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

Station One Firehouse
Third and South Streets
Greenport, New York 11944
January 18, 2024
6:00 p.m.

B E F O R E:
KEVIN STUESSI - MAYOR
MARY BESS PHILLIPS - DEPUTY MAYOR/TRUSTEE
PATRICK BRENNAN - TRUSTEE
LILY DOUGHERTY-JOHNSON - TRUSTEE
JULIA ROBINS - TRUSTEE

BRIAN STOLAR - VILLAGE ATTORNEY
PAUL PALLAS - VILLAGE ADMINISTRATOR
CANDACE HALL - VILLAGE CLERK
ADAM BRAUTIGAM - VILLAGE DEPUTY TREASURER

1 (The Meeting was Called to Order at 6 p.m.)

2 MAYOR STUESSI: I'd like to make a motion to open the
3 meeting. Do I have a second?

4 TRUSTEE PHILLIPS: Second.

5 MAYOR STUESSI: All in favor?

6 TRUSTEE ROBINS: Aye.

7 TRUSTEE BRENNAN: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE DOUGHERTY-JOHNSON: Aye.

10 MAYOR STUESSI: Aye.

11 Please stand for the Pledge of Allegiance.

12 (Pledge of Allegiance)

13 MAYOR STUESSI: Please be seated. Thank you.

14 The first item we have is a *Resolution for*
15 *scheduling a public hearing for 6 p.m. next Thursday,*
16 *January 25th, here at the Third Street Fire Station,*
17 *Third and South Streets, Greenport, New York, 11944*
18 *regarding the proposed cable television franchise*
19 *agreement between the Village of Greenport and*
20 *Cablevision Systems of Long Island Corporation for a*
21 *term of ten years, commencing upon confirmation of the*
22 *agreement by the New York State Public Service*
23 *Commission. May I have a second, please?*

24 TRUSTEE ROBINS: Second.

25 MAYOR STUESSI: All in favor?

1 TRUSTEE ROBINS: Aye.

2 TRUSTEE BRENNAN: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 TRUSTEE DOUGHERTY-JOHNSON: Can I ask a question?

5 MAYOR STUESSI: Yes.

6 TRUSTEE DOUGHERTY-JOHNSON: Do we have a copy of
7 that? Did I miss that?

8 MAYOR STUESSI: It's being finalized --

9 TRUSTEE DOUGHERTY-JOHNSON: Okay.

10 MAYOR STUESSI: -- and it will be sent out to
11 everybody and posted.

12 TRUSTEE DOUGHERTY-JOHNSON: Aye.

13 TRUSTEE PHILLIPS: Well, is there any changes in
14 it, Paul? I mean, we've been -- this discussion for
15 the franchise license, wasn't that started in -- a
16 while ago?

17 ADMINISTRATOR PALLAS: Several years ago. I'll
18 ask Counsel if he wants to mention some of the
19 highlights and changes.

20 ATTORNEY STOLAR: Yeah. They've changed their
21 form significantly since last time. There has been an
22 FCC ruling, a couple of FCC rulings since the last
23 time you went through this, so there are significant
24 rules changes.

25 TRUSTEE PHILLIPS: Uh-huh.

1 ATTORNEY STOLAR: I can bring you up to speed on
2 that. It's just in terms of the agreement itself and
3 what you're doing next week. The hearing is not to
4 address the specifics of the agreement, but, rather,
5 to discuss whether the company has in the past been a
6 good citizen.

7 TRUSTEE PHILLIPS: That's what I wanted to know.
8 Okay. So, in other words, whether we should continue
9 as the Village of Greenport as a franchise customer.

10 ATTORNEY STOLAR: Yeah, that's it.

11 TRUSTEE PHILLIPS: Okay. Does that answer your
12 question?

13 TRUSTEE DOUGHERTY-JOHNSON: Yeah, sure.

14 MAYOR STUESSI: All in favor?

15 TRUSTEE ROBINS: Aye.

16 TRUSTEE BRENNAN: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE DOUGHERTY-JOHNSON: Aye.

19 MAYOR STUESSI: Aye.

20 Motion carries. Mary Bess, I understand the
21 Chief is not here this evening. Could you, please,
22 speak on his behalf with the Fire Department report?

23 TRUSTEE PHILLIPS: They have three new
24 memberships that are going to be on the agenda. They
25 also have -- the Board of Wardens have approved hiring

1 another person to replace Mike Richter, who had
2 retired. Helen Reiss was filling in for that position
3 and they've now hired. And, I'm sorry, I don't have
4 the full name. We'll have it, but the Board of
5 Wardens approved it last night.

6 Other than that, there was a slight mixup with
7 calendar dates, which the Village Clerk and I have
8 discovered that somehow they got a copy of the
9 calendar before it had been completed for the month of
10 January. So we'll be working on communic -- getting
11 some form of -- more communication between the new
12 secretary in the Fire Department Office and in the
13 Village Clerk's Office, so that the Planning, Zoning,
14 and the Statutory Boards and our -- all our Board
15 meetings do not conflict. And, hopefully, when they
16 change some of their meetings dates they'll let us
17 know, so there is a broader communication between the
18 both of us, okay?

19 Other than that, I think you have something that
20 you want to announce.

21 MAYOR STUESSI: Yeah. The one item we have is
22 that, as some of you may have read in the newspaper,
23 the Village came to agreement with the Town of
24 Southold to accept a generous gift and transfer of
25 their former Fire Department Police boat, which will

1 become the new Marine Rescue Squad boat. We have a
2 copy of the title, which was -- I picked up a few days
3 ago, and there will be a motion for the acceptance of
4 that at next week's meeting. Paul?

5 ADMINISTRATOR PALLAS: Yeah. I mean, that's --
6 we have all the paperwork. We're ready to go with
7 that. As soon as the resolution is passed, we can go
8 to the DMV and get that registered.

9 MAYOR STUESSI: Great.

10 TRUSTEE PHILLIPS: And that's the positive. And
11 there is one thing, Paul, that has been brought up
12 continuously. And I understand that William Shulz has
13 been in contact with the Committee on Buildings and
14 Grounds to deal with the gutter situation that's out
15 here that is still running down the sidewalk --

16 ADMINISTRATOR PALLAS: Yeah.

17 TRUSTEE PHILLIPS: -- and icing up.

18 ADMINISTRATOR PALLAS: Yeah. We had trouble
19 getting a response from, from the company that said
20 they would do it, and the response now is that they
21 don't know what to do. So we're going to go reach out
22 to a couple of more companies to --

23 TRUSTEE PHILLIPS: Okay. And, apparently,
24 there's a couple of more leaks in the front.

25 ADMINISTRATOR PALLAS: We're aware of that.

1 TRUSTEE PHILLIPS: Okay.

2 ADMINISTRATOR PALLAS: I don't know the status
3 of it. Billy was working, Bill Shulz was working on
4 that as well.

5 TRUSTEE PHILLIPS: Okay, great. I just wanted
6 to bring it out so that it was on everybody's agenda,
7 that's all, okay?

8 ADMINISTRATOR PALLAS: Yep.

9 TRUSTEE PHILLIPS: That's it. Thank you.

10 MAYOR STUESSI: And, Paul, if you'd like to
11 continue with your section.

12 ADMINISTRATOR PALLAS: Sure. So on the
13 discussion about the microgrid project status, we --
14 the still single open item is the Underwriters, the
15 UL -- sorry -- Labs inspection of the battery storage
16 facilities. We have a conference call scheduled
17 tomorrow with the supplier and the contractor to try
18 to move that along, that we're -- no one seems to know
19 why it's being delayed any further. So, hopefully,
20 we'll get that resolved relatively quickly, that's my
21 hope.

22 On the ferry queue project, I don't have any,
23 any direct update. We're still waiting for signatures
24 on the construction license agreement. But I do -- I
25 did receive a call from the MTA Long Island Railroad

1 regarding the Fourth Street crossing, that they
2 actually have begun the design of the replacement --

3 TRUSTEE PHILLIPS: Okay (laughter).

4 TRUSTEE PHILLIPS: -- of that crossing, which is
5 the good news. Not that it's bad news, but that is
6 going to impact the ferry queue project to some
7 degree, not dramatically; some guardrail realignments,
8 and a couple of things that we had originally had
9 difficulty getting approval for. We no longer need
10 approval, which we spent an awful lot of time and
11 effort to get approval from the DOT. That is --
12 appears to be no longer needed.

13 I have -- I'm going to reach to the DOT tomorrow
14 to let them know about this. I don't believe it's
15 going to require any major change to the design.
16 However, I think that given that they're going to be
17 doing some work in the project area, likely they won't
18 do it until the fall. It seems -- and given the delay
19 in getting all the paperwork and documentation in
20 order, that likely won't be out for construction until
21 the fall at this stage. So then we could take
22 advantage of this work that the MTA is doing, so we
23 don't duplicate work that they are planning, and
24 vice versa. So I just wanted to let everybody know
25 about that.

1 The next item, actually, the next two items,
2 really, are potential bond, bond issues. So on the
3 road and sidewalk program, I had sent you all a
4 relatively detailed memo with regards to the roads and
5 sidewalks and the possible bulkhead replacement. I
6 did reach out to Dvirka and Bartilucci, D&B Engineers,
7 to get an update on the estimate. They have not
8 provided a new proposal to do that. It's not as
9 simple as just updating for inflation, because so many
10 things have changed since 2018. They're going to have
11 to take a harder look at it to see what the -- what
12 the real cost would be. So I don't have a proposal
13 from them, and I don't have the cost, obviously,
14 but -- and, again, I think I had recommended that we
15 wait until the fall of this year to do the -- to do
16 the actual work, which would shift the first debt
17 service payment out to the following fiscal year, so
18 which would be -- would be definitely beneficial.

19 So I don't know that there's any grand hurry to
20 move forward with this, but I just wanted to give you
21 the opportunity to -- if you want to ask me any -- or
22 Adam or I any questions on that. But before, before
23 you do that, I just also want to mention that we're
24 also waiting for some costs still, some additional
25 cost, rather, from the wastewater system contractors

1 and vendors, so we can't finalize that either. But we
2 would -- we should really do those bonds together, as
3 opposed to separate time frames. You get better
4 results from the bond market if you do it as a single
5 bond issue with the roads, bulkhead and the sewer
6 plant.

7 So, again, I apologize, we don't have the
8 information, we just -- they aren't being as
9 responsive as they should be. And once we get that, I
10 think maybe at that point we could have a much more
11 detailed discussion. My hope, of course, is that it
12 happens next month, given that the last time I can
13 discuss it with you, so that that's -- that's where we
14 are with those two things.

15 TRUSTEE ROBINS: Paul, I have a question. That
16 wastewater system maintenance, is that the new line
17 that you are going to scope out going from --

18 ADMINISTRATOR PALLAS: No.

19 TRUSTEE ROBINS: No.

20 ADMINISTRATOR PALLAS: That's not that.

21 TRUSTEE ROBINS: It has nothing to do with that?

22 ADMINISTRATOR PALLAS: This is just internal to
23 the plant, the work that I've been discussing, the air
24 rotors, the lift pump to the clarifiers --

25 TRUSTEE ROBINS: Okay.

1 ADMINISTRATOR PALLAS: -- and some other minor
2 things, and pump station upgrades.

3 TRUSTEE ROBINS: Okay.

4 TRUSTEE PHILLIPS: Adam, I went back through the
5 resolutions and we went out to bond for the central
6 pump station. We did a referendum and a bond, but did
7 we ever take the funding for that?

8 DEPUTY TREASURER BRAUTIGAM: I believe we did, yes.

9 TRUSTEE PHILLIPS: Okay. So when does the debt
10 service for that start?

11 DEPUTY TREASURER BRAUTIGAM: I'd have to
12 double-check those figures for you, I'm happy to do
13 that.

14 TRUSTEE PHILLIPS: Okay, all right. Paul, I
15 understand that -- and my, my overall view of bonding
16 and spending money was, you know, the rates are much
17 higher than we did it several years ago. But I have
18 put out a suggestion that perhaps we should have
19 similar documents that we did back in 2010, which just
20 kind of gave a projection of where we sit for the next
21 five years.

22 ADMINISTRATOR PALLAS: Uh-huh.

23 TRUSTEE PHILLIPS: I think it would be helpful
24 to all of us to have that information when we get
25 ready to do bonding, because bonding is -- once it's

1 done, it's a debt that we're committed to. And that's
2 a -- what you're talking about is probably a fairly
3 large bond.

4 ADMINISTRATOR PALLAS: Yes.

5 TRUSTEE PHILLIPS: Especially with the Mitchell
6 Park, the bulkhead, because that is something that if
7 that gives way, we have -- we have some major issues.
8 So I don't know how everybody else feels about that,
9 but that's one thing that I would suggest that we
10 think about doing.

11 ADMINISTRATOR PALLAS: If that's the Board's
12 pleasure, certainly, we can, we can reach out. That
13 was prepared by Bond Counsel, is that the one that
14 is --

15 TRUSTEE PHILLIPS: No, it was done by Munistat.

16 ADMINISTRATOR PALLAS: Munistat, okay. We can
17 certainly reach out and see if they can duplicate a
18 document like that, if that would be helpful for you
19 all in terms of making this decision.

20 TRUSTEE PHILLIPS: Well, you probably have to
21 get a proposal from them --

22 ADMINISTRATOR PALLAS: Yeah.

23 TRUSTEE PHILLIPS: -- as far as the cost.

24 ADMINISTRATOR PALLAS: Yep.

25 TRUSTEE PHILLIPS: First, I think that would be

1 the biggest thing.

2 ADMINISTRATOR PALLAS: Yeah, we'll -- we will
3 start that process tomorrow.

4 TRUSTEE PHILLIPS: I think it's only fair that
5 we know where we sit for the next five years. You
6 know, it may not be true, you know, it may not come
7 that way, but it's better to have a projection.

8 ADMINISTRATOR PALLAS: Sure.

9 TRUSTEE PHILLIPS: Okay.

10 ADMINISTRATOR PALLAS: Yep, we will do that.

11 TRUSTEE PHILLIPS: That's my feeling.

12 MAYOR STUESSI: Just one note in regards to the
13 potential bulkhead funding from Congress. We are
14 still attached to the current transportation bill. I
15 confirmed this with the Congressman and our local
16 Senators' Offices. As most of you probably heard,
17 there was a continuing resolution voted on by the
18 Senate, Congress votes tomorrow.

19 TRUSTEE PHILLIPS: Yeah.

20 MAYOR STUESSI: We are still cautiously
21 optimistic that our \$3 million towards the bulkheads
22 will get approved here in the next few months, but
23 it's a bit of a slog, and we're at the mercy of the
24 Federal Government. That being said, the work
25 absolutely has to be done this year. It was 2017,

1 I think it was, that the report was done that said it
2 was critically in danger, and it's only gotten worse
3 over time, and there was even evidence of it with the
4 recent storm in the past week.

5 Together with that, there's some efforts that
6 we're making in regards to sewer infrastructure
7 repairs and funding through both the State and the
8 County, and so I hope we will know more over the next
9 45 days on that, and maybe we will additionally find
10 some funding to do some of this work that's included
11 in the potential bond. So, please, go ahead, Paul.

12 ADMINISTRATOR PALLAS: Yeah. But there's
13 nothing else on either of those. I do have two
14 resolutions. One is for Legislative Consultant
15 Susan Stohr, SJS Associates. We have worked with her
16 for a number of years. I've worked with her for --

17 TRUSTEE PHILLIPS: Since 2017.

18 ADMINISTRATOR PALLAS: Yeah. And I've
19 personally worked with her for over 30 years, so --

20 TRUSTEE PHILLIPS: The Village has been since
21 2017.

22 ADMINISTRATOR PALLAS: Yeah.

23 TRUSTEE PHILLIPS: I went back and pulled all of
24 the --

25 ADMINISTRATOR PALLAS: She was very instrumental,

1 as I've mentioned in my email to you all, in getting
2 us the \$5 million grant for the --

3 TRUSTEE PHILLIPS: Microgrid.

4 ADMINISTRATOR PALLAS: -- microgrid and the
5 ferry queue project. That was -- both of those were
6 tremendous efforts that -- to garner those funds.
7 I would recommend that we stick -- that you stick with
8 her for, for this year. And she's been a -- knows
9 where the money is, so I think it's helpful to have
10 her on -- you know, to accept that proposal.

11 TRUSTEE ROBINS: Paul, yeah, I'd like endorse
12 Susan as well. I met her and known her for several
13 years at the NYAPP conferences. She's an extremely
14 effective lobbyist and very knowledgeable. I mean,
15 we're fortunate to have her, and I think that she'll
16 do great things for the Village. She's already
17 produced tremendous amounts for us. You know, she has
18 all the connections in Albany and in Washington. So
19 I've seen her in action as a lobbyist, she's very,
20 very effective, so I think we should hire her again,
21 for sure.

22 TRUSTEE PHILLIPS: And from being on the Board
23 and being together with her since 2017, I have seen
24 her do work for this Village that's been positive.
25 It's -- and working with Paul. The microgrid grant is

1 just one of the items, but I think that she has the
2 connections that we need to continue.

3 MAYOR STUESSI: And it's really a minimum number
4 of hours a month to continue on the existing projects,
5 and we're talking about some additional work, so I'm
6 in agreement as well. I'll continue to look at
7 whether we utilize her for additional work or other
8 resources, too.

