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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
December 15, 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: Call the meeting to order.

3 Pledge to the flag.

4 (Pledge of Allegiance)

5 MAYOR HUBBARD: Thank you. Okay. Just I see
6 we have a lot of people in the audience. Just as a
7 piece of information, the public hearing on the
8 moratorium is next week, not tonight. So anybody
9 that -- any comments that come tonight, we will --
10 after we finish our regular agenda, the public is
11 welcome to speak and all, but that's not going to
12 be part of the public hearing on the moratorium.
13 This is just part of this meeting. That -- those
14 discussions will be next week at 7 o'clock on the
15 22nd here, just so everybody knows.

16 Okay. The first order of business is the
17 Fire Department. There's a Chiefs Council meeting
18 tonight and the Chiefs are all at that. So they
19 had nothing to bring up and no requests. So we'll
20 cover that and we'll move on to the Village
21 Administrator report, Mr. Pallas.

22 ADMINISTRATOR PALLAS: Thank you, Mr. Mayor
23 and Board. A few discussion items relatively
24 quickly.

25 On the microgrid, there really hasn't been

1 any change physically, other than they continue to
2 work through punch list items. We're still looking
3 at a delayed delivery for the battery systems.
4 There will likely be a resolution at next month's
5 meeting to request an extension of time for the
6 agreements as a result of that. We can't put that
7 through until we get the agreement from the
8 Governor's Office of Storm Recovery for them to
9 extend the time first, then we -- then we
10 acknowledge that and extend it for our contract
11 with the -- with Haugland Energy.

12 TRUSTEE PHILLIPS: With the extension, Paul,
13 I mean, have we sent in any vouchers for repayment
14 for anything yet, or no?

15 ADMINISTRATOR PALLAS: Oh, many, yeah.

16 TRUSTEE PHILLIPS: Okay.

17 ADMINISTRATOR PALLAS: We are well up to
18 date, and, in fact, you know, at the -- just so the
19 everybody is aware, the outset of this project, the
20 folks at the -- at GOSR had indicated that the
21 turnaround time for repayment was maybe a couple of
22 weeks. And I said we've never experienced anything
23 like that. It's usually months to sometimes years.
24 But they are true to their word. We send it in
25 and, generally speaking, we get a refund or a grant

1 check back from them within a matter of weeks. So
2 that's been going very well.

3 TRUSTEE PHILLIPS: Excuse me for a second.
4 (Coughing) Bronchitis is nasty. Sorry, folks,
5 sorry about that. Sorry, Paul.

6 ADMINISTRATOR PALLAS: No worries. On the
7 ferry queue project, I did receive a full new
8 package that we're looking to submit to the DOT.
9 It's a rather voluminous set of documents. I can't
10 really send it to you all by email. I do have hard
11 copies in my office. And if there are any comments
12 that you would like to make, as we have discussed,
13 some aesthetics, different lighting -- you know,
14 there is some talk about the -- in the turn around
15 area, there's a brick central circle, if you will,
16 that perhaps we might want to do some decorative
17 things in there.

18 So I have the hard copies in my office. The
19 goal would be to try to get something back to the
20 DOT. I was hoping for the end of the year, but
21 given the holidays, maybe by mid January. If you
22 do have any concerns or questions, please stop by
23 my office and I'll go through the plans with you
24 and just let you know where, where that is.

25 TRUSTEE CLARKE: So this is the package you

1 received from the consultant?

2 ADMINISTRATOR PALLAS: The engineer, correct,
3 yes, the full design package. It's a full bid
4 package. The New York State DOT requires us to
5 have a full bid package with plans and specs and
6 permits, and all of the things that go along with
7 that, even though we're not in a position to bid it
8 out. They're aware of that, but that's what they
9 requiring anyway.

10 TRUSTEE CLARKE: And that's the final design
11 package?

12 ADMINISTRATOR PALLAS: Correct. That is the
13 final design package, yes.

14 TRUSTEE CLARKE: Okay.

15 ADMINISTRATOR PALLAS: The next --

16 TRUSTEE CLARKE: And I'm sorry.

17 ADMINISTRATOR PALLAS: That's fine.

18 TRUSTEE CLARKE: I didn't catch the deadline.
19 How -- if there -- if I wanted to review it with
20 you, what's my deadline?

21 ADMINISTRATOR PALLAS: Mid January.

22 TRUSTEE CLARKE: Mid January.

23 ADMINISTRATOR PALLAS: Yes.

24 TRUSTEE CLARKE: Thank you, Paul

25 ADMINISTRATOR PALLAS: Moving on to the Ice

1 Rink, we do intend to attempt to spray next -- next
2 week. We think it's going to be cold enough at
3 night to spray. I hope it does. That's what the
4 weather forecast is. There was some thought about
5 spraying this week, but with the rain predicted for
6 tonight, it just didn't seem to make sense to waste
7 the water and the electric to keep it running when
8 it's likely going to wash away anyway.

9 So we will -- we are gearing up to spray next
10 week, and with any luck, we'll be able to have ice
11 for between Christmas and New Years, when the kids
12 are off from school. That's our goal as of now.

13 A couple of -- a few add-on items. First is
14 the Sandy Beach/Safe Harbor sewer extension
15 proposal. I had transmitted to you a -- an
16 analysis of the cost, proposed costs from our
17 consultants. As you saw, the cost for -- after you
18 take into account the grant contributions and
19 contributions from the residents on Sandy Beach,
20 it's over a million dollars for both, for both us
21 and for Safe Harbor Marinas. Obviously, that money
22 is not something we have the wherewithal at this
23 point in time to fund, unfortunately, but we will
24 be aggressively pursuing any and all grants to try
25 to move this forward. We do still have the

1 \$390,000 grant, and that's already been taken into
2 account in that, in that analysis.

3 TRUSTEE ROBINS: So, Paul, the million-plus
4 is above and beyond the \$360,000 grant?

5 ADMINISTRATOR PALLAS: Correct, yes. Yes,
6 above and beyond. The total cost, which does
7 include onsite work for Safe Harbor, is two --
8 almost \$2.9 million, so that it -- both of those
9 take that into account, and it brings it down
10 significantly, but not -- still not enough. So we
11 will be pursuing grants for that, of course.

12 TRUSTEE CLARKE: There's not a reserve of
13 that size for the Sewer Fund --

14 ADMINISTRATOR PALLAS: No, not at --

15 TRUSTEE CLARKE: -- that would encompass a
16 project of that size?

17 ADMINISTRATOR PALLAS: Not at -- not today.
18 As of today, no. We still have a couple of fairly
19 large expenditures coming down the road for the
20 Sewer Department. There's the -- what we call a
21 screw pump that moves the effluent from -- into the
22 clarifier from the -- yeah, I forget what it's
23 called. But, anyway, moves it into the clarifier,
24 so those are rather expensive.

25 TRUSTEE CLARKE: Right. And then all the

1 expenditures from the improvement of the site --

2 ADMINISTRATOR PALLAS: Correct.

3 TRUSTEE CLARKE: -- which are considerable.

4 ADMINISTRATOR PALLAS: Correct. And I think
5 we're still -- we haven't paid the final bill on
6 that, so we're -- there's still some money to be
7 spent.

8 TRUSTEE CLARKE: Okay.

9 TRUSTEE PHILLIPS: Where are we with the
10 electric, sewer and rate study?

11 ADMINISTRATOR PALLAS: I haven't had time, to
12 be honest, to review it. It will -- I will commit
13 to get something to you all by next month's
14 meeting. That --

15 TRUSTEE PHILLIPS: Okay. Because that's
16 going to be a big factor --

17 ADMINISTRATOR PALLAS: Yeah.

18 TRUSTEE PHILLIPS: -- in all of this.

19 ADMINISTRATOR PALLAS: Yes.

20 TRUSTEE ROBINS: And those estimates came in
21 in October, right, the three --

22 TRUSTEE PHILLIPS: Yeah, they did, they came
23 October 13th.

24 ADMINISTRATOR PALLAS: Yes.

25 TRUSTEE ROBINS: October, yeah.

1 ADMINISTRATOR PALLAS: Yes. We've been in
2 contact with several of the bidders on that just to
3 keep them updated on the progress of the review.

4 The only open item, going back to the sewer
5 extension project, the agreements we have with the
6 Sandy Beach Homeowners does have a time frame that
7 we will pass at this point, because the original
8 thought was we'd be able to get this all squared
9 away by the end of this year. So I'm -- I will --
10 there will be a resolution next week to extend
11 those for another year. Given how slow these
12 things are, particularly the grant funding that's
13 rolling out from the Federal Government, I don't
14 believe we'll be able to do it much sooner than
15 that. So I will be asking to extend those
16 agreements.

17 I've had a discussion with the Village
18 Attorney about the best process for that. So it's
19 just basically a letter agreement that would be on
20 top of the original agreement that we would have
21 all the homeowners sign off, on the extent that
22 they -- they've been asking about it. I explained
23 to them that it shouldn't be an issue, as far as
24 I'm concerned. So I'm just letting you know that
25 resolution is out there, will be out there for next

1 week's meeting. With regard to --

2 TRUSTEE CLARKE: One real quick.

3 ADMINISTRATOR PALLAS: Sure.

4 TRUSTEE CLARKE: The above contribution
5 amounts take into account the grant, the
6 homeowner's contribution as well.

7 ADMINISTRATOR PALLAS: Correct.

8 TRUSTEE CLARKE: Okay. So the number you're
9 talking about is net of everything else that we
10 have --

11 ADMINISTRATOR PALLAS: Yes.

12 TRUSTEE CLARKE: -- looked at and considered
13 and found?

14 ADMINISTRATOR PALLAS: Correct.

15 TRUSTEE CLARKE: Okay.

16 TRUSTEE PHILLIPS: It's still a lot of money.

17 ADMINISTRATOR PALLAS: In addition,
18 allocating site specific costs to Safe Harbor.

19 TRUSTEE CLARKE: Okay.

20 ADMINISTRATOR PALLAS: Because those, some
21 of -- some of those costs that were in the
22 estimates are just site specific, that's the only
23 way to describe it, but nothing to do with the
24 mains themselves. It's really to do with the sewer
25 interconnections on their site to get it to the --

1 to the system, essentially.

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

3 ADMINISTRATOR PALLAS: Moving on to -- we do
4 have a very small change order on the Sterling
5 Street/Sterling Avenue project from our concrete
6 contractor, it's a little over \$1600. There was a
7 broken apron that was missed in the original
8 proposal. They found it while they were doing the
9 work, so that that is what that challenge order is
10 about.

11 Lastly, I do have a New York Association of
12 Public Power Business Meeting January 18th and
13 19th, I believe. Just that will be a resolution
14 for approving that as well.

15 And that's it for me, unless anybody has any
16 questions.

17 MAYOR HUBBARD: Any questions for Paul?

18 TRUSTEE ROBINS: Quick comment. Interesting.
19 I saw via social media, and whatever, there were
20 comments being made about water quality here in the
21 Village, some people complaining that their water
22 was -- smelled, or, you know, things like that.
23 People were concerned about it.

24 I read a CBS news report on water quality on
25 Long Island and they flagged all the different

1 locations. You could look up where your water came
2 from, and Greenport water was fine, we were well
3 below the limit. So I just wanted to reassure the
4 public our water is safe.

5 ADMINISTRATOR PALLAS: It's also important to
6 note that we don't pump the water. We purchase the
7 water through Suffolk County Water Authority.

8 TRUSTEE ROBINS: Right. But it's still the
9 wells that they're getting it from --

10 ADMINISTRATOR PALLAS: Correct, yes.

11 TRUSTEE ROBINS: -- in Suffolk County are
12 good, whereas up -- a lot of the areas in Nassau
13 County and Suffolk West were much higher than here
14 in Greenport, so.

15 ADMINISTRATOR PALLAS: Good.

16 TRUSTEE CLARKE: I did want to ask if the
17 additional masonry work that was in scope for the
18 couple repairs that were going along with Sterling
19 Street and Sterling Avenue, if they were completed.

20 ADMINISTRATOR PALLAS: No. The three, the
21 three -- three locations? I can't remember if it's
22 three or four, that we've been trying to schedule
23 with the contractor to have them come in. The
24 weather was against us, unfortunately. It's still
25 on -- as soon as the weather is conducive, they are

1 scheduled to come in.

2 TRUSTEE CLARKE: So you -- it won't be
3 delayed until spring, you don't think?

4 ADMINISTRATOR PALLAS: No. I think -- I've
5 been -- I still think there's a chance we can get
6 it done.

7 TRUSTEE CLARKE: Okay, great.

8 ADMINISTRATOR PALLAS: I do.

9 TRUSTEE CLARKE: That's good.

10 ADMINISTRATOR PALLAS: Yes.

11 TRUSTEE CLARKE: Thank you.

12 TRUSTEE PHILLIPS: So I see they've cut the
13 tree down in front of the alleyway between -- the
14 sidewalks that's almost at --

15 ADMINISTRATOR PALLAS: Yes.

16 TRUSTEE PHILLIPS: Okay. Is the contractor
17 coming out? Is that what you were just talking
18 about?

19 ADMINISTRATOR PALLAS: Yes.

20 TRUSTEE CLARKE: Yes, it is.

21 ADMINISTRATOR PALLAS: Yes.

22 TRUSTEE PHILLIPS: All right. Okay.

23 ADMINISTRATOR PALLAS: There's actually two
24 spots.

25 TRUSTEE CLARKE: Yes, there's --

1 ADMINISTRATOR PALLAS: I apologize.

2 TRUSTEE CLARKE: No, go ahead.

3 ADMINISTRATOR PALLAS: There's actually two
4 spots there, one right at -- just at the driveway
5 apron --

6 TRUSTEE PHILLIPS: Right.

7 ADMINISTRATOR PALLAS: -- for the -- I guess
8 the entrance apron to --

9 TRUSTEE PHILLIPS: To Sterlington.

10 ADMINISTRATOR PALLAS: -- Sterling Commons,
11 and then there's one just a little bit further
12 down. There are two flags away from that that have
13 to be done and then --

14 TRUSTEE PHILLIPS: Okay. I'm sorry, I was
15 reading --

16 ADMINISTRATOR PALLAS: That's fine. One at
17 Mitchell Park, and then one right down here on
18 Third.

19 TRUSTEE PHILLIPS: Okay.

20 MAYOR HUBBARD: Okay. Anything else?

21 (No Response)

22 MAYOR HUBBARD: Okay. We'll move on to the
23 Interim Treasurer's report from Stephen Gaffga.

24 INTERIM TREASURER GAFFGA: Good evening,
25 everybody. In addition to my normal work session,

1 I just have two resolutions, and I'm going to have
2 one additional resolution that I'm going to be
3 requesting for the regular meeting.

4 The first resolution is just a budget
5 amendment to fund clarifier maintenance. We had a
6 company come out and they had to do the brushes for
7 the clarifier. And Adam needed this to be part
8 of -- you know, pulled from reserves, so that we
9 could fund that, because it's outside of the normal
10 scope of what's in our budget for the Sewer Fund.

11 The second resolution is establish with
12 NYCLASS just four new additional general ledger
13 items, asset lines, and author -- and asking for
14 authorization to be able to move funds from our
15 General, Light, Water, Sewer over to NYCLASS.

16 The one additional resolution that I have
17 this month is just to fund the holiday lights that
18 we were doing in conjunction with the BID, to pull
19 from reserves to be able to fund that. It's -- we
20 got the bill, and it's like 81-37, I believe is how
21 much it came to. So the lights look great.

22 TRUSTEE MARTILOTTA: They really do.

23 INTERIM TREASURER GAFFGA: So I'm going to be
24 asking for a budget amendment for part of the
25 regular session to be able to fund that and to get

1 them paid.

2 And other than that, everything else is
3 pretty much straightforward. So do you guys have
4 any questions?

5 TRUSTEE MARTILOTTA: No, I don't think so.

6 TRUSTEE ROBINS: You're doing a good job.

7 MAYOR HUBBARD: No. Okay. Very good. Thank you.

8 INTERIM TREASURER GAFFGA: All right. Thank you.

9 TRUSTEE MARTILOTTA: Thanks, buddy.

10 MAYOR HUBBARD: All right. Next will be the
11 Village Clerk report. Clerk Pirillo.

12 CLERK PIRILLO: Hi. Good evening, everyone.

13 TRUSTEE CLARKE: Good evening.

14 CLERK PIRILLO: Hi. I have some items
15 ancillary to my report, so I'll begin there.

16 Under Agreements and Contracts, the sanitary
17 sewer agreement between the North Road Hotels and
18 the Village was fully executed on the 14th, just
19 the other day. North Road Hotels is otherwise
20 known as the Sunset Motel.

21 TRUSTEE MARTILOTTA: Oh, okay.

22 CLERK PIRILLO: Okay? Under Financial, a
23 check in the amount of \$26,984 from Suffolk County
24 was received. That is our annual subsidy.

25 Calling attention to my resolutions, there

1 will be a change in one, which appoints four
2 election inspectors. Election inspector Marion
3 Latney will not be serving. Alison M. Shelby will
4 be serving in place of Mrs. Latney, with my
5 condolences to her family and friends.

6 I have additional resolutions. We opened a
7 variety of bids this afternoon -- this morning.
8 All -- excuse me, this morning. All of them, the
9 annual bids. The first one is for the removal of
10 snow. The low bidder there was Stanley Skrezec.
11 The second was for the performance of contractor
12 services, low bidder, Stanley Skrezec. The third
13 was for the delivery of diesel fuel, sole bidder,
14 Burt's Reliable. The fourth was for the delivery
15 of No. 2 heating oil, sole bidder, Burt's Reliable.

16 We once again did not receive a bid for the
17 annual contract for 87 octane, which problem we
18 solved some years ago by using a company on State
19 contract, so we will continue along that path. In
20 the past we have rebid to no avail. So I wanted to
21 just call all those to your attention. You'll be
22 seeing resolutions for all of those.

23 An additional resolution is to approve a
24 proposal submitted by the Land Use Law Center of
25 the Pace University School of Law for the provision

1 of a two-hour land use training workshop. The cost
2 for that is \$2,500 for a maximum of 35 participants.
3 So that will appear on Thursday's agenda as well.

4 TRUSTEE CLARKE: Is that scheduled, or it
5 just is a resolution to approve scheduling?

6 CLERK PIRILLO: It's a resolution to approve
7 the proposal, and then we can go ahead and
8 schedule.

9 TRUSTEE CLARKE: Okay, great.

10 CLERK PIRILLO: Okay? We'll work with --
11 we'll work with Patrick Brennan and internally to
12 get a schedule.

13 TRUSTEE CLARKE: Okay. And you said up to
14 how many people?

15 CLERK PIRILLO: Thirty-five.

16 TRUSTEE ROBINS: Thirty-five? That's great.

17 CLERK PIRILLO: Maximum of 35, \$2500, it's a
18 two-hour course.

19 TRUSTEE ROBINS: It's only two hours?

20 CLERK PIRILLO: It is. I wanted to call to
21 the Board's attention that we have received two
22 separate letters from two disparate parties, one
23 regarding the Peconic Star. There is a gentleman
24 that would like to take that over and assume the
25 lease agreement. Similarly, for the Peconic

1 Star III, there is a request to take that over and
2 assume the lease agreement from a new party.
3 Review of -- my perfunctory review of those two
4 agreements, which, of course, is subject to the
5 Attorney, tells us that those are -- those leases
6 can be assumed and/or assigned.

7 So how would the Board like to proceed on
8 those? Is it okay to transfer and assign those?
9 And, Attorney Prokop, do we need a resolution to do
10 so?

11 ATTORNEY PROKOP: All you -- you would need a
12 resolution to approve the assignment, but my
13 recommendation is that we ask for the financial
14 information on the people that are taking over and
15 some kind of -- you know, business plan, as far as
16 their use of the two vessels.

