16 TRUSTEE CLARKE: So my thoughts are that,
17 firstly, I would feel more comfortable if a
18 majority, a greater majority of the Board were in
19 favor of doing this. That's one, one concern or
20 thought that I have. I especially would feel more
21 comfortable if the Mayor were on board with
22 planning and voting this in, because to involve the
23 Boards and the Administration, and everything that
24 would need to be done, I think we would need to
25 have a commitment from the Executive to really help

1 get this done in an effective way. To try and
2 marshal the resources and make it happen without
3 that support I think would be very difficult, and I
4 think it would draw out the time period, not that
5 I'm not in support of it.

6 TRUSTEE PHILLIPS: Well, I think we just --
7 okay. Let's get to the basic question here, okay?
8 The basic question is, for me, I want to hear from
9 the public whether they want this to happen, so
10 that we can deal with the development within the
11 Village of Greenport that everyone is concerned
12 about. My understanding is that to get to that
13 step, we have to have that resolution in order to
14 create the public hearing, correct?

15 ATTORNEY PROKOP: On the moratorium, yeah.

16 TRUSTEE PHILLIPS: On the moratorium. The
17 rest of it is really a process that's going to
18 start if we get yay or nay or input from the
19 community, and then that we make a decision as to
20 the Board as to whether to move forward with it.

21 TRUSTEE CLARKE: I understand.

22 TRUSTEE PHILLIPS: Okay. An that's where I
23 think --

24 TRUSTEE CLARKE: So that don't -- don't put
25 the cart before the horse, let's just --

1 TRUSTEE PHILLIPS: Right. That's what I
2 think, is that, for me -- and I heard the word
3 "political courage" the other day, and I believe we
4 all have political courage around this table, is to
5 listen to the community and get their input.

6 I strongly -- you know, I don't want it --
7 you know, I don't want to hear the rumors anymore,
8 I don't want to hear this or that. I want the
9 community, this Village community to come to us and
10 say how important, why they moved here, what they
11 want saved, what they think could be changed, and
12 move it forward as a goal to protecting, okay, and
13 I do mean protecting, what we have left of open
14 waterfront for Commercial Waterfront activities,
15 okay?

16 Now Commercial Waterfront activities, yes,
17 fish -- commercial fishing is a portion of it, but
18 commercial fishing is an umbrella word. It
19 includes the baymen, the aquaculturists. We have
20 in the industry, we have seaweed now being
21 developed out into the areas and being grown.
22 Those are different commercial fishing entities
23 than what the traditional LWRP did back in the
24 1992's, okay? But there's also the fact that we
25 have boat builders, we have machine mechanics, we

1 have other entities.

2 Steve Clarke's, the shipyard, is the biggest
3 incubator that I know. It has dock builders, it
4 has some commercial fishing, it has aquaculturists
5 in it, it has carpenters, it has -- and that's what
6 I'm talking about. That is what a working
7 waterfront is. It is not just, you know, the old
8 adage of the sticks down at the Railroad Dock,
9 okay? They're going to be there, okay, it's just
10 the industry is changing. And that's what I want
11 people to be aware of, of what a working waterfront
12 is, and that's where I'm coming from. It's not
13 hotels and motels. It's not -- in all honesty,
14 restaurants are difficult to deal with, but there
15 needs to be a discussion with that, okay?

16 That's where I'm coming from with a
17 moratorium, okay? But we've got to get to the
18 first step, and the first step is to getting a
19 resolution, so that we can get the public comment,
20 and that's now where I'm going to stay, okay?

21 TRUSTEE CLARKE: Understood. Thank you.

22 TRUSTEE MARTILOTTA: I think, too, like I see
23 what you're saying and I agree that, you know, we
24 want to save it, absolutely, of course. I just --
25 I think people need to understand that if we were

1 to pass -- if we were to write legislation for a
2 moratorium, let's say, I don't know, so Joe gets us
3 to it around Christmastime, whatever that is,
4 right?

5 TRUSTEE PHILLIPS: I understand.

6 TRUSTEE MARTILOTTA: All right. So we then
7 have public input for how many months?

8 MAYOR HUBBARD: We'd have one public hearing.

9 TRUSTEE MARTILOTTA: Just one?

10 MAYOR HUBBARD: That's all you need to have.

11 TRUSTEE MARTILOTTA: That's all you need to
12 have, but I don't think that that fills what you're
13 looking for. You want everybody to come? I mean,
14 I'm just asking.

15 TRUSTEE PHILLIPS: No, no. You know, the
16 moratorium could also create a document. We
17 could -- and we could create a document that goes
18 out to every resident to give their opinion on --
19 you know, to get input on stuff, okay?

20 TRUSTEE MARTILOTTA: Sure.

21 TRUSTEE PHILLIPS: I just, you know --

22 TRUSTEE MARTILOTTA: No, no, and I'm not
23 trying to -- please, I'm just trying to look for a
24 time limit.

25 TRUSTEE CLARKE: Right.

1 TRUSTEE MARTILOTTA: But I don't think that
2 we're going to come -- get the greatest civic
3 participation three days before Christmas. You
4 know, maybe we are, but I don't think -- I would
5 imagine this would go on for a couple of months,
6 right, couple, three months. We're up to 90 days.
7 And then we submit it to Suffolk County, and we got
8 to wait for them for 45 days. So we're looking at
9 one, two, three, four, five months before this
10 could even be enacted. I mean, just so people
11 understand, like, it's not going to -- if this were
12 to pass, it takes a certain amount of time just to
13 go through the machinations.

14 TRUSTEE PHILLIPS: Well, as I said, that's
15 why I'm torn, because we already have moved forward
16 on the Waterfront Commercial.

17 TRUSTEE MARTILOTTA: Yes, so --

18 TRUSTEE PHILLIPS: But looking through it,
19 and if you're thinking -- and this is a big-picture
20 thought, okay, it's not a definite, but we have
21 part of the Historic District is all along Main
22 Street, but we don't have it continuing on Front
23 Street. We'd have the opportunity to hear about
24 that, okay?

25 We have the issue of building heights,

1 because we were discussing accessory apartments,
2 okay? Well, how many three-story buildings do we
3 really want in our -- in our Village, okay? That's
4 another issue, okay?

5 Parking, we have issues with parking. We
6 know what the issues are. We could talk it to
7 death, to be honest with you. We're never going to
8 have enough parking in the Village of Greenport,
9 okay? You can observe it any time of the day, but
10 in summertime, everything is full, and we need
11 to -- we need to start protecting the Business
12 District. We need to protect the residential areas
13 from having the Business District keep spreading
14 out with parking into their areas.

15 I mean, that's -- those, those are the
16 big-picture things that I'm looking at, and I
17 think, you know, they're here. We've been
18 tiptoeing around them for the last year, perhaps,
19 and development is still going to keep going. So
20 while we're talking all this stuff, either we need
21 to come to some decisions on some stuff and move it
22 forward, but, in the meantime, it is -- it is a
23 topic in the Village that everyone -- obviously, we
24 can see tonight, and I've always said it, if
25 there's a hot topic in the Village of Greenport,

1 every meeting we have is going to have a roomful of
2 people, okay? When there's no roomful of people,
3 then there's no hot topic.

4 TRUSTEE MARTILOTTA: Of course.

5 TRUSTEE PHILLIPS: So, you know, that's where
6 I'm coming from, okay?

7 ATTORNEY PROKOP: I wanted to say two things.
8 Is everyone -- can I say it?

9 MAYOR HUBBARD: Go ahead.

10 ATTORNEY PROKOP: Okay. The first is that a
11 lot of work went in -- a lot of work went into -- I
12 think this is restating what Trustee Phillips said,
13 that a lot of work went into getting to where --
14 getting the Board to where you are now, you know,
15 the Local Law you're considering. And I don't
16 think that the discussion now about a moratorium
17 necessarily should stop that work, you know, could
18 continue while you're talking about a moratorium.

19 The second think I wanted to clarify was --
20 the second thing is I want -- I'd like to clarify,
21 no building permits and no site plan
22 applications -- so no site plan applications would
23 be basically in the commercial zones. But do you
24 want to have no site plan, no site plan
25 applications in the Waterfront Commercial District,

1 since that's what you're discussing, or a portion
2 of that District, or just no site plan applications
3 in any Commercial District? And the question
4 would --

5 TRUSTEE CLARKE: All three.

6 TRUSTEE ROBINS: I said all three.

7 TRUSTEE PHILLIPS: She said all three.

8 TRUSTEE ROBINS: I'd say all three, right,
9 Mary Bess?

10 TRUSTEE PHILLIPS: Right, it would be all
11 three.

12 TRUSTEE ROBINS: Right.

13 TRUSTEE PHILLIPS: It's open for discussion.

14 TRUSTEE ROBINS: Yeah.

15 TRUSTEE PHILLIPS: I just -- I just -- you
16 know, I -- as I said, the topic's out here and I
17 think it's time that we --

18 TRUSTEE CLARKE: All three makes sense to me.
19 If that's going to happen, that would make sense.
20 The only thing that I'm not sure as fully fleshed
21 out, as Joe may need, would be the reason,
22 objective, and what we are requiring be completed
23 exactly by that time. You added -- you had some
24 comments, and Mary Bess added more, but to have a
25 really completely comprehensive, you know, list of

1 exactly what our expectations are.

2 You know, you just brought in some new
3 additional subjects in terms of infringement of
4 business parking into residential areas, building
5 heights, things that we haven't even begun to
6 discuss. So I think that has to be very well
7 defined, so we understand the scope, which then
8 helps us understand the resources required and the
9 lift of getting this done and the time required.
10 That's the only additional comment I would make.

11 I don't think that we have that as finite and
12 all in one place yet of what we'd look to
13 accomplish. And I think that that is really the
14 meat by which anyone, including other Board
15 Members, could decide whether to be on board with
16 this or not. I mean, I do think the devil is in
17 the details of what we plan to achieve, as well as
18 the -- to your point, Mary Bess, or Julia, I forgot
19 which one of you said it, that being realistic,
20 that having a new LWRP written, approved and issued
21 within six to 12 months is not going to happen. So
22 we have to develop a realistic scope and a
23 realistic set of tasks, but it should be one that's
24 relatively exhaustive in terms of describing it.
25 Otherwise, how can residents or businesses, or even

1 ourselves, decide on which way we want to vote or
2 speak about it unless you know exactly what you're
3 going to get out of taking this action?

4 MAYOR HUBBARD: Okay. I could just -- I know
5 you said, you know, we might be able to do this in
6 three months, or whatever. It's been three weeks
7 and tonight is the first time I got any response
8 back of what the goal, objective and accomplishment
9 you want from the moratorium to be. It's three
10 months (sic) since you passed a resolution at our
11 last regular meeting, and you were supposed to work
12 with the Village Attorney to put something together
13 of what you wanted. That's how the motion that was
14 passed at the last meeting, and I'm just getting
15 paperwork today, three weeks later. I mean, we're
16 not going to get this done in a three-month time
17 period if it takes three weeks to give us your
18 thoughts and ideas of what you want the moratorium
19 to be.