9 ADMINISTRATOR PALLAS: The other resolution I
10 have is for the Planning Board Consultant proposal,
11 really just a continuation with LKMA that we've been
12 using for two or three years now, really just an
13 update of their original proposal. Given the new
14 code, there's lot more effort that's needed, a lot
15 more review that's need on the part of a Planning
16 Consultant, and I think they've been effective at that
17 as well. I mean, they've come up to speed fairly
18 quickly on the new code, so I recommend we move
19 forward with them as well.

20 TRUSTEE PHILLIPS: Paul, I'm going to ask this
21 question, but do we have any input from the Planning
22 Board Chair has to her working relationship with them,
23 or --

24 ADMINISTRATOR PALLAS: I didn't specifically. I
25 can, but I have not heard anything negative.

1 TRUSTEE PHILLIPS: Okay.

2 ADMINISTRATOR PALLAS: She works --

3 TRUSTEE PHILLIPS: I just think that --

4 ADMINISTRATOR PALLAS: She works with them
5 directly and I'm sure would have told me if there was
6 any issue. But I can certainly reach out to her
7 and --

8 TRUSTEE PHILLIPS: I --

9 MAYOR STUESSI: I think that's prudent to do,
10 but I would say that I think it would be dangerous to
11 consider making any switch --

12 TRUSTEE PHILLIPS: No.

13 MAYOR STUESSI: -- when we're in the middle of
14 some projects --

15 TRUSTEE PHILLIPS: No.

16 MAYOR STUESSI: -- as we are right now.

17 TRUSTEE PHILLIPS: I'm --

18 MAYOR STUESSI: And there was, in fact, a
19 meeting earlier today that she participated in,
20 together with the Village, and there's a lot being
21 considered, as everybody's aware in the Village with
22 Planning right now.

23 TRUSTEE PHILLIPS: It's just that we do not work
24 with her -- you know, we don't work with them
25 directly, we worked with them with the North Ferry.

1 And the Planning Board, as the Mayor just said,
2 there's some big projects.

3 ADMINISTRATOR PALLAS: Uh-huh.

4 TRUSTEE PHILLIPS: And I just think that we
5 should, in all honest -- in all fairness, give her an
6 opportunity to comment, that's all, before we vote
7 on it.

8 ADMINISTRATOR PALLAS: Sure. I can -- I'll
9 reach out to her tomorrow.

10 TRUSTEE PHILLIPS: Okay.

11 ADMINISTRATOR PALLAS: And that's all for me,
12 unless anybody has any questions for me.

13 TRUSTEE PHILLIPS: Yeah, I do. McCann
14 Campground, what is the plan of getting -- you know,
15 May 1st is coming close. Are we reaching out to the
16 previous vendor that we had for management for this
17 year?

18 ADMINISTRATOR PALLAS: The Village Clerk and I
19 are in the midst of discussions on that. We're
20 meeting in the morning, and we'll try to make a
21 decision, a final decision on that in the morning, and
22 we'll let everybody know.

23 TRUSTEE PHILLIPS: Okay. Because I understand
24 that there have been some -- you know, there's some
25 reservations starting to come in or there's --

1 MAYOR STUESSI: Inquiries.

2 TRUSTEE PHILLIPS: Inquiries.

3 MAYOR STUESSI: Yeah.

4 TRUSTEE PHILLIPS: Excuse me, inquiries. And,
5 as I said, May 1st comes awful quick.

6 The other thing that was on -- the water
7 machines, have they been ordered yet, or are they --
8 what's the story with the -- up at the --

9 ADMINISTRATOR PALLAS: We've found a replacement
10 project. I actually -- and I apologize, I was going
11 to discuss with the Mayor on that. I will try to make
12 an effort to do that tomorrow and get that ordered.

13 TRUSTEE PHILLIPS: Okay, because that's a
14 service. I know that if you go back and look at the
15 financial fees from it, it generates something, and it
16 is a service that we've provided for the Village
17 residents to be able to get water --

18 ADMINISTRATOR PALLAS: Uh-huh

19 TRUSTEE PHILLIPS: -- instead of paying for the
20 bottles, you know?

21 ADMINISTRATOR PALLAS: Yep.

22 TRUSTEE PHILLIPS: Okay. So I just was curious
23 as to where it's going.

24 ADMINISTRATOR PALLAS: Yeah, we found -- it took
25 us a little while to get -- to get -- to find the

1 replacement machine. Surprisingly, the last time we
2 did this it was just as difficult, so I don't know why
3 I expected it to be any easier. But I had hoped that
4 it would be and it turned out it wasn't. We're going
5 with the same, same vendor, as I recall, basically.
6 It's a different style machine, a little easier to
7 maintain, so I think we'll be in better shape with
8 this, with this one.

9 TRUSTEE PHILLIPS: And then since the Rec.
10 Program is under you, the summer camp program, are we
11 looking to reevaluate the fees before we get into the
12 season?

13 ADMINISTRATOR PALLAS: It hasn't come up. I can
14 certainly do that.

15 TRUSTEE PHILLIPS: Well, I'm raising it --

16 ADMINISTRATOR PALLAS: Sure.

17 TRUSTEE PHILLIPS: -- because I think they're
18 too low.

19 ADMINISTRATOR PALLAS: Yeah, we can, we can --
20 yeah. I mean, we've -- this has come up in the past.
21 We are significantly below virtually every other one.
22 I think we raised them a little bit two years ago?

23 TRUSTEE PHILLIPS: 2020, in 20 -- in 2021 we
24 raised them.

25 ADMINISTRATOR PALLAS: Yeah, so it certainly is

1 time to review. I'll ask the Rec. Director to do some
2 analysis on that.

3 TRUSTEE PHILLIPS: Okay.

4 TRUSTEE ROBINS: I actually spoke with Margo
5 about that the other day. I think it comes to about
6 \$3.33 an hour for a child to be enrolled in that camp,
7 which is ridiculously low. And she does also
8 recommend -- she's not sure if we can do it, because I
9 believe they might have already sent out applications
10 for this year, so I don't know if it's too late or
11 not. Paul, you would know that.

12 ADMINISTRATOR PALLAS: I don't know whether they
13 did or they didn't. I have no --

14 TRUSTEE ROBINS: Okay.

15 ADMINISTRATOR PALLAS: I don't get directly
16 involved.

17 TRUSTEE DOUGHERTY-JOHNSON: I thought we were
18 talking about the campground fees. Are we talking
19 about the after-school --

20 TRUSTEE PHILLIPS: After-school.

21 ADMINISTRATOR PALLAS: After-school. Not the
22 after-school program, the summer --

23 TRUSTEE PHILLIPS: No, this is just the summer
24 camp program.

25 ADMINISTRATOR PALLAS: Summer camp.

1 TRUSTEE DOUGHERTY-JOHNSON: Oh, summer camp,
2 okay.

3 ADMINISTRATOR PALLAS: Yeah.

4 TRUSTEE DOUGHERTY-JOHNSON: I just -- I think
5 there's something -- like we're providing a service,
6 so I understand that we're much lower, but I also
7 think we're providing a service to people who need it.
8 So we might want to think about that when we're
9 deciding.

10 TRUSTEE PHILLIPS: I think once --

11 MAYOR STUESSI: Oh, I think that's an important
12 consideration.

13 TRUSTEE PHILLIPS: Part of -- part of it is.
14 But I think the census, if we were to take a look at
15 it, the ones that we want to take advantage of it
16 aren't taking advantage of it, because it's filled up
17 before the opportunity. So that's, I think -- maybe
18 Margo could give us a census of the group that are
19 signing up for it every year.

20 ADMINISTRATOR PALLAS: Sure.

21 TRUSTEE PHILLIPS: Plus I do believe at one
22 point we used to have a scholarship program for it for
23 those parents who couldn't afford it in the
24 summertime, but that was a long time ago.

25 ADMINISTRATOR PALLAS: Yeah, that was before my

1 time.

2 TRUSTEE PHILLIPS: That was before your time?

3 ADMINISTRATOR PALLAS: Yeah.

4 TRUSTEE PHILLIPS: Okay. But we also have to
5 cover the cost for our employees as well.

6 ADMINISTRATOR PALLAS: Yep.

7 MAYOR STUESSI: Anybody else?

8 (No Response)

9 MAYOR STUESSI: Candace? Pardon me, I'm
10 skipping ahead. Adam.

11 TRUSTEE ROBINS: Adam.

12 DEPUTY TREASURER BRAUTIGAM: Thank you,
13 Mr. Mayor. I have a number of resolutions this month.
14 My first resolution is to make an additional
15 contribution to the Volunteer Firefighter Length of
16 Service Award Program, also known as LOSAP. This is
17 an additional payment we make every year.

18 TRUSTEE PHILLIPS: And we budget for it every year.

19 DEPUTY TREASURER BRAUTIGAM: Correct.

20 TRUSTEE PHILLIPS: Right, okay.

21 DEPUTY TREASURER BRAUTIGAM: My second
22 resolution is to add outstanding water, sewer balances
23 to the tax bills, per calculations to be completed by
24 April 30th of 2024. Those are outstanding water,
25 sewer balances that we levy on the property taxes

1 every year.

2 My third resolution is to schedule a public
3 hearing for the 2024/2025 Tentative Budget, and that
4 will be at 6 p.m., April 11th, 2024, at the Old
5 Schoolhouse.

6 My second to last resolution is a budget
7 amendment to appropriate General Fund reserves to fund
8 the repair of drains at the Adams Street parking lot.

9 And my last resolution is a budget amendment to
10 appropriate Light Fund reserves to fund the removal of
11 a tree that was hanging over the power lines.

12 Continue with my report, the utility billing is
13 on time. Our current utility biller, Tina, I just
14 wanted to thank her. She's been very helpful lately,
15 not only with keeping up the utility billing, but also
16 assisting me with various side projects as well.

17 My talking points, I have here listed Online
18 Bill Pay, which is going as scheduled. We still have
19 a tentative release date of mid February, next month.
20 I was -- I had a meeting with them today, actually,
21 and it's definitely coming along well. They have all
22 the required documentation they'd need from us. Now
23 we're just figuring out some of the computer software
24 collaborations between our I.T. and the InvoiceCloud.

25 Significant Collections: Rent collected in

1 December of 2023 at just over \$82,000, and property
2 tax collected through December of 2023, just over
3 \$1.3 million.

4 One significant payment this month, which was
5 the BID, or the Business Improvement District. We cut
6 a check for them for approximately \$51,000.

7 The rest of my report is within, and let me know
8 if you guys have any questions on it.

9 TRUSTEE PHILLIPS: Adam?

10 DEPUTY TREASURER BRAUTIGAM: Yes.

11 TRUSTEE PHILLIPS: There was some discussion
12 within the Housing Authority dealing with repairs.

13 DEPUTY TREASURER BRAUTIGAM: Yes, correct.

14 TRUSTEE PHILLIPS: Okay. Did we ever resolve if
15 we could use that Community Development money to help
16 them out?

17 DEPUTY TREASURER BRAUTIGAM: Yes. Yes, we did
18 resolve that and we can.

19 TRUSTEE PHILLIPS: Okay.

20 DEPUTY TREASURER BRAUTIGAM: I still need to
21 collaborate with our Housing -- with our Housing
22 Authority Director, but I can schedule that for
23 tomorrow morning. I have spoken with her previously,
24 but we haven't ironed out any details yet.

25 TRUSTEE PHILLIPS: So is the Board aware of

1 that, they have those -- that they're going to be able
2 to move, you know -- the Greenport Housing Authority,
3 have they been notified of that yet?

4 DEPUTY TREASURER BRAUTIGAM: If I didn't mention
5 it at the -- because I do attend those meetings.

6 TRUSTEE PHILLIPS: Right.

7 DEPUTY TREASURER BRAUTIGAM: So if I didn't
8 mention it at the previous meeting, I will mention it
9 at this meeting.

10 TRUSTEE PHILLIPS: Okay, thanks.

11 TRUSTEE ROBINS: Adam, in Community Development,
12 the recertification, those are people that have
13 existing vouchers, correct?

14 DEPUTY TREASURER BRAUTIGAM: Yes.

15 TRUSTEE ROBINS: Could you, please, explain to
16 people what the four interims are?

17 DEPUTY TREASURER BRAUTIGAM: Those are -- the
18 four interims are people who are attempting to get on
19 to the Housing Authority who are currently on like a
20 waiting list, essentially.

21 TRUSTEE ROBINS: So they're on waiting lists,
22 but they haven't been able to find a place to --

23 DEPUTY TREASURER BRAUTIGAM: Correct.

24 TRUSTEE ROBINS: Correct?

25 DEPUTY TREASURER BRAUTIGAM: Correct.

1 TRUSTEE ROBINS: Okay, thank you.

2 MAYOR STUESSI: Any other questions for the
3 Treasurer?

4 (No Response)

5 MAYOR STUESSI: Candace?

6 DEPUTY TREASURER BRAUTIGAM: Thank you.

7 CLERK HALL: Thank you. Okay. I have some
8 resolutions here. You have to forgive me, there were
9 a few things that came in today even. So the
10 resolution that is listed on my report is a resolution
11 scheduling the property tax sale on March 12, 2024 at
12 Village Hall.

13 And then the resolutions that are not listed,
14 Trustee Phillips mentioned two of them. So the
15 Greenport Fire Department has a new hire. There will
16 be a resolution next week on -- for the new hire. And
17 then there are three new members that I do actually
18 have names of that I can share with you. Alessandro
19 Beza is the first new member, Yeny Sarai Garza Mateo.
20 I'm butchering their name, I'm sorry. And then the
21 final new member is Philip Stringfellow. So those are
22 the -- those resolutions will be added for next week
23 at the Regular Session for the Greenport Fire Department.

24 And then, let's see, on to Public Assembly
25 Permit Applications that we received. The Greenport

1 All Class Reunion Corporation submitted an application
2 to host the All Class Reunion on July 20th, 2024 at
3 Fifth and Sixth Street Park.

4 The North Fork Kid Connect submitted an
5 application to host the annual Greenport Summer
6 Basketball Tournament on July 27th, 2024. The
7 organization is requesting that the Village waive the
8 permit fees associated with this application.

9 Just a note for the public, the Board has been
10 made aware, I am a founding member of this
11 organization and one of the lead organizers of the
12 Summer Basketball Tournament, just so the public is
13 aware.

14 And then, finally, which is listed on an
15 announcement, I received the public assembly
16 application today from the Greenport Fire Department.
17 The annual Washington Birthday Parade will be held on
18 February 17th, 2024. Okay.

19 And then on to the remainder announce --
20 remainder of my announcements here. Village Hall will
21 be closed on Monday, February 19th, in observance of
22 Presidents Day.

23 The Clerk's Office will be hosting a second
24 intern from Peconic Community School for another
25 eight-week session beginning tomorrow.

1 And then an additional announcement that is not
2 listed here, I'm happy to share with all of you. We
3 had a bid last month, and the work has been completed,
4 for tree and stump removal. The wood is available for
5 the public to pick up free of charge. So the wood is
6 located across the street from McCann Campground on
7 Moore's Lane. I understand that it's a variation of
8 sizes in wood. Most of it is mulch. So if you are
9 interested, please, help yourself.

10 TRUSTEE ROBINS: Candace, I have a question.

11 CLERK HALL: Yes, ma'am.

12 TRUSTEE ROBINS: Did you offer an internship to
13 a Greenport School student, or just the Peconic
14 Community School? Because this is the second one
15 that's coming, right?

16 MAYOR STUESSI: They have reached out to us
17 directly on it. If you have a contact at the
18 Greenport School and want to make an introduction,
19 we'd love to have somebody.

20 TRUSTEE ROBINS: Okay. All right.

21 MAYOR STUESSI: We also, as you may recall, had
22 an internship this past summer for a gentleman who had
23 just graduated from Greenport High School and is in
24 his first year at NYU.

25 TRUSTEE ROBINS: Yeah, I met him.

1 MAYOR STUESSI: Yeah.

2 TRUSTEE ROBINS: I met him, actually. Okay,
3 thank you.

4 CLERK HALL: Further on what the Mayor said, I
5 do plan on reaching out to the school and maybe
6 sharing this program that's already been created by
7 Peconic Community School. As the Mayor mentioned,
8 they reached out to me directly to host an intern.
9 There's interns throughout the Village of Greenport up
10 and down the North and South Fork from that school,
11 and it's a wonderful program.

12 Finally -- or, sorry, a few more things here.
13 So contracts and agreements signed over the last
14 month, bid contracts are coming back and work is being
15 completed, which is wonderful. So the -- there are
16 five bid contracts that have been executed this month.
17 So Dom's Lawnmaker, as I mentioned, the removal of
18 trees and tree stumps. Heaney Marine Construction,
19 Inc. for the replacement of the Baymen's Dock. There
20 was a delay on this final one that's listed here, is
21 the Proliner. The contract is included. However, the
22 work was not delayed, and that's for -- excuse me, I'm
23 drawing a blank.

24 TRUSTEE PHILLIPS: Ambulance.

25 CLERK HALL: An ambulance. Thank you. And then

1 the final two that are not listed here are the
2 Burt's Reliable contract for the delivery of heating
3 oil and diesel within the Village of Greenport.

4 And then, finally, with the contract signed
5 here, we had a contract signed for Keane & Beane,
6 which is our Labor Counsel. So that is wrapped up
7 there.

8 And then, finally, our legal notices that were
9 issued over the last month is a wetlands application
10 for Diana Burton, and there will be a public hearing
11 next week on this wetlands application.