17 TRUSTEE PHILLIPS: Do we have the opportunity
18 to amend the leases with it being change of ownership?

19 ATTORNEY PROKOP: If there's a -- if there's
20 a justification for it. So that might -- that
21 might come up after we review the financials. We
22 don't have the -- we do not -- my
23 understanding is -- my recollection of the two
24 agreements is we would not have the right directly
25 to renegotiate the rent, but --

1 TRUSTEE PHILLIPS: I'm not talking about the
2 rent, I'm talking about some of the conditions that
3 are in the --

4 ATTORNEY PROKOP: If the -- depending on the
5 circumstances. We need to know what the uses of
6 the boats are going to be. If there's any --

7 TRUSTEE PHILLIPS: That's my -- that's my
8 next concern, because I -- okay.

9 ATTORNEY PROKOP: Also, if there's any
10 portion -- if there's anything from the lease or
11 their use of the dock that affected the Village
12 that we didn't anticipate from, you know, when we
13 originally went into, we could amend that with a
14 condition in the -- in the assignment.

15 TRUSTEE PHILLIPS: Is it possible -- I mean,
16 I haven't read it in a long time, so is it possible
17 to get copies of it before?

18 ATTORNEY PROKOP: Yes. We have the --

19 CLERK PIRILLO: Copy of the leases --

20 ATTORNEY PROKOP: We can search for it.

21 CLERK PIRILLO: -- Trustee Phillips?

22 TRUSTEE PHILLIPS: (Nodded Yes)

23 CLERK PIRILLO: Yes.

24 TRUSTEE PHILLIPS: Yeah, I think everyone
25 should read that.

1 CLERK PIRILLO: That's fine.

2 TRUSTEE PHILLIPS: And we need to update,
3 because -- yeah. Yeah, and, definitely, we need
4 some type of business plan from them as to what
5 their goal is.

6 CLERK PIRILLO: Okay. Attorney Prokop, of
7 course, I'll follow your advice. I'll request a
8 business plan and finances to be reviewed, and also
9 circulate that with copies of the -- of both leases
10 to the Board.

11 TRUSTEE ROBINS: Yeah. And, basically, if
12 they want to do this lease with us --

13 MAYOR HUBBARD: I'm sorry.

14 TRUSTEE CLARKE: I'm sorry, I can't hear you.

15 CLERK PIRILLO: I'm sorry, Trustee Robins,
16 you have to speak into the mic.

17 TRUSTEE ROBINS: You'll vet them? You'll vet
18 them, then, and check their, you know, background
19 of who they are?

20 ATTORNEY PROKOP: Oh, definitely, yeah, yes.

21 TRUSTEE ROBINS: Okay.

22 CLERK PIRILLO: And that, Board Members, is
23 all I have, unless you have any questions or
24 comments. Thank you.

25 MAYOR HUBBARD: Anything else for the Clerk?

1 TRUSTEE ROBINS: No.

2 CLERK PIRILLO: Thank you.

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

5 ATTORNEY PROKOP: So I have two things from
6 my report that I would like to mention.

7 One is I had -- I had -- I opened -- tried to
8 open up a discussion about subdivisions. And, you
9 know, I know we're working on other major projects
10 right now, so -- that take precedence, but I just
11 wanted to -- we do have a couple of situations that
12 are waiting for a review of that by the -- by the
13 Trustees. So if I could just -- if at some point
14 you could spend some time and maybe contact me and
15 ask me any questions you have, we could bring it up
16 at next month's meeting, if possible, the
17 information that I've provided.

18 TRUSTEE CLARKE: I saw your email on the same
19 subject, but I didn't see --

20 ATTORNEY PROKOP: It's in my report.

21 TRUSTEE CLARKE: It's in your report?

22 ATTORNEY PROKOP: It's in my report.

23 TRUSTEE ROBINS: You're making a
24 recommendation to recognize those subdivisions in
25 your report, aren't you?

1 ATTORNEY PROKOP: So in some format, yes.

2 TRUSTEE ROBINS: Yeah.

3 ATTORNEY PROKOP: To recognize some of the
4 older subdivisions, yes.

5 TRUSTEE CLARKE: But was there any other
6 detail about it attached?

7 ATTORNEY PROKOP: Yes.

8 TRUSTEE CLARKE: Hold on, let me just check.

9 ADMINISTRATOR PALLAS: If I may ask a
10 question, Mr. Prokop. The specifics were that
11 for -- do you want me not to go into details, by
12 the way? Should I not go into details, I guess?

13 ATTORNEY PROKOP: No, just there's a -- no, I
14 could just talk about it in generalities, if that's
15 okay. So the -- there's a lot -- there's a lot of
16 discussion in the Village about prior -- old, very
17 old approvals of subdivisions, how they were done,
18 and what subdivisions were approved, which ones
19 were not approved, what the path, the path to
20 approval was, and it's created -- you know, created
21 an inconvenience, legal fees, delays, you know, a
22 lot of resource, consumed a lot of resources of the
23 Village. So what I tried to do was to get
24 information on what exactly we're talking about in
25 terms of the scope of what could be the issue, and

1 then just try to start a discussion for the Board
2 to consider. And --

3 MAYOR HUBBARD: Okay. I'd like to add onto
4 that. It's still going on with Suffolk County
5 Center, is approving subdivisions without
6 documentation from the Village, saying that the
7 property has gone through the planning process,
8 which is part of our State Code -- Village Code and
9 State Code that it needs to be done that way. And
10 I think we really need to send a letter to Suffolk
11 County asking them to stop that practice.

12 A lot of these happened years ago, but stuff
13 has happened within the past two years, that
14 somebody goes in with a lawyer, they hand the
15 paperwork, "I'm subdividing my property," the
16 County said, boom, "Okay, here's two different tax
17 numbers," without any input from us. And State
18 Code says you need the municipality to give
19 permission for that subdivision, and it's
20 happening, it's still continuing. So we can clear
21 up all these old ones, but it's going to continue
22 to happen.

23 So we need to send a letter to Suffolk County
24 asking the County Executive, Mr. Bellone, to just
25 stop the process, tell them they can't do this.

1 It's not right for us, and we have no self control
2 and home rule in what's happening in our Village,
3 and it shouldn't be done that way.

4 So that's -- I really think we should have
5 the Village Attorney work on a letter, sending that
6 to the County Executive and the County -- I mean,
7 everybody on the County Board --

8 TRUSTEE MARTILOTTA: Sure.

9 MAYOR HUBBARD: -- to just say we need to
10 stop doing this and it's not fair.

11 TRUSTEE MARTILOTTA: Approximately how many
12 properties are we talking about?

13 ATTORNEY PROKOP: Could be a few dozen.

14 TRUSTEE MARTILOTTA: Oh, it is that many?

15 ATTORNEY PROKOP: Yeah, but we're talking --

16 MAYOR HUBBARD: I think you had 30 properties
17 on there.

18 TRUSTEE MARTILOTTA: I didn't see.

19 ATTORNEY PROKOP: It's over 60 years, it's a
20 60-year period.

21 TRUSTEE MARTILOTTA: But they're all -- so I
22 hope I'm not saying this wrong. Like they're all
23 still actively attempting to subdivide? Like you
24 gave a list of all the ones that --

25 TRUSTEE PHILLIPS: They were already

1 subdivided.

2 TRUSTEE MARTILOTTA: Had been subdivided.

3 But are they all still pursuing --

4 ATTORNEY PROKOP: No, they --

5 TRUSTEE MARTILOTTA: Like how many before us
6 are we looking to rectify, all 60?

7 ATTORNEY PROKOP: No. It could be a dozen
8 or so.

9 TRUSTEE MARTILOTTA: Okay.

10 ATTORNEY PROKOP: You know.

11 TRUSTEE CLARKE: I found all the details.

12 ATTORNEY PROKOP: So, but thank you for
13 bringing -- thank you for describing that, Mayor.
14 So that's the situation. Suffolk County approves
15 these without consulting the Village, and it's a
16 major issue for all Villages in the County.

17 TRUSTEE PHILLIPS: Okay. So let me ask you a
18 question. Most of the properties, it doesn't start
19 with the County Legislature, it starts within the
20 Treasurer or the Comptroller's Office where you pay
21 property taxes. That's where they go in to do that
22 actual activity, or does it have to have a Suffolk
23 County resolution to it?

24 ATTORNEY PROKOP: I'm sorry, to do what? I
25 apologize.

1 TRUSTEE PHILLIPS: Okay. When you go in
2 to -- these applicants or these property owners
3 that go in and want to do these subdivisions, what
4 office do they go to to present all this legal
5 paperwork?

6 ATTORNEY PROKOP: Well, it's -- the building
7 is the Suffolk County Clerk, but the office that
8 you go to, is you go to the -- to Real Property Tax
9 Service Agency, which is like a subdivision of
10 that, and they -- they sign off and actually create
11 the two tax lots, they sign off on it.

12 TRUSTEE PHILLIPS: I see.

13 ATTORNEY PROKOP: If you do that, my
14 understanding -- excuse me, I'm sorry.

15 TRUSTEE PHILLIPS: That's okay.

16 ATTORNEY PROKOP: If you do that in Nassau
17 County, my understanding is any other county in the
18 State, they won't take the subdivision unless they
19 have -- you have a certified resolution from the
20 Planning Board or ZBA, or whoever it is in that
21 village or town. In Suffolk County, you can -- you
22 can just walk in with two deeds and subdivide your
23 property.

24 TRUSTEE PHILLIPS: So there is no actual
25 piece of legislation that controls it?

1 ATTORNEY PROKOP: No, there is regulations on
2 that, statewide regulations.

3 TRUSTEE PHILLIPS: Statewide regulations.

4 ATTORNEY PROKOP: Yeah.

5 TRUSTEE PHILLIPS: So my thought is, and I
6 agree with the Mayor, that the County Exec and the
7 Legislature should be made aware of the fact. But
8 I think that we should also send a property -- send
9 a letter to that department stating that, you know,
10 we object to them doing that.

11 ATTORNEY PROKOP: Yes.

12 TRUSTEE PHILLIPS: And perhaps we can suggest
13 to the County Executive and the -- and the
14 Legislators that they need to pass some type of
15 resolution or change --

16 ATTORNEY PROKOP: Okay.

17 TRUSTEE PHILLIPS: -- so that that department
18 doesn't continue that.

19 MAYOR HUBBARD: Uh-huh.

20 TRUSTEE PHILLIPS: It sounds to me like if we
21 don't -- if we don't contact both ends of the -- of
22 the issue, as far as those going in to do it and
23 getting it done, and the Legislature, who's really
24 out of the realm of that, it could -- it could just
25 get lost in the mix.

1 ATTORNEY PROKOP: Right. I'd be happy to
2 bring that forward for you, yeah.

3 TRUSTEE PHILLIPS: So I think that we should
4 have two letters.

5 MAYOR HUBBARD: Uh-huh.

6 TRUSTEE PHILLIPS: Or, you know, one CC'ing
7 each other, so that they will call each other and
8 find out what's going on.

9 ATTORNEY PROKOP: Okay.

10 TRUSTEE PHILLIPS: Okay? I think that that
11 would be --

12 MAYOR HUBBARD: Along with the Clerk's
13 Office, the County Clerk --

14 TRUSTEE PHILLIPS: Yeah.

15 MAYOR HUBBARD: -- because that's where
16 it's -- it's coming through her office, right.

17 TRUSTEE PHILLIPS: Yeah. I think that --

18 MAYOR HUBBARD: Okay.

19 TRUSTEE PHILLIPS: I think we need to reach
20 to all the parties that are involved in it, and
21 what that should do, hopefully, is raise the
22 question. They'll contact each other, and then
23 maybe we'll get a better -- you know, we'll get an
24 answer or a resolution.

25 ATTORNEY PROKOP: Okay. Thank you. Now

1 that -- the second part of my report is regarding
2 the law on -- the moratorium law and resolution.
3 So to just go through -- to go through this and
4 make a recommendation to you.

5 So I had -- right now we have a public
6 hearing scheduled for next week. The public
7 hearing is on the version of the law that was
8 presented to you on December 2nd that you voted to
9 have a public hearing on. What -- just to go
10 through, there's a number of steps that have -- did
11 take place and have taken place since we last spoke
12 about this, and I want to clarify -- make you aware
13 of them, and also clarify things, because I've been
14 asked a number of questions about this.

15 So a few days prior to -- at the end of
16 November, I was -- I was forwarded an email with a
17 fairly extent -- from Trustee Robins with a fairly
18 extensive description of a -- language for a
19 moratorium, that I was then tasked with creating a
20 Local Law for.

21 So I -- with -- just prior to that meeting in
22 December, the day -- prior to that meeting of
23 December 2nd, I fashioned a Local Law, and also a
24 resolution adopting that Local Law, which the --
25 excuse me, a resolution setting a public hearing on

1 that Local Law. That resolution was adopted on
2 December 2nd, that evening.

3 The resolution included pending language in
4 it, which basically was a description of what --
5 what we -- what would happen between December 2nd
6 and whatever the date was that we had the final
7 public hearing and possibly action on the Local
8 Law, so during that -- during that consideration
9 period.

10 The -- we adopted that and at that -- excuse
11 me. At that meeting, we received several pages of
12 comments from a resident, who's a member of the
13 Planning Board, extensive comment on the Local Law
14 and the resolution. The resolution was adopted
15 that night as it was without those comments as
16 proposed. The -- and the local -- but we -- I
17 still had the Local Law comments to look at and
18 work with.

19 You have all seen copies of them. They were
20 fairly extensive hand markups on the face of the
21 Local Law, and then also several pages of riders,
22 which were suggested to be included in the Local
23 Law. And I -- you know, I have to say that I -- as
24 you'll hear in a few minutes, I don't agree with
25 necessarily all the changes or -- however, I do

1 appreciate -- I want to say that I appreciate the
2 work that went into it.

3 It has been categorized largely as a cleanup
4 of the Local Law, with some -- with some
5 fundamental suggestions, also, which I -- which
6 I've taken into consideration, and, again, also
7 appreciate. But I view -- I wanted to say to you
8 that I view it largely, with respect to the cleanup
9 comment, restructuring of language and style
10 differences. However, there were changes in that
11 category that were very helpful, and which, as I
12 said, I appreciate.

13 With regard to the -- so what happened next
14 is last week I was able to, with a lot --
15 investment of a lot of my time, take those
16 handwritten changes, over all those pages and the
17 rider paragraphs, and create a redline version of
18 the law, which I circulated to the Board -- which I
19 circulated to the Board.

20 What I had hoped that redline version of the
21 law would do was make a more -- a more readable
22 version of the comments that had been made on
23 December 2nd. So, instead of looking at, you know,
24 like I -- like I said, handwritten comments, and
25 then rider pages attached and try to figure out

1 where they go and what is what, you could read
2 through it and see what the comments are that were
3 made. And I'm not saying -- when I say handwritten
4 comments, I'm only saying what they were, I don't
5 mean it to be critical in any way.

6 All of this work, beginning with Trustee
7 Robins' email, to tonight, a lot -- a lot of work
8 has gone into this by everybody, and a lot of it
9 was in a very short time period to get us to where
10 we were -- where we are where we could consider
11 this. So that was circulated last week.

12 I started receiving -- getting questions
13 about where my changes were coming from, and, you
14 know, how I made those changes, and my Local Law
15 and things like that, and, you know, I -- but I
16 just wanted to clarify, which I tried to do
17 individually, but I'll clarify tonight for
18 everybody, that none of the changes in what was
19 circulated were my changes. Those were all changes
20 that were suggested at the time by the public that
21 I wanted to get into that version, so it would be
22 readable by you.

23 Last night at the Planning Board -- and then
24 I was waiting to tonight to see what -- what we
25 decided to do with those public comments. So last

1 night at the Planning Board meeting, the Planning
2 Board spent some time talking about this, and the
3 Planning Board adopted those changes as the
4 Planning Board's response to the -- to our Local --
5 to your version of the Local Law.

6 And we do have -- you know, as you know, we
7 have a referral provision in our code where changes
8 to Chapter 150 by this Board have to be first
9 reviewed by the -- referred to and reviewed by the
10 Planning Board. We had not done a formal review
11 process yet. We were -- you know, normally do that
12 after the public weighs in. But in order to help
13 things along, which, again, is appreciated, the
14 Planning Board took that step as adopting those
15 comments as their comments, and then we have -- now
16 have formal -- formalized those comments.

17 So what I -- what I've done now in the
18 meantime is after that meeting now, I've gone
19 through -- now that those are actually formal
20 comments by the Planning Board, I've gone through
21 the Local Law, and I have some responses to those
22 comments, which I wanted -- which I'd like to bring
23 to your attention.

24 Again, again I feel that -- I know that we
25 could lawyer this to death by -- you know, by

1 adding lawyer reviews to this, but -- and maybe
2 that's a good thing in the end, but I once again
3 have -- I have some edits, which -- edits to edits,
4 which I think need to be made, and I'll get --
5 provide them to you. I don't know that we have to
6 go through all the edits tonight, the minor edits.

7 One of the things that comes to mind
8 initially, it's a minor thing, but it will have to
9 be done, is that we're -- I think we're now talking
10 about a Local Law of '23, which this was drafted to
11 be a Local Law of '22.

12 There's a fundamental -- fundamental
13 discussion that has to be had about the Local Law.
14 So the Planning Board comments, which I agree with,
15 state -- have requested that we -- or suggested
16 that we put in several times in the Local Law that
17 what there's a moratorium on is discretionary
18 approval. So a discretionary approval is an
19 approval by a Board, as compared to a ministerial
20 approval. A ministerial approval is a -- is an
21 action by one person, which in this case the
22 relevant action would be building permits and
23 Certificates of Occupancy. So min -- they're
24 called ministerial, because if the applicant or the
25 property owner submits sufficient paperwork and

1 there's sufficient condition at the property, the
2 Building Inspector is basically obligated under the
3 Uniform Code or our code to either issue a -- issue
4 a building permit or a Certificate of Occupancy.

5 So I agree with that, I agree with that
6 distinction, because the original language that was
7 given to me prior to December 2nd had -- had in it
8 that all building permits, if I recall correctly,
9 all building permits and C of O's would be stopped.

10 I believe that the suggestion that the
11 language be changed to discretionary approvals is a
12 good suggestion, and it's something that was
13 intended. And I like that language, and I think in
14 a couple of places where it was mentioned, we
15 should add that language, discretionary approval.
16 So that would be limited to approvals by the Board
17 of Trustees, the Planning Board and the ZBA. Those
18 are the discretionary approvals that we're talking
19 about.

20 The headers, the headers of the Local Law or
21 the paragraphs were not changed to include that
22 language, so they're going to have to be changed to
23 include that language, which I -- which I've done.

24 There is a -- another, another issue with the
25 law, and I'm not sure -- excuse me. Another issue

1 with the comments that were made that I just have a
2 question about, and I'm not -- I'm not sure if
3 actually what the -- what the circumstances are,
4 but they -- there seems to be a carve-out or an
5 exemption that's given to properties that are
6 residential properties with bulkheading that are
7 located -- residential properties located in
8 Waterfront Commercial with bulkheading, and they --
9 or properties that are in Waterfront Commercial
10 that are being used for residential purposes. I'm
11 not -- we -- I know that this discussion came up at
12 the -- one or two -- one or two of our meetings,
13 this Board's meetings, and I'm not sure if this --
14 I'm not in agreement or not in agreement with that,
15 this is something that's up to you. But I'm not
16 sure that singling that out in a law, the same way
17 the law should be -- not stated to be negative to a
18 particular property, I don't think that it should
19 necessarily be stated to be positive to a property
20 or a few properties. I think that we -- you could
21 just state a position, but not necessarily in a way
22 that properties would be easily identified if
23 they -- if they could be, based on that.

24 And I'm also not sure there -- I believe that
25 there's residential properties that have

1 bulkheading or marinas that are associated with
2 them where the marina is being used for a
3 commercial -- the house is being used for
4 residential purposes, and the marina or the docking
5 area is used for commercial purposes, and I'm not
6 sure that that was the intended result of that
7 comment.