20 TRUSTEE ROBINS: I was under the impression
21 that we were going to come to the meeting tonight
22 and decide what we wanted to do in terms of
23 scheduling a public hearing on this, not that --
24 and that was just last month that we passed that
25 resolution.

1 MAYOR HUBBARD: That's what I said, three
2 weeks ago.

3 TRUSTEE CLARKE: That was three weeks ago.

4 TRUSTEE ROBINS: Oh, three weeks? Okay. I
5 thought you said three months ago.

6 MAYOR HUBBARD: No, three weeks ago.

7 TRUSTEE ROBINS: All right.

8 MAYOR HUBBARD: Okay. And, I mean, I haven't
9 had a chance to even read this, because you gave it
10 to me during the meeting, and, you know, I'm not
11 going to ignore everybody else and try to read it
12 and not pay attention to what's going on, so I'll
13 read that tomorrow. But, you know, the information
14 you gave to the Village Attorney, you gave it to
15 him yesterday at 1:38. He had no information
16 before that to start working on a proposed Local Law
17 or something that we could all discuss together of
18 what the goals, the objectives, the guidelines he
19 said you need to have for a moratorium. So, you
20 know --

21 TRUSTEE PHILLIPS: Okay. In fairness, I have
22 been in discussion with the Village Attorney since
23 it just -- it was a verbal discussion and I put my
24 thoughts in yesterday, if that's what you're
25 referring to.

1 MAYOR HUBBARD: Okay.

2 TRUSTEE PHILLIPS: But I need to clarify
3 that, because I did have discussions with him,
4 which was verbally, in order to clarify in my mind
5 certain things that he suggested, okay? So,
6 Julia --

7 TRUSTEE ROBINS: I spoke with the Village
8 Attorney as well yesterday, with Joe.

9 MAYOR HUBBARD: But, okay, yesterday. No, I
10 understand that.

11 TRUSTEE ROBINS: But I was really under the
12 impression that this was something we were going to
13 be discussing at the work session tonight, that
14 this is where we --

15 MAYOR HUBBARD: But if you want to go back to
16 the resolution that's passed, I have a copy of it,
17 it said for you to get together and work with the
18 Village Attorney to put together a proposal for a
19 Local Law, which is the first step of scheduling a
20 public hearing, and that was what you passed in the
21 resolution last month. So, okay.

22 If you were waiting until tonight, that's
23 fine, so you waited until tonight. We can't wait
24 three weeks or a month every time we want to have a
25 discussion on something. You know, if there's time

1 to sit down with the Village Administrator, the
2 Village Attorney, sit down and have a meeting with
3 them, talk to them, go over the stuff you want, get
4 the information out to all of us so we could have a
5 conversation, that's all.

6 TRUSTEE CLARKE: I'm assuming that all the
7 usages in each of the three zones would be
8 completely reviewed and revised in the moratorium.

9 TRUSTEE PHILLIPS: That is what I'm
10 suggesting.

11 TRUSTEE ROBINS: Well, that's what I'm
12 saying.

13 TRUSTEE PHILLIPS: That's what I'm
14 suggesting.

15 TRUSTEE ROBINS: Permitted and conditional
16 uses.

17 ATTORNEY PROKOP: So I think if --

18 TRUSTEE ROBINS: Yeah.

19 ATTORNEY PROKOP: If you're going to stop
20 building permits, I just suggest you have some kind
21 of relief valve for, you know, emergency, you know,
22 emergency work, so.

23 TRUSTEE ROBINS: Well, of course, you know,
24 yes, I'm not, you know --

25 TRUSTEE PHILLIPS: So let's put this on the

1 table.

2 TRUSTEE ROBINS: It's not verbatim.

3 TRUSTEE CLARKE: You mean, in terms of
4 emergency work being exempt?

5 TRUSTEE ROBINS: If something has to be
6 built, you know.

7 ATTORNEY PROKOP: To preserve, to preserve
8 property --

9 TRUSTEE CLARKE: Safety.

10 ATTORNEY PROKOP: -- basically.

11 TRUSTEE ROBINS: Right, safety.

12 ATTORNEY PROKOP: Safety or preserve
13 property.

14 TRUSTEE PHILLIPS: Well, when you're
15 discussing building permits, let's take a step
16 back. Are you discussing building permits that are
17 applications that need to go before the Statutory
18 Boards, or are you talking about all building
19 permits together, as far as anybody who's going
20 into the Building Department to put a permit in for
21 a fence, or a permit for this, or a permit for
22 that?

23 TRUSTEE ROBINS: Well, no. I mean, we're
24 talking commercial, not residential.

25 TRUSTEE PHILLIPS: Well --

1 TRUSTEE MARTILOTTA: Like a new window or
2 something.

3 TRUSTEE ROBINS: Huh?

4 TRUSTEE MARTILOTTA: They might need a new
5 window or something.

6 TRUSTEE ROBINS: Well, that would be, you
7 know --

8 TRUSTEE MARTILOTTA: A building permit.

9 TRUSTEE ROBINS: I would consider that more
10 of an emergency, anything that would compromise the
11 property, versus discretionary work, you know, that
12 would be --

13 TRUSTEE CLARKE: I'm assuming that anything
14 in the Residential District is exempt from this
15 moratorium.

16 TRUSTEE ROBINS: It's not. This would refer
17 to the --

18 TRUSTEE PHILLIPS: Okay, but --

19 TRUSTEE ROBINS: Just look at it all.

20 TRUSTEE PHILLIPS: Okay. But what I'm saying
21 is you will have commercial properties, and that's
22 what I want to get a clarification about, that
23 would be coming in to have a sign permit, okay, or
24 they need to repair something within the building,
25 or -- you know, are those the permits you're

1 talking about, or are we talking about those that
2 are applications that are already before the
3 Statutory Boards?

4 TRUSTEE ROBINS: For new development,
5 basically, applications for new development, not
6 for preexisting, you know, remedial work on
7 existing businesses and stuff on that --

8 TRUSTEE CLARKE: So emergency maintenance
9 slash -- emergency slash -- I mean, that would be
10 exempt.

11 TRUSTEE PHILLIPS: Okay. A customer comes --
12 I mean, an applicant comes in, they have fit the
13 criteria to open their retail store, okay, and this
14 is what I want a clarification, because I'm
15 misunderstanding, maybe. They came in, they didn't
16 need to go to the Planning Board, okay? They fell
17 through where it's an existing building, but they
18 want a new sign. Is that going to fall under the
19 moratorium? Is that what you're talking about,
20 Julia, or are you just talking about applications
21 that go before -- that are currently in action
22 before the Planning and -- the Planning Board at
23 the moment as being delayed? I guess that's the
24 word you want to say.

25 TRUSTEE ROBINS: Yes. I'm not talking about

1 people that are coming in to put a sign up and
2 things like that, no.

3 TRUSTEE PHILLIPS: So there has to be a
4 clarification as to -- okay. So what's your
5 suggestion as far as that wordage?

6 TRUSTEE ROBINS: Right, yes.

7 TRUSTEE PHILLIPS: You're talking about
8 site -- you're talking about pending site plans?

9 TRUSTEE ROBINS: Pending site plans and
10 permits for -- related to. I mean, first, first is
11 the permit, you deny the permit and going for the
12 site plan, correct?

13 ATTORNEY PROKOP: No. Site plan is when
14 you're approved.

15 TRUSTEE ROBINS: The site plans in the
16 Historic --

17 ATTORNEY PROKOP: You get the permit after
18 the site plan is approved.

19 TRUSTEE ROBINS: Oh, okay.

20 TRUSTEE PHILLIPS: So that would stop any
21 presubmission applications, correct?

22 ATTORNEY PROKOP: Yes. If that's how it's
23 worded, yes.

24 TRUSTEE ROBINS: Presubmission, okay.

25 MAYOR HUBBARD: And you also said current

1 applications that are in now before the Boards, you
2 want to stop them; is that correct?

3 TRUSTEE PHILLIPS: That's what I'm asking.
4 I'm asking if that's --

5 MAYOR HUBBARD: Well, that's what I'm asking
6 her now.

7 TRUSTEE ROBINS: Permit, permitted and
8 conditional uses. I didn't specify it. I did not
9 specify it, so I'm hoping to.

10 MAYOR HUBBARD: All right. Well, you had
11 said that at the last meeting. You said you wanted
12 to have it on any applications that are before the
13 Boards now, that you wanted to stop them. Is that
14 your intention?

15 TRUSTEE ROBINS: No. As I said, I've changed
16 it in here, I left that open for discussion here,
17 not include that.

18 MAYOR HUBBARD: Okay, but -- okay. Well,
19 discussing that, is that your intention, to stop
20 the -- any applications that are before the Boards
21 now?

22 TRUSTEE CLARKE: I have that in my notes,
23 too, would it affect existing applications in
24 progress -- in process, or would it not?

25 TRUSTEE PHILLIPS: Well, what -- if I'm -- if

1 I'm reading this correctly, originally, the thought
2 was to only deal with potential new applications
3 for the moratorium, okay? They already have some
4 before them that the Planning Board has already had
5 the process where they -- they're not in the actual
6 public hearing stage, they're still in the
7 presubmission stage. So that's where my question
8 is coming in.

9 ATTORNEY PROKOP: Yeah, so that's a -- that's
10 a question that is -- there's a -- you know, the
11 problem is that I'm going to -- I don't want to say
12 something that could affect potential litigation.

13 TRUSTEE ROBINS: Right. And I don't --

14 ATTORNEY PROKOP: And I'm right on -- I'm
15 right on the verge of saying that, so I'd rather
16 not, because --

17 TRUSTEE ROBINS: What is the status of
18 presubmission in terms of the process of getting a
19 site plan approved? You know, where does it stand
20 in line in terms of --

21 ATTORNEY PROKOP: Yeah, that's something that
22 I -- if I say something, it could affect potential
23 litigation, and I'd prefer not to say it. I'm
24 sorry, I don't want to --

25 MAYOR HUBBARD: Uh-huh.

1 ATTORNEY PROKOP: I don't want my --

2 TRUSTEE PHILLIPS: No.

3 ATTORNEY PROKOP: -- statements to be Exhibit A.

4 TRUSTEE PHILLIPS: That's why I'm asking it,
5 because we have some that are in presubmission.

6 TRUSTEE CLARKE: Could it be as simple as
7 saying that any project in process that has not yet
8 reached findings and determination is subject to
9 the moratorium?