12 Does anybody have any questions?

13 (No Response)

14 CLERK HALL: Thank you.

15 ADMINISTRATOR PALLAS: Mr. Mayor, I just have
16 one comment --

17 MAYOR STUESSI: Yes.

18 ADMINISTRATOR PALLAS: -- regarding the wetlands
19 permit application. The CAC will -- were hopeful they
20 will get comments to you on that application in time
21 for the hearing.

22 MAYOR STUESSI: Okay, thank you.

23 CLERK HALL: I'm sorry, excuse me. Before we
24 continue, there was one more wetlands application that
25 was received from Costello Marine Contracting Corp on

1 behalf of Saint Agnes Cemetery. There will be a
2 resolution next week. That application has been
3 shared with the Board already. There will be a
4 resolution to schedule the public hearing for next
5 month for that final wetlands application.

6 MAYOR STUESSI: It's an important area, it
7 flooded pretty badly this last weekend.

8 TRUSTEE PHILLIPS: There was a lot of flooding.

9 MAYOR STUESSI: All right. With that, before we
10 go on to Board discussion, out of courtesy to the
11 public who's here, I am going to suggest that we go to
12 the public hearing, which is already open for Noise.
13 This is Chapter 88, it remains open, Greenport Village
14 Code, to discuss and possibly take action amending and
15 restating the code, and remained open from the Regular
16 Session of Thursday, December 28th, 2023.

17 Is there anybody from the public that would like
18 to be heard on noise code? Tora? If you can go to
19 the podium and state your name and address, please.

20 TORANOSUKE MATSUOKA: Toranosuke Matsuoka,
21 111 Main. I can spell that for you.

22 COURT REPORTER: Yes, sure.

23 TORANOSUKE MATSUOKA: Yeah. T-O-R-A-N-O-S-U-K-E.

24 Thank you all. Hello, good evening. I'm sorry,
25 I didn't participate in these discussions earlier, so

1 we're kind of getting to them now. I know that we
2 sent over a long list of comments and ideas for
3 everyone, but I wanted to touch base on two of them.

4 You know, the code definitely needs to --

5 MAYOR STUESSI: If I could interject for a
6 second. Would you mind stating your affiliation for
7 the benefit of the public who's here?

8 TORANOSUKE MATSUOKA: Oh, yeah. Sure, yeah.
9 Claudio's Restaurant. This -- all these comments are
10 in regard to Claudio's. But, as always, right, when
11 we participate in these discussions, we're looking at
12 the overall picture for the Village and how it may
13 affect all the businesses, not just -- not just us.

14 And to that point, I think, you know, I think we
15 all agree that the code definitely needed to be
16 updated, right? It was flawed in its structure. So I
17 appreciate the headache that you all go through to try
18 and collect everyone's comments about this.

19 The two points that I wanted to comment on were
20 in regard to the holiday section and the time section.
21 And, again, in the spirit of everyone, and the
22 community at large, I think these are important.

23 You know, Greenport has been, is becoming a
24 resort community. You know, people come here to enjoy
25 and relax and escape, whether that is second homes,

1 year-round, weekends. And I think something that
2 Greenport does really well is celebrate, and we have
3 so many unique celebrations that aren't technically
4 public holidays, that are not only important, I think,
5 culturally in America, but also specifically important
6 to Greenport, you know, like Shellabration, or
7 Maritime Festival, you know, these things that are
8 hyper-specific to us, but also things like Halloween,
9 which isn't necessarily a national holiday. But I've
10 noticed if you give people an opportunity to dress up,
11 they'll take it.

12 (Laughter)

13 TORANOSUKE MATSUOKA: It's a good -- it's a
14 good -- it's a good thing I think for Greenport, but I
15 also think it's an important part that is considered
16 within the noise code, because those types of
17 nonpublic holidays are times of celebration, and I
18 think the code should kind of support those that are
19 unique to our market.

20 In regard to time, you know, I have a young
21 daughter now, so I am also sensitive to the idea of
22 like loud noises at night that keep her up, and, thus,
23 keep me up. Last night I didn't sleep much because of
24 that. But I also remember back to a time that I think
25 all of us enjoyed going out late at night, and I think

1 that's an important part of celebrating, part of
2 Greenport's, really, history.

3 So I think that, you know, the noise code is
4 predominantly related to music, but there's other
5 noises, but putting that aside, music-based. I think
6 music is such a critical piece to the general economy,
7 especially in the summertime for Greenport, that the
8 boundaries in which, you know, we define those rules I
9 think have to taken into consideration, not just from,
10 you know, my older perspective, but from, you know,
11 the global perspective of everyone who wants to come
12 and enjoy Greenport.

13 You know, there were certain times I thought,
14 and as commented in the letter that I had presented,
15 you know, some of them were just too early, you know,
16 cutting things off at 11 p.m., for example. The
17 thought that came to me was if we can't provide the
18 businesses the latitude to do music, it may stop
19 people from wanting to come here, and that, I think,
20 would have a much wider effect on the Business
21 District and appeal.

22 Comments, questions?

23 MAYOR STUESSI: For the benefit of the public,
24 would you mind sharing what Claudio's proposal was for
25 hours of late-night music? As I recall, it was --

1 TORANOSUKE MATSUOKA: All day, every day. Oh,
2 sorry, sorry, no, no.

3 (Laughter)

4 MAYOR STUESSI: Two a.m. on weekends, instead of
5 the proposed 12:30 a.m. on weekends?

6 TORANOSUKE MATSUOKA: Yeah. Also, in
7 specific -- to get into specifics, I know that we
8 wrote the letter to a line with how the language of
9 the code was originally written, but it's hard to
10 understand that. So I may even send you kind of an
11 easier digestible chunking of these times.

12 Before we get to the specific times, the date of
13 which we define the season I think was May 15th
14 through October 1st. My suggestion is May 15th
15 through October 31st, specifically because the
16 East End business model, if you look at it over the
17 past 29 years, it has almost like every year it's
18 moved up a day. The season is literally -- it's not
19 expanding itself, it's moving up. It used to start
20 earlier in May, and maybe this is, you know, global
21 warming, but the season is now starting much later.
22 If you notice it, I -- you know, I see these in
23 numbers throughout all the restaurants, and it is
24 extending, you know, through October, which, also, by
25 the way, includes certain holidays that I'm

1 referencing, right, Columbus weekend, Halloween, and
2 Maritime, right, so which is in September.

3 So my first suggestion is May 15th through
4 October 31st being what we refer to as season. So in
5 season, Friday and Saturday, no later than 2 a.m.
6 The -- in season, public holidays, no later than
7 1 a.m. And the Friday and Saturday rule would apply
8 to the Sunday if the holiday fell on a Monday. Now
9 what I mean by that is certain holidays fall on a
10 specific date, right? It's not always the same day.
11 This is experienced, and these are really important
12 business things, especially for restaurants, but I
13 think for all businesses here, in all the communities
14 on the East End, as I've experienced; whereas, if,
15 let's say, July 4th falls on a Wednesday, right, it's
16 celebrated on both weekends, right, which is an
17 important piece, again, very clearly noticeable in the
18 numbers. You know, if it falls on a Saturday, it
19 doesn't make a difference, you're celebrating it that
20 weekend.

21 But there's certain holidays, for example, that
22 fall on a specific day, right, which is like Labor Day
23 or Memorial Day, which is that Monday. So usually
24 people celebrate that Friday, Saturday and Sunday,
25 whereas, the thought is we wouldn't want to inhibit

1 people's ability to celebrate America.

2 Any other Friday and Saturday outside of season
3 would be no later than 12:30 a.m., and any other day
4 in season would be no later than 12 a.m., and any
5 other day outside of season would be no later than
6 11 p.m. So I tried to be or suggest realistic
7 confines throughout the year.

8 MAYOR STUESSI: Okay, thank you.

9 TRUSTEE BRENNAN: I have a comment. The letter
10 that you're referring to is the January 16th letter
11 from your Counsel?

12 TORANOSUKE MATSUOKA: I believe so.

13 TRUSTEE PHILLIPS: Yes.

14 TRUSTEE BRENNAN: So I appreciate the effort
15 that went into the letter, the way it was composed.
16 It discusses the issues and then it makes specific
17 recommendations. I don't necessarily agree with all
18 the recommendations, but I do appreciate the effort
19 that went into it and the spirit in which it was
20 offered, and I just want to acknowledge that that's
21 how it's been received.

22 TORANOSUKE MATSUOKA: I appreciate that. These
23 recommendations come from specific experience
24 operating busy restaurants in towns that are going
25 through development like Greenport, so it's coming

1 from the perspective of what I think we're all trying
2 to get to, so I appreciate that.

3 TRUSTEE BRENNAN: You're welcome.

4 MAYOR STUESSI: Thank you.

5 TRUSTEE PHILLIPS: Yes, Tora, thank you very much.

6 TORANOSUKE MATSUOKA: My pleasure.

7 TRUSTEE PHILLIPS: It's much clearer than as we
8 spoke. The written word is much clearer to digest --

9 TORANOSUKE MATSUOKA: Yes.

10 TRUSTEE PHILLIPS: -- than what was presented
11 before, okay?

12 TORANOSUKE MATSUOKA: Yeah. I can email you
13 what I just said in numbers.

14 TRUSTEE ROBINS: Just to clarify, that was the
15 comments written by your Attorney, correct, what I
16 read this morning or yesterday?

17 TORANOSUKE MATSUOKA: I don't know when they
18 were sent. Maybe a couple of days ago.

19 TRUSTEE ROBINS: I think so, yeah.

20 TRUSTEE PHILLIPS: January 16th.

21 TRUSTEE BRENNAN: January 16th.

22 MAYOR STUESSI: Yes, sent by their Attorney --

23 TRUSTEE ROBINS: I read it, yeah.

24 MAYOR STUESSI: -- who's in the audience.

25 TORANOSUKE MATSUOKA: Yeah.

1 MAYOR STUESSI: Twomey, Latham.

2 TRUSTEE ROBINS: Yeah.

3 TORANOSUKE MATSUOKA: Yeah.

4 MAYOR STUESSI: Again, I'll add just for the
5 benefit of the public, as you've heard in prior
6 meetings, we're charged with trying to balance the
7 needs of business together with the needs of
8 residences.

9 TORANOSUKE MATSUOKA: Yeah.

10 MAYOR STUESSI: And then also taking a look at,
11 frankly, the marina. And we derive a significant
12 amount of revenue from the marina. And we have dealt
13 with a lot of noise complaints from the yachts later
14 at night. There's a tolerance for noise to a certain
15 hour, but we have to put some management on that, and
16 I know you understand that.

17 TORANOSUKE MATSUOKA: A hundred percent.

18 MAYOR STUESSI: We're trying to balance the
19 needs of everybody.

20 TORANOSUKE MATSUOKA: A hundred percent. Some
21 of the finer details I know our Counsel is going to
22 comment on, but, you know, I agree with you. You
23 know, our intention is to try and be an important
24 critical, you know, partner to the Village and the
25 overall community. I feel restaurants, that's our job

1 as hospitality people, you know, and I wouldn't want
2 to do anything that would inhibit the Village from
3 creating income. The challenge is many times if
4 there's noise they think it's us, but that's not
5 always the case.

6 TRUSTEE PHILLIPS: No, I know.

7 TORANOSUKE MATSUOKA: But we have documented
8 noise complaints on days we weren't open, right? We
9 have a noise complaint, a ticket, and none of these --
10 no one ever came to talk to us, "Hey, it's a little
11 bit loud, turn down," nothing. We just get a ticket
12 in the mail. One of them was on July 4th at 3 p.m.,
13 like literally celebrating America.

14 MAYOR STUESSI: Not this year you're referring to.

15 TORANOSUKE MATSUOKA: Not this year.

16 MAYOR STUESSI: Some time in the past.

17 TORANOSUKE MATSUOKA: No, not under this
18 administration, of course not.

19 (Laughter)

20 TORANOSUKE MATSUOKA: But --

21 MAYOR STUESSI: No, I think you guys have done a
22 good job this year dealing with things.

23 TORANOSUKE MATSUOKA: We try, yeah.

24 MAYOR STUESSI: And the point was I didn't want
25 any confusion about when this ticket --

1 TORANOSUKE MATSUOKA: Totally understood.

2 MAYOR STUESSI: Yeah.

3 TORANOSUKE MATSUOKA: But just for the record,
4 not all noise is coming from Claudio's, just for the
5 record.

6 TRUSTEE PHILLIPS: Well, Tora, in all honesty on
7 my part, this year the issues that I've heard in years
8 past, because I am part of the previous world,
9 administration, has been much improvement. And I will
10 tell you, discovering in my own world, when my son
11 lives on Fourth Street and I live on Atlantic Avenue,
12 and we were conferring about the noise and the music,
13 we discovered they were playing two different types of
14 music, and that's when we -- you know, that's when it
15 was -- the light bulb really went off --

16 TORANOSUKE MATSUOKA: Yeah.

17 TRUSTEE PHILLIPS: -- that it's not just
18 Claudio's all together, okay?

19 TORANOSUKE MATSUOKA: Yeah.

20 TRUSTEE PHILLIPS: So I think we're all aware of
21 that.

22 TORANOSUKE MATSUOKA: Yes.

23 (Laughter)

24 TRUSTEE PHILLIPS: Okay? I just wanted to give
25 you that positive, okay --

1 TORANOSUKE MATSUOKA: Thank you.

2 TRUSTEE PHILLIPS: -- as I said.

3 TORANOSUKE MATSUOKA: You know, we take it very
4 seriously, and, again, I think we may have commented
5 on prior communications. You know, we have a
6 full-time dedicated sound person on staff every time
7 there's music being played. We've taken all of the
8 directives and implemented all of the suggestions from
9 the sounds consultant, and have even gone over and
10 above to implement additional suggestions or -- yeah,
11 we even suggested back to them, "What if we also did
12 this," and they thought those were good ideas and we
13 also implemented that as well. So I'm totally
14 interested in working together, and even potentially
15 helping other properties who may need some help, too.
16 You know, we can provide, you know, suggestions or our
17 learnings there as well.

18 MAYOR STUESSI: Great. Thank you.

19 TORANOSUKE MATSUOKA: My pleasure.

20 MAYOR STUESSI: Who else from the public would
21 like to be heard on the noise code? Yes, please.

22 JOAN MC GIVERN: Joan McGivern from Twomey,
23 Latham. I'm Part 2 of this discussion. I wanted to
24 speak to the more sort of technical part.

25 We had some concerns about whether the test is

1 objective or subjective, and that's flagged in the
2 letter. There's some inconsistencies in the code,
3 which, based on prior experience, which I'm not
4 tarnishing anyone with, has led to fines. And which
5 brings me to my next point, a request that you codify
6 that the first time an establishment is approached,
7 that it be given a warning before it's fined under
8 this new code, because the way the code is presently
9 written, you could be fined up to \$1500 the first time
10 you get a warning, the first time you get a notice,
11 which seems a little draconian, given that we're all
12 trying to work under a new code.

13 And then the last point applies to entertainment
14 permits, that this code could be applied going
15 forward. So that to the extent Claudio's and the
16 other businesses are applying for entertainment
17 permits, that you won't hold prior violations against
18 them, given that we're trying to start on a clean
19 slate, and acting in good faith, and all that other
20 stuff. So that's the technical part.

21 I don't know if you have any questions.

22 MAYOR STUESSI: No. Was there anything else you
23 wanted to add?

24 JOAN MC GIVERN: No.

25 MAYOR STUESSI: Great. Thank you for being here.

1 Would anybody else like to be heard on noise code?

2 PETER HARRIS: Peter Harris, 212 Knapp Place,
3 Greenport. Listening to the gentleman from Claudio's
4 explaining about different times and about days of
5 music and time of day, and I'm just sitting there
6 listening and trying to absorb it. But, yet, I'm also
7 thinking about people complaining about leaf blowers.
8 And probably some of the same people that complain
9 about leaf blowers would be complaining about hearing
10 music at 1 or 2 o'clock in the morning, and it's
11 not -- in my opinion, it's not all about business.
12 What about residents? Take that into consideration.

13 I mean, Mr. Mayor, I mean, you said you had, you
14 know, people that utilized the Village marina, that --
15 especially the big yachts that come in that pay an
16 exorbitant amount of money to tie up in Greenport.
17 Just take into consideration, it's not always about
18 the dollar that someone wants to project to what they
19 might want Greenport to be, but there's a lot of
20 people that live in Greenport kind of like that little
21 sleepy Village that they grew up in. For me, I live
22 just outside of the Village, but I'm a member of this
23 Fire Department. I've been on many different committees
24 for the Village of Greenport. And what some people
25 may want to project what they would like to see

1 Greenport become is not what everyone wants. Thank you.

2 TRUSTEE BRENNAN: Thank you, Mr. Harris.

3 MAYOR STUESSI: Anybody else from the public
4 like to be heard? No?

5 (No Response)

6 MAYOR STUESSI: Got a Board discussion on that
7 subject?

8 TRUSTEE PHILLIPS: Hold on a minute.

9 LORRAINE KREHLING: You know, I'm just
10 surprised that -- I just -- I was, of course, going to
11 speak about leaf blowers. But I think it's always a
12 mistake to say that people who don't want to listen to
13 music in their bedroom on a Sunday or a Saturday night
14 at 1 a.m. don't like music. You can play music
15 without playing it so loud that you can hear it so far
16 away. So, I mean, they can play their music later,
17 just not as loud. You know, it's -- it's really
18 unpleasant on a lovely summer night to have to listen
19 to Brown Eyed Girl one more time, you know?