8 So other than many further edits that I have,
9 edits to the edits, and a few things that I picked
10 up on my -- you know, commas, and capitals, and
11 things like that in my work, also, the other part
12 of this has become -- the discussion now has come
13 up where, you know, we're in this -- what I called
14 before a pending period, so we're in the pending
15 period now. And, you know, the Village Office, and
16 myself in supporting them, is in the front line now
17 of dealing with property -- residential and
18 commercial property owners, applicants, people
19 that -- people that have building permits that
20 expired two years ago, now they want their C of O,
21 people that -- who have current building permits
22 and want their C of O, or want a building permit,
23 every type of situation is now coming before us.

24 And what -- I think that we didn't -- you
25 know, I'm not sure. I don't want to speak for you,

1 I'd like you to discuss this, but I think that we
2 didn't -- we didn't originally intend to actually
3 stop every single building permit. You know, I
4 think that there were some building -- you know,
5 groups of building permits that we had intended to
6 be exempt from the law.

7 And, in fact, when I said that there were --
8 one of the other things is when I said that the
9 riders that were suggested to the Local Law in the
10 Planning Board comments were extensive, a large
11 part of those riders were actually exemptions that
12 were proposed for different types of applications,
13 and also for a hardship situation. So what I
14 did -- you know, I'd like to discuss this with you
15 and have you -- you know, I want to make you aware
16 of this and I'd like you to discuss this among
17 yourselves, please, and give us direction. But one
18 of the things I did for tonight, if you feel, or
19 Mr. Pallas feels that it would be helpful to the
20 Village Management and staff, is I did a -- I
21 prepared a brief resolution, basically, which
22 carries over some of the lang -- some of the
23 pending language from the original resolution, but
24 it made it a little broader as far as building
25 permits.

1 So, basically, if a building permit is not
2 going to change -- excuse me. If a building permit
3 is not -- does not require a Board action, so the
4 building permit does not require Planning Board
5 approval, or something like that, before -- or ZBA
6 approval before it gets issued, the request is that
7 we be able to issue that permit, if I have that
8 correct.

9 ADMINISTRATOR PALLAS: Yes, that is correct,
10 Joe. Thank you.

11 ATTORNEY PROKOP: Yeah. And then in the
12 res -- in the pending part of this -- so in the
13 Local Law itself now, we have a proposal from the
14 Planning Board, you know, which I think is good,
15 that we have a list of eight or ten different
16 exemptions, you know, things that -- situations
17 where there'll be exemptions, and, also, this
18 hardship provision, and my recommendation is that
19 we include that. I did it just by reference in
20 this resolution, otherwise, it would have been
21 three or four pages long. But I think that during
22 the -- if that's going to be part of the moratorium
23 itself, those exemptions and a hardship procedure,
24 then we should -- there's no reason why it can't be
25 made part of this period. You know, so we could

1 deal with special situations, if we need to.

2 TRUSTEE CLARKE: Could --

3 ATTORNEY PROKOP: And thank you for letting
4 me talk so long, I appreciate it.

5 TRUSTEE CLARKE: Oh, no, it's very
6 informative. The only thing I didn't understand
7 was the second subject you spoke of, where you
8 mentioned positive or negative attributes on a
9 property in Waterfront Commercial that had a
10 nonconforming preexisting residential. I didn't
11 understand that, but everything else, I followed
12 you.

13 ATTORNEY PROKOP: Yeah. So I didn't -- I
14 didn't exactly say -- I'm sorry. It's -- you're
15 probably right, that's what I meant to say,
16 pre-existing nonconforming, but I'm just -- you
17 know, the same way I caution the Board not to have
18 a negative result as -- for any particular property
19 necessarily that could be identified, I would also
20 caution you not to give necessarily a positive
21 result either, that you deal with general -- you
22 know, general provisions of law, so -- but not
23 knowing how many properties are involved. If
24 there's eight -- if this includes all the
25 properties that are residential that have dock side

1 or marinas on the other side of their -- you know,
2 across the street or associated with the property,
3 I think that that could be a large number and, you
4 know, maybe it's not specific. I'm just suggesting
5 that. I'm raising that as a caution, that if
6 I'm -- if I'm wrong, factually wrong, factually
7 incorrect about how many properties are involved,
8 then that's fine

9 TRUSTEE CLARKE: Well, we have had a few
10 properties that are residential properties within
11 the WC. I don't know the exact count, but there
12 are quite a few. Is your use of negative and
13 positive meant to intend that they not be
14 identified to have either special positive or a
15 special negative --

16 ATTORNEY PROKOP: Yes.

17 TRUSTEE CLARKE: -- permissions or --

18 ATTORNEY PROKOP: Results.

19 TRUSTEE CLARKE: -- allowances? Okay, got
20 it. Could you give an example, perhaps, of the
21 situations that you're discussing that are on this
22 two-page -- this one-page summary here, maybe from
23 a practical -- without using a specific property,
24 but just giving us the outline of it's a property
25 in Commercial Retail, or it's a property in WC, and

1 the request is this or that, so that it could be a
2 bit more tangible?

3 ADMINISTRATOR PALLAS: Sure. So, you know, a
4 property owner could come in and want to -- you
5 know, needs to move a wall interior to the
6 building, is not changing the use, and this would
7 be specific -- anyway, wants to change a location
8 of a wall, needs to do some restructuring internal,
9 that it's the same owner, they're not changing the
10 use of the property, they're just rearranging it,
11 and it would require a building permit. The -- as
12 of now, the way the -- the way the interim
13 moratorium is structured, that there's no way to do
14 that.

15 TRUSTEE CLARKE: Right.

16 ADMINISTRATOR PALLAS: Right? So that's
17 basically what this is.

18 TRUSTEE CLARKE: Got it.

19 ADMINISTRATOR PALLAS: If there's any -- if
20 whatever work they're contemplating triggers a
21 review by a Board, by a Statutory Board, then that
22 would not be permitted without a special exemption
23 by this Board.

24 TRUSTEE CLARKE: Understood. Okay.

25 ADMINISTRATOR PALLAS: That's as simple as I

1 could make it.

2 TRUSTEE CLARKE: That's the broad, simple,
3 encompassing --

4 ADMINISTRATOR PALLAS: Yeah.

5 TRUSTEE CLARKE: -- meat and potatoes of
6 what's on the table?

7 ADMINISTRATOR PALLAS: Yes. The second part,
8 if I may, is for permits that were issued prior to
9 this that they diligently pursued, now they're
10 finishing their work and they're looking for a
11 Certificate of Occupancy, they wouldn't be allowed
12 to get that currently the way it's structured, this
13 would also clean that up, as well.

14 TRUSTEE CLARKE: Okay. So everything's been
15 done correctly, it's already been through the
16 Board, if it needed to?

17 ADMINISTRATOR PALLAS: Correct.

18 TRUSTEE CLARKE: It's had all its necessary
19 approvals, it's just the technicality of issuing a
20 CO from the Building Department?

21 ADMINISTRATOR PALLAS: Yes.

22 TRUSTEE CLARKE: Okay. I understand.
23 Thank you. Thank you.

24 TRUSTEE PHILLIPS: So let me ask a question.
25 Downtown in the Commercial Retail, we have a store

1 that is going to be a new Commercial Retail
2 owned -- you know, the business is changing, okay?
3 It's going to be Commercial Retail. It's going to
4 be the same use of, let's say, a card store, okay?
5 If the new owners want to change the inside
6 building as far as the layout, how does that fit
7 into here?

8 ADMINISTRATOR PALLAS: That would -- if it's
9 the same use, not changing the use, and whether it
10 requires a building permit or not, there wouldn't
11 be the restriction that they would have to come
12 here. That's for the Commercial Retail. And
13 there's a difference with the Waterfront
14 Commercial. It would depend on whether that use
15 was already a conditional use.

16 TRUSTEE PHILLIPS: That's it.

17 ADMINISTRATOR PALLAS: If it was a
18 conditional use and they were continuing a
19 conditional use, that automatically triggers a
20 Planning Board review and would not be permitted by
21 this resolution.

22 ADMINISTRATOR PALLAS: Okay. That's what I
23 wanted to know, okay, the conditional uses will
24 kick in.

25 ADMINISTRATOR PALLAS: Right. That's the

1 distinction between the CR and the WC, yes.

2 TRUSTEE CLARKE: Would a change from a -- to
3 follow in the vein of Trustee Phillips, would it
4 change from a permitted use to an alternate
5 permitted use?

6 TRUSTEE PHILLIPS: Within the conditional
7 uses?

8 TRUSTEE CLARKE: No.

9 TRUSTEE PHILLIPS: Oh.

10 TRUSTEE CLARKE: I said, going back to
11 Commercial Retail --

12 TRUSTEE PHILLIPS: Okay, I'm sorry.

13 TRUSTEE CLARKE: -- would a new permitted use
14 versus the existing permitted use be subject or not
15 to the moratorium?

16 ADMINISTRATOR PALLAS: It would -- it
17 would -- that would -- as I understand the way you
18 describe it, that would likely trigger a Planning
19 Board review.

20 TRUSTEE CLARKE: Okay, right.

21 ADMINISTRATOR PALLAS: So automatic.
22 Anything, anything that would trigger, the way this
23 is written now --

24 TRUSTEE CLARKE: Got it.

25 ADMINISTRATOR PALLAS: -- anything that

1 triggers a Board review, Planning, Zoning, or
2 Village Board, would require a special exemption.

3 TRUSTEE CLARKE: Okay. And so then if there
4 were a desire to appeal, that could be done?

5 ADMINISTRATOR PALLAS: The way this -- yeah,
6 yes, could then --

7 ATTORNEY PROKOP: They could make an
8 application to the Board of Trustees.

9 ADMINISTRATOR PALLAS: Yes, yes.

10 TRUSTEE CLARKE: Yes, for a hardship or any
11 other --

12 ATTORNEY PROKOP: Yeah.

13 TRUSTEE CLARKE: -- reason.

14 ADMINISTRATOR PALLAS: Yes.

15 TRUSTEE CLARKE: Okay.

16 ATTORNEY PROKOP: Well, not for any other
17 reason. Right now, the reason is hardship, but we
18 could --

19 TRUSTEE CLARKE: Hardship.

20 ATTORNEY PROKOP: We could add, you know,
21 other circum -- you know, other relevant
22 circumstance or something.

23 TRUSTEE CLARKE: Yes.

24 ATTORNEY PROKOP: Something, if you wanted to
25 make it broader.

1 TRUSTEE PHILLIPS: So let's get to dock
2 permits, because you mentioned we do have some who
3 have their property, they have across the street,
4 and they want to come to get a wetlands permit.
5 That comes before us.

6 ADMINISTRATOR PALLAS: It come before this
7 Board anyway, so I don't --

8 TRUSTEE PHILLIPS: Right. No, I'm saying --

9 ADMINISTRATOR PALLAS: I don't think this
10 would -- I don't even -- I don't -- I'll defer to
11 the Attorney, so.

12 ATTORNEY PROKOP: So with the -- with the
13 language that the Planning -- the Planning Board
14 suggests the language, I think that they would be
15 able to get a building permit for the dock,
16 wetlands permit. Well, they'd be able -- I think
17 it's an exemption under this law, so they would be
18 able to proceed with this --

19 TRUSTEE PHILLIPS: Well, you have that in --
20 on Page 5 here under the exemptions to the
21 moratorium. You have developed -- development
22 approvals, repair of any existing bulkheads,
23 marinas, docking facilities.

24 ATTORNEY PROKOP: Right.

25 TRUSTEE PHILLIPS: Okay.

1 ATTORNEY PROKOP: So it's underlined. What
2 you see on this -- I said red-line before.
3 Actually, what I --

4 TRUSTEE PHILLIPS: Right.

5 ATTORNEY PROKOP: Obviously, this isn't in
6 color, so if it's red-lined -- I'm sorry. If it's
7 underlined, it was added. Those are the Planning
8 Board comment that are underlined.

9 TRUSTEE PHILLIPS: Okay. So, then, what
10 you're covering here, it says, "In the WC District
11 that is also adjacent to a personal residence."

12 ATTORNEY PROKOP: Right.

13 TRUSTEE PHILLIPS: So adjacent, you're
14 talking about across the street? Because don't
15 they have two separate tax map numbers for that
16 stuff?

17 ATTORNEY PROKOP: They should, yeah.

18 ADMINISTRATOR PALLAS: If they --

19 TRUSTEE CLARKE: That, I don't know.

20 ADMINISTRATOR PALLAS: Yes.

21 TRUSTEE PHILLIPS: Most of them do.

22 ADMINISTRATOR PALLAS: Primarily, yes.

23 TRUSTEE PHILLIPS: Okay.

24 MAYOR HUBBARD: But if they're going to
25 increase the usage or anything else, then that has

1 to go to the Planning Board and get permission.

2 TRUSTEE CLARKE: Sure. This says --

3 MAYOR HUBBARD: If they're repairing a
4 bulkhead or a floating dock that's there, that's
5 existing --

6 TRUSTEE PHILLIPS: Correct.

7 MAYOR HUBBARD: -- they're allowed to do
8 repairs on that, because that's normal maintenance.
9 If they're going to increase it or change something
10 else --

11 TRUSTEE PHILLIPS: Then they have to go to
12 Planning.

13 MAYOR HUBBARD: -- it has to go to Planning
14 and they'd have to put in their pumpout station and
15 everything else, all the parts of stuff that were
16 grandfathered 60 years ago when they were put in.
17 But if they go to modify or change anything, and
18 enlarge it or anything else --

19 TRUSTEE PHILLIPS: Right.

20 MAYOR HUBBARD: -- then they have to comply
21 with parking, pumpout station and everything else.

22 TRUSTEE PHILLIPS: That's why I'm -- that's
23 why I'm asking, yes.

24 MAYOR HUBBARD: And that would have to go
25 before Planning Board, and there would be a

1 moratorium on that. They would not be allowed to
2 do that until that is over.

3 TRUSTEE PHILLIPS: Right.

4 TRUSTEE CLARKE: Does not result in a
5 material change.

6 TRUSTEE PHILLIPS: Change. In other words,
7 they're replacing a bulkhead.

8 ATTORNEY PROKOP: Yeah. So it says repairs
9 or restoration, so that would include --

10 TRUSTEE CLARKE: And all this --

11 ATTORNEY PROKOP: I'm sorry.

12 TRUSTEE CLARKE: Go ahead.

13 ATTORNEY PROKOP: That would include --

14 MAYOR HUBBARD: If they had six slips, they
15 had six slips.

16 TRUSTEE PHILLIPS: Right.

17 MAYOR HUBBARD: They want to add two more
18 slips, they're changing everything else --

19 TRUSTEE PHILLIPS: Then it's going to go to
20 Planning, right?

21 MAYOR HUBBARD: -- and then that has to go
22 through the whole process, and it's not allowed,
23 and then they have to go through and comply with
24 all the updated codes that exist now, compared to
25 when they were built many years ago.

1 TRUSTEE PHILLIPS: That's why I'm asking.

2 MAYOR HUBBARD: Yes.

3 TRUSTEE PHILLIPS: Because that is -- that is
4 a gray -- that is a --

5 MAYOR HUBBARD: Well, we've been receiving
6 letters about a property down there that's the same
7 as --

8 TRUSTEE PHILLIPS: Yeah. Yeah, that's why I
9 asked the question.

10 MAYOR HUBBARD: That's probably where this is
11 coming from, but, you know, that's...

12 TRUSTEE PHILLIPS: There's something about
13 accessory buildings in here. Where was it? Joe,
14 you had something in here about accessory
15 buildings? I can't find it.

16 TRUSTEE ROBINS: Yeah, a section that's in
17 this the law.

18 TRUSTEE PHILLIPS: It's in the -- it's in the
19 code here. Something about the structure, primary
20 use or something?

21 ATTORNEY PROKOP: Right.

22 TRUSTEE ROBINS: Do you mean the exemptions?
23 That's in the first part.

24 ATTORNEY PROKOP: What was the context? Do
25 you remember the question?

1 TRUSTEE PHILLIPS: It's something about that
2 it had to have the primary use of the residential
3 property or something.

4 TRUSTEE CLARKE: On Page 6.

5 TRUSTEE PHILLIPS: Page 6.

6 TRUSTEE CLARKE: G, "Development approvals
7 relating to construction of garages and accessory
8 structures"?

9 TRUSTEE ROBINS: Yeah.

10 TRUSTEE PHILLIPS: Yeah.

11 TRUSTEE CLARKE: Is that what you're thinking of?

12 TRUSTEE PHILLIPS: Yeah, that's the one
13 that --

14 ATTORNEY PROKOP: Yeah, that's a Planning
15 Board addition, so I'm sorry I missed it.

16 TRUSTEE ROBINS: It's G.

17 ATTORNEY PROKOP: Storage of -- as long as
18 there's storage of vehicles, boats, and supplies,
19 and it should be relates -- relates to the primary
20 use of the applicable property.

21 TRUSTEE PHILLIPS: Okay.

22 TRUSTEE CLARKE: But we just have to
23 remember, you know, I mean, the biggest question
24 I've received throughout the whole -- what is it,
25 almost two weeks, or is it a week? Today's the

1 15th, so it's been --

2 MAYOR HUBBARD: Two weeks.

3 TRUSTEE CLARKE: Two weeks.

4 TRUSTEE MARTILOTTA: Exactly two weeks.

5 TRUSTEE CLARKE: Is really most of our
6 residents continue to ask, and they want it to be a
7 simple answer, is does the moratorium affect
8 residential or not. And the answer is R-1 and R-2,
9 it does not, but any residential property within WC
10 or Commercial Retail, it does. So these special
11 exceptions are only relating to someone wanting to
12 put a storage vehicle, or a private garage, or
13 accessory structure into a property within WC
14 or CR.

15 MAYOR HUBBARD: Uh-huh.

16 TRUSTEE CLARKE: Okay.

17 MAYOR HUBBARD: If somebody in R-1, R-2 wants
18 to do a garage, wants to do an addition, or
19 whatever, it's business as usual. They have the
20 paperwork and everything else, they can get a
21 building permit, they can continue on.

22 TRUSTEE CLARKE: Yeah.

23 TRUSTEE ROBINS: Are you mainly getting
24 questions from people who have residential property
25 in Waterfront Commercial District?

1 TRUSTEE CLARKE: No.

2 TRUSTEE ROBINS: Because there are not that
3 many of them.

4 TRUSTEE CLARKE: I'm mostly getting questions
5 from people in R-1 and R-2 --

6 TRUSTEE ROBINS: Right, and that's the easy
7 answer, then.

8 TRUSTEE CLARKE: -- who are concerned that
9 the moratorium is affecting anything they might be
10 planning, and my answer has been no, it would not
11 affect anything.

12 TRUSTEE ROBINS: Right, right.

13 TRUSTEE CLARKE: But these exceptions do
14 relate to the properties that we do have. And, you
15 know, I'm kind of on the fence on whether an
16 exception for additional construction. I
17 understand moving a wall in the interior, I
18 understand that you're not changing the -- maybe an
19 example of what G would be referring to would help
20 me put a context around it.

21 ATTORNEY PROKOP: G on what -- which G, on
22 what page?

23 TRUSTEE PHILLIPS: Page 6.

24 TRUSTEE CLARKE: I'm talking about a
25 nonexisting -- a preexisting nonconforming home on

1 the waterfront that wants to build a garage and
2 they just happen to be in WC?