10 TRUSTEE PHILLIPS: I think that's why he's
11 avoiding the subject.

12 TRUSTEE CLARKE: Okay.

13 TRUSTEE PHILLIPS: Okay, to be honest with you.

14 TRUSTEE CLARKE: I get it, but I'll avoid it
15 too, then.

16 MAYOR HUBBARD: I mean, this says site plan
17 approval. So anything that's before that, they
18 cannot issue a site plan approval for the
19 applications that they have. So the -- I think
20 it's three or four applications would be halted
21 when this passes.

22 ATTORNEY PROKOP: I mean, so to -- so to make
23 a recommendation, rather than -- yeah. So --

24 MAYOR HUBBARD: No, no, I understand the
25 legal point of what you're dealing with, I got

1 that. It's just with trying to work out the
2 wording of what they want in this Local Law that
3 you have to write to vote on to schedule a public
4 hearing on. So that's why I'm asking you, Trustee
5 Robins, is that your intention?

6 TRUSTEE ROBINS: Yes.

7 MAYOR HUBBARD: Okay. So she wants to stop
8 everything that's going on in Planning and Zoning
9 now in all three Commercial Districts.

10 TRUSTEE PHILLIPS: I have a tough time with
11 that one. I'm sorry, I have -- I have to bring it
12 up, okay?

13 MAYOR HUBBARD: Uh-huh.

14 TRUSTEE PHILLIPS: The applicants, they're in
15 presubmission. They're being reviewed by the
16 Village -- by the Statutory Boards, who we have to
17 trust that they're going to do their job with the
18 applications they have before them. I think the
19 goal was to deal with whatever new applications
20 have the potential of coming in. So that was the
21 original intent of reviewing the codes and dealing
22 with the word "development" that everybody has a
23 quandary about within the Village of Greenport.
24 So, Julia, is that something that you can back down
25 from?

1 TRUSTEE ROBINS: No, I mean, I'm not --
2 nothing is carved in stone, okay? I'm really
3 coming from what I think is in the best interest of
4 the Village at the moment, all right? If you think
5 that that should be removed from my request, you
6 know, that those preexisting projects be -- are
7 exempt from this, basically, you know, I'm willing
8 to consider that.

9 TRUSTEE PHILLIPS: Peter, how do you feel
10 about that?

11 TRUSTEE CLARKE: I'm not sure.

12 TRUSTEE PHILLIPS: Okay.

13 TRUSTEE CLARKE: I'm not sure. I think I
14 have some -- I have to -- I'd have to think about
15 that to give you a clear answer.

16 MAYOR HUBBARD: Okay.

17 TRUSTEE PHILLIPS: We'll let it stand, I
18 guess.

19 MAYOR HUBBARD: All right. Any other
20 discussion on that topic with the Village Attorney?

21 (No Response)

22 ATTORNEY PROKOP: Thank you for your time.

23 MAYOR HUBBARD: Okay. Do you have anything
24 else, Joe?

25 ATTORNEY PROKOP: No, sir.

1 MAYOR HUBBARD: Okay. All right. Reminder:
2 The public hearing regarding a proposed Local Law
3 of 2022 amending parking regulations remains open.
4 We've already discussed that topic and everything
5 else, it's still an open public hearing. But the
6 Village Attorney take discussions from this
7 evening, work on that and try to review and come up
8 with something solid that we could try to move that
9 forward for next month.

10 Okay. The public hearing/public comment
11 period regarding the Community Development Block
12 Grant opportunities for the Village of Greenport
13 for Fiscal Year 2023 remains open.

14 Anybody on the Board have any discussion?

15 TRUSTEE PHILLIPS: I've given Stephen some
16 ideas other than what --

17 MAYOR HUBBARD: Right.

18 TRUSTEE PHILLIPS: -- we discussed, so.

19 MAYOR HUBBARD: Okay. Now this still is an
20 open public hearing. We had one letter about this.
21 Would you like to come up and speak on the public
22 hearing part of it?

23 LILY DOUGHERTY-JOHNSON: Sure.

24 MAYOR HUBBARD: On CDBG Grant opportunity.

25 LILY DOUGHERTY-JOHNSON: I'm still here.

1 Lily Dougherty-Johnson, 51 Washington Avenue.

2 I wrote to you all, because I wasn't sure
3 when you were going to take public comment. So my
4 idea just came out of the Planning Board work
5 session, that if we could do a survey of parking as
6 it is now, like how much parking does each business
7 downtown actually -- would they require, even
8 though they were grandfathered, and what do they
9 actually have. And then if you could compare that
10 to all the public parking, then you'd actually have
11 an idea of do we have enough parking or do we not.

12 And I know Mary Bess responded that there was
13 a parking survey done, but everything has changed.
14 And I know this is a big job, which is why I
15 thought it could possibly use some CDBG funding.

16 TRUSTEE PHILLIPS: As I said, Lily, I have to
17 pull up that report, because I do know that was an
18 extensive --

19 TRUSTEE MARTILOTTA: Parking study?

20 TRUSTEE PHILLIPS: Parking study. There was
21 some comments in that. There also was a lot of
22 guidance in things that we should pursue as far as
23 dealing with parking, so -- but, no, it's a great
24 idea, it's a great idea. And I thought that --

25 TRUSTEE CLARKE: There was a survey, I

1 remember, of --

2 TRUSTEE PHILLIPS: And there was a survey, yeah.

3 TRUSTEE CLARKE: -- the parking. I don't
4 remember there being a calculation of the
5 businesses at that time and what they would
6 technically require. So if you looked at every
7 business in the district, added up all their
8 approved site plans, and took out the
9 grandfathering and calculated the total, I think
10 that would be a very interesting study.

11 LILY DOUGHERTY-JOHNSON: Well, I would not
12 just look at the site plan, but like what they
13 currently are now, like if they have "X" amount of
14 employees now.

15 TRUSTEE CLARKE: Right.

16 LILY DOUGHERTY-JOHNSON: Which I know could
17 be slightly hard information to get, but --

18 TRUSTEE ROBINS: Is that the 2006 study,
19 Mary Bess; 2006, right?

20 TRUSTEE PHILLIPS: No, 2009.

21 TRUSTEE ROBINS: 2009? Still probably not
22 that --

23 TRUSTEE PHILLIPS: Whether that's the CDBG
24 grant, I'm not sure, but it's a great idea to think
25 about.

1 LILY DOUGHERTY-JOHNSON: I looked at a lot of
2 them, and a lot of them are about planning, you
3 know, that -- and I don't know if you can enjoin
4 that into something larger, like you were talking
5 about with the parking lots and alleys, so that's a
6 great project, too, but --

7 TRUSTEE PHILLIPS: Well, that's something --
8 you know, that's -- the Consortium is -- that's
9 the -- Suffolk County Consortium is the one that
10 sets the criteria for the CDBG that we're talking
11 about for this grant.

12 LILY DOUGHERTY-JOHNSON: Right.

13 TRUSTEE PHILLIPS: But there are other
14 opportunities.

15 LILY DOUGHERTY-JOHNSON: Yeah, right, there
16 might be other grants. Thank you.

17 MAYOR HUBBARD: Okay. Thank you. Anybody
18 else want to speak about the CDBG grant?

19 (No Response)

20 MAYOR HUBBARD: Okay, because we need to --
21 we've got to close the public hearing, because
22 Stephen needs to do that, because he has to get the
23 paperwork in. And so I would offer a resolution to
24 close the public hearing on the Community
25 Development Block Grant opportunities for Fiscal

1 Year 2023. So moved.

2 TRUSTEE PHILLIPS: Second.

3 MAYOR HUBBARD: All in favor?

4 TRUSTEE CLARKE: Aye.

5 TRUSTEE MARTILOTTA: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 TRUSTEE ROBINS: Aye.

8 MAYOR HUBBARD: Aye.

9 Opposed?

10 (No Response)

11 MAYOR HUBBARD: Motion carried. So that's
12 closed. Now Stephen can go and put in the
13 application, and we'll work on the paperwork on
14 that. Okay.

15 Okay. Mayor and Trustees' Reports. I've got
16 a few things to bring up, some have already been
17 mentioned.

18 We have a Christmas tree that's going to be
19 moved tomorrow, they're working on it, okay? I
20 want to thank Jane and John Williams. The tree in
21 front of their house on Fifth Street, it's time for
22 their tree to go, and they're donating that.

23 Johnson Tree, at no charge to us, is going to
24 wrap it and bind it, and be able to get it moved
25 downtown, which is a really big help, you know.

1 They're going to work on getting that all set up
2 and get ready for the tree lighting next week.

3 Deb Pittorino is sponsoring a salsa dance for
4 Dances in the Park. It's going to be on July 10th.
5 She stepped up. She wanted to see salsa, and she
6 wanted to see if she could do something, so I want
7 to thank her for doing that. It's a big help. We
8 always go for sponsors during the year, she set it
9 up early. The Village Clerk has already talked to
10 the band, they've got all kind of setup. So it's
11 going to be Salsa in the Park on July 10th, weather
12 providing, and, you know, permitting. And so I
13 just want to thank her publicly for doing that.

14 The milling, Paul talked about the paving on
15 Sterling Street and Sterling Avenue. They're going
16 to do the milling tomorrow, get everything prepped.
17 The sidewalks, curbs, everything else are done.
18 Some of the spoils from that are up on Moores Lane.
19 That's going to be part of the wave when DeAl comes
20 back out. They're working on some other smaller
21 sidewalk places, so we've had complaints about
22 issues, they're going to be working on that.

23 And then, hopefully, it's nice weather for
24 paving on Monday and Tuesday, and that whole area
25 will be finished off. Connects into Main Street,

1 which was done, and Carpenter Street, which was
2 done the other way. So it just closes that whole
3 loop up, and it will make it a lot nicer down
4 there.

5 Also, we have -- we're working on a deal with
6 the old Christmas trees that we pick up and
7 collect, of taking them out to Orient State Park
8 and dropping them over their bluff, as to try to
9 help beef up the border and everything else, keep
10 the sand in place and all. So it's something we
11 had done a couple of years ago. We're working on
12 making a connection to do that again, something the
13 Tree Committee wanted to do for a long time. They
14 were like, "We'll take them up to 67 Steps and
15 throw them over the cliff," but we can't just do
16 that without somebody saying you could do it on
17 their property.

18 So this is something that's been talked about
19 and discussed, you know, it's one of the Tree
20 Committee goals. And the Village Clerk has been
21 working with them to get a contact person from down
22 at the Orient State Park, but throw them over. It
23 just kind of helps hold the sand in and everything
24 else in winter storms when everything gets picked
25 up. So I think that's a positive move for the

1 environment, and keeps stuff out of the landfill,
2 and everything else

3 TRUSTEE CLARKE: What's the typical timing
4 and dates of that tree collection?

5 MAYOR HUBBARD: Usually, it starts New Years
6 through Little Christmas.

7 TRUSTEE CLARKE: Okay.

8 MAYOR HUBBARD: I'm not sure of the date of
9 Little Christmas, but --

10 TRUSTEE CLARKE: Good.

11 CLERK PIRILLO: It's usually the 6th.

12 MAYOR HUBBARD: Yeah. But that's the time
13 that -- a lot of people, once it gets to be
14 New Years, people start taking their trees down and
15 they get put out there. Some straggle a lot
16 longer, we do see some coming out at the end of
17 February, but the bulk of them are out earlier. So
18 from New Years to Little Christmas, which is like
19 the 18th of January, or something like that.