20 (Laughter)

21 LORRAINE KREHLING: So I just want to say that,
22 that, you know, freedom is we have to respect each
23 other's rights.

24 And on the subject of leaf blowers, I did speak
25 before, I think. I wrote a letter to The Suffolk

1 Times. I think -- and I had a discussion with
2 Patrick. I think it's very important that there are a
3 lot of things that are wrong with them, but this is
4 about noise. And the thing that almost 100 people
5 here -- were here a month ago saying is that the noise
6 is driving everybody crazy in the summer, and it's
7 endless and it's beyond irritating. And I would -- I
8 would recommend that they be banned entirely in the
9 summer, at the very least.

10 It's okay to sweep your sidewalk grass, you
11 know, cut grass from your sidewalk, it's really okay.
12 So I hope that the Board remembers that this room was
13 filled a month ago with people who are really wishing
14 that we didn't have to listen to this as part of our
15 summer crickets. Lorraine Kreauling, 157 Central.

16 MAYOR STUESSI: Please.

17 MARGARET DE CRUZ: Margaret deCruz,
18 25 Washington Avenue. I guess I have two comments.
19 One is about the noise from the loud music. I look at
20 this area not as a beautiful place for people to enjoy
21 nature a lot and also to have fun, but loud noise is
22 very disturbing not only to humans, but to animals,
23 and to do it beyond 11 o'clock at night, it's not
24 necessary. I mean, you know, to me, that's enough
25 time to party and everything else. And so it's not --

1 we're not just here as a town to offer people to come
2 and have fun and party. It's a beautiful spot, and we
3 have to preserve our quality of life and some
4 calmness.

5 I mean, even on my block now, some new people
6 must have moved in and I'm hearing -- I love Latin
7 music, but I'm hearing Latin music late at night, and
8 I'm sure there's something in the code about that,
9 too, not Latin music, but music from people's homes.

10 (Laughter)

11 MARGARET DE CRUZ: It's disturbing. And as far
12 as leaf blowers go, I have a new porch that I put on,
13 and when I'm trying to work out there, I see clients
14 on Zoom, I have to immediately move in, because
15 there's just so much leaf-blowing across the street
16 and then next door. They go from one house to the
17 next on my block and it goes on for hours. And as
18 they said, it produces a vibration that gets to your
19 bone. It's not just noise, there's something about
20 that level, and it's not necessary, and it's very
21 polluting.

22 Yeah, I'm into either electric leaf blowers or
23 raking and sweeping, and it will produce more jobs,
24 because it will take a little longer. And I feel
25 sorry for the -- you know, the landscapers, but

1 there's got to be a way to do this so that they don't
2 run into such financial difficulty. I'm sure there's
3 something that can be done. Thank you.

4 MAYOR STUESSI: Thank you. Is there anybody
5 else from the public that would like to be heard this
6 evening?

7 MR. LUDACER: Oh.

8 MAYOR STUESSI: Please.

9 MR. LUDACER: Ken Ludacer, 133B Sixth Street.
10 Yeah, I mean, given the -- I feel, you know, as if I
11 almost, you know, have to mention, you know, given the
12 flooding that we've had recently. I've lived on the
13 end of Sixth Street for 25 years, and I would say the
14 first 15 years the water level down the street, that
15 may have happened twice over, you know, my first 10 or
16 15 years there. And I would say within the last four
17 or five years it happens, you know, about four times a
18 year.

19 I mean, I don't think -- well, I'm sure everyone
20 on the Board has noticed, I mean, I don't think you
21 cannot notice kind of the change Greenport is
22 subjected to with the climate crisis. And I don't
23 think, you know, anyone at this point should, you
24 know, not be aware that it is, you know, the CO2
25 emissions that are exacerbating the climate change.

1 You know, I think I spoke a lot about that last time I
2 was here.

3 But, yeah, relative to the noise, strictly the
4 noise issue, I mean, that's kind of what got me
5 involved with the potential for a leaf blower ban in
6 the first place, being driven off my porch, you know,
7 four days out of the week. But then researching it, I
8 realized, you know, it's a three-prong problem. It's
9 not just the noise, it's also the environmental
10 detriment and the health detriment and -- but I do
11 think, you know, just for the noise factor, leaf
12 blowers definitely belong in this new code change
13 you're proposing. And, you know, again, I think a
14 full ban is called for. Thanks.

15 MAYOR STUESSI: Thank you. Is there anybody
16 else from the public that would like to be heard this
17 evening regarding noise?

18 (No Response)

19 MAYOR STUESSI: I'll open it up to Board
20 discussion, then. Would anybody like to start?

21 TRUSTEE BRENNAN: I have a question, since we're
22 going to be discussing several issues. Is the public
23 comment still open?

24 MAYOR STUESSI: It is for the moment, unless we
25 make a decision to close the public comment tonight.

1 TRUSTEE BRENNAN: I'm not talking about closing
2 the public hearing, I just meant the public comments
3 during tonight's meeting.

4 MAYOR STUESSI: Yeah, we'll go back to that.

5 TRUSTEE BRENNAN: Yeah, we'll go back to that.

6 MAYOR STUESSI: Yeah. On non-noise related
7 issues.

8 TRUSTEE BRENNAN: Okay. Well, I have a lot of
9 questions and comments on the noise chapter. We're
10 going to -- are we going to work through that as a --
11 as a work session item, or we're just --

12 MAYOR STUESSI: I think now's the time to
13 address it. I mean, we've had the hearing open now
14 since December. Everybody's been able to share
15 comments and continue to share comments. I think we
16 as a Board need to act and do something.

17 This was in front of the Board, what was it, 4
18 years ago? There was a lot of discussion 7 years ago
19 as well. I think was the first time the noise code
20 was looked at for many years, and leaf blowers first
21 came up, and I believe a petition was circulated. So
22 I think it's important for us as a Board to have a
23 discussion here and now. And if there are changes or
24 modifications, we discuss it and make recommendations,
25 if needed, to the Attorney to make those changes

1 and/or make a decision to close the public hearing and
2 schedule a vote to adopt the code as is.

3 TRUSTEE PHILLIPS: No, the resolution reads --
4 the resolution reads that it's open until next week,
5 correct? I believe, isn't that how it reads? We can
6 discuss it, which is fine, but I don't think we passed
7 a resolution to -- that's out to the public that it's
8 not going to be closed, or that they still have an
9 opportunity to the regular Board meeting.

10 TRUSTEE DOUGHERTY-JOHNSON: I think you are
11 right about that, because I remember asking about it
12 last time. I think we made it until the 25th

13 MAYOR STUESSI: Okay. Can somebody double-check
14 on the notes? Let's -- why don't we continue talking.
15 We don't need to burden the community at the moment
16 while we're looking up that. I think we should have a
17 discussion on it.

18 TRUSTEE BRENNAN: Do we have --

19 MAYOR STUESSI: There's no reason to delay the
20 discussion one more week.

21 TRUSTEE BRENNAN: Do we have a specific proposal
22 from the group that was interested in the leaf blower
23 ban? Did they -- like I think the group that Randy
24 Wade was heading up.

25 MAYOR STUESSI: I think she was one individual

1 of a whole number of people in the community that
2 spoke. There was a variety of comments on either an
3 outright ban, starting at some, some date certain.
4 There were some individuals at the last meeting who
5 had suggested doing it immediately, others suggested
6 doing it at the end of the year, and there were others
7 who had suggested looking at a ban during the summer
8 months and then allowing it for a limited period in
9 the fall.

10 TRUSTEE BRENNAN: Yeah, that was my understanding.
11 We don't have anything specific?

12 MAYOR STUESSI: We don't have anything specific.

13 TRUSTEE PHILLIPS: No.

14 TRUSTEE BRENNAN: Okay. I just wanted to make
15 sure I didn't miss something.

16 TRUSTEE PHILLIPS: No. The Code Committee,
17 after the meeting, did have a discussion of a lot
18 ideas that were thrown out. Some of them were leaning
19 towards similar to what other places have done with
20 setting a deadline date for weaning out leaf blowers.
21 In other words, as of a year from now -- have some
22 restrictions, but as of a year from now, they would be
23 banned completely. There were suggestions of
24 different dates.

25 There were suggestions that we need to talk to

1 Southold Town, because we have properties that one
2 side is the Village of Greenport, Washington Avenue,
3 for an example, one side is Village of Greenport, the
4 other side is the Town of Southold. So the Village of
5 Greenport side residents are not really going to have
6 any relief from the leaf blowers, because the Town of
7 Southold is -- I hate this, not being face to face
8 here.

9 TRUSTEE BRENNAN: I'm sorry.

10 TRUSTEE ROBINS: No.

11 TRUSTEE PHILLIPS: No, that's okay. I'm used to
12 the table being this way.

13 TRUSTEE ROBINS: We should rearrange the chairs.

14 TRUSTEE PHILLIPS: There also was discussions of
15 perhaps setting such regulations as certain times of
16 the -- certain months, from before Memorial Day until
17 after Labor Day for no leaf blowers at all. There
18 were suggestions that it be limited to one per
19 property until they -- with a ban. I mean, we threw
20 out a lot of ideas.

21 The other concern was that we need to move the
22 noise ordinance forward with other, other considerations,
23 and that the Code Committee was willing to go back and
24 go through this with a more detailed opportunity for
25 not only those who spoke here last month, but for

1 others who have other thoughts besides that. You
2 know, there are some in the community that are against
3 the ban on leaf blowers. There are some that want
4 total electric. There are some that want to reduce
5 the number of people working on the lot.

6 So those are all the things that were thrown out
7 at the Code Committee when we had a discussion about
8 leaf blowers. It's something we realize that in the
9 beginning it was part of code. That's why we cut it
10 out for Sundays, to see if that would decrease some of
11 the -- some of the quality of life for some people, at
12 least giving them a day of reprieve, so we could kind
13 of get a handle on what's going on.

14 Do I think that a landscaper needs four people
15 with leaf blowers going around a small lot? No. I
16 think that's overkill. And I do know that there is
17 some concern that was expressed by one of our
18 neighbors that some of the employees of some of these
19 landscaping companies fear that they're going to lose
20 their jobs if the leaf blower situation is banned.

21 It's education, it's communication, there are a
22 lot of things. And yes, it is quality of life, it is
23 the noise, and it is health, okay? There is no doubt
24 about that, all right? We all know that. But how do
25 we deal with it so that it's fair to everyone?

1 Because there are people who are not keen on the ban
2 on leaf blowers. And the other thing is are we
3 including residents along with the commercial
4 enterprises in leaf blowing, okay? That's another
5 question.

6 So there was a lot of think-tank discussion
7 going on in the Code Committee. That's the best I can
8 do to tell the public as to what we were thinking
9 about.

10 TRUSTEE DOUGHERTY-JOHNSON: I mean, I think the
11 thing is we've heard from a lot of people and we're
12 mostly hearing ban them, or at least a -- I mean, or
13 ban them at least for the summer. That's what I would
14 support for this year, ban them for the summer and
15 then we phase in a complete ban.

16 I mean, yes, there's always going to be people
17 with different opinions, but when you hear like so
18 many people saying the same things over so many years,
19 and we're all kind of saying like, yes, we understand
20 the environmental and the health. Like I take it as
21 my responsibility, then, to listen to that, and also
22 to like -- to what somebody said last month, to be
23 bold.

24 Like we have to take action, like what Ken was
25 saying about climate change. And like this is a small

1 thing, but it's a small thing we can do and there's a
2 lot of support for, and that I don't think that -- I
3 mean, I don't think people are going to lose jobs.
4 Like there's still -- you can still get rid of leaves
5 in a way. I just think the benefits outweigh the
6 drawbacks in so many ways.

7 TRUSTEE ROBINS: I spoke to the contractor that
8 cuts my grass for me and he doesn't -- I asked him not
9 to use a leaf blower, but not because of the noise, I
10 just don't want things blowing around. But he
11 probably said, you know, "I have a few customers in
12 the Village, I simply would drop the customers in the
13 Village if they changed" -- "if they do the leaf
14 blower ban."

15 Everybody on my street has their lawn cut and
16 the leaf blowers come. And I have no air conditioning,
17 and, you know, it's a very big period of time. So, I
18 mean, I don't personally have an observation of that
19 kind of offensive noise going on all the time, but I
20 do have my windows open all summer long, because I
21 don't have air.

22 And I think that, you know, we have to be
23 careful being selective about this, because there are
24 a lot of sources of noise in the Village that probably
25 produce close to the same number of decibels as the

1 leaf blowers. And when we start introducing
2 environmental and air pollution in a noise code, I
3 don't think it belongs in the noise code.

4 TRUSTEE DOUGHERTY-JOHNSON: But we are banning.
5 Like that's my issue, is like we're banning barking
6 dogs or music over, but we're not banning --

7 TRUSTEE ROBINS: We're not banning --

8 TRUSTEE DOUGHERTY-JOHNSON: Like I'd rather
9 listen to barking dogs and music.

10 TRUSTEE ROBINS: There's limitations on them,
11 we're not banning them.

12 TRUSTEE DOUGHERTY-JOHNSON: Well, I mean, it's
13 unreasonable noise if a bark -- dog is barking for
14 15 minutes, but it's not unreasonable noise --

15 MAYOR STUESSI: Or music from your neighbor's
16 house or a restaurant, this is no different.

17 TRUSTEE DOUGHERTY-JOHNSON: Right, or music that
18 you can hear from 50 feet, but it's not unreasonable
19 noise to have five leaf blowers going for six hours?
20 Like I think to me that doesn't compute. And I also
21 think that -- I mean, I -- like I know that maybe
22 there could be more nuanced ways, like, okay, only
23 have one leaf blower, but I think enforcement-wise
24 that would be very hard.

25 MAYOR STUESSI: That's -- I mean, I think that's

1 preposterous to try and suggest that we're going to be
2 managing how a business cleans up about somebody's
3 yard no different than how they build houses. I mean,
4 we can manage noise with certain levels of
5 restrictions, whether Tora has two deejays or one
6 deejay at Claudio's. If they're playing music past
7 12:30 at not too loudly, then they're going to get
8 cited for it, but, you know, we can't get into how
9 many people are deejaying or cleaning up a yard, or
10 something else.

11 TRUSTEE DOUGHERTY-JOHNSON: I mean, I think the
12 other thing, that Greenport is different than
13 Southold. And I appreciate Mary Bess' comment,
14 because I live on Washington, so I know that it won't
15 fix like my issues. But Greenport has small lots that
16 are close, close, you know, they're long and they're
17 skinny. So there's just -- we live in much closer
18 proximity than most of Southold, and I'd love for
19 Southold to ban them, also. But I think we're a
20 Village, and, also, like a lot of people have said, we
21 need to respect and care about our neighbors. I mean,
22 a lot of people are saying like -- you know, people
23 are talking about moving because of like their kids'
24 health. I feel like that's something we really should
25 take seriously.

1 TRUSTEE BRENNAN: Brian, if we make any material
2 changes to the ordinance as it's currently drafted and
3 posted on the Village website, we will have to
4 renotice it, correct?

5 ATTORNEY STOLAR: That's correct.

6 TRUSTEE BRENNAN: So, for example, adding -- so
7 we're talking about a leaf blower ban, but what -- I
8 think what we're really contemplating is whether we're
9 going to add leaf blowers to 88-5, the section on
10 prohibitions. So adding another prohibition would
11 require --

12 TRUSTEE PHILLIPS: That's a major change.

13 TRUSTEE BRENNAN: That's a material change,
14 correct?

15 ATTORNEY STOLAR: Correct.

16 TRUSTEE BRENNAN: Okay. So I had a thought,
17 because I totally agree with what the public comments
18 are about. This is an important quality of life
19 issue, right? So there's noise, there's pollution
20 from emissions from two-stroke engines, there's dust
21 being blown all around, which is a health hazard.

22 There's this kind of -- there's some other
23 issues. There's a -- there was some argument about
24 landscaping practices, about basically denuding your
25 landscape by blowing everything away, right? So

1 that's not great for drought, and for the kind of a --
2 the health of the biome of your yard, I understand
3 that.

4 I'm wondering whether the noise chapter is the
5 right place for this. Why wouldn't this fall into
6 Chapter 90, Nuisances?

7 TRUSTEE PHILLIPS: Well, that's -- that was
8 also -- you were there when we -- you know, that maybe
9 landscaping, this needs to be a code that is completely
10 separate on its own, as some other municipalities have
11 done. They've made a separate section for landscaping,
12 which became clearer as to not being muddled in with
13 other noise ordinances. There was one, I think it's
14 the Town of East Hampton, I think it's under nuisances,
15 I think, it's not under the noise ordinance.

16 As I said there was a lot of discussion on, you
17 know, where do with we go with it? The people,
18 you know, the Code Committee did hear, and it's --
19 you know, we have to represent a picture for everyone
20 in the Village, okay? And, yes, there is a large
21 contingency here and I understand where they're coming
22 from. But I also know that in talking out in the
23 community, and I am not taking Facebook, because you
24 can't deal with Facebook, I did hear some -- read some
25 comments on some articles on Suffolk Times that some

1 people are not in favor of banning the leaf blowers,
2 they feel that it's too much governmental influence on
3 their --

4 MAYOR STUESSI: There was something in
5 The Suffolk Times about that?

6 TRUSTEE PHILLIPS: On some of the comments on
7 the -- on the comment pages. I don't know if it's
8 still there or not, I think I took a picture of it.
9 But, in the meantime, I think that a code needs to --
10 you know, we need to -- when we write a code, as Tora
11 was presenting, it needs to be -- you know, we need to
12 look at being fair to represent -- not represent, but
13 to give a fair shot to everybody.