3 ATTORNEY PROKOP: That wouldn't be -- right.
4 So it would be somebody that has an accessory
5 structure that's used for a -- as an -- that exists
6 as an accessory to the primary use of the property,
7 which would be in your case what you're mentioning
8 is a residential use. So it would have to be a
9 personal noncommercial use of that. The accessory
10 structure would have to be a noncommercial use
11 that's --

12 TRUSTEE CLARKE: Because it says private
13 here, not commercial. So it would not affect any
14 property being used commercially, but only relate
15 to --

16 ATTORNEY PROKOP: It's not limited --

17 TRUSTEE CLARKE: -- preexisting nonconforming
18 residential properties.

19 ATTORNEY PROKOP: So you're -- you used the
20 circumstance of residential, so I'm just responding
21 to that, but, actually, this isn't limited to
22 residential. This is a Planning Board comment --

23 TRUSTEE CLARKE: I understand.

24 ATTORNEY PROKOP: -- that I don't -- that I
25 don't see as limited to residential. So if

1 somebody wanted to add -- it says private garage,
2 so that could be a noncommercial garage, I guess.
3 As long as such structure is only used for the
4 storage of vehicles or other equipment related to
5 the primary use of the applicable property. So --

6 TRUSTEE PHILLIPS: So if it's a residential
7 use property, then it's nonconforming.

8 ATTORNEY PROKOP: Yeah.

9 TRUSTEE PHILLIPS: It still would be a
10 residential application.

11 ATTORNEY PROKOP: Yes.

12 TRUSTEE PHILLIPS: Okay. I do have a
13 question down on No. 6, because we're -- you know,
14 we're making the -- going to the applications for
15 people in these exemptions. This says here, "In no
16 event shall the Planning Board make any final
17 determination with respect to such application
18 during the term of the moratorium."

19 TRUSTEE CLARKE: I'm sorry, where are you,
20 Mary Bess?

21 TRUSTEE PHILLIPS: Page 6, down at the
22 bottom, the last paragraph.

23 TRUSTEE CLARKE: Got it, got it. Thank you.

24 TRUSTEE PHILLIPS: The underlined section, it
25 says, "Make any final determination with respect to

1 such application during the term of the moratorium
2 created by this section, unless such application
3 permitted to proceed pursuant to any exemption or
4 exception to this Local Law pursuant to the express
5 terms thereof" -- "hereof."

6 So, in other words, getting into those
7 exemptions that -- you have the application before
8 the Planning Board. Let's say we -- right now we
9 have a -- let's say you have an application before
10 the Planning Board that has a public hearing
11 scheduled for January. How is that going to -- you
12 know, is that going -- they continue with it, but
13 they could only deal with the SEQRA?

14 ATTORNEY PROKOP: Well, they could either
15 proceed and deal with SEQRA, or they could -- they
16 could --

17 TRUSTEE PHILLIPS: There are exemptions?

18 ATTORNEY PROKOP: Go to the proposed
19 150-51(D) and look at -- see if they fit into any
20 of those exemptions, which they might.

21 TRUSTEE PHILLIPS: They might, okay.

22 ATTORNEY PROKOP: Or they -- if they don't --
23 and there's -- and there's a lot of exemptions, and
24 there's -- whatever that is.

25 TRUSTEE PHILLIPS: Right.

1 ATTORNEY PROKOP: Ten or so exemptions. And
2 if they don't, then they could -- they still could
3 claim hardship, they could file a hardship
4 application.

5 TRUSTEE PHILLIPS: As in here, you're saying,
6 "However, if the completed application was
7 submitted for such development approval to the
8 Planning Board or other reviewing board
9 official" -- "to the date of the enactment, the
10 applicant may request the Planning Board to
11 continue review of the application, but such review
12 shall be of SEQRA purposes only and for no other
13 purpose." So, in other words, if there's
14 applications that have had the presubmission
15 activity, how is that -- how does this apply to
16 that?

17 ATTORNEY PROKOP: Yes. So that's a -- that's
18 another comment that has -- that's another thing
19 that has to be dealt with in the comments that we
20 received, because a complete application is
21 actually something -- we have something different
22 here. It really is an accepted complete -- an
23 application that is accepted as complete, not a
24 complete application. So it would be -- if an --
25 if they got to that stage, which is their

1 application had been accepted as complete, then
2 they could go through with the rest of that
3 process.

4 TRUSTEE PHILLIPS: But they could make a
5 determination at the end of it, according to this,
6 correct?

7 ATTORNEY PROKOP: They cannot make a
8 determination.

9 TRUSTEE ROBINS: Hence, they wouldn't be
10 issued a building permit, correct?

11 ATTORNEY PROKOP: They would not be issued a
12 building permit.

13 TRUSTEE PHILLIPS: So the Planning Board's
14 procedure, let's -- let me be clear on this. They
15 do not set the resolution for a public hearing for
16 an application unless they -- it's complete and
17 it's been accepted by them, correct?

18 ATTORNEY PROKOP: That's what I think. I'm
19 sorry. Paul, do have a different --

20 ADMINISTRATOR PALLAS: Yeah, I mean, they
21 don't -- there's no acceptance process, per se,
22 there's a presubmission conference that works
23 through the application. Generally, we send
24 them -- we deem them complete to the best of our
25 knowledge. The Planning Board then takes over at

1 that point. So they don't actually vote to accept
2 the application, but they would schedule a hearing,
3 which would indicate that they agree that it's a
4 complete application. That's the process.

5 TRUSTEE PHILLIPS: Okay. Years ago, they
6 used to do the accepting of the application.

7 ADMINISTRATOR PALLAS: Not in my tenure,
8 not --

9 TRUSTEE PHILLIPS: No. I'm going back to
10 when I was on the Planning Board.

11 ADMINISTRATOR PALLAS: You know, I --

12 ATTORNEY PROKOP: Yeah, I thought they did,
13 also.

14 TRUSTEE PHILLIPS: Yeah, I thought they were
15 supposed to.

16 ADMINISTRATOR PALLAS: I don't -- my
17 understanding of -- there's no -- there's no code
18 requirement for them to do that, that I'm aware of,
19 not in the Village Code, that I'm fairly certain
20 of, to do that.

21 But I just wanted to -- if I -- if I may just
22 go back to what your original question was about
23 that section, about them not taking action, that
24 assumes that there has been no exception granted,
25 correct, that's what you are referring to?

1 ATTORNEY PROKOP: Yes.

2 ADMINISTRATOR PALLAS: Just to make sure.

3 TRUSTEE ROBINS: Okay. So to be clear, we're
4 only talking about no new development approval is
5 going to the Planning Board, correct? This would
6 only be things that were in the process? The
7 process had been started, right, and that they
8 could go through SEQRA review only, right, that
9 there would be no issuance of any building permit?

10 ADMINISTRATOR PALLAS: Well, that --

11 TRUSTEE PHILLIPS: They can't make a
12 determination.

13 TRUSTEE ROBINS: They can't make a
14 determination.

15 ADMINISTRATOR PALLAS: Unless an exemption
16 was granted.

17 TRUSTEE ROBINS: Yeah, sorry. Okay.

18 ADMINISTRATOR PALLAS: Again, I'll defer
19 completely to Attorney Prokop on this.

20 ATTORNEY PROKOP: No, that's correct.

21 TRUSTEE ROBINS: That's it?

22 ATTORNEY PROKOP: Unless an exemption was
23 granted, right.

24 TRUSTEE PHILLIPS: Joe, I'm uncomfortable
25 with there not -- and I'm sorry, I'm uncomfortable

1 with the process. It's great that the Building
2 Department deems the application complete, but I
3 think the Planning Board should be doing something
4 to state that they feel it's complete to get on to
5 the public hearing. I thought they were doing
6 that, to be honest with you.

7 ADMINISTRATOR PALLAS: Well, again, they do
8 review -- it's not -- it's not -- a little
9 different than the Zoning Board, because the
10 Planning Board goes through a thorough
11 presubmission conference process and goes through
12 all the content of the application. And often,
13 there are things that are missing and -- I
14 shouldn't say often. There are times when things
15 are not submitted that should have been submitted,
16 or not completed, or what have you, or need
17 corrections, and the Planning Board, with the --
18 with the assistance of the Planning Consultant,
19 gets the additional application before they
20 schedule the hearing. All I was pointing out was
21 that there's no formal vote to do that. The vote
22 to schedule the hearing doesn't take place until
23 all those things are done.

24 ATTORNEY PROKOP: You know, I thought that
25 was the trigger that deemed it a complete

1 application, then.

2 ADMINISTRATOR PALLAS: The scheduling of the
3 hearing.

4 ATTORNEY PROKOP: Yeah.

5 ADMINISTRATOR PALLAS: Yeah, that's -- I
6 didn't say that elegantly, but that's -- yes,
7 that's what I was trying to convey.

8 ATTORNEY PROKOP: Because a lot of the
9 applications come in, and we're still waiting for
10 surveys, or whatever.

11 ADMINISTRATOR PALLAS: Correct.

12 ATTORNEY PROKOP: Site plans and things,
13 updated site plans.

14 ADMINISTRATOR PALLAS: Yep, because there
15 could be back and forth. Planning Board might
16 request changes, so then they would have to change
17 the site plan, they have not yet scheduled a
18 hearing. So that that's -- yes, I think that
19 explains it.

20 TRUSTEE PHILLIPS: So perhaps the resolution
21 should state. The resolution just normally just
22 schedules the public hearing. Maybe it should be
23 changed to say accept or something.

24 ATTORNEY PROKOP: Okay, accepted as --

25 TRUSTEE PHILLIPS: Yeah. Yeah, I just --

1 ATTORNEY PROKOP: Well, that's -- the
2 Planning Board has to do it, right?

3 TRUSTEE PHILLIPS: No, they have to do that,
4 I'm just making a suggestion.

5 TRUSTEE ROBINS: So I think we have to have
6 clear language about the exemptions, you know,
7 especially if the -- you know, the Building
8 Department will have discretionary capacity to
9 determine that, or will that be --

10 ADMINISTRATOR PALLAS: Determine what
11 exactly?

12 TRUSTEE ROBINS: Who would get a permit, you
13 know, a hardship permit.

14 ADMINISTRATOR PALLAS: No, the -- no, the --
15 no, the Building Department does not have -- would
16 not have that discretion. The language in all of
17 these documents always refers applications to this
18 Board.

19 TRUSTEE ROBINS: This Board, okay.

20 ATTORNEY PROKOP: Yeah, that's what -- that's
21 why we're having this -- that's probably why we're
22 having this discussion tonight, because we don't --
23 we forced -- we forced this on the Building -- on
24 the Building Department, because they're in the
25 front line of this, and we wanted to give a clear

1 set of rules moving forward.

2 TRUSTEE ROBINS: Okay, so it comes to us.

3 All right.

4 ATTORNEY PROKOP: During this pending --

5 TRUSTEE ROBINS: Yeah.

6 MAYOR HUBBARD: It will come to us for the
7 exemption.

8 TRUSTEE ROBINS: Right.

9 MAYOR HUBBARD: If we issue the exemption,
10 then it would go back to Planning Board to get
11 their approval for what they're doing. We're not
12 going to rule on the building permit or the site
13 plan or anything else. We're just saying you are
14 exempt from the moratorium at this point and go
15 back through the process.

16 TRUSTEE ROBINS: Correct.

17 MAYOR HUBBARD: And then the Planning Board
18 or Zoning Board, or whoever, will continue their
19 process.

20 TRUSTEE ROBINS: Understood, okay.

21 MAYOR HUBBARD: Okay.

22 TRUSTEE PHILLIPS: So -- okay. So with a
23 building permit or renewal of an expired building
24 permit, that's going to be coming before us, too?

25 ADMINISTRATOR PALLAS: No, that's separate.

1 TRUSTEE PHILLIPS: That's what I think she's
2 asking.

3 ADMINISTRATOR PALLAS: Well, no. It's
4 only -- again, it's only if a Board action is
5 triggered does it require -- under this proposed
6 resolution, the short one, under this proposed
7 resolution, only if a Board review is not required.
8 If an application for a building permit comes in
9 that does not require Board review, that could be
10 issued, if it meets, obviously, the requirements
11 for a building permit. It would -- as Attorney
12 Prokop described it, is a ministerial action, as
13 opposed to a discretionary action. So it's two
14 different, two different types of approvals.

15 TRUSTEE ROBINS: But that building permit
16 would not necessarily be based on relief from a
17 dangerous situation, then, it would just be a
18 normal building permit?

19 ADMINISTRATOR PALLAS: As written, yes.

20 TRUSTEE ROBINS: You want to build a deck or
21 something like that and you're going to be allowed
22 to do that in this circumstance?

23 ADMINISTRATOR PALLAS: The way -- the way
24 this is written, yes, provided such application
25 does not trigger any Board review requirement.

1 ATTORNEY PROKOP: So if you're a commercial
2 property, you wanted to build a deck, then you
3 would need a site plan review --

4 ADMINISTRATOR PALLAS: Right.

5 ATTORNEY PROKOP: -- by the Planning Board,
6 so that would -- that would be different. But if
7 you were residential and in the WC District, you
8 would not, because you're a residential --

9 ADMINISTRATOR PALLAS: Right.

10 ATTORNEY PROKOP: -- use. But the -- at
11 least I think that's how it would be handled. But
12 the question about the renewal, what -- I forget if
13 it's one renewal you get or two. But if you have
14 an expired building permit, you would -- provided
15 there's no other intervening situation, you would
16 get the renewal. You would -- you should be able
17 to walk into the Village Hall and get the renewal
18 on paying a fee without having to come to this
19 Board. That's one of the things that has come up,
20 depending on how long it's been expired for.

21 TRUSTEE ROBINS: Is there a statute of
22 limitations on that expired permit?

23 ATTORNEY PROKOP: There's not a statute of
24 limitations. I think that we've had a set number
25 that we've given, and I forget if it's one or two,

1 but --

2 ADMINISTRATOR PALLAS: I don't recall.

3 MAYOR HUBBARD: The current ones have the
4 statutes on it. The other ones, we have other
5 permits that are 10 years old and people have come
6 in and there's no expiration date on it. We've
7 changed that policy a couple of years ago to put
8 and expiration date on it.

9 TRUSTEE PHILLIPS: Right.

10 MAYOR HUBBARD: But the older ones, if they
11 come in at this point, they're still valid and we
12 would have to honor that, because that's the way
13 the code was.

14 TRUSTEE CLARKE: My memory says two years,
15 but --

16 TRUSTEE PHILLIPS: Well, that's on the web,
17 the permits.

18 TRUSTEE ROBINS: Well, that's wetlands
19 permits, right, that's recent.

20 ATTORNEY PROKOP: So like I -- as I said in
21 the beginning, so we'd have a public hearing on the
22 original version of this, technically is on the
23 original version, with -- the Planning Board
24 comments should also be mentioned. And then
25 whatever comments we get at the public hearing that

1 you -- that you want to make changes based on, we
2 do that, and then there should be a continuation of
3 the -- my recommendation is that there would be a
4 continuation of the public hearing on the -- on the
5 amended version that contains those comments, and
6 whatever feedback we get from the Planning Board,
7 also.

8 TRUSTEE PHILLIPS: So let's walk through the
9 process, okay? We have the public hearing on the
10 22nd, which is going to be dealing with the
11 document that was issued on December 1st, and then
12 we will hold the hearing open. And then in
13 January, we'll have another public hearing dealing
14 on this document that's dated December 9th; is that
15 what I'm hearing?

16 ATTORNEY PROKOP: Plus whatever other changes
17 are made, yes. So my changes will be -- what I --
18 what I'd like to do, we -- we had a discussion at
19 the Planning Board -- there was a discussion at the
20 Planning Board meeting. Since they have a referral
21 requirement, whatever we do has to be referred to
22 the Planning Board. So what I would like to do, if
23 it's okay with this Board, is discuss the comments
24 that I have with the -- with Planning Board
25 representatives, and then try to get, you know, I

1 guess -- and then come back to you with what I
2 think the changes should be.

3 You know, I have probably 40, 30, 40 changes
4 that I need to make on -- that I'm suggesting on
5 their edits, Planning Board edits, and also on
6 my -- you know, edits of my original work, which
7 are basically just editing. But I would like to --
8 so we don't -- we don't keep putting this over
9 month to month to month after month, I would like
10 to discuss this with the Planning Board to try come
11 to --

12 TRUSTEE MARTILOTTA: Please.

13 ATTORNEY PROKOP: -- an agreement on it.

14 TRUSTEE PHILLIPS: Well, they themselves at
15 the Planning Board, because I did watch the
16 meeting, they were very, very forthcoming, and that
17 they would do everything they could to react
18 quickly, once we had asked for their input. So is
19 that what we need to do tonight, is ask for their
20 input officially?

21 ATTORNEY PROKOP: Well, they've already given
22 us their input. Their input is the December 9th
23 version.

24 TRUSTEE PHILLIPS: Okay.

25 ATTORNEY PROKOP: So I have things -- I have

1 questions based on that that I --

2 TRUSTEE PHILLIPS: Okay.

3 ATTORNEY PROKOP: -- we need to get their
4 input on. And I can circulate those questions to
5 you. I went through them as best as I -- basically
6 what they are.

7 TRUSTEE ROBINS: Is it possible that we could
8 hold the public -- that the public hearing that is
9 held on December 27th. As long as there are no
10 substantive material changes from the Planning
11 Board following the discussion, could we vote on
12 that resolution on the draft law, subject solely to
13 the receipt of approval by the Suffolk County
14 Planning Commission, if it's not received yet
15 from -- if not received from the Planning Board
16 comments?

17 MAYOR HUBBARD: Okay. What was the question
18 again?

19 TRUSTEE ROBINS: I'm trying to find out if
20 it's possible for us to vote on a resolution,
21 subject to the comments that the Planning Board has
22 submitted, you know, and their vetting of that. Is
23 there a way to expedite this, so that we could, you
24 know, have the review process and vote on that
25 public hearing next week, you know?

1 MAYOR HUBBARD: We haven't had public comment
2 on it yet, though. The main idea of this whole
3 thing was to get public comment.

4 TRUSTEE PHILLIPS: Right.

5 MAYOR HUBBARD: That's why we're having the
6 public hearing.

7 TRUSTEE ROBINS: Okay.

8 MAYOR HUBBARD: So I'd hate to have public
9 comment for three hours and then vote on something
10 without taking the public's information from it. I
11 would think that would be premature.

12 TRUSTEE ROBINS: Okay.

13 MAYOR HUBBARD: That's my feeling. You know,
14 I want to hear what everybody else has to say.

15 TRUSTEE MARTILOTTA: Yeah, please.

16 TRUSTEE PHILLIPS: No, no.

17 ATTORNEY PROKOP: If the question you're
18 reading is -- if that is -- or the question you're
19 asking me, I'm sorry, if that is -- can we -- can
20 we take action subject to approval by Suffolk
21 County, you cannot do that, because you're --

22 TRUSTEE ROBINS: You can't.

23 ATTORNEY PROKOP: That's the -- that's the
24 answer to your question. I'm sorry.

25 TRUSTEE ROBINS: That was what -- that was

1 the question. All right.

2 ATTORNEY PROKOP: You have to wait for
3 Suffolk County before you -- before you take any
4 action.

5 TRUSTEE CLARKE: And why are we using the
6 date of December 9th in discussion of the Planning
7 Board comments?

8 ATTORNEY PROKOP: Because that's the date of
9 the redline version that I circulated, December 9th.
10 There's the December 9th on the -- in the header.

11 TRUSTEE CLARKE: Okay. So that's the date
12 that you generated.

13 ATTORNEY PROKOP: Yeah.

14 TRUSTEE PHILLIPS: Right.

15 TRUSTEE CLARKE: Okay.

16 TRUSTEE ROBINS: So that would go --

17 TRUSTEE CLARKE: Because, according to my
18 emails, the official request came today.

19 MAYOR HUBBARD: Correct.

20 TRUSTEE CLARKE: Okay. I just want to make
21 sure I got all my dates together. But it was given
22 to us earlier, on December 2nd.

23 MAYOR HUBBARD: Like Joe said, it was given
24 to us by a private citizen.

25 TRUSTEE CLARKE: Yes.

1 MAYOR HUBBARD: And the Planning Board
2 confirmed last night what they wanted to do.

3 TRUSTEE CLARKE: Got it.

4 MAYOR HUBBARD: And the Planning Board sent
5 it to us officially today.

6 TRUSTEE CLARKE: Today. Okay, got it. Okay.

7 TRUSTEE ROBINS: So next week --

8 TRUSTEE CLARKE: Just wanted to make sure I
9 got my dates right.

10 TRUSTEE ROBINS: So next week's public
11 hearing, Joe, will that be on the revised
12 December 9th resolution, or it's going to be on the
13 December 2nd resolution?