20 Okay. That's all I had on that. We'll go to
21 Trustee Robins' report.

22 TRUSTEE ROBINS: I got a couple of things.
23 There were two BID meetings. And I'm sorry I
24 missed the Carousel meeting this month, I don't
25 have a report on that. The BID met yesterday. The

1 discussion was related to building a new website.
2 This will be done by a three-step process for
3 design, architecture and maintenance. The cost
4 will be a significant part of their budget, and
5 they will be looking for sponsors to help with the
6 cost.

7 The push is on to get the Christmas lights
8 up, the tree lights downtown. The Village has
9 generously offered \$8,000 in a one-time payment
10 toward the additional cost this year due to the
11 fact that the lights burned out and need to be
12 replaced.

13 The Halloween Village, the Scavenger Hunt was
14 a big success, and they are looking forward to the
15 Christmas Snow Globe contest in the Village this
16 year.

17 We had a Gate meeting this morning with Paul
18 Pallas, and the topics discussed were an update on
19 the ferry project on Third Street.

20 Also, there are 30 spruce trees that need to
21 be planted that were in the large planters in the
22 parklets. The BID is basically giving them to the
23 Village. So Dave Abatelli is going to reach out to
24 the Tree Committee to make arrangements to have
25 them delivered to the road barn for planting in

1 designated locations.

2 Rich Vandenburg says he has volunteer help
3 from landscape contractors to help plant the trees,
4 so we're not being requested to do any labor.

5 There was also an update on the installation
6 of the Ice Rink this year, we discussed that and
7 options moving forward.

8 So that's all I have. Thank you.

9 MAYOR HUBBARD: Okay. Thank you. Trustee
10 Phillips?

11 TRUSTEE PHILLIPS: Green Hill Cemetery, I
12 know that at one point we had discussed, or the
13 Historic Commission had come to us wanting to know
14 what project to start working on, and I believe we
15 all leaned toward Green Hill Cemetery. So I would
16 really like to do whatever to help them along in
17 getting that project moving forward. You know, I
18 don't know if they need to just be told that
19 that's -- from the Village Board that that's what
20 we want them to start working from their survey
21 that they did, to continue --

22 MAYOR HUBBARD: I thought we had already told
23 them that, to move it forward.

24 TRUSTEE PHILLIPS: Well, I thought so, too,
25 but I haven't seen anything come from any direction

1 on it. And the Chairperson kind of asked me about
2 it, so that's why I'm asking.

3 MAYOR HUBBARD: Okay. Well, I think --

4 TRUSTEE CLARKE: There was a resolution, I
5 believe.

6 TRUSTEE PHILLIPS: We passed a resolution --

7 MAYOR HUBBARD: Yeah.

8 TRUSTEE PHILLIPS: -- for it, yeah.

9 MAYOR HUBBARD: Yeah. So just --

10 TRUSTEE PHILLIPS: Okay.

11 MAYOR HUBBARD: Whatever assistance they
12 need, they need to come and talk to us and tell us
13 about it.

14 TRUSTEE PHILLIPS: No, I will -- I will get
15 back to them on that.

16 MAYOR HUBBARD: Okay.

17 ADMINISTRATOR PALLAS: I think, I think
18 there's been some significant turnover in that, in
19 that Board, so I think several of the members
20 weren't even there. So it might have been that's
21 probably --

22 TRUSTEE PHILLIPS: Well, I think that's --
23 that's why she asked me about it.

24 MAYOR HUBBARD: Okay.

25 TRUSTEE PHILLIPS: The other thing is I

1 received an email this afternoon that I forwarded
2 on to everyone. It's the -- apparently, it's Long
3 Island Sound Resilience Grant Writing Assistance
4 Program. Apparently, there is the opportunity
5 funding for reaching out to present a project, or
6 present a project to have a grant writer do the
7 work, or have it paid for by the Long Island
8 Sound -- this program. So I'm going to listen in
9 on it, Paul. I don't know if you have time, but --

10 ADMINISTRATOR PALLAS: I haven't gone through
11 to see if I have comments, I'm sorry.

12 TRUSTEE PHILLIPS: Okay. It just -- it's --
13 we have Clark's Beach up there. Maybe we can get
14 something out of it to do something, to at least
15 clean it up periodically.

16 And that's pretty much it. Most of my stuff
17 was discussed already.

18 MAYOR HUBBARD: Okay. Thank you. Trustee
19 Martilotta.

20 TRUSTEE MARTILOTTA: I apologize if I keep
21 leaving. Most recently, the dog wet the rug.

22 TRUSTEE PHILLIPS: Oh, dear.

23 TRUSTEE MARTILOTTA: That's why my phone has
24 been going off. My kids are home. My son's trying
25 to babysit his siblings.

1 (Laughter)

2 MAYOR HUBBARD: We -- no. Everything else we
3 talked about this evening. That's all I have.

4 MAYOR HUBBARD: Okay. Thank you. Trustee Clarke.

5 TRUSTEE CLARKE: I have nothing further
6 for tonight. I have nothing further for tonight.
7 Thank you, Mr. Mayor.

8 MAYOR HUBBARD: Okay. Thank you. Okay.
9 We're going to open it up to public to address the
10 Board on any topic. And we will have an executive
11 session at the end, just so everybody knows, for a
12 litigation report from the Village Attorney. Go
13 ahead, Mr. Swiskey.

14 WILLIAM SWISKEY: Thank you, George. It's
15 been a long meeting. Bear with me for a moment.
16 William Swiskey, 184 Fifth Street.

17 There's several things I'd like to comment
18 on. First is I agree with Mr. Prokop and the
19 Mayor, that we have to go slow on this parking
20 thing, because it seems like it's just going in
21 any, any direction.

22 Now my opinion is, like George mentioned, you
23 granted Planning Board permission to say grant up
24 to 12 exemptions. Anybody wants more than that, it
25 has to come to the Village Board. That will settle

1 the issue fine and clear, you know what I mean?

2 It's just black and white and it's fairly simple.

3 And as far as the public service, like the
4 Opera House, I know they came back and to saying,
5 all right, you want to grant them more space, but
6 you have to remember, this thing will be open on a
7 Friday or a Saturday, when your businesses need the
8 maximum parking. And those 100 cars they're going
9 park, they're going to take space from your
10 commercial enterprises. So that's all I got to say
11 on that.

12 As far as a moratorium, I'll tell you what,
13 this looks like an artillery shell that hit the top
14 of a tree and started to tumble, you don't know
15 where it's going to land. I think you ought to
16 just kill it. You don't need a moratorium. That's
17 my opinion, and that's the opinion of a lot of
18 people I speak to.

19 Now, granted, there's a small vocal group,
20 and there always is, pushing their point, but I
21 think if you did a reasonable survey of people in
22 the Village, people who have been here for a while,
23 it's crazy, and I would just say forget it.

24 And finish your LWRP, send it up to Albany.
25 If they send it back and they want additions or

1 additional public hearings, then you know. But get
2 it moving, it's been seven years.

3 All right. Now to a couple of other issues
4 that I have besides those. Recently, you increased
5 the fee at the Carousel, because, quote, "We had
6 Carousel expenses that had to be met." Yeah.
7 You're proposing transferring \$22,500 from the
8 Carousel to support the Ice Rink and to support the
9 buoys. Now, granted, I know the Carousel is --
10 compared to expenses and what it takes in, gives
11 you your biggest profit margin, even compared to
12 the Marina. But why don't you take some of this
13 money from the Marina, which, quote, people say,
14 well, it makes a lot of money? Why are you taking
15 it all from one fund? I would not pass that. I
16 would -- where else can I get money? Because you
17 raised the fee, supposedly for expenses at the
18 Carousel, and you're taking that money, which is a
19 lot of money, maybe 5% of the income of the
20 Carousel, and you're moving it to other places.
21 That just doesn't seem right to me. And I don't
22 know if anybody agrees or not, but I think it's an
23 issue.

24 All right. Now let me see here. Excuse me
25 for a minute. I would ask the Village next, before

1 you consider anymore sidewalk or paving work, to
2 look at Johnson Place, which between Fifth and
3 Sixth Street next to the park, that's a mess. You
4 could push the fence back a couple of feet, move
5 the bushes, make it a little bit wider, so you
6 could provide parking there, along there, and you
7 get an additional maybe 20 spaces, if you did the
8 calculation right. But that's up to you. Maybe
9 you want to have Mr. Pallas look at it and see if
10 it's feasible.

11 And what is it? One more thing here. Oh,
12 and I was -- with the rate study, all right, you're
13 going to do a rate study, but I would urge this
14 Board, even though legally you may not have to, if
15 you're considering any rate increase in the
16 Electric Fund, have a local public hearing. Don't
17 require where I have to go to Westchester to speak
18 against it, you know what I mean?

19 All right. Thank you.

20 MAYOR HUBBARD: Thank you.

21 TRUSTEE CLARKE: Thank you.

22 WILLIAM SWISKEY: And good luck.

23 MAYOR HUBBARD: Yeah, you, too.

24 PETER HARRIS: Good evening. Peter Harris,
25 212 Knapp Place, Greenport. I have a couple of

1 things.

2 The Jitney ferry, at your last work session
3 back in October, it was a very lengthy discussion.
4 How much is the Village going to have to put in
5 dollar and cents-wise to make -- to make that thing
6 happen, Mayor?

7 MAYOR HUBBARD: I didn't hear the beginning
8 part. Which part --

9 PETER HARRIS: How much, how much dollars and
10 cents is the Village going to have to put in to
11 make the Jitney ferry come to the --

12 MAYOR HUBBARD: Oh, okay, okay. I didn't
13 hear the Jitney part, excuse me for that.

14 PETER HARRIS: Okay.

15 MAYOR HUBBARD: Right now, there's no money
16 from the Village being put in until they come back
17 with a business plan, which is we're waiting for
18 them to get the -- they're out getting prices right
19 now and coming back to us.

20 PETER HARRIS: Well, first of all, I, as a --
21 I'm not a Village resident, lifelong Greenporter,
22 though, that's a -- that's a business opportunity
23 for them. This Village and the residents and the
24 taxpayers should not be putting in one red cent.