14 So that's the reason why we were talking the --
15 that's why we had the meeting after the public hearing
16 last Thursday, was we weren't originally supposed to
17 meet. I felt that we all needed to start discussing
18 it, because it was a topic that's important, and to
19 get thoughts out and to think about it to bring something
20 back to the Board.

21 TRUSTEE BRENNAN: Do you --

22 MAYOR STUESSI: Well, I think -- if I could
23 interject.

24 TRUSTEE BRENNAN: Go ahead.

25 MAYOR STUESSI: You know, the Code Committee has

1 already made recommendations to the Board on what the
2 noise code should be and that's what's in front of us.
3 And what I don't think is productive is for us to
4 bounce things around and go back and forth. The
5 recommendations were made to us as a Legislative body
6 who represents this Village, and we as a group should
7 be making some decisions on what needs to be done with
8 the noise code, as I said earlier, either adopting it
9 as is, or coming to agreement on some suggested
10 changes that we include in the code.

11 TRUSTEE ROBINS: I understand that, but, you
12 know, we did have -- we -- I wrote down how many
13 people spoke, and we had about 15 people speak. About
14 a dozen of -- a dozen, maybe, spoke on the noise from
15 the leaf blowers. So, I mean, I don't think that's
16 the majority of the public. I mean, I'd like to hear
17 from some other people's comments, too.

18 And some of those people that spoke didn't even
19 live in the Village, I mean, somebody was from
20 Southold. So, you know, I mean, I don't know if I've
21 heard a fair representation of everybody in the
22 Village and their opinion on it, to be honest with
23 you. I mean, 12 people does not a majority make, in
24 my eyes.

25 TRUSTEE PHILLIPS: Well, the other thing is in

1 listening and going back and reading and looking at
2 the video, and I said it at the meeting, I heard three
3 things coming out. I heard people who wanted a
4 change, I heard people who wanted bans, and I heard
5 that it was the environmental and the health issues.
6 But I didn't hear a true -- you know, it was -- I'm
7 sorry?

8 LORRAINE KREAHLING: I'm sorry. It destroys
9 people's hearing for the people who are doing it, it
10 destroys their hearing.

11 TRUSTEE PHILLIPS: I'm just -- I'm just --

12 MAYOR STUESSI: Let's continue talking as the
13 Board.

14 TRUSTEE PHILLIPS: I'm just making -- I'm just
15 making a comment about what I heard from the comments,
16 okay, which is the reason why I asked the Code Committee
17 to sit down and think about it, okay?

18 Yes, we did present something. We presented it
19 and the Village Board has the right to change it, but
20 I do think that it's a topic that is, is one that it's
21 not that -- I believe you'll see people -- I believe
22 you will see that people will not be happy with an
23 outcome of a ban. I don't think we've heard from the
24 whole public. But, in the meantime, have we
25 communicated it out? I'm not sure. Have we got it

1 out that this is being proposed to the public fully?
2 I don't think so. I think we should be putting it out
3 that, you know, there's the topic of thinking of
4 banning it. You'll have -- you know, get it out into
5 either the paper this week, or to get it out on the
6 Village website, and have people make the -- give the
7 opportunity for next week for those people that if
8 they truly feel that they don't want a ban, they'll
9 have to get here or make their comments, okay? But
10 that's me, okay, that's not the full Board. I always
11 want to be fair and have both sides presented before I
12 make a decision.

13 TRUSTEE DOUGHERTY-JOHNSON: Patrick, I hear what
14 you're saying about it doesn't need to be a noise,
15 which I agree with, but it also comes up so much
16 because gas-powered leaf blower is defined in here,
17 landscaping is defined in here, it's talked about in
18 many -- you know, so it seems like it naturally comes
19 up, and whether -- like where it should be in the
20 code, I think it could be in either place. But I
21 think, since we're talking about this now, is why it
22 came up and because it's been an ongoing issue in the
23 Village.

24 MAYOR STUESSI: Can I ask for Village Counsel's
25 opinion on if we were to consider some sort of ban or

1 restriction based upon noise? Putting aside the
2 environmental issues, is there any advantage or
3 disadvantage to putting it in the noise code as being
4 discussed, or putting it elsewhere?

5 ATTORNEY STOLAR: It's funny you ask that. I
6 was just drafting another noise code law for another
7 municipality, and, you know, addressing certain
8 topics, including leaf blowers, realizing after I
9 drafted it and went through the rest of the code and
10 found that very ban in another section. So it's --
11 you know, and it didn't surprise me because of the,
12 you know, different considerations.

13 So my thought on it afterwards, you know, where
14 would somebody typically find it, is what you really
15 want to be able to address it. If it's in your code,
16 it's in your code, but people are going to be looking
17 for it in your noise code, and then potentially in
18 other provisions as well, whether it be nuisance, or
19 property maintenance, or things that maybe you have a
20 gardeners section. They're going to be looking in
21 both locations, so -- or multiple locations. So my
22 recommendation would be to incorporate it into each of
23 those code provisions and those chapters, rather than
24 just one, because it may get lost on somebody if it's
25 in just one.

1 MAYOR STUESSI: Uh-huh.

2 TRUSTEE BRENNAN: You say each. So what other
3 chapters?

4 ATTORNEY STOLAR: If you have a gardeners or a
5 landscaping provision, if you have a nuisance chapter,
6 some chapter, or property maintenance chapters, of
7 those, they'll -- those are --

8 MAYOR STUESSI: But fair to say starting out in
9 the noise code section --

10 ATTORNEY STOLAR: Absolutely.

11 MAYOR STUESSI: -- would make the most sense and
12 then carry it everywhere else.

13 ATTORNEY STOLAR: Absolutely.

14 TRUSTEE BRENNAN: I think if we -- again, if
15 we're going to incorporate the leaf blower item, it's
16 going to be in the prohibitions, it's going to be
17 treated like music, right?

18 MAYOR STUESSI: Right.

19 TRUSTEE BRENNAN: And I think there's an
20 opportunity there to handle this in many, many
21 different ways, whether it's times of day, or whether
22 it's decibel level, or both, or outright prohibition
23 altogether. If we do this in the noise code, we're
24 going to address the noise piece of it, not
25 necessarily the other quality of life issues. So

1 people just need to be aware of that, because I think
2 the noise is -- what I'm hearing is -- that's not
3 a pun.

4 (Laughter)

5 TRUSTEE BRENNAN: What we're hearing from the
6 public is the noise is the primary issue that people
7 are concerned about, but there are these other issues,
8 right?

9 MAYOR STUESSI: Yes.

10 TRUSTEE BRENNAN: So how do we see this working
11 if we have a -- like an electric leaf blower? So it's
12 quieter, but it still makes like noise from rushing
13 air. Currently, they're not that powerful, but
14 they've improved a lot over the past few years.

15 MAYOR STUESSI: Uh-huh.

16 TRUSTEE BRENNAN: I don't know where that's
17 going. Is that something we deal with later if that
18 becomes a nuisance, or, you know, how do we -- how do
19 we actually slice this so that we're banning the most
20 egregious nuisance?

21 MAYOR STUESSI: It would be by banning gas-powered
22 leaf blowers --

23 TRUSTEE BRENNAN: Right.

24 MAYOR STUESSI: -- which is what's been done in
25 the entirety of the South Fork now, seasonally in some

1 places, and then Southampton is adopting it
2 year-round, places like Los Angeles, Washington D.C.,
3 where gas-powered leaf blowers are banned, but
4 electric ones are allowed to be utilized.

5 TRUSTEE ROBINS: You know, again, I mean, there
6 are -- I feel this is very selective, and I under --
7 you know, first of all, you mentioned how small the
8 lots are in the Village, okay? I mean, most of the
9 landscapers, they come through and they're done in
10 five minutes when they come with these big mowers, and
11 they walk around and they do -- now it's possible for
12 a fall cleanup where they're blowing leaves and stuff
13 like that, but, I mean, I've observed them in many
14 locations. They're out there with the leaf blowers,
15 they're pushing, you know, the grass clippings,
16 basically, off the sidewalk. And how -- I mean, most
17 lots in the Village are like point-six-tenths of an
18 acre, I mean, there's just not that much grass. I
19 mean, it almost -- I really don't see where, you know,
20 the length of time with these leaf blowers are going
21 nonstop, you know, it's --

22 MAYOR STUESSI: It sounds like you're making a
23 case to get rid of them, because the yards are so
24 small.

25 (Laughter)

1 TRUSTEE ROBINS: Well, the yards are so small.
2 But I'm just saying that, you know, I mean, I don't
3 see the -- you know, the constant noise going on all
4 the time. I personally haven't observed it, you know,
5 on my block or other areas of the Village. You know,
6 I mean, you know, I'm a real estate agent and,
7 you know, I've seen, you know, a lot of properties
8 being taken care of, but the Village properties are so
9 small that, you know, I mean, there's just not that
10 much grass that's cut, plus there are other sources of
11 dust. I mean, how about the wind, you know? I mean,
12 you know, and as Patrick was saying, electric leaf
13 blowers, they still do create dust. I mean, so, you
14 know, I think you have to stay within the scope of
15 what we're talking about here.

16 MAYOR STUESSI: Right, but here we're dealing
17 with the noise code.

18 TRUSTEE ROBINS: The noise code, yes.

19 MAYOR STUESSI: And the primary issue that the
20 public brought up was the noise burden, so that's what
21 our purview is this evening to discuss. So I think --

22 TRUSTEE ROBINS: Well, the comments that I --

23 MAYOR STUESSI: I think there's a lot of things
24 we could talk about environmentally, but I think we
25 should focus on noise and whether this Board believes

1 that they -- we should do something about noise with
2 gas-powered leaf blowers.

3 TRUSTEE ROBINS: I mean, Mary Bess and I had a
4 lot of discussions about this this week, and,
5 you know, I definitely think that there are some areas
6 that can -- of restriction that we should come up
7 with, okay, but it could be on the number of
8 leaf blowers, maybe, a contractor can use one. She
9 suggested registering, you know, licensing landscapers.
10 You know, I think there are other things that we can
11 investigate.

12 MAYOR STUESSI: Licensing landscapers in what --
13 what do you mean?

14 TRUSTEE ROBINS: Have a -- to have a landscaping
15 license, the contractor has to have a license.

16 TRUSTEE PHILLIPS: They have it, they have it in
17 East Hampton and in Southampton. They actually have
18 the landscapers have to fill out a license, pay a fee,
19 and they go through a set of codes as to -- or
20 restrictions as to what they can and can't do, so that
21 when the enforcement person comes along, they have a
22 signed affidavit.

23 It's on -- and I agree with you, it's on the
24 noise, okay, it is the noise. But, in the meantime,
25 we start with this. Now we -- then they -- we ban the

1 gas ones. And Patrick's right, what happens when the
2 electric ones start becoming higher decibels and
3 noisy? Because the technology, according to the
4 landscapers that I've talked to, the technology for
5 the electric, electric leaf blowers is not there yet,
6 but they're working on it, so that they're going to be
7 more powerful and they're going to be that whoosh
8 noise that you hear coming out of the tube is going to
9 become a noise issue again, so --

10 MAYOR STUESSI: But I think the thing to
11 consider is this is legitimately working in a lot of
12 other places, whether it's Washington D.C.,
13 Los Angeles, places with millions of people, D.C. in
14 particular, tons of leaves, the entirety of the
15 South Fork.

16 Yes, there are considerations. There will be
17 change-over over a period of time. If it's
18 implemented over a period of time, it would be
19 required. But are we looking to be leaders in our
20 community, or are we going to wait for Southold to do
21 something? And I feel strongly, as I've said in the
22 last meeting, that we have had a significant number of
23 people in the community come and speak out. We've
24 also received some emails and letters. This has been
25 an ongoing issue for 5 to 7 years now, and I think we

1 need to do something, not just sit back and do nothing
2 in regards to this.

3 TRUSTEE ROBINS: I believe that --

4 MAYOR STUESSI: So I would ask the Board to
5 consider what we think --

6 TRUSTEE PHILLIPS: Well --

7 MAYOR STUESSI: -- might be an appropriate start
8 to this. Please.

9 TRUSTEE PHILLIPS: My next question is, okay,
10 we're going to deal with leaf blowers. Next, is it
11 going to be lawnmowers?

12 TRUSTEE ROBINS: How about chainsaws?

13 MAYOR STUESSI: But there's no precedent for
14 that anywhere. I think that's certainly a false
15 argument.

16 TRUSTEE DOUGHERTY-JOHNSON: Well, that's also
17 not what people are complaining about.

18 MAYOR STUESSI: Yeah. Nobody is suggesting --

19 TRUSTEE DOUGHERTY-JOHNSON: No one's coming and
20 saying like, oh, I mean --

21 TRUSTEE ROBINS: I think some noise --

22 MAYOR STUESSI: -- banning chainsaws or
23 lawnmowers.

24 TRUSTEE ROBINS: The guy that cuts my lawn, it's
25 mainly the lawnmower, because, like I said, he doesn't

1 even use the leaf blower. But the noise, you know,
2 there's noise. Yes, there is noise, there's no
3 question about it, and there's dust. I mean, there's
4 dust when our street-sweeper goes around, too.
5 I mean, so, you know, it's like where do you stop?
6 That's all I'm saying.

7 Personally, here's my opinion: The Governor
8 eventually will rule on this, and I think we should
9 wait until the Governor puts the guidelines in place,
10 you know, and then we're covered. We don't have to,
11 you know, be an outlier and enforce it in the code.

12 TRUSTEE DOUGHERTY-JOHNSON: I guess my --
13 I think where do we start, right? Like we need to
14 start doing things, not where do we stop. Like we
15 need to take corrective action and be bold, and listen
16 to our community, and take even small steps towards
17 being more environmentally friendly. That's why I
18 ran, I think it's part of why I got elected, and I
19 feel strongly about it. Like I don't think we should
20 say -- I mean, I understand, sure, electric leaf
21 blowers may become a nuisance, and then we deal with
22 it then. But like we shouldn't stop before we even
23 start it because of all the --

24 TRUSTEE PHILLIPS: I understand where you're
25 coming from, but the noise ordinance, when working on

1 it, was a bold decision to deal, and there has been
2 many bold things. So I kind of would like to take a
3 step back from that comment, okay?

4 Brian I have a question.

5 ATTORNEY STOLAR: Yes.

6 TRUSTEE PHILLIPS: Because Lily has been
7 bringing it up. Under the unreasonable noise section
8 that says endangers or injures any person, a noise
9 disturbs or discomfort. In all honesty, technically,
10 they could call in and complain about leaf blowers,
11 yes or no, that it being an unreasonable noise?

12 ATTORNEY STOLAR: Correct.

13 TRUSTEE PHILLIPS: So they do have an
14 availability right now within the noise code to deal
15 with it, in other words, call in and file a complaint
16 against the landscaper for an unreasonable noise.

17 MAYOR STUESSI: That's not something we could
18 ever possibly manage with the way it's written.

19 TRUSTEE PHILLIPS: We're not managing anything
20 else in the Building Department. We have to realize
21 that we have to start dealing with that subject, and
22 that's down the road with the budget. But, in the
23 meantime --

24 MAYOR STUESSI: Mary Bess, respectfully, I'm not
25 sure why you're getting upset, but I just -- I don't

1 think that provision gives anybody --

2 TRUSTEE PHILLIPS: I asked a question to the
3 Attorney.

4 ATTORNEY STOLAR: So, I mean --

5 MAYOR STUESSI: I don't think that gives the
6 public the ability to --

7 ATTORNEY STOLAR: Yeah, there are other
8 standards, too, when you're looking at -- when you're
9 just doing the unreasonable noise and not the specific
10 items, and that's whether the nature of the sound is
11 usual or unusual. That sound is usual.

12 TRUSTEE PHILLIPS: Okay.

13 ATTORNEY STOLAR: So --

14 TRUSTEE PHILLIPS: Fine. I'm asking the question --

15 ATTORNEY STOLAR: Right.

16 TRUSTEE PHILLIPS: -- because I want to know, okay?

17 ATTORNEY STOLAR: It may be --

18 TRUSTEE PHILLIPS: And I'm sorry if people find
19 that annoying --

20 ATTORNEY STOLAR: Yeah.

21 TRUSTEE PHILLIPS: -- but that's how we should
22 be dealing with things, is asking the questions.

23 ATTORNEY STOLAR: Yep.

24 TRUSTEE PHILLIPS: Okay.

25 ATTORNEY STOLAR: So looking at, you know, the

1 others, what I'm saying is yes, it can be viewed that
2 way, but in looking at the factors, no, it's not going
3 to fall under that provision.

4 TRUSTEE PHILLIPS: So if, if, getting back to
5 what I do know, that it's going to be a major change,
6 if we just -- if this Board decides to say, okay, from
7 this month to this month there'll be no leaf blowers
8 going on within the Village of Greenport, that's a
9 major change within this. And going through this,
10 that will cause it to go back for a rewrite, correct,
11 and another public hearing?

12 ATTORNEY STOLAR: Correct.

13 TRUSTEE PHILLIPS: Okay. So --

14 MAYOR STUESSI: Well, on that point, if I could
15 interject. So --

16 ATTORNEY STOLAR: If you add the --

17 MAYOR STUESSI: In the rewrite, if we decided to
18 do -- to say we want to look at a ban from this date
19 to this date, can that rewrite be done while the
20 public hearing is still open, or do we have to close
21 it and then renotice it?