14 ATTORNEY PROKOP: It's technically on the
15 December 2nd.

16 TRUSTEE PHILLIPS: December 2nd.

17 TRUSTEE ROBINS: Because the public hasn't
18 seen this anyway.

19 ATTORNEY PROKOP: Right

20 TRUSTEE CLARKE: Okay.

21 TRUSTEE PHILLIPS: That's why I asked the
22 question.

23 TRUSTEE CLARKE: Are we going to have the
24 public hearing again in January; was that your
25 question?

1 TRUSTEE PHILLIPS: (Nodded Yes)

2 TRUSTEE CLARKE: It sounds like the answer
3 is yes.

4 TRUSTEE PHILLIPS: I would assume.

5 ATTORNEY PROKOP: You have to adjourn the
6 public hearing, yes, because there's -- there's now
7 changes that we have to have a new --

8 TRUSTEE CLARKE: Share with them.

9 TRUSTEE PHILLIPS: But the --

10 MAYOR HUBBARD: Right. The resolution that
11 we passed on December 2nd at the meeting was to
12 schedule a public hearing for the Local Law that we
13 had written that day, and that's what the public
14 hearing was scheduled on, was on that law.
15 Modifieds -- modifications or changes to that after
16 the Planning Board comments, which we got today,
17 and from public comments that we'll get on the
18 22nd, then we need to put together a final version.
19 And then that version would go back to Planning
20 Board for their review, and also to Suffolk County
21 Planning, once we have a consensus. Because if you
22 send something to Suffolk County and then you
23 change it, you start your 45 days over again, when
24 you resubmit something different a week later. So
25 we really need to get the public comment next week

1 and then put together a final version of whatever
2 we want and then move that forward.

3 TRUSTEE CLARKE: Understood. Thank you.

4 TRUSTEE ROBINS: And that draft law is on the
5 Village website for everybody that wants to read it
6 prior to coming to the meeting next week for the
7 public to make their comments ready. So then we
8 will remain in an administrative moratorium
9 throughout this process, correct?

10 MAYOR HUBBARD: That's what you voted on --

11 TRUSTEE ROBINS: Yes.

12 MAYOR HUBBARD: -- on the 2nd.

13 TRUSTEE ROBINS: Yes. Okay, all right.

14 TRUSTEE PHILLIPS: Okay. And then this --

15 TRUSTEE ROBINS: Um --

16 TRUSTEE PHILLIPS: I'm sorry.

17 TRUSTEE ROBINS: In terms of -- so after we
18 have the public hearing next week, Sylvia was
19 saying she'll be in touch with the Pace School,
20 could we proceed with setting up that class, you
21 know, to get the committee primed and ready to go
22 to work? I mean, I'm just trying to make sure that
23 we move and work on this as quickly as possible.

24 MAYOR HUBBARD: Okay. According to the
25 resolution from the 2nd, the committee has to be

1 approved by a vote of the Board of Trustees --

2 TRUSTEE ROBINS: Okay.

3 MAYOR HUBBARD: -- which will be on the
4 agenda for next week. So you really can't set a
5 class up without having people appointed to the
6 committee. I'm just trying to follow the
7 procedure --

8 TRUSTEE ROBINS: Okay.

9 MAYOR HUBBARD: -- that's in that resolution.

10 TRUSTEE ROBINS: Okay.

11 MAYOR HUBBARD: I have a list of names, which
12 I will announce tonight, so everybody knows about
13 it. That will be on the agenda to approve that.
14 Also, we have -- the original resolution had seven
15 names. I've picked six additional names of people
16 that have reached out to the Village saying they
17 want to be on the committee. And, also, I have a
18 list of another dozen people, besides the ones that
19 I already picked, that want to be on the committee,
20 but a committee of 30 people is not going to be
21 workable. I think 13 on the committee would be
22 appropriate. The first seven are pretty much all
23 Board Members and stuff like that. The other six
24 are just residents that volunteered their time that
25 want to be on the committee. But we really can't

1 schedule a class until we have the committee voted
2 on, and that's what we will be doing at next week's
3 meeting.

4 TRUSTEE ROBINS: Next week's meeting, okay.
5 And you will announce the people that you --

6 MAYOR HUBBARD: I have a list right here, yes.

7 TRUSTEE ROBINS: Good, good.

8 MAYOR HUBBARD: So everybody knows about it.
9 We've spoken to almost everybody that's going to be
10 appointed, and the people sent me resumés. I got
11 one person that I've gotten a dozen letters,
12 "Please pick him, please pick him," and they're
13 lobbying for somebody to be on the committee.

14 So we're working towards the whole thing.
15 And I think it's a good cross mixture of people,
16 property owners, business owners, all over, and,
17 you know, I think the Board all has seen the names
18 on it, and, you know, but we have to ratify those
19 people first.

20 The person to do the training class said they
21 were available, according to Patrick, on July --
22 January 10th. So if we vote on this on the 22nd,
23 then that's a Tuesday, in January we could have the
24 committee together, and it takes up to 35 people.

25 TRUSTEE ROBINS: Right.

1 MAYOR HUBBARD: So if we have 13 on here,
2 hopefully, everybody else that wants to hear the
3 whole process of finishing up the LWRP and
4 everything else, and with all the questions that
5 are in there, that we could have 35 people here.

6 TRUSTEE ROBINS: Yes, absolutely.

7 MAYOR HUBBARD: Everybody from the public,
8 everybody that's interested, come and listen and
9 have this person teach all of us what's going on
10 with it, then everybody has the information. So
11 then with future meetings, everybody knows where
12 we're trying to head with it.

13 TRUSTEE ROBINS: Yeah, okay, that's great.

14 MAYOR HUBBARD: You know, so --

15 TRUSTEE ROBINS: That's what I mean, it's
16 good. January 10th would be great, you know, it's
17 before the work session, so --

18 MAYOR HUBBARD: Right. I mean, that's a
19 tentative date, but now we need to put the
20 committee together, vote on the committee and make
21 that official first, and then we'll move forward
22 with that, and I'll be working with Patrick on
23 that, but that's a tentative date that was
24 available.

25 TRUSTEE ROBINS: Okay, great. Thank you.

1 MAYOR HUBBARD: Yep.

2 ATTORNEY PROKOP: So that's -- so that's the
3 resolution that I -- I put together this resolution
4 for -- to set to adopt the procedure, you know, set
5 this procedure for the -- this pending period that
6 we're in now. So if you want to -- if you look it
7 over, so we could vote on it next week, or whatever
8 you want, whatever the Mayor would like to do.

9 MAYOR HUBBARD: Yeah. I mean, I would -- at
10 the recommendation from the Village Administrator,
11 we have issues and stuff that are coming up daily
12 at Village Hall. I would like to vote on this
13 resolution tonight, so we can move that forward and
14 take care of stuff that we need to -- that needs to
15 be done now.

16 We did change the administrative procedure of
17 the Planning Board several years ago, so stuff
18 could be done inhouse, the small, minor things. We
19 had this when Trustee Roberts was here and he had
20 to go through the Planning Board to put in two
21 desks and three file cabinets.

22 TRUSTEE PHILLIPS: No, I know, I remember
23 that.

24 MAYOR HUBBARD: And we did change that to
25 make it easier. So if you're not doing any major

1 changes to your property, you're going from one
2 thing to the other in the same use on it, you don't
3 have to go back to Planning Board for it.

4 TRUSTEE PHILLIPS: Exactly.

5 MAYOR HUBBARD: So those are small, little
6 things that would be taken care of. We had an
7 expired building permit, that somebody reapplied
8 and took care of the paperwork on and expired
9 building permit to get a C of O to take care of
10 what they needed to do with their business. Now,
11 technically, according to the moratorium, we're not
12 allowed to do that. But this is something that
13 should be taken care of to protect a property owner
14 that's trying do something with their business.
15 That's what this all about, just to go back and
16 take care of the things that if it needs to go to
17 Planning and Zoning, it's definitely out. But the
18 small, minor things that could be done
19 administratively, that they could continue to do
20 that and protect people that have been in the
21 process of doing repairs and doing stuff.

22 Any questions on that?

23 TRUSTEE MARTILOTTA: No.

24 MAYOR HUBBARD: All right. *We'll, then I*
25 *would like to offer this Resolution, Dated*

1 *December 15th, 2002 (sic), Resolution Amending*
2 *Provisions of the Resolution Adopted December 2nd,*
3 *2022 Regarding Limitations Pending Hearings and*
4 *Actions on Local Law Creating Section 150-51 of the*
5 *Greenport Village Code. I might as well just read*
6 *it so we all know what it is.*

7 *WHEREAS the Board of Trustees of the Village*
8 *of Greenport adopted a resolution on December 2nd,*
9 *2022, (the "Resolution") setting a public hearing*
10 *for December 22nd, 2022 on a Local Law creating*
11 *Local Law of 2022, Creating Section 150-51 of the*
12 *Greenport Village Code creating a moratorium on*
13 *development approvals in the WC, CR and GC zoning*
14 *districts of the Village of Greenport (the "Local*
15 *Law");*

16 *WHEREAS the Resolution established*
17 *limitations on development approvals during that*
18 *period of time from the adoption of the Resolution*
19 *until the hearing and possible action on the Local*
20 *Law; and*

21 *WHEREAS the Board of Trustees based on*
22 *various circumstances that have been brought to the*
23 *attention of the Village has determined that it is*
24 *in the best interests of the Village of Greenport*
25 *to amend the limitations that will exist pending*

1 *the hearing and possible action on the Local Law*
2 *regarding what actions will be stayed and the*
3 *possible exemptions from that initial period; it is*
4 *therefore*

5 *RESOLVED that pending the hearings and action*
6 *on the consideration and adoption of the proposed*
7 *Local Law;*

8 *1. There shall be a moratorium on the*
9 *accepting, consideration and approval of*
10 *applications for discretionary relief or approvals*
11 *to be issued by the Planning Board, Zoning Board of*
12 *Appeals and the Board of Trustees, regarding*
13 *construction, development and use of the properties*
14 *that are located in WC, CR and CG Zoning Districts,*
15 *or the issuance of Village of Greenport of building*
16 *permits or certificates of occupancy for properties*
17 *in WC, CR and CG Zoning Districts except as*
18 *expressly provided in this Resolution or under*
19 *Local Law and proposed §150-51; and*

20 *2. The Village of Greenport shall not issue*
21 *building or demolition permits, or certificates of*
22 *occupancy for development in those districts except*
23 *where the building permit or renewal of an expired*
24 *building permit will not require an application to*
25 *or approval by the Planning Board or other Board;*

1 *or is (B) to cure or remove a hazardous condition;*
2 *or is (C) to prevent loss or damage to a person or*
3 *property; (D) for renewals of previously issued and*
4 *renewable building permits for the work that has*
5 *not been started; or (E) for the renewal of expired*
6 *building permits for work that has already been*
7 *completed; or (F) on an application in writing to*
8 *the Board of Trustees for an exemption based on a*
9 *demonstrated hardship as provided herein;*

10 *And the provision of Exceptions to the*
11 *Moratorium and Relief from the Moratorium contained*
12 *in the proposed Local Law shall apply and be in*
13 *effect during the period from the adoption of this*
14 *resolution to and included the public hearing and*
15 *possible action on the Local Law.*

16 I'll offer that motion.

17 TRUSTEE MARTILOTTA: Second.

18 TRUSTEE PHILLIPS: I just have one question.

19 MAYOR HUBBARD: Sure.

20 TRUSTEE PHILLIPS: On the provision of
21 exceptions to the moratorium and relief from the
22 moratorium in the proposed Local Law. So, right
23 now, this resolution that we're passing will be
24 dealing with the first version that we had, as far
25 as the exceptions, and whatever; is that correct,

1 Joe?

2 ATTORNEY PROKOP: This should say -- this
3 should say in 3, "The provisions of exceptions to
4 the moratorium and relief from moratorium contained
5 in the proposed Local Law including Planning Board
6 recommendations made on December 14th."

7 TRUSTEE ROBINS: Where is that? It's not in
8 here right now.

9 TRUSTEE PHILLIPS: No, he's writing it in.

10 ATTORNEY PROKOP: No, I'm saying that it
11 should. That's a good -- that's a good comment,
12 you're right. Including Planning Board --
13 including those sections from the Planning Board
14 recommendations of 12 -- well, they sent it today,
15 right? So 12 --

16 MAYOR HUBBARD: Fifteen.

17 ATTORNEY PROKOP: 12/15/22.

18 TRUSTEE PHILLIPS: 12/15, right. So if you
19 don't -- if you don't do that, it won't talk
20 about --

21 ATTORNEY PROKOP: You're right. That's a
22 good point. Yeah, thank you.

23 TRUSTEE PHILLIPS: Right? Am I right?

24 ATTORNEY PROKOP: You're right, thanks.

25 TRUSTEE PHILLIPS: Okay.

1 ATTORNEY PROKOP: Because they came in the --
2 from the Planning Board.

3 TRUSTEE PHILLIPS: Right.

4 TRUSTEE ROBINS: And, Joe, the language in
5 here that says, "RESOLVED that pending the hearings
6 and action on the consideration and adoption of the
7 proposed Local Law, so this is sort of a temporary
8 placeholder until that fully executed law is
9 adopted; is that correct?

10 ATTORNEY PROKOP: Right, until they take
11 action on the Local Law.

12 TRUSTEE ROBINS: Okay.

13 ATTORNEY PROKOP: Yeah.

14 TRUSTEE ROBINS: All right.

15 MAYOR HUBBARD: Yeah, it allows the Building
16 Department and Village Hall to take care of stuff
17 that needs to be done that doesn't need to go back
18 to one of the Boards.

19 TRUSTEE PHILLIPS: Yeah. No, I know that.
20 No, I understood that. My concern was the
21 exceptions, then.

22 TRUSTEE CLARKE: Yeah. The only exception
23 that makes me ask a question is D.

24 TRUSTEE PHILLIPS: On the Planning Board?

25 TRUSTEE CLARKE: No, under No. 2(D), "For

1 renewals of previously issued and renewable
2 building permits for work that has not been
3 started." So it hasn't been started and we're in a
4 moratorium. I'm not -- I'm not clear on the
5 benefit of that exception. Maybe there's an
6 example you could provide again to help me.

7 ADMINISTRATOR PALLAS: I think this -- again,
8 this is for a renewal of a permit that had already
9 gone through some process. So it's already been
10 vetted out and it is -- it is within an allowable
11 renewable period.

12 TRUSTEE CLARKE: Got it. So it's a
13 previously approved item that's already gone
14 through whatever Board, whatever Building
15 Department work, whatever other process.

16 ADMINISTRATOR PALLAS: Correct.

17 TRUSTEE CLARKE: And it's just being renewed,
18 whether the work has started or not. Okay, thank
19 you.

20 CLERK PIRILLO: Excuse me, Attorney Prokop,
21 one more.

22 MAYOR HUBBARD: Okay.

23 CLERK PIRILLO: Paragraph 1, did you say
24 earlier that we will be calling this a Local Law of
25 2023 henceforth, or are we leaving it? Line 3,

1 Paragraph 1. Are we still referring to this as a
2 Local Law of 2022 or 2023.

3 ATTORNEY PROKOP: We're looking at the
4 resolution dated December 15th, 2022?

5 ADMINISTRATOR PALLAS: Yes.

6 CLERK PIRILLO: Yes.

7 ADMINISTRATOR PALLAS: The first --

8 CLERK PIRILLO: Paragraph 1.

9 ADMINISTRATOR PALLAS: The first "WHEREAS".

10 ATTORNEY PROKOP: Oh, I'm sorry, Paragraph 1,
11 okay. I apologize. I was looking at No. -- I was
12 looking at No. 1.

13 CLERK PIRILLO: Third line.

14 TRUSTEE ROBINS: Resolution passed on
15 December 2nd, 2022.

16 ATTORNEY PROKOP: Yeah.

17 CLERK PIRILLO: Third line, is it still a
18 Local Law of '22 or '23?

19 MAYOR HUBBARD: Well, it's not going to get
20 voted on until '23, so it should say '23.

21 ATTORNEY PROKOP: It doesn't -- yeah, '23. I
22 mean, setting the resolution in '22, but it doesn't
23 really matter. It's the same -- it identifies it
24 as a -- as what we -- as what's subject to the
25 public hearing, but, right, it should be '23.

1 CLERK PIRILLO: Thank you.

2 ATTORNEY PROKOP: Thank you.

3 CLERK PIRILLO: You're welcome.

4 TRUSTEE ROBINS: It says the Resolution
5 amending provisions of a Resolution adopted
6 December 2nd, 2022. So how can you approve
7 something that's in the future?

8 CLERK PIRILLO: The Local Law in -- the Local
9 Law takes its year from when it's approved by the
10 New York Department of State, we have found in the
11 past. So, in this case, it's not possible that it
12 will be a Local Law 2022

13 TRUSTEE ROBINS: No, I understand. I
14 understand. I'm just looking at the way it's
15 actually written, that's all.

16 ATTORNEY PROKOP: No, you're right, it's
17 confusing, I'm sorry. This happens every year end.
18 But the Clerk is right, thank you. It should be --
19 probably the best way is to say '23. Thank you.

20 So those are the changes. Mayor, if we could
21 adopt it subject to those changes. Thank you.

22 MAYOR HUBBARD: Okay. *I'll amend my motion*
23 *to accept the two changes in Provision 3 and in the*
24 *first paragraph.* So moved.

25 TRUSTEE PHILLIPS: Second.

1 MAYOR HUBBARD: All in favor?

2 TRUSTEE CLARKE: Aye.

3 TRUSTEE MARTILOTTA: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 TRUSTEE ROBINS: Aye.

6 MAYOR HUBBARD: Aye.

7 Opposed?

8 (No Response)

9 MAYOR HUBBARD: Motion carried.

10 TRUSTEE MARTILOTTA: All right.

11 TRUSTEE PHILLIPS: Mr. Mayor may I ask that
12 the Village Clerk, after the Village Attorney has
13 cleaned this up for however, we get a version of
14 it, so that I have it for the record?

15 ATTORNEY PROKOP: Yes.

16 TRUSTEE PHILLIPS: You know what I'm saying?

17 ATTORNEY PROKOP: Yes.

18 TRUSTEE PHILLIPS: Because we've made changes
19 to --

20 TRUSTEE ROBINS: The resolution that we just
21 passed.

22 TRUSTEE PHILLIPS: Yeah.

23 ATTORNEY PROKOP: Okay.

24 TRUSTEE PHILLIPS: Yeah.

25 MAYOR HUBBARD: Uh-huh. Okay. Do you have

1 anything else?

2 ATTORNEY PROKOP: That's all. Thank you.

3 MAYOR HUBBARD: Okay.

4 ADMINISTRATOR PALLAS: Mr. Mayor, I
5 apologize, but before you move on, I just want to
6 remind the Board, since we're on this topic, that
7 we do have a -- one request for exemption for --
8 from the moratorium that you just received. I
9 don't know if you're planning to take action or
10 not, or waiting until next week. Just reminding
11 you that it's out there.

12 MAYOR HUBBARD: Okay.

13 TRUSTEE PHILLIPS: That particular exemption,
14 the one that we received the hardship for?

15 ADMINISTRATOR PALLAS: Yes.

16 TRUSTEE CLARKE: Yes.

17 TRUSTEE PHILLIPS: It's not in WC, it's in
18 CR, correct?

19 TRUSTEE CLARKE: Yes.

20 TRUSTEE PHILLIPS: Okay.

21 ADMINISTRATOR PALLAS: Correct.

22 TRUSTEE PHILLIPS: Okay. All right.

23 ADMINISTRATOR PALLAS: But it does require
24 Planning Board review.

25 TRUSTEE CLARKE: It does, because it's a

1 change of use.