25 MAYOR HUBBARD: Uh-huh.

1 PETER HARRIS: Okay? I can tell you, as your
2 former Harbor, Harbor Patrol, the dock, the
3 transient dock that the Village currently owns,
4 it's not -- you're not going to be able to use that
5 dock. That dock is -- that dock was designed and
6 was meant for a boat to come in and tie up, one or
7 two people to get off, traverse up the gangway to
8 get onto land.

9 When -- if you're -- I mean, I believe I
10 heard the gentleman from Hampton Jitney say, "Well,
11 it's probably going to only be about 15 people at a
12 time." Well, the size and the scope and the width
13 of the current dock that we use, if you get any
14 kind of weather and that -- and those docks,
15 they're constantly bobbing up and down. And let's
16 face it, if you -- there's going to be some people
17 that are coming off that ferry that have been at
18 eateries, or pubs, and what have you, and their
19 footing is not going to be as steady as some. The
20 last thing you wanted to do is go into the drink,
21 okay?

22 I just -- I just feel this is -- this is not
23 something realistically that the taxpayers of the
24 Village of Greenport really need, because you're
25 going to find that many people are going to come by

1 car, if they -- and they're going to be taking up
2 numerous parking places and be over in Sag Harbor.
3 They're not going to be here. They're coming to
4 use that ferry to take them to Sag Harbor, because
5 they don't want to deal with the traffic to go to
6 Sag Harbor.

7 So I just don't realistically see what true
8 advantage -- I mean, some business people in this
9 community are going to say, "Yeah, but what about
10 the people that are going to come from Sag Harbor
11 to come here?" They're going -- I just -- from my
12 personal standpoint, I don't see what the benefit,
13 true benefit is, and this Village needs to pay zero
14 dollars. If you do accept the plan, zero. Make
15 them -- if they want to play, make them pay, not
16 the taxpayers of this Village.

17 My second item, I was here a month ago and I
18 addressed this Board, and I'm just going to read.
19 You will recall, I addressed this Board at the
20 October work session meeting. At that meeting, I
21 was a representative of the Phenix Hook and Ladder
22 Company of the Greenport Fire Department, who were
23 seeking permission to donate a mature holiday
24 evergreen tree to be planted in Mitchell Park.
25 This was to be a gift to all Greenport residents to

1 be admired, not only as a holiday tree with lights
2 in December, but, moreover, to enjoy its natural
3 beauty 12 months of the year.

4 To the dismay of the members of Phenix Hook
5 and Ladder Company No. 1, I received a phone call
6 from Paul Pallas, it was either October 31st or
7 November 1st, in which he stated that he had polled
8 the five Village Board Members as to our offer, and
9 he stated that three members had voted no to our
10 offer, without any reasoning given or the names of
11 the dissenting Trustees.

12 Surprisingly, when I opened the November 3rd
13 edition of the Suffolk Times, and there was a
14 headline that stated "A Christmas Tree for Mitchell
15 Park." Since that edition of the Suffolk Times
16 came out, I have had much positive feedback from
17 numerous residents pertaining to our donation
18 offer. I would like the three dissenting voters
19 against the tree to, please, give me and the
20 residents of Greenport their reasoning for voting
21 no.

22 I'm no Johnny-Come-Lately, I was born and
23 raised as a Greenporter, have served for over 51
24 active years protecting this Village as a volunteer
25 firefighter. I was a member of the committee for

1 Mitchell Park, where a contest was held for a
2 winning design of the park that we have today; was
3 a member to bring the Northwell Grumman Carousel to
4 Greenport.

5 I'm not looking to do something that will end
6 up lining my pockets with money. I'm just a
7 concerned Greenporter speaking for something I feel
8 strongly about to have a tree be placed in Mitchell
9 Park.

10 Would any one of the three, and I don't know
11 who you are, give me why you voted no?

12 TRUSTEE PHILLIPS: Pete, I'm going to read
13 the email that I sent to Sylvia, okay?

14 "Thank you for reaching out on the phone this
15 afternoon. As a followup to our conversation, the
16 offer from Phenix Hook and Ladder to fund planting
17 a permanent Christmas tree in Mitchell Park is a
18 generous offer to the Village Community. The
19 placement within the park is what I believe should
20 be the Village Board's decision."

21 I didn't refuse it, I just said that it
22 should be the Village Board's decision where to put
23 this tree.

24 George Hubbard, Sr. was honored by a tree
25 that's sitting over in Mitchell Park that at one

1 point I was under the impression was going to be
2 the Christmas tree, okay?

3 I also have talked to a fair few people and
4 they do not want the view -- they want the open
5 space in Mitchell Park. I think the Christmas tree
6 and the offer is wonderful. I just felt that it
7 needed to be a Village Board decision as to where
8 it was going to be placed. So if that's a
9 clarification as to what my words were, they're
10 written words.

11 PETER HARRIS: Mary Bess, like I said, I had
12 no idea. I got a phone call from Mr. Pallas that
13 said there were three dissenting votes that said
14 no. Now, if that is an untruth, then you need to
15 address him.

16 TRUSTEE PHILLIPS: It's whatever -- I don't
17 know how it got handled, but for me, because you've
18 asked the question as to who, what, when and where,
19 that's my email and it's public record.

20 TRUSTEE ROBINS: Pete, I'm going to read my
21 email from October 24th as well.

22 "Hi, Sylvia. I am in support of the generous
23 offer from Phenix Hook and Ladder to plant a
24 permanent Christmas tree in Mitchell Park. I think
25 the Board should have some input as to" -- "as to

1 the selected location prior to planting the tree.

2 Thank you, Julia." Okay?

3 PETER HARRIS: And --

4 TRUSTEE ROBINS: So we were misrepresented.

5 PETER HARRIS: And I -- and I thank you for
6 your comment. And 100%, we were not planning on
7 the ones to pick the location. We would -- we
8 would work together with the Board to, you know,
9 pick a proper location, so that it wouldn't totally
10 block the view of Mitchell Park. But it -- I
11 just -- it just -- I was taken aback that the phone
12 call that I got was five -- the Trustees, five
13 Trustees were polled and there were three
14 dissenting nos. And then the newspaper comes out,
15 "Christmas Tree for Mitchell Park." And I'm like,
16 really? Are you kidding me? How -- if that was
17 the -- if the nos were nos, how did this even get
18 in the paper?

19 TRUSTEE PHILLIPS: That's something you'll
20 have to -- I'm sure -- no, go ahead Jack.

21 TRUSTEE MARTILOTTA: So I was a no, just so
22 you know. I talked to --

23 TRUSTEE PHILLIPS: Sylvia.

24 TRUSTEE MARTILOTTA: Sylvia. I apologize, I
25 just -- and I said, you know, I thought it was an

1 incredibly generous offer, and I do. I just -- my
2 concern was that small trees become big trees, and
3 I just love seeing kids out there playing frisbee,
4 and football, and baseball, and everything else,
5 and that was my concern. So I'm one of the three
6 maybe you're looking for.

7 PETER HARRIS: And having -- having -- like I
8 said, having been an original member of the
9 Mitchell Park Committee, I feel that there is
10 adequate open space that people can use, as well as
11 finding a location that a tree could be planted
12 that would -- again, one thing to be used in
13 December, but it would be there to be viewed 12
14 months of the year.

15 TRUSTEE MARTILOTTA: Well, I had assumed,
16 Mr. Harris, I had assumed it would go where the
17 tree is, right? I mean --

18 TRUSTEE CLARKE: That's what I assumed as
19 well. And I also expressed my opinion. With all
20 due respect for your service, Mr. Harris, and my
21 hat's off to you for all of it, I did not see an
22 additional large tree as suitable at this time as a
23 permanent installation in the park, and that's my
24 opinion. I'm happy to share it with anyone who
25 would ask. I'm happy to write it to you

1 personally. I meant no offense to you or to the
2 offer from Phenix Hook and Ladder, but I was asked
3 my opinion and that is my opinion.

4 PETER HARRIS: Okay.

5 MAYOR HUBBARD: Okay. And I'll add in my two
6 cents on it. When the tree was planted down there
7 in memory of my father, my family and myself
8 personally were attacked and trashed on Facebook,
9 and everything else, that, "Why is that going in
10 Mitchell Park? Why is that down there? It's an
11 open space for the public, not for anybody else."
12 So when the topic came up for what myself and my
13 family went through, I said I don't want to go
14 through that again, and I said I'm not in favor it.
15 And that's a personal reason for something that hit
16 me hard when it happened and what I had to deal
17 with. I had to delete accounts and everything
18 else, because I was tired of hearing the BS, and
19 that's how I feel.

20 TRUSTEE CLARKE: I mean, the same thing went
21 on when -- after the award was given to the
22 designers of the park from your committee and your
23 leadership. Then there was a lot of backlash
24 against the installation of the Rotary clock that
25 went in that had absolutely no stylistic

1 coherence --

2 WILLIAM SWISKEY: Bull.

3 TRUSTEE CLARKE: -- with the design of the
4 park.

5 PETER HARRIS: I have no problem with that
6 clock being --

7 TRUSTEE CLARKE: I'm not saying you did, I'm
8 saying that the public did.

9 WILLIAM SWISKEY: What public?

10 TRUSTEE CLARKE: The general public.

11 WILLIAM SWISKEY: No, it wasn't the general
12 public. I'll answer that one for you.

13 CLERK PIRILLO: Excuse us, please.

14 WILLIAM SWISKEY: You had a Mayor that didn't
15 want it, so when --

16 MAYOR HUBBARD: Bill, no. Just let them
17 speak, Bill.

18 WILLIAM SWISKEY: All right.

19 PETER HARRIS: I thank you for your open and
20 honesty.

21 TRUSTEE CLARKE: Any time. Any time.

22 PETER HARRIS: The fact that -- like I said,
23 I can't say that I agree with you.

24 TRUSTEE CLARKE: Of course not.

25 PETER HARRIS: But the fact that when I just

1 got a phone call that said three nos, no rhyme, no
2 reason, no nothing, that kind of --

3 TRUSTEE CLARKE: I understand

4 PETER HARRIS: -- turned me off --

5 TRUSTEE CLARKE: I understand.

6 PETER HARRIS: -- that I didn't know where
7 the nos came from --

8 TRUSTEE CLARKE: Right.

9 PETER HARRIS: -- what the reason were the
10 nos from.

11 TRUSTEE CLARKE: In hindsight, it would have
12 been perhaps kind of me to have sent you a note, or
13 at least let you know what I was thinking.

14 PETER HARRIS: That, I -- you know, like I
15 said --

16 TRUSTEE CLARKE: For that, I'm sorry.

17 PETER HARRIS: In my -- in my opinion, I feel
18 that there's room for a tree there, but I'm just --
19 I'm just me, okay? And I'm a true Greenporter.