22 ATTORNEY STOLAR: You can do it one of two ways.
23 Most of what is in this law as drafted, as being
24 considered tonight -- and, by the way, you were
25 correct, it's continued to tonight and the 25th. Both

1 of those days were mentioned, so you can't do anything
2 tonight. But most of the substance of that law you --
3 you know, there doesn't seem to be an issue. Your
4 issue is on the secondary and very important issue
5 with regard to leaf blowers. You can either
6 incorporate leaf blower provisions into this law, or
7 you can draft a second law and consider that one
8 separately, so that you can get through this law at
9 some point, whether it be next week, although if you
10 make any changes, again, we'll have to put it over to
11 February. But you can treat them separately, I think
12 is a better way to do it, because this one, obviously,
13 with the leaf blowers has a lot of opinions in both
14 directions.

15 TRUSTEE DOUGHERTY-JOHNSON: But wouldn't they
16 like contradict each other, because wouldn't this one
17 say yes, this is allowed except on Sunday, and then
18 the other one would say --

19 ATTORNEY STOLAR: No. Once --

20 TRUSTEE DOUGHERTY-JOHNSON: -- no, it's not
21 allowed?

22 ATTORNEY STOLAR: What will happen is you're
23 going to be doing -- getting this one done. In terms
24 of the seen process, you'll be getting the Local Law
25 that you're considering now completed first. The leaf

1 blower version then would be added later and will not
2 be in conflict. It would be drafted in a way where
3 it's consistent with what you'll have in the first law.

4 MAYOR STUESSI: So you're suggesting we would
5 adopt the law as is -- pardon me -- close the public
6 hearing, adopt the law as is, potentially as soon as
7 next week, and then go back and draft new language,
8 hold a public hearing specifically regarding leaf
9 blowers?

10 ATTORNEY STOLAR: Correct.

11 MAYOR STUESSI: And that one change.

12 ATTORNEY STOLAR: You can do that. I think
13 that's the better way, because otherwise you could sit
14 on this issue for -- you know, if you want to get rid
15 of -- not get rid of, it's a bad, bad phrase. If you
16 want to get through what you've already worked on and
17 move forward with that, get that done, and then the
18 secondary part that's obviously subject to a
19 significant amount of debate, keep it separate.

20 TRUSTEE PHILLIPS: Which is why I asked the
21 Code Committee to meet after that the meeting, because
22 I recognized the fact that this needed to be a
23 separate item, it needed to have further discussion,
24 so -- which is why I asked them to meet and have the
25 discussion, okay? Whether it's the Board that does it

1 or the Code Committee, it doesn't matter to me, okay?
2 But, again, following Brian's thought pattern, that's
3 where I was coming from. So now you know why I'm a
4 little -- I was trying to be proactive in honoring and
5 respecting the comments that came from the public
6 hearing.

7 TRUSTEE BRENNAN: Brian, in the two-step
8 scenario that you were just describing about how we
9 may enact this, you had said earlier that there may be
10 different chapters of the code that may be impacted.

11 ATTORNEY STOLAR: Uh-huh.

12 TRUSTEE BRENNAN: So in this, in this scenario
13 where, say, we would close the public hearing, approve
14 the noise code without the leaf blower ban in place,
15 the second step would be to create a new, a new
16 resolution, a new --

17 TRUSTEE PHILLIPS: Chapter.

18 TRUSTEE BRENNAN: -- code amendment, it would
19 impact noise and perhaps other chapters?

20 ATTORNEY STOLAR: Well, in looking -- after I
21 made that comment, I looked at your code. I do not
22 see anything else in your code that would -- that the
23 leaf blower provision would fit into. You don't have
24 a "peace and good order", or it doesn't seem -- you do
25 have a nuisance chapter, but the nuisance chapter is

1 drafted in a way that this doesn't seem to fall, and
2 the leaf blowers don't seem to fall within the
3 provisions in that chapter, it won't be appropriate.
4 There's nothing -- you don't have the licensing,
5 gardeners licensing chapter. So there does not seem
6 to be a second chapter where this would go at this
7 point. It may if you subsequently adopt a gardeners
8 or landscapers chapter, it should go in there as well.
9 But right now you don't have it, so I would suggest
10 that it just be one at this point, based on the way
11 your code is written.

12 TRUSTEE BRENNAN: So I'm not sure I entirely
13 agree with your assessment. So Chapter 90 has
14 nuisances such as burning, like burning rubbish in
15 your yard, which is, of course, primarily a fire
16 hazard, but it's also a health hazard, right, with the
17 smoke, or whatever other toxic things that come off
18 there. The nuisance chapter also includes a ban on or
19 prohibition against painting your car in your
20 driveway, which is not a noise issue, I guess, but
21 some kind of health hazard, right, presumably?

22 ATTORNEY STOLAR: The way the nuisance code is
23 written, though, it's primarily to take certain steps
24 to declare a public nuisance, and from there work on
25 abatement of that nuisance, rather than enforcement of

1 a specific code provision that would get you to a
2 violation if you're doing something wrong. It's --
3 there's a process, that's why I wouldn't necessarily
4 include it here.

5 A person, it's -- if you look at 90-5, for
6 instance, talks about, you know, what steps may be
7 taken should there be an existing nuisance, and how it
8 gets -- how it gets abated. Someone has a certain
9 amount of time to abate that issue, has the right to
10 appeal.

11 TRUSTEE PHILLIPS: Uh-huh.

12 ATTORNEY STOLAR: And you go from there. To me,
13 you know, leaf blower --

14 MAYOR STUESSI: Well, as I recall, too, isn't
15 there even a provision that the Mayor can -- has to be
16 asked about the nuisance in there?

17 (Laughter)

18 MAYOR STUESSI: Somebody brought this up to me
19 recently regarding --

20 ATTORNEY STOLAR: There could be.

21 MAYOR STUESSI: And I'm forgetting the exact
22 language, but I promise you it's in there, because I
23 looked, and --

24 TRUSTEE PHILLIPS: It's in mass -- it was in the
25 old -- is it the old mass assembly?

1 MAYOR STUESSI: They wanted to have me rule on
2 an issue with their neighbor's yard.

3 (Laughter)

4 ATTORNEY STOLAR: Yes, it does. I'm not going
5 to say what it says, but I think we need some revisions
6 to that chapter.

7 TRUSTEE PHILLIPS: Yeah. Well, yeah.

8 MAYOR STUESSI: I could assure you.

9 (Laughter)

10 TRUSTEE BRENNAN: So, clearly, the noise is an
11 important issue you've heard from the public. I think
12 there's some different views on the Board right now on
13 how to possibly implement that. There are other parts
14 of the noise chapter that I'd like to discuss, so --

15 MAYOR STUESSI: Please, go ahead.

16 TRUSTEE BRENNAN: But maybe -- you know, do we
17 want to move on from the leaf blower thing for the
18 moment?

19 TRUSTEE DOUGHERTY-JOHNSON: Sure.

20 MAYOR STUESSI: Yeah.

21 TRUSTEE BRENNAN: All right. So I had made a
22 comment earlier about making an exception in the
23 noise code for activities in the Waterfront Commercial
24 area that were for permitted uses. So if there's a
25 permitted use such as dock building and boat building,

1 whatever else happens in Waterfront Commercial, can
2 there be an exception carved out so that the noise
3 that those activities generated don't run afoul or run
4 right into our two enforcement mechanisms, the
5 objective one that's metered, and the more subjective
6 one, which is the prima facie method?

7 MAYOR STUESSI: So these would be noises that
8 are generated in the ordinary course of business
9 for --

10 TRUSTEE BRENNAN: Correct.

11 MAYOR STUESSI: -- marine waterfront uses as
12 defined?

13 TRUSTEE BRENNAN: Right, right. My concern,
14 you know, selfishly comes from my own situation where
15 I operate a marine business in the Waterfront
16 Commercial area. But I'm also concerned that in all
17 of our efforts to try to protect and preserve and
18 maintain our working waterfront, that we don't
19 unintentionally put a limit on it because of the noise
20 piece, because some of those activities are noisy.
21 You know, there's hammering and other kinds things
22 going on.

23 So there was a proposal that came from the --
24 this is some proposed language. I don't know if
25 you've all seen it. It came from Tricia Hammes, the

1 Chair of our Planning Board, and she had suggested
2 that we put a new clause, which would be Paragraph M
3 in Section 88-6. So I'll just read it, and I think
4 you've all seen it.

5 MAYOR STUESSI: Yeah, please, go ahead and
6 read it.

7 TRUSTEE BRENNAN: Yeah, okay. So her suggestion
8 was the following: "Sound occurring during the hours
9 of 8 a.m. to 7 p.m. that arises as a result of the
10 operation of equipment utilized in the ordinary course
11 of operations of any industrial or manufacturing
12 business, or any other business engaged in the marine
13 industry, as defined in Section 150-2 of the code,
14 that is otherwise permitted to operate pursuant to the
15 terms of Chapter 150 of the code, and as otherwise
16 complying with the provisions of 29 CFR 1910.95, and
17 any similar applicable Federal or New York State law,
18 rule or regulation that otherwise imposes limits or
19 requirements in respect of occupational sound or noise
20 exposure."

21 So that was a suggestion, right, to add this
22 exception M. I would like to see something like this
23 in it. I don't want to see it in here the way it's
24 been proposed.

25 So the second half of this paragraph says, "And

1 as otherwise complying with the provisions of
2 29 CFR 1910." I'm not clear why we would be
3 referencing an OSHA requirement. So this is -- and
4 you can correct me if I'm wrong. I don't think it's
5 necessary for our code to layer on the enforcement of
6 a Federal code, because that code, that Federal
7 provision or requirement stands on its own, does it
8 not?

9 ATTORNEY STOLAR: And has a different purpose.

10 TRUSTEE BRENNAN: It's a -- it contemplates the
11 requirements between an employer and an employee for
12 hearing protection, and I don't think it's really
13 applicable to a case where this would be like a
14 neighbor, so an operator who's disturbing a neighbor.

15 MAYOR STUESSI: Right.

16 TRUSTEE BRENNAN: So I would like to see that
17 piece of this struck. And then it goes on to say,
18 "And any other similar or applicable Federal or New
19 York State law, rule or regulation." I don't see the
20 purpose of writing that, because that would either be
21 applicable to all of our noise code or not. I don't
22 see how it factors into one of the exceptions.

23 So we have several exceptions now, like
24 A through M. So I'd see -- like to see a more condensed
25 version of this.

1 I'd also like to hear public comment from some
2 of the people operating in the Waterfront Commercial
3 and what they think the appropriate hours of operation
4 are. It was suggested that it be 8 a.m. to 7 p.m.
5 I know from my own experience that we start earlier
6 and we end, we end later.

7 TRUSTEE PHILLIPS: I was going to tell you that
8 that's not a realistic --

9 TRUSTEE BRENNAN: Yeah.

10 TRUSTEE PHILLIPS: -- realistic on the
11 waterfront --

12 TRUSTEE BRENNAN: Yeah.

13 TRUSTEE PHILLIPS: -- because most of the guys
14 start -- most of them start before 7 o'clock.

15 TRUSTEE BRENNAN: Correct.

16 TRUSTEE PHILLIPS: I mean, most of the fishermen
17 that -- the baymen, I'm sorry, the baymen, they're
18 out, you know, when the sun -- sun comes up, or even
19 before the sun comes up. Four o'clock they're already
20 motoring out --

21 TRUSTEE BRENNAN: Right.

22 TRUSTEE PHILLIPS: -- to get to the bay.

23 TRUSTEE BRENNAN: So I think there's a balancing
24 requirement here, though, because some of those
25 activities are not going to produce noise. So I know

1 a fisherman is going to head out early. I'm not
2 asking that we be able to make noise at any time of
3 the early morning, but I think the -- I would like to
4 hear from other, other operators or owners about what
5 they think is a reasonable time constraint on this.

6 So I'm hoping that anyone in the public would
7 think about this exception and offer comment on it.
8 This is a provision, if we were to add an exception,
9 and this is going to require re-noticing the code.

10 MAYOR STUESSI: Yes. So I think that's an
11 important consideration when we as a Board make a
12 decision on whether we want to adopt the code as is or
13 make changes. And if we're going to look at making
14 changes, we should look at all the changes together
15 and then keep it open and/or renote this even.

16 TRUSTEE BRENNAN: Yeah, I think that makes the
17 most sense in terms of the timing. You know,
18 incorporate changes as a group, or we move forward
19 with it as is and then go back into it again.

20 MAYOR STUESSI: Did you have any other comments
21 on the code, substantive changes you thought we could
22 consider?

23 TRUSTEE BRENNAN: Yeah. So we have a letter.
24 All right. So we have the letter from Claudio's, I
25 would like to go over that. And we have a letter from

1 Tricia Hammes, dated December 29th. I think this was
2 sent to all of the Trustees and the Mayor. This, this
3 letter has several small changes, I would say, that
4 are about definitions and some wording. I think it's
5 important that they be picked up.

6 MAYOR STUESSI: Uh-huh.

7 TRUSTEE BRENNAN: So I would like to see that
8 these suggestions from Tricia Hammes' December 29th
9 letter be incorporated. Brian, have you seen this
10 letter?

11 ATTORNEY STOLAR: It doesn't sound familiar.

12 TRUSTEE BRENNAN: Okay.

13 ATTORNEY STOLAR: I don't remember seeing it.

14 TRUSTEE BRENNAN: So I'm going to quickly run
15 through it. There was a comment on emergency work and
16 how the wording of that paragraph was phrased, so
17 that's in the definitions. There is a need to have a
18 definition for jurisdictional boundaries. I think it
19 was not in the noise section at this -- at this
20 moment.

21 There was a request to have a definition for
22 public park, because it refers to Chapter 101's
23 definition of public park, but Chapter 101 does not
24 currently have a definition of public park. So we
25 really either have to add it to 101, or add it -- or

1 add it to Chapter 44, or both.

2 And I think it's important we think about the
3 public park, because we have Park Districts, and we
4 have a park like Mitchell Park which is not in the
5 Park District. We have the new park which is down at
6 the end of Fourth Street, a new Park District area.

7 MAYOR STUESSI: Right.

8 TRUSTEE BRENNAN: And so I think it requires a
9 little bit of thought about what's a public park and
10 what is not.

11 There's some recommendations on changing the
12 wording in Section 88-3(B)(2). There's also a
13 reference to owner in Section 88-4(B), saying that
14 this is -- the definition of owner is not defined.
15 I'm not sure that owner needs to be defined, but
16 Tricia Hammes seems to think it was important.

17 There is a -- let's see. Some changes
18 recommended in plainly audible and unreasonable noise.
19 So she had some very specific suggestions on
20 unreasonable noise and plainly audible.

21 So there's several places in the code where the
22 requirement for a sound that's plainly audible says
23 within 50 feet, and what we really mean is the
24 opposite, we mean outside 50 feet.

25 MAYOR STUESSI: Right.

1 TRUSTEE BRENNAN: So that pops up in several
2 places. So we're looking at a distance of 50 feet or
3 more, a distance of 25 feet or more, not within that
4 area. So we may -- we just want to make sure we catch
5 all that.

6 Let's see. I'll just skip ahead here. Special
7 event should be defined. There's a reference to
8 what's called a demonstration, but there's no
9 definition for that either.

10 On this issue of whether a Code Enforcement
11 official or a police officer can offer a warning or a
12 violation, so this also dovetails with the letter from
13 Claudio's. So the way the code is currently proposed,
14 it says that a Code Enforcement Officer may order a
15 warning, and we should decide whether we want that to
16 be shall, so that always in the first instance there's
17 a warning.

18 MAYOR STUESSI: Yeah, I don't think so. I mean,
19 my concern would be if somebody is being so blatantly
20 egregious, I think we need to give an inherent amount
21 of trust to the Police Department and/or Code
22 Enforcement Officer, that they're dealing with it,
23 ultimately.

24 TRUSTEE BRENNAN: Yeah. So there is --

25 TRUSTEE PHILLIPS: Patrick.

1 TRUSTEE BRENNAN: There is --

2 MAYOR STUESSI: What I don't want --

3 TRUSTEE BRENNAN: There is a --

4 MAYOR STUESSI: What I don't want to happen is
5 for somebody to knowingly break the law and/or the
6 code by being egregious because the fine isn't
7 substantive enough for them to even worry about it,
8 and, rather, just go over it and pay the fine.

9 TRUSTEE BRENNAN: Yeah, I agree, I agree. There
10 is a provision for that, though. So under the
11 abatement, Chapter 88 -- not Chapter, Paragraph 88-9,
12 it provides for this warning idea, and it provides
13 some discretion, also, to the officer to -- if in the
14 officer's opinion that there's -- he believed, he or
15 she believes that there's not going to be any
16 compliance, they can go directly to a violation.

17 MAYOR STUESSI: Yeah.

18 TRUSTEE BRENNAN: So I think, I think that is
19 important. I think, I think it's semantics, though,
20 on the first part as whether we want to encourage a
21 warning on the first instance, even though there is --
22 there's an out, where the officer can use his
23 discretion. So I think we probably all agree with
24 that, right, to issue a warning whenever possible,
25 except in the case where it's egregious?

1 TRUSTEE PHILLIPS: I believe that in much of the
2 discussions dealing with the Southold Town P.D. would
3 be do most of the enforcement when it came in the
4 evening, when most of the complaints are coming in,
5 and that it was under that they were asking for
6 compliance, that they really weren't going to be --
7 you know, the goal is to ask for compliance. They go
8 back once, they go back twice, they go back three
9 times, I think probably by the fourth or fifth time,
10 then that might be if they have an actual issue, but
11 we did ask them that.