2 ADMINISTRATOR PALLAS: Actually, it's a
3 scheduled hearing already.

4 TRUSTEE CLARKE: It's another permitted use,
5 but it is a change.

6 TRUSTEE PHILLIPS: Right, but that's -- it
7 has a public hearing already scheduled, correct?

8 ADMINISTRATOR PALLAS: Yes.

9 MAYOR HUBBARD: Is the public hearing still
10 on the agenda?

11 TRUSTEE PHILLIPS: That's the question.

12 ADMINISTRATOR PALLAS: It hasn't been
13 taken -- it's been -- it was scheduled by the
14 Planning Board before this was issued.

15 MAYOR HUBBARD: Uh-huh.

16 ADMINISTRATOR PALLAS: But it is --
17 wouldn't -- as of now, would not be permitted to
18 proceed without an exemption granted by this Board.

19 MAYOR HUBBARD: Well, why don't you get the
20 information around to the Board Members, and if
21 they feel appropriate, we could put it on the
22 agenda to vote on an exemption to put it back to
23 the Planning Board.

24 ADMINISTRATOR PALLAS: I thought it was.

25 TRUSTEE CLARKE: Yes, I received a letter.

1 TRUSTEE ROBINS: Yeah, we received an email
2 from the petitioner.

3 ADMINISTRATOR PALLAS: So that everybody --
4 we can resend it, if you want, just a fresh copy
5 and we'll put it on the agenda.

6 ATTORNEY PROKOP: I would put it on the
7 agenda, so we get public comment.

8 MAYOR HUBBARD: Is everybody ready? We'll
9 put it on the agenda for next to vote on the
10 hardship.

11 TRUSTEE MARTILOTTA: Yeah, I thought you were
12 going to say tonight. Yeah, next week's fine.

13 TRUSTEE PHILLIPS: Yeah, next week's fine,
14 yeah, because we'll have a chance to take a review.

15 MAYOR HUBBARD: Okay. Well, we'll put that
16 on the agenda so the public can see it, get
17 information on it when they look at the agenda and
18 be able to act appropriately.

19 ADMINISTRATOR PALLAS: Sure.

20 MAYOR HUBBARD: Okay. Anything else, Joe?

21 ATTORNEY PROKOP: No, thank you.

22 MAYOR HUBBARD: Okay. The reminder about the
23 public hearing on the amended parking regulations,
24 that's kind of been tabled with everything else
25 going on and all, so it's really a nonfactor.

1 Should we just -- can we close that at this point,
2 Joe, and then just --

3 ATTORNEY PROKOP: I would vote to close it, yes.

4 TRUSTEE PHILLIPS: Yeah. I guess, yeah.

5 MAYOR HUBBARD: All right. *I'll offer a*
6 *motion to close the public hearing, the proposed*
7 *Local Law of '22, amending parking regulations.* So
8 moved.

9 TRUSTEE ROBINS: Second.

10 MAYOR HUBBARD: All in favor?

11 TRUSTEE CLARKE: Aye.

12 TRUSTEE ROBINS: Aye.

13 TRUSTEE MARTILOTTA: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 MAYOR HUBBARD: Aye.

16 Opposed?

17 (No Response)

18 MAYOR HUBBARD: All right. That's closed,
19 and that's off the list, and we'll move on.

20 Okay. Mayor and Trustees Reports: I've got
21 a few things here.

22 The public hearing for the moratorium is next
23 week. I do have a list of names that the Village
24 Board needs to approve. The resolution called for
25 a seven -- base, seven members, myself, Mayor

1 Hubbard, or Trustee Robins; Trustee Phillips; John
2 Saladino from ZBA, and alternate, Dena Zemsky;
3 Patrick Brennan, or alternate, Dan Creedon, from
4 the Planning Board; Jane Williams, or alternate,
5 Roselle Borelli, from HPC; Jeanne Cooper as a
6 full-time resident and a property owner; Steve
7 Clark as a full-time resident and property owner.
8 Those are the seven that are in the original
9 resolution that we passed on the 2nd.

10 I'd like to add six other members on there,
11 additional members. We'd have to change and write
12 a -- vote on a resolution to increase it from seven
13 to 13. And then I have Kevin Stuessi, Randy Wade,
14 William Swiskey, Stacey Tesseyman, Eric Elkin and
15 Chris Hamilton have expressed an interest of being
16 on the Board. Like I said, I have a dozen other
17 names. If any of these people do not want to be on
18 it when it's voted on, we have -- I have a list and
19 we can go and choose other people that are on
20 there.

21 TRUSTEE MARTILOTTA: Sure.

22 MAYOR HUBBARD: So that will be -- there'll
23 be two resolutions, one approving the original
24 seven, and then a resolution adding six other
25 people to it. And the meeting is going to be open

1 to the public, everybody's welcome to come and all.
2 The alternates only vote, if it comes to a vote, if
3 the main member is not there. They're there really
4 to observe and all. Per the resolution, they only
5 vote if the main member is not there. So they're
6 really just to get information.

7 So those are the 13 names that I have.
8 Anybody else -- I appreciate everybody else that
9 sent me letters asking to be on it. It's open.
10 You know, if we had -- need more members, or we
11 decide something else, come to the meetings, get
12 information, find out the process of where we're
13 going with it. And if somebody says, "You know, I
14 don't have time for this," they want off, then we
15 can appoint an alternate member, somebody else out
16 of the list that I have.

17 But I appreciate the output. You know, to
18 have over a dozen people say, "I want to be part of
19 this," shows that they really care, and it's
20 important for us to get their information and get
21 their feedback on what we're doing.

22 TRUSTEE CLARKE: Yes, sir.

23 TRUSTEE ROBINS: Mayor, I did -- I did have a
24 suggestion from somebody, also, that maybe the
25 committee would like to create some subcommittees

1 that could be working in different areas, you know,
2 specialized a little bit. So that would offer the
3 opportunity for more people to get involved, if
4 they would want. You know, but that would be
5 something, you know, once they start meetings --

6 MAYOR HUBBARD: Well, yeah. Once the whole
7 committee gets together to decide how they're going
8 to do it --

9 TRUSTEE ROBINS: Right.

10 MAYOR HUBBARD: -- because, you know, you
11 don't need 13 people doing one task.

12 TRUSTEE ROBINS: Exactly, exactly.

13 MAYOR HUBBARD: You know, you could separate
14 it, four people, you take this, that, that, and
15 report back at the next meeting, and then try to
16 put it together and get input from everybody on it,
17 similar to what we did when we did the LWRP up at
18 the high school back then. There was, you know, a
19 dozen different tables with groups of people
20 around --

21 TRUSTEE ROBINS: Right.

22 MAYOR HUBBARD: -- all just sitting there.
23 All right. You talk about parking, you talk about
24 this, you talk about, you know, housing, and
25 everybody got together and then put a consensus

1 together.

2 TRUSTEE ROBINS: Yeah.

3 MAYOR HUBBARD: You know, so it would be a
4 very similar thing. It would now be up to the
5 committee to go as they're working on that and
6 break it off of how they feel appropriate to get it
7 done as fast as possible with the correct
8 information, and get a consensus amongst everybody
9 what's going to be best for the Village.

10 TRUSTEE ROBINS: Uh-huh.

11 MAYOR HUBBARD: Okay? I did attend the
12 Rec. Center Christmas party last night, it was very
13 nice. The kids were really happy. Santa Claus
14 came there. It would be nice if we had some more
15 people show up to it, but, you know, the kids
16 really enjoyed it, and Santa Claus had a -- he had
17 a good time. And some of the kids were getting a
18 little -- were getting a little bit older and they
19 were not as anxious to go and hang out with Santa.
20 But --

21 TRUSTEE PHILLIPS: Well, I'm --

22 MAYOR HUBBARD: -- I thank everybody that
23 contributed to the program, that helped out with
24 it, it was a really nice event.

25 TRUSTEE PHILLIPS: Mayor, I'm sorry, but I'm

1 disappointed, because I have attended every year.
2 But I chose that -- given my circumstances, I took
3 a back seat.

4 MAYOR HUBBARD: No, I understand. Just --

5 TRUSTEE PHILLIPS: But it is -- it is
6 wonderful to watch the children interact, along
7 with their parents. To be honest with you, the
8 parents are just as much an integral part of the
9 party as --

10 MAYOR HUBBARD: Uh-huh.

11 TRUSTEE PHILLIPS: -- as anyone else.

12 MAYOR HUBBARD: Okay. I want to say a thank
13 you to the Tree Committee. We had their meeting on
14 Tuesday. They did a lot of work this past year, a
15 lot of trees from NYPA, take-downs, stump-grinding,
16 making lists, working on everything. Every time
17 there's a question on a tree, they get called up.
18 They go and they check it out within usually that
19 day. If not that day, the next day. They do a
20 really good job.

21 We are working on taking Christmas trees,
22 when we start picking them up the first week of
23 January through Little Christmas, which I believe
24 is the 8th, if I was told correctly, and taking the
25 trees --

1 (Laughter)

2 MAYOR HUBBARD: -- and donating them or
3 giving them to Orient State Park to use them for
4 erosion control, and everything else, over their
5 bluffs. So just so everybody knows, put your tree
6 out there. If it hasn't been picked up, call
7 Village Hall and say, "I got a Christmas tree out
8 in front of my house," and they're going to be
9 picked up and repurposed out to the State Park,
10 they asked for that.

11 The Mini Railroad, the tracks, the ties and
12 the tracks are being set up there, so that project
13 is moving forward.

14 The last thing, at the last two meetings, we
15 had resolutions that came up at the end of the
16 meeting that the public and other Board Members
17 didn't have a chance to actually review. If
18 there's something anybody wants to bring up, bring
19 it up at the work session. Let's discuss it, let
20 everybody know about it, and then we could talk
21 about it, and it's not like a surprise at the end
22 when things pop up.

23 I mean, anybody's allowed at any meeting, a
24 motion and a second can be brought up to the table
25 and brought to a vote. But just, you know, so the

1 public and everybody knows about stuff that goes
2 on, instead of last-minute deals. If there's
3 something going on, talk to us about it, and we'll
4 put it on the agenda and we'll just bring it
5 forward.

6 And that's all that I had. I'll move on to
7 Trustee Phillips.

8 TRUSTEE PHILLIPS: I'll be honest with you,
9 I've been working with the Fire Department on a lot
10 of things. One of them is updating their -- their
11 computer system. I understand that the I.T. people
12 were with them, and they've given them the right
13 equipment to update everything in there, so that
14 there, hopefully, will not be such frustration as
15 getting reports out and whatever.

16 Pretty much, other than that, as you can all
17 hear, I've been laid up a little bit, so.

18 MAYOR HUBBARD: Yeah, understand.

19 TRUSTEE PHILLIPS: So --

20 MAYOR HUBBARD: Okay. Thank you. Just to
21 say the bid, I don't know if everybody saw the --
22 the bids did go out for the roofs and the
23 projects --

24 TRUSTEE PHILLIPS: Yes.

25 MAYOR HUBBARD: -- all around. That's due

1 back on the 22nd.

2 TRUSTEE PHILLIPS: Yes, December 22nd.

3 MAYOR HUBBARD: So that will be coming back.
4 Just so that's something the Chiefs had brought up
5 and it's been discussed over the past several
6 months. So we're expecting them back, so we could
7 award that, hopefully, in January to get work done
8 in the springtime.

9 TRUSTEE PHILLIPS: And their Wardens meeting
10 is next week --

11 MAYOR HUBBARD: Yes, okay.

12 TRUSTEE PHILLIPS: -- so I'll have to bring
13 that to them.

14 MAYOR HUBBARD: All right, very good.
15 Trustee Robins?

16 TRUSTEE ROBINS: I don't have a lot. The BID
17 meeting kind of didn't time the same way that it
18 usually does, because we're before them this month.

19 But I just have a few words from the Carousel
20 Committee, which met on the -- on the 5th. We
21 discussed the holiday decorating, and continued our
22 effort to develop a plan to restore some of the
23 horses. Hope to continue to reach out to local
24 artists in hope of getting a few who might be
25 interested.

1 We also discussed the challenge of the
2 present \$2.50 per ride, and felt that changing the
3 price for a single ride to \$3, with a two for \$5
4 option, would not create any problem for most
5 people, and there could still be an additional
6 multi-ticket package.

7 So that's basically all we discussed at the
8 meeting.

9 MAYOR HUBBARD: Okay.

10 TRUSTEE ROBINS: Thank you.

11 MAYOR HUBBARD: All right. Thank you.

12 Trustee Clarke.

13 TRUSTEE CLARKE: I wanted to thank everyone
14 who was involved in the tree lighting. It was an
15 awesome event. It was very, very well attended.
16 The only constructive comment I could make is that
17 we use Jamie for the sound system --

18 TRUSTEE PHILLIPS: Yes.

19 TRUSTEE CLARKE: -- like we do for the
20 dances, because that would have made it more
21 awesome.

22 CLERK PIRILLO: May I?

23 TRUSTEE PHILLIPS: If we could include that.

24 TRUSTEE CLARKE: Please.

25 CLERK PIRILLO: I've already spoken with him

1 for next year, and he will be -- he will be working
2 with Jay. And we will combine our equipment and
3 possibly his, or figure out how to better use our
4 equipment, and he has kindly agreed to do that for
5 us gratis.

6 TRUSTEE CLARKE: Great, great. The tree is
7 awesome. The children singing was the high point
8 for me. And it was really a great event, it felt
9 very, very good.

10 I wanted to remind everyone about the Skate
11 Park event on New Year's --

12 TRUSTEE PHILLIPS: New Year's Eve.

13 TRUSTEE CLARKE: -- Eve at the George
14 Costello Skating Rink, and ask everyone in the
15 public to keep that in mind for your leisure
16 activities, so that we are continuing to support
17 and fundraise for the continuing ongoing repairs
18 and amelioration of the Skate Park.

19 The Friends of Mitchell Park met, a December
20 meeting on the 5th of December, and asked me to get
21 an update on when we would proceed with our grant
22 that we received for the bathrooms, and what you
23 envision as the timeline.

24 ADMINISTRATOR PALLAS: So two different
25 pieces. One is the bid for the work itself. I

1 think that's -- we're working on the specs
2 currently.

3 CLERK PIRILLO: (Nodded Yes)

4 ADMINISTRATOR PALLAS: With regard to the
5 grant itself, we did advise the County that yes, we
6 were interested in continuing the process. So the
7 next step for that is for them to get us a
8 contract, so we're just waiting for that. They
9 said they'd get it to us soon, whatever time frame
10 that might be. Once that contract is received, it
11 will be presented to this Board for review and
12 approval. We're hoping the timing lines up well
13 with our bid, bid project, and we can get started
14 and be finished before the spring season.

15 TRUSTEE PHILLIPS: Which Consortium year is
16 the funding in, is it 2023?

17 ADMINISTRATOR PALLAS: No. I believe it's --
18 no, this is not that. This is the Downtown --
19 sorry. This is the Downtown Revitalization.

20 TRUSTEE CLARKE: Yeah, I saw that.

21 ADMINISTRATOR PALLAS: Not the Consortium.

22 TRUSTEE PHILLIPS: Oh, it's not part of the
23 Consortium?

24 ADMINISTRATOR PALLAS: No.

25 TRUSTEE PHILLIPS: Okay.

1 ADMINISTRATOR PALLAS: It's the Downtown
2 Revitalization.

3 TRUSTEE PHILLIPS: It's the Downtown,
4 Revit -- okay. All right.

5 ADMINISTRATOR PALLAS: Yeah.

6 TRUSTEE CLARKE: The Downtown Revitalization,
7 I saw it.

8 TRUSTEE PHILLIPS: Okay.

9 ADMINISTRATOR PALLAS: Yes.

10 TRUSTEE PHILLIPS: I just wanted to make
11 sure. Okay.

12 TRUSTEE CLARKE: The only other things that
13 came out of that meeting is they are looking to put
14 a sign in the park to identify themselves, so that
15 if anyone were interested to see their website,
16 they could take a QR code. I know we have
17 permanent metal signage for the creation of the
18 park with all of the required agencies that
19 contributed in the State of New York. Is that an
20 area where an additional sign could be added, or
21 would it be something incremental that we'd have to
22 pursue?

23 ADMINISTRATOR PALLAS: Physically, I'd have
24 to take a look, but, ultimately, the approval is
25 yours to -- yeah, ultimately.

1 TRUSTEE CLARKE: Okay. Just looking for --

2 ADMINISTRATOR PALLAS: I could certainly -- I
3 could certainly review it and, you know -- and find
4 an appropriate spot for something like that, if the
5 Board requests.

6 TRUSTEE CLARKE: They're struggling with, I
7 think, awareness of what their mission is, and how
8 to get the public at large to come to them and
9 address them for funding for projects and events
10 that they would like to fund.

11 ADMINISTRATOR PALLAS: Sure.

12 TRUSTEE CLARKE: And the website doesn't have
13 a lot of traffic or awareness, I don't see. And
14 people who attend the park would naturally think of
15 approaching the Village Board or Village Hall, and
16 not necessarily address Friends of Mitchell Park.
17 So my advice is that they need to get their name
18 and website out there, and one of their suggestions
19 was to actually tell people about them within the
20 park itself. So --

21 TRUSTEE PHILLIPS: So let me ask a question.
22 Since most people head for the major attraction,
23 which is the Carousel, is there some spot over in
24 that area, in the grass area, that there could be
25 something similar to what he's speaking about?

1 ADMINISTRATOR PALLAS: Yeah. That's one of
2 the spots I was just thinking about, is up that --
3 up the main walkway from Front Street.

4 TRUSTEE PHILLIPS: Yeah, because they had --

5 TRUSTEE ROBINS: That's better.

6 TRUSTEE PHILLIPS: Right, because they had --
7 that's a hot traffic area. It's --

8 TRUSTEE ROBINS: Yeah.

9 ADMINISTRATOR PALLAS: Yeah. I mean,
10 relatively, it could be two-sided, so that if
11 you're coming from the other direction, you're
12 walking out that way, you could see it as well.

13 TRUSTEE PHILLIPS: Right. But I think that
14 would be --

15 ADMINISTRATOR PALLAS: Yeah, I will, I will
16 take a look.

17 TRUSTEE CLARKE: Thank you. They are, with
18 Village approval, looking for the Free Skate
19 Sundays being January 15th and February 5th. I
20 asked them to get their request in to the Village
21 Clerk and --

22 CLERK PIRILLO: They did.

23 TRUSTEE CLARKE: Great. And then the only
24 other business that's of interest to anyone is
25 their annual meeting was held with an election of

1 officers, and all of the current officers were
2 reelected to office.

3 And that's all I have for tonight.

4 MAYOR HUBBARD: All right. Thank you.
5 Trustee Martilotta.

6 TRUSTEE MARTILOTTA: Sure. I'm going to echo
7 a couple of things Trustee Clarke said. The
8 parade, the tree lighting, fantastic. I really
9 appreciated you guys putting the extra lights on --
10 the generator lights.

11 TRUSTEE PHILLIPS: Yeah.

12 TRUSTEE MARTILOTTA: I remember the first
13 time we did this --

14 TRUSTEE PHILLIPS: It was dark.

15 TRUSTEE MARTILOTTA: -- my son came off the
16 stage and disappeared for a solid 15 minutes. It
17 was pretty exciting, but less exciting this time.
18 My girls were just absolutely pumped, they loved
19 it. They're still talking, and they're still
20 talking about Santa Claus, so that's good. He's
21 well aware of her remarkably long list.

22 (Laughter)

23 Also, the lights downtown, the whole place
24 looks -- just looks great, so thank you very much,
25 we really appreciate it.

1 Just I'm sure you're aware, everybody's
2 aware, just everybody's aware it's going to start
3 snowing. They're calling for snow next week. Just
4 something to keep in mind, like cars on the road
5 and stuff. It's anywhere from three inches to a
6 foot. So you'll be hearing from us. So let's get
7 those -- it's just something to think about.