20 TRUSTEE CLARKE: Yes, sir.

21 PETER HARRIS: Thank you.

22 TRUSTEE CLARKE: You're welcome.

23 MAYOR HUBBARD: Go right ahead.

24 KEVIN STUESSI: Kevin Stuessi, 420 Clark Street.

25 Mr. Mayor, the Trustees, Vice-Mayor, number

1 one, I want to thank everybody for their time
2 again, and their energy and their efforts. I've
3 been talking to a lot of members of the community,
4 and it's nice to hear you talk about your father
5 and what was done at the park there.

6 One of the people I talked to was the head of
7 the Planning Board when your father was Mayor, and
8 worked on the original Local Waterfront
9 Revitalization Plan in 1986, I believe it was. And
10 I was told that your father, together with the
11 community and the Planning Board, were able to stop
12 a major development that was going to completely
13 change the entire waterfront, because of the
14 efforts of your father and what was done. As part
15 of that, that was the original Local Waterfront
16 Revitalization Plan, which was then updated, and
17 then subsequently updated, and hasn't been yet
18 adopted.

19 I've talked to a number of people in the
20 community. Well over 100 have signed on to a
21 limited moratorium to hit pause in this Village.
22 And they believe very strongly that we need to do
23 this in order to get a handle on the overall
24 parking situation, our codes within the Waterfront
25 Commercial and Retail District, and to engage the

1 community.

2 And so I would ask you, Mr. Mayor and
3 Mr. Vice-Mayor, please, partner with the other
4 Trustees who voted for this at our last meeting
5 three weeks ago and work together to bring this
6 forward to our community, to, please, get the
7 public comment.

8 We don't need to belabor this any longer. We
9 need to simply put something together, write this
10 law, and get it to the next soonest available
11 meeting, whether it's the Monday after
12 Thanksgiving, or call a special meeting, and allow
13 the public to comment, because I promise you, I'm
14 going to come back here with 200 signatures and a
15 lot of people in this room, because they care.
16 They love this community, just like I know each one
17 of you do, and we need to do something now, we
18 can't wait.

19 And I would also ask, I see four members of
20 the Planning Board here, including our Chair, if
21 there was a perspective by them individually, and
22 also as a Board. Thank you very much.

23 TRUSTEE CLARKE: Thank you.

24 MAYOR HUBBARD: Anybody else wish to address
25 the Board?

1 RICHARD VANDENBURGH: Very quickly. Richard
2 Vandenburg, 601 First Street. I just wanted to
3 say thank you for approving the reimbursement for
4 the Christmas lights. And I spoke with Paul this
5 morning. We're working on, I guess, getting some
6 additional information, but I just wanted to say
7 thank you for that.

8 I heard from a lot of people that -- you
9 know, I hear from a lot of people about how
10 wonderful that is down there. The cost went up
11 with -- as a result of some of those lights that
12 burnt out last year. So thank you for that.

13 You know, I will also just -- another comment
14 on that is just on the -- on the issue of the
15 moratorium, you know, a lot of in-depth discussion.
16 I know it's taxing for everybody involved, but I do
17 feel like, you know -- while I do agree with
18 Kevin's comments about the fact that we need to
19 make sure that we have a comprehensive vision of
20 everything that we want to do, it is going to
21 require your -- you guys to kind of really come up
22 with exactly what those specifics would be,
23 because, ultimately, moratoriums are very scary
24 things. We've got to have really clear
25 deliverables in terms of what we expect to get out

1 of it, how long it's really going to take. So I
2 think, you know, conservative estimates are always
3 the most appropriate. So I urge you to continue
4 that process and to be crystal clear. And I agree,
5 I think it is important that you be unified in your
6 decision.

7 So the public is absolutely willing to
8 participate in that process. We had a meeting last
9 night at the Library, there were roughly 30, 35
10 people there. You know, it definitely is so
11 helpful to hear from the public in offering those
12 opportunities for them to speak in a way that is
13 not quite as formal as the public hearings or the
14 work sessions. And so I encourage you to figure
15 out ways to do that, because you do hear a lot of
16 honest opinions. There is a lot of willingness to
17 be engaged in that process. So, you know, making
18 sure the objective's clear, communicating what the
19 objective should be, identifying the resources, and
20 then getting that engagement. So I encourage you
21 to keep doing that hard work. Thank you.

22 MAYOR HUBBARD: Thank you.

23 TRUSTEE CLARKE: Thank you.

24 PATRICIA HAMMES: Patricia Hammes, 603 Main
25 Street.

1 In my individual capacity, I wrote a letter,
2 I submitted it 2 1/2 weeks ago to this Board. I
3 believe I had asked for it to be read into the
4 record. I'll withdraw the actual request for it to
5 be read into the record. I don't intend to extend
6 the conversation on parking at this point. I would
7 ask that it be attached to the minutes of the
8 meeting, though, so that it is made part of the
9 public record.

10 I stand by the comments in that letter. I'm
11 not going to go through them all again. It sounds
12 like the Village Attorney has addressed at least
13 one of them. I'm still very concerned about the
14 50% and how that exactly will work, and it's not
15 clear to me that it's a legal matter. You can take
16 away -- again, I'll defer to Attorney Prokop on
17 this, but that you could actually take away the
18 right of an applicant to apply for a variance to
19 the ZBA. I thought that was right, that they
20 always had under law to apply for a variance from
21 the code. So if that's not the case, great. If it
22 is, then that's going to need to be taken into
23 account. But, at this point, you know, there's
24 still work to be done on that law. I'm not going
25 to put everybody through reading my three-page

1 letter. I will, though, reiterate the final point
2 in it.

3 And in response to Kevin's question, I, both
4 individually and as a Member of the Planning Board,
5 support a moratorium. I would like to see that
6 taken action on as quickly as possible. I don't
7 see any reason why it has to take three months to
8 do. I think that you need to draft a law, it
9 doesn't have to be perfect. We've been discussing
10 the parking law now for six months. There'll be
11 public comment on it, and there's no reason why
12 there couldn't be a special hearing on that. And
13 the sooner it's done, the better to deal with
14 applications that may be coming down the line.

15 I also believe, in my role as a Member of the
16 Planning Board, the Planning Board, I believe, and
17 Patrick can confirm this, has submitted a letter
18 where it has generally indicated its support for a
19 moratorium, subject to it being carefully and
20 narrowly drafted.

21 And I think the Planning Board, we're working
22 really hard to look at things that will help us do
23 our job, and that will help and contribute to this
24 Village. And I think we as a group think it's
25 really important the LWRP be updated, whether

1 that's done now or even after it goes to the State,
2 but to address the current state of play in the
3 Village.

4 And I believe we also believe that there
5 needs to be a comprehensive view of the Zoning
6 Code, including the uses in the downtown area. And
7 as part of that, Mary Bess has made this point,
8 parking is going to come into that. So I strongly
9 encourage this Board to act as quickly as possible
10 to have a public hearing, see what the public has
11 to say. Maybe, maybe Mr. Swiskey is right and
12 there's more people out there that will say they
13 don't want a moratorium. But my sense, from
14 talking to people in the community, is they want a
15 stop on things, and they want there to be a
16 Waterfront Advisory Committee put together with a
17 variety of members from the community that work
18 together with this Board to expeditiously update
19 the Zoning Code, which hasn't been updated in over
20 20 years, and does not reflect the reality of what
21 the businesses are in this community and the
22 businesses that are coming into this community
23 today.

24 So I -- and one final point. It's pretty
25 clear, based on everything that happened tonight,

1 and on something that came up at the last Planning
2 Board meeting that I wasn't at, but watched the
3 tape on, that even with the six months of this code
4 on parking that's being discussed, there's never
5 been full understanding about what the terms were
6 going to be among this Board of Trustees, and
7 that's a real problem.

8 And so I appreciate all the work that you're
9 doing, I really do. I think you're making a lot of
10 progress, but I think you could do this a lot more
11 effectively if you had a committee working just on
12 this and you put a moratorium in place. And that's
13 all what I will say. Thank you.

14 TRUSTEE CLARKE: Thank you.

15 MAYOR HUBBARD: Anybody else wish to address
16 the Board? Okay.

17 RANDY WADE: Randy Wade, Sixth Street,
18 Greenport. Thank you so much for taking us all
19 seriously. And I agree with you, that a six-month
20 moratorium would be really essential right now.

21 You were discussing how to create exemptions.
22 And you might say actions with changes of a
23 combined value of 100,000 for construction, number
24 one. Number two, renovation without a change of
25 use or outer size. And number three, where full

1 plans have been submitted to the Planning Board.

2 And I took the liberty of suggesting some
3 goals, because you wanted to have more specific
4 about what this was. I would say preserve --
5 number one, preserve the working waterfront.
6 Number two, ensure a diversity of business uses
7 that meet the needs of residents and visitors.
8 Number three, preserve historic buildings and a
9 vibrant Village character through the bulk schedule
10 uses and other code changes. Number four, refine a
11 reasonable parking policy. And number five,
12 involve the community in the process.

13 And I love the idea of creating the work -- a
14 Waterfront Advisory Committee that would be
15 required for any changes to the LWRP, and would be
16 very useful in being also a Code Committee. There
17 could be subcommittees that would address some
18 of -- you know, how to meet some of these goals,
19 and actually do research on codes of other places,
20 so that it could be done more efficiently, and
21 meeting at least twice a month.

22 You know, it was so great that you were able
23 to take time to do a third meeting one month, but
24 to really get this done and to do it in a short
25 time frame, you know. And if you do a six-month

1 moratorium and you're done earlier, you can
2 certainly cancel the moratorium.

3 And when you -- yes, I know you have to go to
4 County Planning, but when Southold passed their --
5 they did have to renotice for the, you know,
6 McMansion legislation they just passed. But when
7 they passed it, when it came back from the County
8 and they passed it, it went into effect then, even
9 though it has to go to the State for all this other
10 stuff. So it can go into effect sooner than later.

11 The -- oh, and then -- well, the LWRP, what
12 they told me over the phone is that the computer
13 has registered something from Greenport that was
14 way pre -- prior to '12 and -- but what they -- the
15 person I talked to said is they like going back and
16 forth. And it's only when the application is
17 considered complete that it will then go for the --
18 I can't remember how many days I wrote you all, 60
19 days, maybe. And so what has probably happened is
20 the Village was talking to a project manager, who's
21 no longer there. They're trying to hire somebody
22 for Long Island. And so it never really got to the
23 point where it was considered a complete
24 submission.

25 So, most likely -- and one of their questions

1 would be explain your public engagement. So you'd
2 be able to kill two birds with one stone.
3 Obviously, the Waterfront Advisory Committee
4 couldn't get everything done in six months, but
5 they could keep working on that. But the six
6 months would be the deadline to meet these goals of
7 the zone changes for commercial, which would be so
8 great.