12 In all fairness, Tricia was very much a part of
13 this chapter-writing, to begin with. And I do know
14 that when she wrote that email, it was picking on to
15 particulars that she was not agreeing with the Legal
16 Department's version of things, okay, and it
17 greatly -- there is much comment in it, okay?

18 But, once again, if we're at this point, then I
19 think that if you're raising all of these questions,
20 then perhaps we just need to put this back to the
21 Village Attorney and let him take those suggestions,
22 and leave the hearing open, or on -- next Thursday
23 close the hearing and start all over again. That's
24 what I'm hearing, okay? That's what I'm hearing. So
25 if that's what this Board wants to do, then you'll

1 have to -- either we take it on as the Board, or you
2 put it back to the Code Committee. That will be a
3 decision of the Board, but this is what I'm hearing.

4 MAYOR STUESSI: Well, there's --

5 TRUSTEE PHILLIPS: I would have appreciated,
6 though, okay, a couple -- a month ago some of these
7 comments, because it would have moved this along and
8 get it moving along, but I do appreciate them now.
9 And if we're going to get this right, or if we're
10 going to make this clear to the community as to this
11 is what we want as a community, then perhaps we need
12 to say, "Okay, let's take this back, take all the
13 comments."

14 I do agree that we need to take the leaf issue
15 out of the noise and put it as a separate chapter, and
16 recreate something and come back to the Board with it.
17 That's up to the rest of you, okay? We could continue
18 discussing points. We have two other chapters that we
19 need to get on to. So my suggestion is that if there
20 is this much discrepancy, and even from own -- our own
21 member of the committee, that perhaps it needs to go
22 back, and we'll have to work on general consensus and
23 creating different language.

24 TRUSTEE BRENNAN: I think that a lot of these
25 comments are not substantial, and we're talking

1 about within about --

2 MAYOR STUESSI: That was my reading as well of
3 what she said, right.

4 TRUSTEE BRENNAN: -- two, you know. I think
5 that I understand that Tricia offered these comments
6 as an individual. I don't think that they're a
7 criticism of the Code Committee's work at all, and I
8 don't mean to present them that way at all. I think
9 the Code Committee has done fantastic work and has
10 been super helpful to this Board, but I do think we
11 want to get it right. So, if anything, it's a
12 criticism of the draft version that's currently
13 written. Maybe that's -- maybe that criticism is
14 directed towards Brian, that's fine. I think that
15 these small changes should be implemented now,
16 for sure.

17 MAYOR STUESSI: Yeah. So it would seem to me
18 that, from what I recall reading of what she had sent
19 through, those are minor changes, some of them just
20 language issues, they're not substantive. The two
21 substantive issues that we're talking about this
22 evening are the potential of a ban on gas-powered
23 leaf blowers of some amount of time, and then the
24 issue you brought up relative to work within the
25 Waterfront Commercial --

1 TRUSTEE BRENNAN: Yeah.

2 MAYOR STUESSI: -- District.

3 TRUSTEE PHILLIPS: Which at the time when we
4 discussed that, we felt that it was secure enough
5 within the language that we had put into the original
6 reason for the purpose for the code. We felt that
7 that was strong enough to protect those in the
8 Waterfront Commercial.

9 I understand where you're coming from, okay? I
10 also know that, and I mentioned it to you before, that
11 there are communities that have put into the
12 exceptions the agricultural activities, because that,
13 in that town or in that Village, agriculture industries
14 are important.

15 TRUSTEE BRENNAN: Sure.

16 TRUSTEE PHILLIPS: Here we have waterfront
17 maritime industries that are important. So if we were
18 to make an exception of, you know, some sort of
19 language, is that a major change, Brian?

20 ATTORNEY STOLAR: Basically, anything you do
21 other than, you know, changes something from --

22 TRUSTEE PHILLIPS: Thee to the?

23 ATTORNEY STOLAR: -- singular to plural or --

24 TRUSTEE PHILLIPS: Yeah.

25 ATTORNEY STOLAR: -- you know, minor changes

1 like that, you -- they subject you to a new hearing,
2 of course. The Mayor can make a determination as the
3 Executive that it's an emergency situation, this has
4 to be adopted immediately, and he can make those
5 changes, but that would not apply in this instance.
6 So yes, all of those changes are significant enough --

7 TRUSTEE PHILLIPS: Okay.

8 ATTORNEY STOLAR: -- in their own right to
9 warrant a new hearing.

10 TRUSTEE DOUGHERTY-JOHNSON: I don't think we
11 have to start from scratch, though. I don't think
12 that's what I was hearing from everyone. And I think
13 if we're trying -- and I know we're trying to be
14 efficient with our time and move on, but it seems like
15 making those changes, noticing it again, or making
16 whatever changes we want, noticing it again is going
17 to be more efficient then shutting everything down,
18 starting from scratch, because I think mostly it's a
19 very good document. And I also am very grateful to
20 the whole Code Committee for -- and Brian, you know,
21 for putting it all together. But I do think, I
22 mean --

23 MAYOR STUESSI: So if I'm -- if I'm hearing you
24 correctly, at this point, your consideration would be
25 that potentially next week we close the hearing, adopt

1 the code changes as is, and then go back and look at
2 the gas leaf blower issue and the maritime use that
3 Patrick's bringing up?

4 TRUSTEE DOUGHERTY-JOHNSON: I wasn't thinking
5 that. I was thinking making changes.

6 ATTORNEY STOLAR: Incorporate the changes,
7 continue the hearing to the February date and then --

8 TRUSTEE DOUGHERTY-JOHNSON: And extend the
9 hearing and notice it.

10 ATTORNEY STOLAR: -- get to a conclusion at that
11 point?

12 TRUSTEE DOUGHERTY-JOHNSON: Right, because,
13 I mean, I don't think it makes sense to like pass
14 something that we know we don't -- you know, we are
15 going to change, and it doesn't seem like -- it seems
16 actually faster and more efficient than to just make
17 the changes, and a lot of less paperwork. We don't
18 want to like put a Local Law up and all that just to
19 have it changed a few weeks later.

20 MAYOR STUESSI: So are there any other issues of
21 substance anybody on the Board would like to bring up?

22 TRUSTEE BRENNAN: Yeah, I'd like to discuss the
23 letter from Claudio's Counsel, because they had some
24 suggestions about timing. So there's a couple of
25 issues in here. There is a suggestion about making

1 the times later in which I think they could have noise
2 or entertainment. There was this idea about making
3 these kind of Village traditions fall under the
4 definition of a public holiday. And there was a
5 com -- there was a comment in here about allowing
6 music later on a Sunday evening, if there's a public
7 holiday on a Monday.

8 So my view on this was that I'm not really in
9 favor of extending the proposed hours in which we are
10 currently constraining entertainment and music. So
11 where -- there's several different things in here,
12 depending on which time of day, which day of the week
13 it is --

14 MAYOR STUESSI: Right.

15 TRUSTEE BRENNAN: -- whether it's in season or
16 out of season. I'm not really inclined to change
17 those hours, personally. I am open to the idea of
18 allowing later hours on Sundays, when there's a public
19 holiday on Monday, because I agree that that may not
20 be really a disturbance to the public, but many people
21 might have off on the next day, or they're not getting
22 up early for school, or something like that.

23 MAYOR STUESSI: Well, we have that in there for
24 defined holidays.

25 TRUSTEE PHILLIPS: Right.

1 TRUSTEE BRENNAN: Is that how it works?

2 MAYOR STUESSI: Yes. What we don't have is for
3 this pseudo holiday Village event of the additional day.

4 TRUSTEE BRENNAN: Okay. So --

5 ATTORNEY STOLAR: But like Maritime being an
6 example, it doesn't go through to Monday.

7 TRUSTEE BRENNAN: Yeah.

8 MAYOR STUESSI: It is Friday and Saturday.

9 TRUSTEE BRENNAN: I'm not in favor of --

10 MAYOR STUESSI: Halloween is not in there,
11 because the date cutoff, it's earlier. It's Columbus
12 Day, as I recall, correct?

13 TRUSTEE PHILLIPS: For what, Halloween?

14 MAYOR STUESSI: The extended summertime
15 operating hours.

16 TRUSTEE PHILLIPS: Right.

17 MAYOR STUESSI: Yeah.

18 TRUSTEE BRENNAN: Yeah. So I'm not in favor of
19 taking the Village special days and treating them as a
20 public holiday, because people don't have off the next
21 day necessarily.

22 MAYOR STUESSI: Right.

23 TRUSTEE BRENNAN: You know, people have to go
24 about their lives and get their sleep and get up, and,
25 also, that's kind of where I fall on this. I did want

1 to give it some attention, though, since they brought
2 it up --

3 MAYOR STUESSI: Yeah. No, I --

4 TRUSTEE BRENNAN: -- with some very specific
5 recommendations.

6 MAYOR STUESSI: I agree. And I read it as well,
7 gave it thought, and reflected back on a lot of what
8 we've heard from residents in the community who are
9 looking for more peace at home, whether it's daytime
10 with leaf blowers, or late at night, listening to
11 whoever it was somebody had mentioned, the one-eyed --

12 TRUSTEE DOUGHERTY-JOHNSON: I'm sorry. We think
13 the Sunday thing is like under sound reproduction
14 devices, 88-5(A), is that where there's the Sunday
15 holiday exception?

16 MAYOR STUESSI: I don't recall. You have it
17 handy, Mary Bess?

18 TRUSTEE PHILLIPS: Isn't that in the entertainment
19 permit?

20 MAYOR STUESSI: Yes.

21 TRUSTEE PHILLIPS: Yeah, that's not in noise,
22 that's in the entertainment.

23 TRUSTEE DOUGHERTY-JOHNSON: Oh, okay. Yeah,
24 because this, I think, just says --

25 TRUSTEE BRENNAN: That's why I didn't see it.

1 MAYOR STUESSI: Yeah.

2 TRUSTEE DOUGHERTY-JOHNSON: Yeah.

3 TRUSTEE PHILLIPS: Yeah, it's in the
4 entertainment.

5 TRUSTEE BRENNAN: Do we need to have similar
6 language in the chapter?

7 ATTORNEY STOLAR: If that's the desire, we'll
8 add it. If that's the intent, we'll add it.

9 TRUSTEE DOUGHERTY-JOHNSON: I mean, I have no
10 problem with that. I agree, that Sundays of a
11 three-day weekend are often, you know, busy and people
12 are out late.

13 MAYOR STUESSI: Right, yeah. So that's clear in
14 the entertainment permit.

15 TRUSTEE DOUGHERTY-JOHNSON: Right.

16 MAYOR STUESSI: We can add in here as well.

17 TRUSTEE DOUGHERTY-JOHNSON: We could just --
18 yeah, I think maybe we should add it in here, because
19 to me it doesn't -- it says on a public holiday, but
20 it doesn't say like a Sunday of a three-day weekend.

21 MAYOR STUESSI: I don't think we need to be
22 addressing Halloween. I mean, at this point, summer
23 is long over, and as much as we're seeing warmer days,
24 that's a very different --

25 TRUSTEE DOUGHERTY-JOHNSON: That's true, because

1 Halloween falls on different days and then weekends.

2 TRUSTEE ROBINS: It's only one day, too.

3 MAYOR STUESSI: Right.

4 TRUSTEE ROBINS: If it rains, it's usually a
5 Saturday with a Sunday rain date, right?

6 MAYOR STUESSI: Yeah. So, I mean, to Patrick's
7 point, I don't think we should be creating separate
8 holidays beyond --

9 TRUSTEE ROBINS: No, I agree, you know.

10 MAYOR STUESSI: -- Memorial day, or Labor Day,
11 etcetera, which are defined in the entertainment code.

12 TRUSTEE ROBINS: I do --

13 MAYOR STUESSI: And you get the -- you get the
14 benefit of the extra Sunday night on those three-day
15 weekends. Yes, Julia.

16 TRUSTEE ROBINS: I do agree with the -- the
17 Attorney for Claudio's asked for us to consider
18 codifying the first warning. I think that's fair, I
19 think that's something we could consider.

20 MAYOR STUESSI: So what's the suggestion?

21 TRUSTEE ROBINS: She suggest -- it was a
22 suggestion that we codify that the first offense would
23 be a warning and not a fine.

24 MAYOR STUESSI: Well, see, that -- I hear what
25 you're saying, but my concern, going back to what I

1 said earlier, is I think we need to give the police
2 the discretion if somebody is being completely
3 egregious. So if it is 3:30 a.m. in the morning and
4 the music is being blasted like crazy, when somebody
5 was supposed to be shutting down at 12:30, then they
6 ought to be able to write a violation for it. That
7 shouldn't be a warning, that's a very different thing.

8 I agree with what she said about basically
9 starting anew with this new entertainment permit.
10 I certainly don't think, you know, Claudio's or anyone
11 else should be penalized for whatever may have
12 happened --

13 TRUSTEE PHILLIPS: And I don't think that was
14 the --

15 MAYOR STUESSI: -- two years ago, right.

16 TRUSTEE PHILLIPS: That wasn't the intent when
17 this was written --

18 MAYOR STUESSI: Right, yeah.

19 TRUSTEE PHILLIPS: -- because, you know --

20 MAYOR STUESSI: But I think that can be made
21 very clear.

22 TRUSTEE BRENNAN: How does that work? Because
23 there -- this is the clean-slate idea that they -- the
24 Attorney wrote about? How does this -- if there's an
25 existing violation or something, that still stands,

1 correct?

2 MAYOR STUESSI: Yeah, but I think it's just a
3 matter of taking a look at, you know, the fines,
4 etcetera, moving forward.

5 TRUSTEE DOUGHERTY-JOHNSON: I think what they're
6 saying is it exists, but like it's not -- there's a
7 whole first violation, second -- you know, different
8 amounts for different violations, so like starting
9 now.

10 TRUSTEE BRENNAN: So the violation -- the
11 violations would start upon the adoption of this
12 chapter?

13 TRUSTEE DOUGHERTY-JOHNSON: Right.

14 TRUSTEE BRENNAN: The fees, the fines.

15 MAYOR STUESSI: Correct, yeah.

16 TRUSTEE BRENNAN: The fines.

17 TRUSTEE DOUGHERTY-JOHNSON: Like so they're not
18 going to start at four, just because they have three
19 existing.

20 TRUSTEE BRENNAN: And I'm fine with that. I
21 just -- I don't like the kind of a broad-stroke, that
22 there's some kind of clean slate amnesty thing.

23 MAYOR STUESSI: No, no, of course not. That
24 isn't -- that's not how the law works.

25 TRUSTEE PHILLIPS: I thought -- I think it

1 was -- it was the simple fact that we -- you know,
2 they have to go -- and I'm not talking about
3 Claudio's, okay, I'm talking about any application.
4 They have to review their site plan to make sure that
5 was the goal, was to make sure that they were doing
6 what they were supposed to be doing as far as a
7 business from their original site plan approval, and
8 that that if they weren't, they would be able to catch
9 up and get caught up, okay?

10 Yes, there are some complicated applications,
11 and I think that, in fairness, okay, you can't -- they
12 have to work it out, okay? In other words, the time
13 lag of stretching out trying to solve a problem needs
14 to become shorter when it comes to the entertainment
15 permit. In other words, we're here, we're giving
16 you -- we're just saying you can go ahead and operate
17 for the summer, okay, but you have got to come up, and
18 I'm sure the Planning Board can write that into their
19 decision on the entertainment permit, that you've got
20 "X" number of whatever to get the other issues before
21 they've been settled. I think that's -- that is fair
22 to someone who is in the middle of a site plan review,
23 or has been asked to create more information for a
24 site plan review. I think that's being fair to them
25 and to everyone else. And I think there are probably

1 a couple of examples, okay, that the Planning Board
2 will be dealing with. But I think that whatever has
3 been prior, before the entertainment permit, shouldn't
4 really -- you know, their violation for noise
5 shouldn't really influence a permit that we've put in
6 place now that's brand new.

7 TRUSTEE BRENNAN: I completely agree with you.
8 I'm just saying on the flip side, obtaining an
9 entertainment permit does not obviate the need for
10 them to resolve --

11 MAYOR STUESSI: Of course not.

12 TRUSTEE BRENNAN: -- persistent --

13 MAYOR STUESSI: Yeah, I'm in complete agreement.
14 And the language is already there. The entertainment
15 permit language has --

16 TRUSTEE PHILLIPS: Right.

17 MAYOR STUESSI: -- already been approved, it's
18 there, it's up at the Planning Board to make
19 appropriate decisions, so.

20 TRUSTEE BRENNAN: Okay. I don't have any other
21 comments on that.

22 MAYOR STUESSI: Julia, did you have anymore
23 comments on the noise code?

24 TRUSTEE ROBINS: No. I'm good with the
25 entertainment permit, yeah.

1 TRUSTEE BRENNAN: I have just one more question
2 for Brian. I just want to make sure I understand this
3 completely. The two enforcement mechanisms that we
4 have, one is the metered response, and the other is
5 the prima facie, which is a much more -- it's more
6 subjective, and it's very broad, and it gives the
7 Village a lot of power. Neither of those mechanisms
8 are adequate to deal with leaf blowers as it's
9 written, is that your understanding?

10 ATTORNEY STOLAR: We have one provision with
11 regard to landscaping equipment that would
12 specifically apply to leaf blowers, but that's for any
13 piece of equipment. It doesn't separate leaf blowers
14 from other standard equipment that a landscaper can
15 use. Everything else seems to be tied to a specific
16 act or action, none of which would be a leaf blower.