8 Additionally, something to think about, I'm
9 sure like everybody here, I'm answering and
10 fielding a ton of questions, answering as best I
11 can on the moratorium. I just want us as a Board,
12 I think we need to think in two separate ways here,
13 right? So we're trying to find the moratorium,
14 we're trying to find exceptions, we're trying to --
15 this is a very blunt instrument, right? So we're
16 trying to soften the edges, if you will. But I
17 think we can do some parallel thinking here in that
18 we've established -- we understand the players now,
19 right? And I think we sort of understand the end
20 game. But I think we need to do some sort of like
21 a synchronization matrix, or something along those
22 lines, where we say from different -- from
23 different Boards to include this one.

24 We're going to need to back this plan, where
25 we're looking to go, and then we need to create

1 some sort of framework for them to work within.
2 Like what are we expecting the Planning Board, for
3 example, what are we looking for from them,
4 specifically, what section of the code, what
5 changes, perhaps, you know, and I imagine this will
6 change as it goes.

7 But we're at the very beginning of the
8 process, and without this framework, I'm -- I'm
9 concerned that in a timely fashion we'll be able to
10 address the concerns of the public. So I would
11 just ask that as we're going forward here, we kind
12 of do both of those things. You know, we can -- we
13 can walk and chew gum. But without -- without
14 establishing what we want each Board to do
15 specifically, and giving some sort of a timeline of
16 what we're expecting -- obviously, everything's
17 going to change. But I think by putting that out
18 as we go forward with the finalization of this
19 moratorium, I think it really increases our chances
20 for success.

21 TRUSTEE CLARKE: That's an excellent
22 suggestion.

23 TRUSTEE MARTILOTTA: So I think we should all
24 just keep that in mind as we go forward. And
25 that's all I had, Mr. Mayor.

1 MAYOR HUBBARD: Okay. Thank you.

2 TRUSTEE MARTILOTTA: Yes, sir.

3 MAYOR HUBBARD: Okay. Also, I did want to --
4 I meant to say before, the Menorah Lighting is this
5 Sunday at 5 o'clock --

6 TRUSTEE MARTILOTTA: Sunday, yep.

7 MAYOR HUBBARD: -- in Mitchell Park, and
8 everybody is welcomed back to the synagogue
9 afterwards. So anybody who wants to attend,
10 5 o'clock on Sunday.

11 All right. I'll open it up to the public to
12 address the Board.

13 ATTORNEY PROKOP: Could I speak to the Board
14 about one thing?

15 MAYOR HUBBARD: Okay, go ahead.

16 ATTORNEY PROKOP: I'm sorry. There's a
17 resolution that we may need on the agenda regarding
18 training. There's a training requirement of four
19 hours. And, generally, now villages are adopting a
20 resolution waiving that requirement for the people
21 that haven't taken it yet. These are things that
22 are required by law I want to bring to your
23 attention. So I'll go over it with the Village
24 Office and see if there's anybody involved and
25 we'll -- I'd like to have a placeholder on the

1 agenda for that, if it needs to be.

2 And, also, you know, I wanted to mention that
3 I am available between now and the end of the year.
4 If anybody needs to meet that requirement, we can
5 schedule a training, I'd be happy to schedule a
6 training. I thought the people from White Plains
7 were going to cover it, but if they can't do it
8 until January, then we should do it ahead, do it --

9 TRUSTEE PHILLIPS: You're talking about the
10 Statutory Boards?

11 ATTORNEY PROKOP: Yes.

12 TRUSTEE PHILLIPS: Okay.

13 ATTORNEY PROKOP: But if somebody wants to
14 do -- spend some time on Zoom, it doesn't have to
15 be four hours. But if somebody would like to do --
16 spend some time on Zoom, I'm happy to do a
17 training.

18 MAYOR HUBBARD: Okay.

19 ATTORNEY PROKOP: Just to cover the requirement.

20 MAYOR HUBBARD: Okay. All right. Public to
21 address the Board.

22 GEOFF LYNCH: Good evening. Geoff Lynch,
23 President of Hampton Jitney, and I have with me
24 Jim Ryan, who's General Manager of Peconic Jitney.

25 Just wanted to mention that we have submitted

1 to the Village some bids that we got back from
2 vendors concerning the redevelopment of the
3 visitors dock. We went out to five, five bidders,
4 three of them came back.

5 Essentially, the work includes, and I think
6 we have a diagram included of the -- of the
7 proposed dock, it -- we use the existing dock as
8 is, the fixed, the fixed portion, extend it
9 approximately 20 feet, and then add a floating
10 section where the ferry itself would actually land.
11 And then the existing floating visitors dock, where
12 the dinghies and other smaller vessels park now,
13 they would be relocated south of the fixed portion
14 attached in an L-shape pattern.

15 So we stand ready to answer any questions on
16 those bids. I guess, really, we need some
17 direction from the Board as to -- as to how to
18 proceed. If we want to talk about a partnership
19 where Peconic Jitney would contribute substantially
20 to that capital investment in partnership with the
21 Village, in return for a landing agreement. Or, I
22 don't know, maybe the -- I don't know if the
23 visitors dock is impacted by this moratorium, but
24 that might put the whole thing on hold. But we
25 are -- we are available to answer any questions

1 regarding those bids. Thank you.

2 TRUSTEE MARTILOTTA: Thank you.

3 MAYOR HUBBARD: Okay. Does anybody have any
4 questions?

5 TRUSTEE PHILLIPS: Not right now.

6 TRUSTEE MARTILOTTA: Not at this time, I
7 don't.

8 TRUSTEE PHILLIPS: No, not right now.

9 MAYOR HUBBARD: Okay. Have you gotten an
10 agreement, then, with Sag Harbor? Have you
11 completed your work on the other side?

12 GEOFF LYNCH: No. We -- January, we're back
13 in front of that -- those Trustees, resubmitting
14 that application, so we're starting the process
15 over there as well.

16 MAYOR HUBBARD: Okay. Now have you -- I know
17 we've asked for like a business plan. Have you
18 proposed payment towards the Village and, you know,
19 splitting costs on the dock, or whatever? Do you
20 have any kind of -- part of a business plan?
21 I know we've seen the stuff from before, but I
22 haven't really seen anything new on the proposal of
23 what's --

24 GEOFF LYNCH: Well, I think --

25 MAYOR HUBBARD: What's in it for the

1 taxpayers, you know?

2 GEOFF LYNCH: Yes. I think the idea being --
3 it hasn't been formally submitted. We've just had
4 some talk with the Village Management regarding us
5 paying the Village, or at least contributing to
6 this redevelopment, in turn for a landing
7 agreement. So, essentially, paying for a new
8 visitors dock.

9 JIM RYAN: But we had submitted a new
10 business plan, that I believe the Trustee is
11 looking at right now. It has our Suffolk County
12 Legislature franchise license information that's
13 already been submitted, that's already been
14 approved. It already has our approved rate
15 schedule, our approved schedule, and our proposed
16 locations in both Sag Harbor and a variety of
17 different locations that we're trying to determine
18 with this Board. Where would you like us to go?
19 And we're trying to accommodate by providing these
20 bids that we went out and sourced at your request
21 two months ago.

22 MAYOR HUBBARD: Uh-huh.

23 JIM RYAN: So this information you already
24 have. So we're hoping that you can give us some
25 direction on how would you like us to proceed.

1 Should we proceed with this motion of looking at
2 the visitors dock as a viable opportunity for this
3 ferry service to work, or should we look someplace
4 else? Do you have someplace else? If not, this
5 information is in front of you right now, what
6 you're looking at right now. So can you give us
7 some direction?

8 GEOFF LYNCH: I think what we're asking of
9 the Village Board is whether or not to proceed with
10 Village Management in terms of trying to negotiate
11 an agreement between Peconic Jitney and the Village
12 of Greenport as to the redevelopment of the
13 visitors dock as a -- as a landing site.

14 MAYOR HUBBARD: Okay. I could just say from
15 developments that we've had over our past couple of
16 meetings, we've had residents of not the Village,
17 but in Greenport, that said the Village shouldn't
18 be paying anything for that, for the dockage, that,
19 you know, you want to do it, you want to bring it
20 in there, that's really your responsibility.

21 Also came to our attention that the site plan
22 that has been submitted by a waterfront business
23 has a ferry dock on their site plan. Now are you
24 planning on going there, are you planning on going
25 with us, or, you know -- I did not know that until

1 somebody brought that to my attention, that the
2 site plan that was submitted from a parcel next to
3 our property has -- asking permission for a ferry
4 dock there.

5 GEOFF LYNCH: Yes, but we don't have a
6 specific agreement with that -- with that --

7 MAYOR HUBBARD: You don't. So you don't have
8 plans on going there?

9 GEOFF LYNCH: We have -- we have no specific
10 agreement, no. We -- we're certainly looking at
11 it. If the visitors dock does not work out as an
12 alternative, absolutely.

13 MAYOR HUBBARD: Okay.

14 GEOFF LYNCH: But there are no specific
15 agreements or plans at this point. Our -- our
16 intent, hell -- heck, sorry -- you give me a
17 50-year lease, I'll pay for the whole thing.

18 MAYOR HUBBARD: Okay. Well, that's --

19 GEOFF LYNCH: Okay, let's do it?

20 MAYOR HUBBARD: That's just questions that
21 have come up here. That's why I'm just asking the
22 questions, because those people aren't here right
23 now, you know.

24 GEOFF LYNCH: So --

25 TRUSTEE PHILLIPS: Mr. Mayor, may I make a

1 suggestion?

2 MAYOR HUBBARD: Well, no, let me just finish
3 up on that.

4 TRUSTEE PHILLIPS: Okay.

5 MAYOR HUBBARD: When you had the proposal
6 last year, when we talked about this, you put a
7 dollar figure on a monthly rent and stuff on the
8 size of your boat compared to Mitchell Marina, and
9 everything else. And everybody that discussed it
10 here, along with the public, felt that was not a
11 value -- valuable proposal. I'm just trying to put
12 that nicely. You know, they don't think it's going
13 to be, you know --

14 GEOFF LYNCH: It was too cheap?

15 MAYOR HUBBARD: Well, for something that
16 you're going to be making on and everything else, a
17 couple of thousand dollars to rent a space in the
18 Village for a season, it's --

19 GEOFF LYNCH: Yeah, I get that.

20 MAYOR HUBBARD: It was not --

21 GEOFF LYNCH: So --

22 MAYOR HUBBARD: Nobody thought that that was
23 an appropriate offer.

24 GEOFF LYNCH: So the offer -- the offer is,
25 like I said, a long-term lease from the Village of

1 Greenport to Peconic Jitney in return for us --

2 MAYOR HUBBARD: Okay. Well, that's fine.
3 That's why I'm asking these questions, just so
4 everybody has the information, so that they could,
5 you know, think about it, discuss it, and come up
6 with something, that's all.

7 GEOFF LYNCH: So I think that in terms --

8 MAYOR HUBBARD: I'm not saying yay or nay,
9 I'm just --

10 GEOFF LYNCH: In terms of direction, though,
11 because this is -- this is -- if we're going to --

12 MAYOR HUBBARD: Okay. Well, Trustee Phillips
13 had a question for you, so --

14 GEOFF LYNCH: I don't think we want to
15 negotiate in public here, but if the Village is
16 open to the suggestion, then I think we need
17 authorization from the Village Board to work with
18 the Village Attorney, or whomever is charged
19 with --

20 MAYOR HUBBARD: Right. Well, I know,
21 contract negotiations are done privately and
22 everything else, I mean, I completely understand
23 that. I'm just saying comments that I have
24 received and Board Members had received as we
25 started this last spring and everything else. So

1 if you're going to do it, I'd like -- if you're
2 going to do it, if it's going to get approved, the
3 time to get it done now is in December, instead of
4 coming to us in May and trying to do something
5 on --

6 GEOFF LYNCH: Sure, sure.

7 MAYOR HUBBARD: -- Memorial Day. So I
8 appreciate you be forthcoming, coming back to us
9 and being persistent with it, so that we can get
10 this hashed out and decide what's going to happen.
11 All right. Trustee Phillips.

12 TRUSTEE PHILLIPS: I understand where you're
13 coming from, but I think that we as the other
14 Trustees that have not been involved in any of the
15 discussions, it's unfair to ask us to come up with
16 some kind of a decision tonight, which is what I
17 think you're leaning towards.

18 GEOFF LYNCH: No, I --

19 TRUSTEE PHILLIPS: Let me -- let me --

20 GEOFF LYNCH: The decision that I'm -- that
21 I'm asking of you is whether or not we can proceed
22 with the Village itself to talk about this
23 proposal.

24 TRUSTEE PHILLIPS: That's what I'm saying,
25 because the rest of us have not heard all of this

1 stuff. We've got -- we've received your
2 information. We have not had any privy to the
3 conversations that have been going on between
4 Management and you, and I think it's a little
5 unfair until we have that information.

6 I think the Mayor is asking for a more
7 formalized document from you. So I think if you're
8 looking for something for tonight to go to
9 Sag Harbor, I'm not in a position to do that
10 tonight. I'm sorry, we've been busy with the
11 moratorium.

12 Some of the information that you've given us
13 is going back to the original Mitchell Park
14 information. Yes, you have your Suffolk County
15 lease, but you're -- if you're changing the
16 position -- I mean, the docking space, you have to
17 go back to Suffolk County.

18 JIM RYAN: We're not going back to Mitchell
19 Park.

20 TRUSTEE PHILLIPS: Let me finish. Let me
21 finish, please.

22 JIM RYAN: We're not going to go back to
23 Mitchell Park. We haven't brought that up at all.
24 Its not landing --

25 TRUSTEE PHILLIPS: That's not what I'm

1 saying. The information was from when you were in
2 Mitchell Park on your presentation that you did.

3 JIM RYAN: That was 10 years ago.

4 TRUSTEE PHILLIPS: Okay. Please let me
5 finish, okay? Thank you.

6 JIM RYAN: We're talking now, not 10 years ago.

7 TRUSTEE PHILLIPS: Thank you. What I'm
8 trying to tell you is that for me, and I can't
9 answer for the others, I haven't even had any
10 inkling as to what the Mayor or the Management have
11 been talking about to you. So how -- you know,
12 so --

13 JIM RYAN: Nothing. We're having this
14 conversation now.

15 TRUSTEE PHILLIPS: No, we are not having --
16 no, I'm done.

17 JIM RYAN: We haven't had any conversation
18 with Sylvia or Mr. Pallas.

19 TRUSTEE PHILLIPS: We're not having this
20 conversation now.

21 JIM RYAN: We haven't had any conversation.

22 TRUSTEE PHILLIPS: I'm done. I'm done.

23 JIM RYAN: This is the first conversation
24 we're having.

25 GEOFF LYNCH: Enough, enough.

1 JIM RYAN: Fine.

2 GEOFF LYNCH: Well, I think what we -- what
3 we do -- we do need some -- some direction from
4 this Village Board as to how to proceed, other than
5 just wait again until the next public hearing,
6 because that's what we went through last, last --

7 TRUSTEE MARTILOTTA: In fairness, right, you
8 just said like for a long-term lease you'll build a
9 dock. What is a long-term lease?

10 GEOFF LYNCH: Fifty years.

11 TRUSTEE MARTILOTTA: You want a 50-year
12 lease. You're going to give us what, a \$70,000
13 dock?

14 GEOFF LYNCH: Well, the -- I believe it's a --

15 JIM RYAN: It's \$120,000.

16 TRUSTEE MARTILOTTA: Okay.

17 JIM RYAN: That's what -- that's what the
18 estimates show --

19 TRUSTEE MARTILOTTA: I got it.

20 JIM RYAN: -- that I gave you.

21 TRUSTEE MARTILOTTA: Well, fair enough. I
22 have it sitting right in front of me, I do
23 appreciate that. So that's 50 years. I appreciate
24 the dock's 120 grand, but you know what I mean?
25 Like we've got to be able to --

1 GEOFF LYNCH: It's -- I said that as --

2 TRUSTEE MARTILOTTA: I'm not trying to be
3 rude, sir. Like you're asking us --

4 GEOFF LYNCH: I understand. I think --

5 TRUSTEE MARTILOTTA: -- what you need to
6 give us?

7 GEOFF LYNCH: -- we're getting into the point
8 where we're negotiating what they --

9 TRUSTEE MARTILOTTA: I'm not trying to
10 negotiate.

11 GEOFF LYNCH: -- this lease should be.

12 TRUSTEE MARTILOTTA: What I'm trying to
13 determine is I have to go to --

14 GEOFF LYNCH: All we're asking for is whether
15 or not the Village Board is willing for us to move
16 forward with this. If there's -- if there's no
17 resolution on how we should proceed -- it seems
18 it's been going on for quite some time that we just
19 have not been able to get the Village Board to give
20 us the direction that we need to proceed with this
21 proposal.

22 TRUSTEE MARTILOTTA: I'm not trying to
23 negotiate with you right now, sir. I'm just saying
24 that I then have to go to all the people who live
25 in town and explain like what are we doing, right?

1 So if we're talking a 50-year lease, and you guys
2 are going to build a dock, and that's kind of
3 like -- I got the same email that Trustee Clarke
4 was looking at. You know, we need some sort of
5 idea of like what is the Village getting out of
6 this, like -- and I may be mistaken, I haven't
7 looked at it, and --

8 TRUSTEE PHILLIPS: What we did with the
9 moratorium?

10 TRUSTEE MARTILOTTA: Yeah, but --

11 JIM RYAN: Between foot traffic and the --
12 and a 50-year lease?

13 TRUSTEE MARTILOTTA: We got foot traffic.

14 TRUSTEE ROBINS: You know --

15 JIM RYAN: Between revenue that comes into
16 the community, into the Village --

17 TRUSTEE PHILLIPS: We already have foot
18 traffic.

19 JIM RYAN: -- retail stores.

20 TRUSTEE MARTILOTTA: Okay. All right. I
21 appreciate it.

22 TRUSTEE ROBINS: Yeah.

23 TRUSTEE MARTILOTTA: I just -- you asked me,
24 I just want to be honest with you. I'm not trying
25 to -- I'm not trying to do anything other than that.

1 JIM RYAN: Appreciate that.

2 TRUSTEE ROBINS: And I would -- I have to
3 say, I would question that -- I don't know who
4 would be, you know, your attorney advising you on
5 the viability of taking a 50-year lease. But, with
6 all due respect, with what's going on with climate
7 change right now, to anticipate what that
8 waterfront here in Greenport is going to look like
9 in 50 years is kind of absurd.

10 JIM RYAN: It's a hypothetical. It's a
11 hypothetical, and nobody in this room --

12 TRUSTEE ROBINS: So I can't really take you
13 seriously on that 50-year lease comment. Sorry.

14 JIM RYAN: If you know something more about
15 climate change, if you can help us out, that would
16 be great.

17 GEOFF LYNCH: So, again, I think --

18 MAYOR HUBBARD: Right. I understand where
19 you're coming from. They really want to know if
20 the Village is never going to approve anything for
21 them, then we need to discuss it and come to a
22 decision. Not now, we're not going to do it
23 tonight.

24 TRUSTEE PHILLIPS: Right.

25 MAYOR HUBBARD: Okay? We can do that at next

1 month's work session or whatever.

2 TRUSTEE MARTILOTTA: I think that's fair.

3 MAYOR HUBBARD: But to tell them yes or no.
4 Is there a possibility of them trying to move this
5 project forward, and using that property there to
6 do it, or if the Village Board is going to just
7 say, "You know what, we're not interested at all,"
8 be honest with them and tell them --

9 TRUSTEE MARTILOTTA: Oh, yeah, sure.

10 MAYOR HUBBARD: -- so they can decide what
11 they want to do with their business.

12 JIM RYAN: We're looking at the visitors dock
13 because this Board asked us to.

14 MAYOR HUBBARD: Yes, I know. I --

15 JIM RYAN: No other reason. And it's been
16 two months --

17 MAYOR HUBBARD: You don't have to raise your
18 voice, I understand that.

19 TRUSTEE CLARKE: I'll just say what I have
20 said from the beginning. I support the concept. I
21 think that a public location is ideal versus a
22 private location. I thought the suggestion by the
23 Village Administration and Board for the visitors
24 dock was a good compromise for us to get behind. I
25 remain in the same position. I look forward to

1 whatever financial proposal or contract we can
2 work out.