9 And then, oh, I know you don't need more two
10 cents from me, but the Ice Rink. Did you look
11 in -- I like what you were saying, Mayor, about
12 having something inground in a parking lot. And
13 there's that parking lot that's the furthest away
14 from the Arcade on South Street. I don't know if
15 that's big enough, but it's certainly not that used
16 in January through March, when an Ice Rink would be
17 operating. And then, if you were able to keep the
18 stuff in the asphalt of the parking lot, maybe
19 that's something to look into, because if it's
20 going to be a lot of money, then I don't think it
21 should be the Village's responsibility. It's
22 really people coming from all over, and it should
23 be a Southold recreation facility on Southold land.
24 But if we could do it here in a practical way, then
25 I think that would be great.

1 And then I like people coming to Mitchell
2 Park with their kids and everything, so maybe the
3 BID could come up with winter wonderland ideas, or
4 a fire pit for making s'mores, or whatever. It
5 doesn't have to be an Ice Rink in Mitchell Park to
6 make Greenport lively in the winter, I don't think.
7 Thanks.

8 TRUSTEE CLARKE: Thank you.

9 MAYOR HUBBARD: Anybody else wish to address
10 the Board?

11 (No Response)

12 MAYOR HUBBARD: Okay.

13 CLERK PIRILLO: Mayor, I have a letter.

14 MAYOR HUBBARD: Oh, that's right, you need to
15 read something into the record. I'm sorry.

16 CLERK PIRILLO: I do. I was asked by
17 resident Jeanne Cooper to read the following into
18 the record. Please forgive me, it's handwritten,
19 so it may not be as smooth as usual.

20 "Village Board Members, Mr. Mayor, thank you
21 for the opportunity to share my thoughts on the
22 future development within the Village.

23 In the early to mid '80s, 40 years ago, the
24 Village had critical decisions that would determine
25 the course for the next 40 years. Mayor George

1 Hubbard, Sr. recognized this and tasked the Village
2 Planning Board to work with State of New York
3 professionals, legal and planning experts to map a
4 reasonable path forward for Village development.

5 Several waterfront residential developments
6 had been developed, and further residential private
7 development was being planned by developers. This
8 included private residential development of
9 'Mitchell Property', quote-unquote, "including the
10 docks. Powerful developers were in negotiations
11 with the Mitchell Family.

12 The Planning Board drafted the original
13 Waterfront Revitalization Plan, presented it to the
14 Village Board, who bravely adopted and passed it
15 into law. It allowed the Board to legally change
16 zoning, which excluded residential projects in the
17 WFC Zone, instituting requirements for
18 water-dependent business along the WFC Zone,
19 preserving opportunities for waterfront water
20 dependent businesses' access to our waterfront.
21 This was brave action on the part of the Village
22 Board under George Hubbard.

23 Potential developers of the 'Mitchell
24 Property', quote-unquote, "were in final stages of
25 purchase contracts with the Mitchell Family. Since

1 I chaired the Planning Board during this time
2 period, and was elected to the Village Board when
3 the Waterfront Revitalization Plan was adopted, I
4 can say without hesitation it was a tense, very
5 combative time. But the Village Board, under
6 Hubbard, felt strongly that reaching a balance
7 between tourism, light industry, commercial
8 industries, commerce was essential to the health of
9 the Village economy, the Village residents and, the
10 Village identity and future.

11 The most known accomplishment of this action
12 is State funding for Village (RR), fishing
13 commercial dock; three active and thriving
14 aquaculture businesses, STIDD's light industry,
15 which manufactures renowned marine chairs,
16 (customers include US Coast Guard, and high end
17 yacht-makers such as Hinckley); and, of course, our
18 Village jewel, Mitchell Park, and the Village
19 docks.

20 It is an undisputable fact that Mitchell's
21 Park would not exist if the Board under George
22 Hubbard had not taken action. I compliment this
23 current Board for recognizing that the Village is
24 once again at an historic inflection point,
25 preserving the opportunity balance, tourism,

1 commerce and waterfront-dependent commerce, that
2 has been the Village history for 200 years.

3 I implore the Board to take a break from the
4 development, a moratorium. Bring in legal zoning
5 advisors and professional planners, concerned
6 citizens, to re-up our plan for the next
7 foreseeable decades. The Board will need
8 professionals to help, because, much like the
9 1980s, you are going to need a solid unlitigatable
10 plan.

11 I also urge all the Boards in Village not to
12 be 'bullied', quote-unquote, (re: Remarks by
13 developers calling Planning Board adversarial).
14 The development requirements that exist are in
15 place to protect our mile square Village from
16 inappropriate development under current zoning
17 (the rules). Those that come before you are
18 requesting you change the rules for them. You have
19 no obligation to change the rules that legally
20 exist.

21 To say the '80s in the Village were
22 tumultuous is an understatement. I believe this
23 Board is facing similar times. I also believe this
24 Board is up to the task of crafting an inclusive
25 plan for the next coming 40 years, because, when

1 it's gone, it's gone for good.

2 Thank you for indulging me. Jeanne Cooper,
3 former Planning Board Chair and Village Trustee."

4 TRUSTEE CLARKE: Thank you.

5 MAYOR HUBBARD: Okay. Thank you.

6 CLERK PIRILLO: You're welcome.

7 MAYOR HUBBARD: Okay. I'll offer a motion to
8 adjourn to executive session at 9:55. So moved.

9 TRUSTEE PHILLIPS: Second.

10 MAYOR HUBBARD: All in favor?

11 TRUSTEE CLARKE: Aye.

12 TRUSTEE MARTILOTTA: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 TRUSTEE ROBINS: Aye.

15 MAYOR HUBBARD: Aye.

16 Thank you, folks.

17 (The Meeting was Adjourned to Executive
18 Session at 9:55 p.m.)

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To: Mayor George Hubbard
Honorable Jack Martilotta, Deputy Mayor and Trustee
Honorable Peter Clark, Trustee
Honorable Mary Bess Phillips, Trustee
Honorable Julia Robins, Trustee

October 31, 2022

Ladies and Gentlemen:

I am writing today to provide public comment in respect of the proposed Local Law Amending the Parking Regulations of the Village of Greenport draft dated October 21, 2022 (a copy of which is attached to this letter for the avoidance of doubt) (hereinafter referred to as the "Proposed Amendment"). As a resident of the Village, I would like to express my view that the Proposed Amendment will be ineffective at alleviating any perceived parking deficit in the Village and will not result in any significant revenue to the Village with which to address any such perceived deficit. Moreover, the Proposed Amendment is unlikely to act as a deterrent to any intensification of use in any property located in the CR/WC zones of the Village – this will only be able to effectively be accomplished through revisions to the Zoning Code and permitted uses within those zones. Before amending the Zoning Code to eliminate the grandfathering exemption for parking, the Village needs to make specific findings based on actual data and facts that a parking deficit exists and tie those to a specific plan to address any such deficit – these findings and plan should also be tied into the Village's LWRP. I would note that the traffic and parking study recently submitted in connection with the hotel project proposed for 200 Main Street concludes that there are currently adequate parking resources available in the Village.

On a more specific level, I have the following comments on the Proposed Amendment:

1. On Monday or Tuesday, October 24/25, 2022, I reviewed the Village website looking for a draft of the Proposed Amendment (while it had previously been noticed in The Suffolk Times a draft of the law was not included in that notice). A draft was included on the Village website at such time and I reviewed it on line but did not print it out. Subsequently mid-afternoon on October 27th, in preparation for the Village Board public hearing on the Proposed Amendment, I returned to the Village website and printed out a copy of the Proposed Amendment. The draft of the Proposed Amendment that was available at that time was substantively different from that which had appeared on the website of the Village on October 24/25th. It is not clear at what point in time the drafts of the amendment were switched but it would be next to impossible for the public to have reasonably been expected to have appropriate notice and an opportunity to review and comment on the draft of the Proposed Amendment given this issue. Therefore, in order to ensure compliance with SEQR and Municipal Home Rule Law Section 20(5), the Village Board should close the current public hearing and schedule a new public hearing for the correct and final draft of the Proposed Amendment. In publishing the notice for this public hearing, the Village should include (as do other municipalities) the draft language of the Proposed Amendment so that all interested parties have the full opportunity to review and provide oral or written comment on the Proposed Amendment at or prior to the public hearing.

2. In addition, pursuant to Section 150-32 of the Village Code, any proposed amendment to Chapter 150 is required to be referred by the Village Board to the Planning Board for a report. This referral has not occurred with respect to the current Proposed Amendment. A prior proposed amendment concerning similar provisions of the Code (the “Prior Draft Amendment”) was previously submitted to the Planning Board but given that the current Proposed Amendment differed enough from the Prior Draft Amendment to require a public hearing it should also be submitted for review and comment by the Planning Board in accordance with the requirements of Village Code.
3. The Proposed Amendment contemplates that the Planning Board may permit an owner of a business that becomes subject to parking requirements under the Code to make a payment in lieu of parking in an amount not exceeding **50%** of the required parking spaces. This effectively creates a Code provision that will require every business that becomes subject to providing parking and that does not have the ability to provide the full amount of such parking to seek **both** a variance (for the 50% of the required parking spaces that they are not entitled to make a payment in lieu of) and the payment in lieu of waiver with respect to the other 50%. A **variance** in zoning and land use is by definition an **exception to a rule** – it is not appropriate for a zoning code to have a rule that imposes a requirement to seek a variance. Moreover, to the extent that the Village Board is intent on using the parking provisions of the Zoning Code to provide for revenue to support parking infrastructure in the Village it makes no sense that an applicant is only applied to make a payment for 50% of the required parking but is entitled to (and, in fact required to if it wishes to move forward with its use) to seek a variance for free for the other 50%.
4. Notwithstanding the response to the inquiry posed by Richard Vandenburg at the Board’s meeting in respect of the proposed treatment of funds received as a result of the application of payment in lieu of parking, the Proposed Amendment is not entirely clear on how these funds will be treated. Specifically, the Section (Section 150-6G(1)(B) of the Proposed Amendment that contemplates an installment payment system in respect of payment in lieu of funds does expressly provide that such funds would be deposited into a special fund for use with respect to parking facilities but similar language is omitted from the general section relating to payment in lieu of (Section 150-6G(1)(A)) – this should be clarified in the final draft of the Proposed Amendment to make it clear that any funds received by the Village pursuant to Section 150-6G will be deposited into a special account and only available to fund costs associated with public parking facilities.
5. There are a number of substantive issues with respect to the Proposed Amendment that result from a lack of clarity in how to determine what parking requirements will apply to a particular use and leave a significant amount of room for discretion by the Village administration in respect of determining whether a particular use will become subject to a requirement to provide parking which could expose the Village to potential litigation risk. Some of these issues include:

- a. The lead in to Section 150-12 still contains language that implies that Section 150-12 and 150-16 are “additive” (“*Additional bulk requirements . . . are specified in Section 150-16*”) in nature while new Section 150-12(D) specifically seems to state the opposite as it provides that in instances where a use is specified in the table set forth in Section 150-16, the applicable requirements will be solely those contained in Section 150-16 if this results in a greater parking requirement for the intended use. Note that Section 150-16 does NOT include any requirement for parking in respect of employees (this has always historically been addressed in Section 150-12). The language in Section 150-12(D) of the Proposed Amendment also seems to ignore and fails to take into account the final sentence of Section 150-16A(1) relating to the Planning Board’s determination of applicable off -street parking requirements for uses not otherwise identified in the related table, which provision has not been affected by the Proposed Amendment.
- b. New Section 150-12(c) indicates that applicable parking requirements are to be determined based off of what parking requirements would have applied if a business or use had been subject to the parking requirements prior to the adoption of the Proposed Amendment – however given the language in Section 150-16 which provides that unlisted use categories are subject to “*reasonable and appropriate off-street parking requirements . . . as determined by the Planning Board*” it will be impossible in many instances to determine what actual parking requirements would have applied to a business prior to adoption of the Proposed Amendment since no such determination will have been made with respect to many of the current uses and business in the CR zone.
- c. The Code provides no guidance as to the calculation of what constitutes an “employee” for purposes of calculating parking under Section 150-12 where businesses have both part time and full time as well as seasonal employees. How will parking requirements be addressed to take into account part time versus full time employees and seasonal employee fluctuations?
- d. Current Code is outdated in respect of its treatment of parking requirements particularly when it comes to the combining of eating and drinking establishments into one category where parking is determined solely by reference to “seats” which can easily be undermined by an establishment that is principally a drinking establishment by reducing the number of seats – at a minimum applicable parking requirements for eating and drinking establishments should be revised to be based off of permitted occupancy levels.

Finally, I would like to state my support for the Village’s adoption of a local law imposing a limited time moratorium with respect to the issuance of building permits/site plan approvals while the Village undertakes a comprehensive review and update of the current draft LWRP with community input (I note that even though the draft LWRP is dated 2014, the bulk of the data, information and conclusions contained therein are based on data/information and input received in 2010/2011 and thus is over 10 years old and fails to address the current residential and business demographics of the Village) and

further undertakes a comprehensive review and update to the Zoning Code to reflect the updated LWRP. I note that that the current governing document for planning and zoning purposes in the Village is the 1996 LWRP and the Village has significantly changed since that time. I believe that it would be most appropriate to address parking as part of this comprehensive review. I would call upon the Trustees to enact such a moratorium and immediately reestablish a Waterfront Advisory Committee including members of the public (both residents and businesses), the Village Board, the Village administration, the Planning Board, the Zoning Board of Appeals, the Conservation Advisory Committee and the Historic Preservation Commission to work to update the LWRP and Code on a timely basis during the period of the moratorium. I respectfully request that this letter be read by the Village Clerk at the appropriate time for public comment at the next meeting of the Village Board of Trustees and be officially entered into the record.

Thank you for your consideration.

Best regards

Tricia Hammes

603 Main Street
Greenport, New York 11944
triciagrace@optonline.net

cc: Paul J. Pallas, P.E., Village Administrator
Sylvia Lazzari Pirillo, RMC, Village Clerk

**BOARD OF TRUSTEES
VILLAGE OF GREENPORT
NOTICE OF PUBLIC HEARING
ON A PROPOSED LOCAL LAW OF 2022
AMENDING THE PARKING REGULATIONS
OF THE VILLAGE OF GREENPORT**

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Greenport will conduct a Public Hearing on Thursday, October 27, 2022 at 7:00 p.m. at the Third Street Fire Station, Third and South Streets, Greenport, New York, 11944 regarding a proposed local law of 2022 amending the parking regulations of the Village of Greenport.

The purpose and subject of the proposed local law is to amend the parking regulations of the Village of Greenport.

The title of the local law is "Local Law of 2022 – A Local Law amending the parking regulations of the Village of Greenport."

Any interested party will be heard at the public hearing.

BY ORDER OF THE VILLAGE OF GREENPORT BOARD OF TRUSTEES
Village Clerk Sylvia Lazzari Pirillo, RMC

October 21, 2022

LOCAL LAW NO. OF THE YEAR 2022

A LOCAL LAW AMENDING THE PARKING REGULATIONS
OF THE VILLAGE OF GREENPORT
BE IT ENACTED BY THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE
OF GREENPORT AS FOLLOWS:

Section 1.0 Title, Enactment, Effective Date,
Purpose and Intent.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions.

2.1 Amendment of Section 150-12(C).

2.1 Amendment of Section 150-16(A)(1).

2.2 Deletion of Section 150-16(A)(2)

2.3 Amendment of Section 150-16(G).

3.0 Severability.

1.1 Title.

This Local Law shall be entitled “Local Law of 2022 Amending
the Parking Regulations of the Village of Greenport.

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State
of New York, the Incorporated Village of Greenport, County of Suffolk and State of
New York, hereby enacts by this Local Law of 2022, a Local Law of the Village of
Greenport.

October 21, 2022

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 Findings, Purpose and Intent of Local Law.

The Board of Trustees hereby finds that it is necessary to amend the off-street parking requirements contained in Chapter 150 of the Greenport Village Code due to the fact that that the existing requirements were adopted in 1990, and there have been significant changes in the development of the Village, the uses in the commercial and residential districts, and the needs of the residents, workers, visitors and guests of the Village for parking in the more than thirty years that the existing regulations have been in effect. It is therefore necessary to amend the off-site parking requirements to protect the health, safety and welfare of the residents, workers, visitors and guests of the Village and, and the continued growth and success of the businesses and institutions of the Village.

The purpose and intent of this Local Law is to adopt amendments to the off-site parking regulations contained in Chapter 150 that will benefit the residents, guests, workers and visitors of the Village of Greenport and the businesses and institutions of the Village of Greenport by amending the parking regulations contained in Chapter 150 of the Greenport Village Code to address the need for parking in the Village, to promote the orderly development of the Village, to provide reasonable access to the services and benefits offered in the Village, and to provide the parking and access that is required for the workers, residents, guests, and visitors in the Village.

2.0 General Provisions.

October 21, 2022

2.1 Amendment of Section 150-12(C)

Section 150-12(C) of the Greenport Village Code is hereby amended to read as follows:

“150-12(C) Where for any property that at the time of the adoption of this local law is located in either the CR Retail Commercial District or the WC Waterfront Commercial District, or is a use in another district with a requirement to provide off-street parking, and for which there is (1) an alteration of a premises; (2) an application for building permit or site plan change or approval is applied for or required; (3) a building department inspection is applied for or required; or (4) a change in the use or nature of use of a property or portion of a property that requires a building permit, site plan approval, or building department inspection, for a change of use; the off-street parking requirement for the use of the property or portion of the property shall not be increased unless the off-street parking requirement for the use of the property or the subject portion of the property increases above the off-street parking requirement of the property or portion of the property as of the date of the filing of this local law with the New York State Secretary of State without regard to the exemption that was previously allowed for properties in existence as of July 1, 1991; whereupon the person or entity owning or occupying the property or portion of the property affected by the change or increase shall be required to provide off-street parking for the amount by which the off-street parking requirement for the property or portion of the property has increased above the amount that the off-street parking requirement that either was required as of the date of the filing of this Local Law or would have been required as of the date of the filing of the Local Law without taking into account any exemption that was previously provided for a property in existence as of July 1, 1991.

October 21, 2022

2.2 Creation of Section 150-12(D)

Section 150-12(D) shall be created to read as follows:

150-12(D) The off-street parking requirements contained in Sections 150-12(A) and 150-12(B) are the minimum off-street parking requirements for properties located in the residential and commercial zoning districts respectively, of the Village.

The off street parking requirements contained in 150-12(B) are the minimum off street parking requirements for properties located in the specified commercial districts of the Village. In the event that the use or uses of a property are contained in the table located in Section 150-16 of the Greenport Village Code, then the off-street parking requirement for a property or a use of a property or portion of a property shall be the greater of the off-street parking requirement as calculated by Section 150-12(A) or 150-12(B) and the off-street parking requirement as calculated by Section 150-16.

In the event that the particular use or uses are not specified in Section 150-16 but another use is listed that is similar to the use, then the greater of the requirement for that similar use or the requirement calculated by Section 150-12(A) or 150-12(B) shall be the applicable off-street parking requirement.

In the event that a building or property contains both residential and commercial uses; then the off-street parking requirement for the building, property or use shall be the combined off-street parking requirements for the uses as calculated pursuant to Section 150-12(A) and Section 150-12(B) and Section 150-16.

October 21, 2022

2.2 Amendment of Section 150-16(A)(1)

A. The first paragraph only of Section 150-16(A)(1) shall be amended to read as follows:

“§ 150-16(A)(1)

Parking and loading regulations.

A. Off-street parking requirements. Off-street parking spaces, open or enclosed, are permitted accessory to any use, subject to the following provisions:

(1) Schedule of parking requirements. Accessory off-street parking spaces, open or enclosed, shall be provided for any use as specified below. Any land which is developed as a unit under single ownership and control shall be considered a single lot for the purpose of these parking regulations. Reasonable and appropriate off-street parking requirements for structures and uses which do not fall within the categories listed below shall be determined by the Planning Board upon consideration of all factors entering into the parking needs of each such use.

2.3 Deletion of Section 150-16A(2)

Section 150-16A(2) of the Greenport Village Code shall be deleted and Section number 150-16A(2) shall be reserved for future use by the Village.

2.4 Amendment of Section 150-16(G) of the Greenport Village Code.

Section 150-16(G) of the Greenport Village Code shall be amended to read as follows:

“G. (1)(A) The Planning Board may-require an owner to deposit a cash payment in lieu of any parking requirements set forth in this section or § 150-12. The number of parking spaces for which a payment in lieu is granted by the Planning Board shall not exceed more than 50 % of the required parking spaces. The amount per space to be paid under a payment in lieu shall be \$1,000 for the first five spaces paid in lieu, \$2,500 for the sixth through the tenth paces paid in lieu, and \$5,000 for the eleventh space and every space thereafter;

October 21, 2022

(1)(B) The Planning Board may grant a payment plan to the owner or entity responsible to provide off-street parking where a party may pay the payment in lieu amount to the Village, plus interest in the amount of ten percent (10%), in equal payment over up to ten years. Said funds will be deposited and maintained by the Village in a special fund and used by the Village for the construction, acquisition or maintenance of public parking facilities.

(2) Any decision of the Planning Board pursuant to this section may be appealed to the Village Board of Trustees within 60 days of the filing of the Planning Board's decision with the Village Clerk.

(3) The Planning Board may determine to not grant any waiver for any portion of the off-street parking requirement, as may be determined by the Planning Board to be in the best interests of the Village of Greenport.

3.0 Severability

In the event that any section or portion of this Local Law or Chapter shall be deemed void or not effective, the remaining provisions of this Local Law and Chapter shall remain in full force and effect.