3 I have read all your documents, I've seen the
4 quotes, I understand everything that's on the
5 table. I have no new feelings today that I haven't
6 expressed before, to remain consistent that I think
7 it would be an asset to the Village and the
8 business community to have the Peconic Jitney in
9 Greenport.

10 I appreciate that you have compromised with
11 us to move out of Mitchell Park into a public
12 location, and let's see what you can't put together
13 and come up with. And, as the Mayor said, we can
14 look at it and talk about it in the near future.
15 But my position has not changed, I support the
16 location, I support the concept.

17 GEOFF LYNCH: Thank you, appreciate that.

18 TRUSTEE PHILLIPS: I think I have to say one
19 thing, and I think the rest of us all, we have
20 someone else that we have to answer to and that's
21 the Village taxpayers. And I think that's
22 something you need to understand, that that's a big
23 responsibility for us, okay?

24 TRUSTEE MARTILOTTA: Yes.

25 TRUSTEE PHILLIPS: Okay? So I --

1 GEOFF LYNCH: We absolutely, absolutely
2 understand that. I think we're just -- we're
3 trying to come to some agreement with the Village,
4 but not sure who is -- who we should be directing
5 that proposal to, because we come -- we come to
6 this public hearing each month with -- and get this
7 great feedback, but no direction as to -- as to how
8 we should proceed. So if it's a formal proposal
9 that you would like, that's fine. I don't know if
10 it goes to the Board, to the Village Management.

11 MAYOR HUBBARD: It would go to the Village
12 Administrator, and the communications would be
13 through Paul, because he's in the office all day
14 long. We are part-time positions and we all have
15 other jobs and stuff, but Paul is in the office.
16 Paul and Sylvia would be the contact people, and
17 then they would disseminate any information that
18 they have, and we all get e-mails, like the last
19 proposal that you had.

20 JIM RYAN: But at the public hearing, this
21 Board asked us to go out and source -- to draw up
22 engineering drawings --

23 GEOFF LYNCH: It's okay.

24 JIM RYAN: -- to source out contractors that
25 could do this. We did that, we submitted that to

1 you, we gave you the price for it.

2 MAYOR HUBBARD: Yes.

3 JIM RYAN: So we've done everything that
4 you've asked us to do already. Peconic Jitney is a
5 public service, we answer to taxpayers as well.
6 We're looking to serve the public and this Board
7 (Approaching the Board).

8 GEOFF LYNCH: Jim. Jim.

9 JIM RYAN: Thank you.

10 TRUSTEE CLARKE: You're welcome. (Shaking
11 Jim Ryan's hand)

12 JIM RYAN: Thanks for your time.

13 GEOFF LYNCH: All right. I think we're --

14 MAYOR HUBBARD: Okay. Have a good day.

15 TRUSTEE PHILLIPS: Have a good evening.

16 GEOFF LYNCH: I think we know what we need to
17 do. Thank you very much.

18 TRUSTEE CLARKE: Just for the record, I am
19 not trying to court any favor with Mr. Ryan or his
20 handshake.

21 (Laughter)

22 TRUSTEE CLARKE: I just wanted to reiterate
23 my position.

24 TRUSTEE PHILLIPS: That's fine.

25 TRUSTEE CLARKE: I'm sorry for his behavior.

1 GEOFF LYNCH: Thanks very much.

2 MAYOR HUBBARD: Okay. Have a good night.

3 CLERK PIRILLO: And if I may to sort of
4 clarify to the Board, at no time did either Paul or
5 myself have a conversation with either Jim Ryan or
6 Mr. Lynch to which this Board --

7 TRUSTEE MARTILOTTA: (Sneezed)

8 MAYOR HUBBARD: Bless you.

9 CLERK PIRILLO: -- has not been made privy,
10 with the exception of the fact that Mr. Ryan came
11 into the office and asked to be put on the calendar
12 for --

13 TRUSTEE MARTILOTTA: (Sneezed)

14 CLERK PIRILLO: Bless you.

15 TRUSTEE MARTILOTTA: Thank you.

16 CLERK PIRILLO: For this public hearing. I
17 reiterated to him again that this is not a public
18 hearing, told him that they could come to the
19 public to address the Board portion, and he asked
20 what would be required. And I asked him --

21 TRUSTEE MARTILOTTA: (Sneezed)

22 CLERK PIRILLO: Bless you. Once again for a
23 copy of his business plan. That is the only thing.
24 That is the last conversation I had with Mr. Ryan.

25 TRUSTEE CLARKE: Thank you, appreciate it.

1 CLERK PIRILLO: And Paul did not have, to my
2 knowledge, any other conversations with either one
3 of them, just to clarify.

4 MAYOR HUBBARD: Correct. Yeah, that's --

5 TRUSTEE PHILLIPS: Yeah, I know that.

6 MAYOR HUBBARD: Well, I know, yeah.

7 TRUSTEE PHILLIPS: He stretched it to much.

8 MAYOR HUBBARD: Yep.

9 TRUSTEE PHILLIPS: A conversation for another day.

10 MAYOR HUBBARD: Exactly. We will discuss
11 that. If we can give some kind of answer, either
12 yay or nay, in January, so they could decide what
13 they're going to do. And maybe they got the point
14 that, you know, a business proposal is we're going
15 to pay for this, we're going to pay you this in
16 rent, and this is what we expect from you and from us.
17 Yes, they got prices on redoing the dock, but
18 they're redoing the dock for their own use.

19 TRUSTEE PHILLIPS: Right.

20 MAYOR HUBBARD: There is really no benefit to
21 the taxpayers or the people that use the visitors
22 dock as it is right now.

23 TRUSTEE ROBINS: Right.

24 MAYOR HUBBARD: It's being accommodated with
25 them, with their passengers, going beyond all the

1 boats that the visitors dock is used for.

2 TRUSTEE ROBINS: We had no intention of
3 renovating the visitors dock in its own right.

4 MAYOR HUBBARD: Well, exactly. So, you know,
5 and the comments that we had from -- you know, from
6 residents of Greenport that said, you know, we
7 shouldn't be paying anything for it. If they want
8 to use it, we'll give them the space, they could
9 pay for it, they could use it, and then pay us rent
10 for the use of it.

11 TRUSTEE PHILLIPS: Especially if they're
12 asking for exclusivity, which is what the -- which
13 is --

14 MAYOR HUBBARD: The end portion of it would
15 be. There'd be a gate across it and it would be
16 just for their use at the end.

17 TRUSTEE PHILLIPS: Right. Well, they could
18 pay for it.

19 MAYOR HUBBARD: Okay. That's -- that's
20 what -- we need to have a discussion --

21 TRUSTEE PHILLIPS: No --

22 MAYOR HUBBARD: -- and give them as a
23 proposal back to them, in fairness to them, so they
24 could decide what they're going to do for the
25 summer, if they're going to go somewhere else, or

1 whatever.

2 TRUSTEE PHILLIPS: Okay.

3 MAYOR HUBBARD: And the whole thing always is
4 a contingent on Greenport approving it first, and
5 then they'll go to Sag Harbor --

6 TRUSTEE PHILLIPS: Yes, I know.

7 MAYOR HUBBARD: -- which is the way it's been
8 for two years. You know, get permission from
9 Sag Harbor first and come back and show us their
10 permission, and, you know -- okay, enough of that.

11 Anybody else from the public wish to address
12 the Board on any topic? Name and address for the
13 record. Come on up.

14 RICHARD VANDENBURGH: I'll rattle on for
15 another half hour or so?

16 (Laughter)

17 RICHARD VANDENBURGH: Actually -- Richard
18 Vandenburg from Greenport BID. Actually, I -- a
19 lot of the discussion that you had earlier about
20 the moratorium, and, you know, the provisions, and
21 the exceptions, and the administrative moratorium I
22 thought were incredibly productive. And so my only
23 comment with regard to that is I think, you know,
24 that's exactly the kind of conversation that should
25 be occurring.

1 I applaud the work that's being done to
2 formalize the Waterfront Advisory Committee.
3 That's exactly the kind of work that should be done
4 to help with the long-term planning. But I really
5 have pretty significant concerns, and I -- and I
6 have to applaud Trustee Martilotta for his comments
7 relative to the fact that rushing headlong into
8 this moratorium, which some of the comments almost
9 make it seem as though it's a foregone conclusion,
10 are concerning to me.

11 And I think, you know, the more that you are
12 able to actively engage the public -- and I now
13 understand, you know, that the Planning Board
14 redline comments are not yet known to any of us in
15 terms of the public. I just -- like I view the
16 fact that you amended the interim resolution of the
17 moratorium, notating the Planning Board comments as
18 part of that, all of this is like just so not
19 necessarily clear in terms of the transparency
20 aspect and the engagement of the public to the
21 extent that it should be.

22 I know we've had one or two meetings here
23 where, you know, people have gotten up in response
24 to the petition that was circulated, saying, you
25 know, "Yes, we want a moratorium," "Yes, we want a

1 moratorium," but I don't know that people, the
2 public is really fully aware of what that really
3 means, and there are a lot of other implications.

4 So I just want to encourage you to continue
5 to do what you did tonight, and continue to make
6 sure, now that we are going to have this
7 opportunity to have another kind of listening
8 session and a comment session from the public in
9 December, before we get to the next public hearing
10 in January, where that happens again.

11 Obviously, I would hope that you would all
12 continue to remain open-minded as to whether or not
13 it still is the best idea, to impose a moratorium,
14 because one of the questions I had was for the
15 Village Attorney. I don't know, are there -- are
16 there currently any pending lawsuits against the
17 Village?

18 ATTORNEY PROKOP: Of any kind? There's --

19 RICHARD VANDENBURGH: Well, not necessarily
20 for injuries or things, you know, physical
21 injuries, but just in terms of any type of
22 development, or any of those type of lawsuits
23 pending?

24 MAYOR HUBBARD: No.

25 TRUSTEE PHILLIPS: Article 78's?

1 ATTORNEY PROKOP: There are -- there's one
2 lawsuit involving a subdivision.

3 RICHARD VANDENBURGH: Okay. One, one lawsuit?

4 ATTORNEY PROKOP: Several, several years old.

5 RICHARD VANDENBURGH: Because I worry that
6 this will propel us into multiple lawsuits that the
7 Village is going to have to defend. And I just
8 want to urge caution, that let's make sure that --
9 you know, I understand that Pace is going to come
10 in, they're going to conduct an education, which I
11 think is a fantastic idea. We need more of that
12 before we ultimately decide that a moratorium is
13 the appropriate way to proceed to achieve the
14 comprehensive planning that everybody wants.
15 Everybody wants the comprehensive, thoughtful
16 planning, and people just naturally, I think,
17 gravitate to, yeah, that means moratorium, without
18 really understanding what the pitfalls are going to
19 be if that ultimately occurs. Because time frames,
20 you know, there are great concerns with time frames
21 and the inability to clearly understand what we
22 expect our Boards to do, the Planning Board and the
23 Zoning Board weighing in on their comments and
24 everything.

25 So I would just urge slowing down a little

1 bit on the process of ultimately enacting it,
2 because we still have that ability with all of
3 those agencies to deny applications that may
4 come in.

5 I guess the other part of this is I continue
6 to look at where is the immediate threat? I have
7 to say, I don't think he's in the room, but
8 Mr. Swiskey, the other -- the other meeting I
9 thought made some lucid points as to, you know,
10 where is the immediate threat that we are facing,
11 that we had a roomful of very emotional, desirous
12 people that wants this comprehensive long-term
13 planning. I agree 150%, but I think you have to
14 just really make sure you're pumping the brakes a
15 little bit on catapulting towards a moratorium,
16 because I think there's plenty of ways to
17 accomplish that goal without necessarily subjecting
18 the Village to undue risk and potentially affecting
19 our tax base.

20 So that's all I wanted to say. Thank you.

21 MAYOR HUBBARD: Okay. Thank you.

22 TRUSTEE CLARKE: I'd just like to note to the
23 public that Mr. Vandenberg signed the petition
24 received requesting the moratorium, and --

25 (Laughter)

1 TRUSTEE CLARKE: I'm not looking for a
2 rebuttal game here, Rich.

3 RICHARD VANDENBURGH: Well, I think you've --

4 TRUSTEE CLARKE: I just want the public to
5 hear.

6 RICHARD VANDENBURGH: I did sign that, I
7 would agree.

8 TRUSTEE CLARKE: Yes, you did.

9 RICHARD VANDENBURGH: Because if there's --
10 if you read the three --

11 TRUSTEE CLARKE: And that's enough said. We
12 don't need to --

13 RICHARD VANDENBURGH: Well, no, I'm sorry,
14 Mr. Clarke. I think that ultimately.

15 TRUSTEE CLARKE: I'm sorry, we run the
16 meeting, Mr. Vandenburg. We do not have a back
17 and forth here.

18 RICHARD VANDENBURGH: I'm not -- I'm not
19 looking for a back and forth, but I --

20 TRUSTEE CLARKE: You do not -- you have
21 spoken and I'm entitled to speak.

22 RICHARD VANDENBURGH: I'm sorry.

23 TRUSTEE CLARKE: You have not been recognized
24 by the Mayor --

25 MAYOR HUBBARD: Right.

1 TRUSTEE CLARKE: -- to come back to the
2 podium. Please, excuse yourself.

3 RICHARD VANDENBURGH: Okay. So --

4 TRUSTEE CLARKE: Thank you.

5 MAYOR HUBBARD: You had your chance. Okay.

6 RICHARD VANDENBURGH: Very good. That's --
7 I'll walk away on that technicality.

8 LILY DOUGHERTY-JOHNSON: Lily Dougherty-Johnson,
9 51 Washington Avenue. I'm --

10 MAYOR HUBBARD: Can I just, one --

11 LILY DOUGHERTY-JOHNSON: Yeah.

12 MAYOR HUBBARD: Before you start, I just want
13 to commend her. She was one of three people that
14 gave me their homework assignment.

15 LILY DOUGHERTY-JOHNSON: Oh, thank you.

16 MAYOR HUBBARD: And I just want to thank her.
17 From the last meeting, when I asked everybody for
18 input, I did have three people that did that and
19 Lily was one of them. Thank you.

20 LILY DOUGHERTY-JOHNSON: I would encourage
21 everyone to do it. I think visioning is very fun.
22 But, anyway, I came up here -- I'm a member of the
23 Planning Board, but I'm speaking as myself. But I
24 did want to clarify something that -- about the
25 accessory structures that you were talking about

1 earlier with the Planning Board's notes, that in
2 the meeting yesterday, what was discussed was
3 things like a boatyard, needing to put up something
4 for boat storage or car storage. So it wasn't just
5 residential, it was just existing businesses or
6 residences needing to have extra structures for,
7 you know, whatever they're already doing.

8 And then I wanted to change topics completely
9 and bring up, I have solar on my house. There's a
10 whole group of us that do, and some people who are
11 interested in getting solar on the house, their
12 houses or businesses.

13 And there's been discussion of a new tariff
14 that might allow for net metering. I think in the
15 October meeting, you talked about talking about it
16 at the November work session, and then at the
17 November work session, you talked about talking
18 about it at this session. And I know there's a lot
19 going on, and I appreciate all the work, the work
20 you're doing, but I just hope that doesn't get
21 forgotten about. I think we just wonder what a
22 timeline might be or -- and what the details of
23 that might be. So I just wanted to remind everyone
24 about that. Thank you.

25 MAYOR HUBBARD: Okay. We are still working

1 on that, it's in the process. We should,
2 hopefully, have something soon. It's a longer
3 process than just yes, we want to do that, but it
4 is being worked on.

5 Anybody else wish to address the Board?

6 KEVIN STUESSI: Hello. Kevin Stuessi,
7 420 Clark Street. In regards to the Skateboard
8 Night on the 31st, I hope you're just looking for
9 us to watch, not participate.

10 (Laughter)

11 KEVIN STUESSI: Thank you, Mr. Mayor, for
12 nominating me to serve on the committee. It's an
13 honor, if I am so chosen in the next meeting.

14 One of the things I thought Mr. Vandenburg
15 was going to speak on tonight was there was an
16 email from the BID to its members to participate in
17 this evening's meeting, and one of the suggestions
18 was to have somebody participate from the BID on
19 the committee, which I think is a good idea,
20 actually. And so I would ask you to potentially
21 consider as maybe one of the alternates, or if some
22 of the people you've asked, one of them doesn't
23 want to participate, bringing somebody in from the
24 BID, which would make a lot of sense for the
25 committee to have somebody who has a vested

1 business interest here.

2 There's a couple of women tonight who I think
3 would, you know, be good on the -- on the role who
4 present a bit of diversity, whether it's Sarah from
5 First and South, or potentially Deborah from the
6 Greenporter.

7 The threats of lawsuits is something we could
8 all spend all of our life worrying about, but we,
9 frankly, wouldn't have skateboard parks or other
10 things if we were only worried about lawsuits. And
11 so I would ask you to continue to move forward.
12 The community has spoken.

13 I'm a little bit surprised that you didn't
14 decide to adopt the edits from the Planning Board,
15 which were shared, and the rest of us would like to
16 see them. If there's any chance to potentially get
17 that adopted and up on the website, so that that
18 could be discussed at next week's meeting, it would
19 be helpful just to speed along the process.

20 Thank you for your time, everyone.

21 MAYOR HUBBARD: Okay. And just so you know,
22 Trustee Robins is on the BID Board and she's also
23 on the committee.

24 KEVIN STUESSI: Right.

25 MAYOR HUBBARD: I didn't know if you knew

1 that.

2 KEVIN STUESSI: I was not aware you were on
3 the BID Board.

4 MAYOR HUBBARD: Okay, yes.

5 TRUSTEE MARTILOTTA: Costello, too?

6 TRUSTEE ROBINS: For many years.

7 TRUSTEE MARTILOTTA: I thought Costello was,
8 too, isn't he?

9 MAYOR HUBBARD: No.

10 TRUSTEE MARTILOTTA: No?

11 MAYOR HUBBARD: No, he's a member, but she's
12 on the BID Board.

13 TRUSTEE MARTILOTTA: Got it.

14 MAYOR HUBBARD: Okay.

15 ATTORNEY PROKOP: Comments are public, these
16 are public.

17 MAYOR HUBBARD: Yeah. Okay. Anybody else
18 wish to address the Board?

19 (No Response)

20 MAYOR HUBBARD: Okay. Your point on the
21 edits and the stuff from the Planning Board, just
22 as a clarification, the Village Board just got it
23 officially yesterday, because the Planning Board
24 meeting was yesterday, so we got it today. We can
25 put a redline version of that out there, but we

1 want to get public comment on it before we move it
2 farther. So I didn't want to vote on something
3 that the public hasn't seen.

4 KEVIN STUESSI: Yeah.

5 MAYOR HUBBARD: That's why we're doing that.
6 So we'll try to get that, the redline version out
7 with the --

8 KEVIN STUESSI: Wonderful.

9 MAYOR HUBBARD: -- with the Planning Board's
10 edits this week, so anybody could comment on that,
11 so they could do a final thing after the meeting on
12 the 22nd.

13 KEVIN STUESSI: Fantastic. Thank you.

14 MAYOR HUBBARD: Okay? All right. Being no
15 further business, I'll offer a motion to adjourn at
16 9:21.

17 TRUSTEE ROBINS: Second.

18 TRUSTEE MARTILOTTA: Second.

19 MAYOR HUBBARD: All in favor?

20 TRUSTEE CLARKE: Aye.

21 TRUSTEE ROBINS: Aye.

22 TRUSTEE MARTILOTTA: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

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(No Response)

MAYOR HUBBARD: Motion carried.

Thank you for coming.

(The Meeting was Adjourned at 9:21 p.m.)