17 TRUSTEE ROBINS: And there's no language in
18 there that separates that from construction equipment,
19 skill saws, generators, you know, all that, you know,
20 construction noise in residential neighborhoods that's
21 always --

22 MAYOR STUESSI: We have hours of operation for
23 construction, yes, but it doesn't --

24 TRUSTEE ROBINS: That's just hours of
25 operation --

1 MAYOR STUESSI: Yeah.

2 TRUSTEE ROBINS: -- but meaning beyond that.

3 TRUSTEE BRENNAN: So, I mean, do we feel like
4 the specific provision for landscape equipment does
5 not adequately capture the public's concern about leaf
6 blowers?

7 MAYOR STUESSI: Absolutely not, because --

8 TRUSTEE BRENNAN: It does not, no.

9 MAYOR STUESSI: Yeah.

10 TRUSTEE BRENNAN: Does not.

11 TRUSTEE DOUGHERTY-JOHNSON: I mean, it says that
12 you can use it between the hours of 7 -- oh, sorry.
13 It's prohibited between the hours of 7 p.m. and
14 8 a.m., Saturday prior to 9 or after 6, and on Sunday
15 or a public holiday. But other than that, they can
16 leaf-blow all day long.

17 TRUSTEE BRENNAN: Thank you.

18 ATTORNEY STOLAR: So I will note that there are
19 what we call noise -- as I'm looking through it some
20 more, noise sensitive zones that also could be
21 impacted by virtue of leaf blowers, or by any piece of
22 equipment that would impact if it's being done -- that
23 would impact activities at a school, court, house of
24 worship, or public library, if the activity is being
25 performed adjacent to that facility. So you have --

1 you have those. But other than that, I don't see
2 anything in here that seems to incorporate leaf blowers.

3 TRUSTEE BRENNAN: Thank you.

4 MAYOR STUESSI: All right. So we -- the public
5 hearing is still open through next week. I think we
6 as a Board need to give consideration for the two
7 items that are at hand, which would be leaf blowers
8 and then the maritime use.

9 And I would ask, and we'll get a copy of it to
10 Brian, if he didn't already get it, of Tricia's
11 comments, which I see more as some cleanup language
12 that we should take a look at and have some
13 recommendations by him on that. And we will take
14 further public comment next Thursday, and discuss it a
15 bit more and make some decisions.

16 TRUSTEE BRENNAN: Sounds good.

17 MAYOR STUESSI: With that, I will turn it over
18 to the Board. Lily, you want to start?

19 TRUSTEE DOUGHERTY-JOHNSON: Sure. I don't
20 really have too much. I am trying to put together a
21 Dances in the Park Committee. We might meet next
22 Thursday, which I haven't told Candace about yet.
23 And, hopefully, we'll let people know about that.

24 MAYOR STUESSI: When is the first Dances in the
25 Park?

1 TRUSTEE DOUGHERTY-JOHNSON: I don't know,
2 actually. In July, the first Monday in July?

3 MAYOR STUESSI: Yeah.

4 TRUSTEE DOUGHERTY-JOHNSON: We got time, but,
5 you know, a lot of people have been asking, or,
6 I mean, we've gotten emails from musicians interested.

7 MAYOR STUESSI: Right.

8 TRUSTEE DOUGHERTY-JOHNSON: And we have some
9 people interested in helping out, too, so.

10 TRUSTEE PHILLIPS: Lily, you and I had a
11 discussion about Dances in the Park. Is now the
12 appropriate time --

13 TRUSTEE DOUGHERTY-JOHNSON: Yes. Thanks for
14 reminding me.

15 TRUSTEE PHILLIPS: -- perhaps to bring up that
16 the fees need to --

17 TRUSTEE DOUGHERTY-JOHNSON: Oh.

18 TRUSTEE PHILLIPS: Or the payment to bands.

19 TRUSTEE DOUGHERTY-JOHNSON: Yeah. I think we're
20 going to -- I mean, I talked about this last time, but
21 I think we're going to try to like up the payment for
22 the bands, because it hasn't been increased in a long
23 time and a few have been asking. And we recently
24 increased the sound fees, and so I think the bands
25 deserve some -- but we have to figure -- I mean, it's

1 all based on fundraising, but I think that's -- we'll
2 try to pay the musicians a little more.

3 One thing I've been thinking about, too, and we
4 don't have to decide this now, but I felt bring it up,
5 too, because I was mentioning it to Mary Bess, is the
6 possibility of the open container law on Monday
7 nights, thinking about having it not --

8 TRUSTEE PHILLIPS: Waived.

9 TRUSTEE DOUGHERTY-JOHNSON: -- waived, yeah.

10 MAYOR STUESSI: Uh-huh.

11 TRUSTEE DOUGHERTY-JOHNSON: Just because it is
12 de facto, and so why not make it an official thing,
13 instead of it being sort of --

14 TRUSTEE PHILLIPS: We've had some people who
15 have gotten upset with -- you know, there's supposed
16 to be no alcohol within Mitchell Park, and Dances in
17 the Park, we've kind of put blinders on a little bit.
18 And I kind of agree with her, if we're going to do
19 that, we make the Maritime Museum, we do it for
20 Maritime Festival.

21 MAYOR STUESSI: Yeah.

22 TRUSTEE PHILLIPS: We waive it. I think it
23 might be good to do it for Dances in the Park as well.

24 MAYOR STUESSI: That makes sense to me. I think
25 we should look. There were rules established for

1 Mitchell Park, I don't know, eight years ago, as I
2 recall. Why don't we add them to the agenda for the
3 February Work Session and we can have a discussion
4 about it. I'll recirculate it to everybody and we can
5 talk about it.

6 TRUSTEE DOUGHERTY-JOHNSON: Sounds good.

7 MAYOR STUESSI: It would make sense to me that
8 alcohol, by example, be allowed with Board approval on
9 specified events, whether it's Maritime or Dances in
10 the Park.

11 TRUSTEE DOUGHERTY-JOHNSON: So that's all I
12 really have for that at the moment.

13 The Camera Obscura is still open by appointment,
14 and we did -- someone emailed us the other day, but
15 then it didn't work out. And I'm just looking ahead
16 to the next season, trying to figure out volunteers
17 and how to --

18 MAYOR STUESSI: It's such a wonderful benefit --

19 TRUSTEE DOUGHERTY-JOHNSON: Yeah.

20 MAYOR STUESSI: -- that got organized last
21 summer.

22 TRUSTEE DOUGHERTY-JOHNSON: We definitely have
23 great volunteers, and we had a whole idea about
24 signage, which I'll keep working on.

25 MAYOR STUESSI: Uh-huh, great.

1 TRUSTEE DOUGHERTY-JOHNSON: And, yeah, just I
2 think the Mayor will talk about this, but the meeting
3 on the 11th, last Thursday, and upcoming meetings for
4 Communication. We also are now on the calendar, the
5 Communication Committee, every two weeks starting the
6 22nd. Monday is at 9 at the Schoolhouse and that's on
7 the calendar. That's really all I have.

8 MAYOR STUESSI: Well, I just want to give you a
9 special thank you to what you and your committee have
10 done to help with the community events, the Vision for
11 Greenport events, communicating on that, our new
12 newsletter. I know the beginnings are happening on
13 the January one, which will be going out, so thank you
14 for all that work.

15 TRUSTEE DOUGHERTY-JOHNSON: Yeah, no problem.

16 MAYOR STUESSI: Julia?

17 TRUSTEE ROBINS: Okay. I did make a Carousel
18 report, because a couple of things were discussed at
19 the meeting. I think we've already discussed it here
20 that suggests that the cost of a ride is going to go
21 up to \$3 an hour, and we're trying to eliminate the
22 quarters. So there, Carousel Committee is requesting
23 a resolution from the Board to increase the Carousel
24 rides to \$3. Is that something we can move forward?

25 MAYOR STUESSI: I'm in support of it. I think

1 we should keep the discounted books discounted.

2 TRUSTEE ROBINS: Yeah. This doesn't replace that.

3 MAYOR STUESSI: Right.

4 TRUSTEE ROBINS: This is simply the cost of an
5 individual ride. It also eliminates the need for
6 quarters, which is a real hassle for the employees
7 down there.

8 MAYOR STUESSI: Yeah, and most locals and those
9 from the greater area are buying books in any event.

10 TRUSTEE ROBINS: Correct, correct. Okay. So
11 that was a request from the Carousel Committee.

12 They're going to schedule the removal of the
13 Christmas decorations at the next meeting, they'll be
14 open to doing that.

15 So one of the things is the new doorway and
16 ramps that were installed by North Fork Welding over
17 on the west side are working out really well, and I
18 think the committee would like to know if we can make
19 those permanent, permanent installation, instead of
20 the door that we had over on the north side, I guess
21 it is, you know, the wooden door that we removed. And
22 we've been using the door which is existing, but we
23 also removed the heater and the vents there, and
24 there's a little interior ramp as well. So it makes
25 for a really -- I don't know if anybody's been down

1 there to see it, but it's pretty, pretty nice,
2 actually, but it's not permanent. I believe that he
3 just put some angle irons, you know, North Fork
4 Welding shot some angle irons down into the stone. So
5 it would probably have to be a little more permanent,
6 but I think it should remain, and the Carousel
7 Committee agrees, so I'm just bringing that up.

8 MAYOR STUESSI: Yeah, I think they work very
9 well, and it served the purpose when we needed to find
10 a solution to deal with --

11 TRUSTEE ROBINS: Uh-huh. So --

12 MAYOR STUESSI: -- some issues of the aging of
13 the park.

14 TRUSTEE ROBINS: Right.

15 MAYOR STUESSI: So it would be my recommendation
16 that we leave it as is for the time being.

17 TRUSTEE ROBINS: Okay.

18 MAYOR STUESSI: There's a good amount of
19 maintenance that needs to be done at the park with all
20 the stone work and grout, etcetera, etcetera, you
21 know, that's going to be addressed separately.

22 TRUSTEE ROBINS: Yeah. Yeah, I mean, I know,
23 obviously, that that's affixed to the existing
24 stonework and stuff like that. But, like I said, you
25 know, moving forward, keep it there eventually, but

1 for now and into the summer, I think it's a good thing
2 to have, so.

3 I mean, I wrote some notes on my subcommittee on
4 Parking and Wayfinding. The last meeting -- the last
5 several meetings we discussed signage, specifically
6 referring to directional signage that supports
7 municipal parking lots, and a -- and the -- directing
8 people to preferred pedestrian routes to get into the
9 Village. Now, obviously, that's primarily for
10 visitors, because local people know how to get into
11 the Village already.

12 But we're going to generate a report based on a
13 walking assessment of the current signage. So we're
14 going to go around, a couple of people from the
15 committee, and we'll make a note of everything that's
16 there, and we'll take some photos and bring that back
17 to the committee and eventually to the Board for
18 suggestions.

19 We did also discuss the Third Street ferry
20 project, the ferry queue project, in consideration of
21 wayfinding and signage, specifically between the
22 municipal Jitney lot and Mitchell Park. So they're
23 asking to have a budget model in the new budget for
24 additional signage, if we're going to be needing it.
25 I mean, maybe we already have a budget line for that,

1 I don't know.

2 MAYOR STUESSI: Well, I can tell you that we
3 exhausted the entirety of the 2023 signage budget on
4 purchasing five "No U-Turn" signs. So, Adam, why
5 don't you make a note we should take a look at the
6 signage budget for next year.

7 TRUSTEE ROBINS: Okay, that would be good.

8 As far as traffic, we considered ways to
9 increase pedestrian safety and aid in the general
10 walkability of the Village. A suggestion was made to
11 restrict commercial traffic on certain streets at
12 certain times and days, consider restricting loading
13 zones and parking on Third Street from the ferry to
14 Front Street, and a suggestion that "No Parking from
15 Here to Corner" signs be placed before, before all
16 stop signs.

17 It seems that we have the vehicles parked,
18 they're too close to the corner and they obstruct your
19 visibility to see the stop sign. Either you got to
20 raise the stop signs more, or -- but I think that -- I
21 believe the code right now says 5 feet from the
22 corner. I don't know if that's adequate, so it's just
23 something to look at, that's all. These are only
24 suggestions for us to look at.

25 MAYOR STUESSI: Uh-huh.

1 TRUSTEE ROBINS: So that's it. Thank you very much.

2 MAYOR STUESSI: Thank you.

3 TRUSTEE BRENNAN: I just had two things. One,
4 since we've adopted our pro-housing pledge, I think we
5 should consider creating a standing committee for
6 housing matters. And I know we've discussed this and
7 I just want to put that out there.

8 MAYOR STUESSI: Yeah, that's going to put in the
9 next newsletter to solicit some info. We've got a few
10 people that are interested, but try and, you know, see
11 if there's any others.

12 TRUSTEE BRENNAN: Okay. Well, I know that
13 Julia, I'm sure, has a roster of people that were
14 involved with her committee.

15 TRUSTEE ROBINS: I do.

16 TRUSTEE BRENNAN: There may be some.

17 TRUSTEE ROBINS: I have eight people from my
18 task force that we've been working with. It was more
19 of a think tank, really, something like that.

20 MAYOR STUESSI: Yeah.

21 TRUSTEE ROBINS: But, you know, and you shared
22 the vision statement and everything that we devised
23 with that, so.

24 MAYOR STUESSI: Yeah, and you shared it with me
25 before as well.

1 TRUSTEE BRENNAN: And the other item is I just
2 want to thank the Mayor and everyone in Village Hall
3 and in the Fire Department, maybe working behind the
4 scenes, that have helped the Marine Fire and Rescue
5 Squad obtain much needed new equipment and funding, so
6 it's greatly appreciated. I think it's a great thing
7 for the Fire Department and a very good thing for the
8 Village, so thank you.

9 MAYOR STUESSI: I think so, too. It's a very
10 important part of the Village that we need to give
11 more consideration to, and it's on my list. And I'd
12 love to see what the Fire Department might be able to
13 do overall in taking a look at the budget for that
14 specific department to make sure we're allocating
15 enough resources to it.

16 TRUSTEE BRENNAN: Yeah, the Squad, yeah.
17 Thank you.

18 MAYOR STUESSI: Mary Bess?

19 TRUSTEE PHILLIPS: A couple of things. Getting
20 back to the Code Committee, we met, and the next
21 chapter or section in Chapter 150 is to deal with the
22 residential zones and housing discussions. And I
23 think the Mayor agreed, we had quite a lengthy
24 discussion about a lot of things.

25 MAYOR STUESSI: Yep.

1 TRUSTEE PHILLIPS: But one point that I put on
2 the table in thinking it through, and the committee
3 seemed to agree, is a discussion of short-term
4 rentals. There were a lot of thoughts thrown out, how
5 we need to move forward with it with some changes.
6 Primarily, if we do allow certain auxiliary dwelling
7 units, or if we're looking to create housing, not
8 creating it without having some guidance or some
9 changes to the short-term rentals, so that we don't
10 add to that stock and not to housing for people who
11 need housing.

12 Some of the ideas were to ban short-term -- not
13 ban, but to discontinue short-term rentals altogether,
14 and cutting it out at a certain ending period, to say,
15 okay, as of a year from now, it will no longer be
16 allowed within the Village.

17 Others, another suggestion was that we go to the
18 30-day minimum to allow those who have participated in
19 Airbnbs to at least have an opportunity to continue,
20 but within a limit that is more reasonable to the
21 community members that live around them.

22 But it was felt that we do need to put the topic
23 out there, and I am just putting it out there. There
24 was no decisions, it was just being a discussion to
25 how are we going to manage that in order to make sure

1 that whatever we do in the pro-housing discussions,
2 that we protect that whole idea for pro-housing and
3 not creating more short-term rentals. So that was the
4 one thing that came out of Code that I'm putting on
5 the table, so that you know that was part of the
6 discussion.

7 We also felt that we wanted to hear, or have the
8 report that came from the vision meeting the other day
9 that Pace University put together. So, perhaps,
10 hopefully, we'll be able to use them as a resource at
11 the Code Committee on some ideas.

12 MAYOR STUESSI: Yeah. And as I mentioned, we're
13 expecting that tomorrow, so I'll share it with the
14 Board, and we can share it publicly as well, in
15 addition to scheduling some more meetings, but I think
16 that's a good point. And in a lot of different
17 jurisdictions, as they've looked at allowing ADUs, by
18 example, you know, there are restrictions put in
19 place. So that if one is creating an ADU that becomes
20 affordable housing, whether it's for a family member
21 or somebody else, it doesn't just get turned into a
22 rental, which I think is important.

23 TRUSTEE PHILLIPS: Well that --

24 MAYOR STUESSI: The other part of that is the
25 Southold Town housing plan that we are a part of, and

1 eventually we'll be able to start participating in
2 receiving some of those funds, there needs to be
3 restrictions as well. If somebody is going to be
4 building an ADU and getting funding towards that, that
5 it's not utilized as a rental.

6 TRUSTEE PHILLIPS: Yeah. And one of the ideas
7 is if we're going to deal with that type of a
8 direction, that on the exception in the short-term
9 rental for owner-occupied needs to kind of take a
10 leave of absence and be taken out.

11 But that, you know, those were all the ideas
12 that were thrown around. It was nothing definite, it
13 was a think-tank discussion. But the one consensus
14 that was agreed is that we do have to look at that
15 code next, okay?

16 I also had mentioned last time that I think it's
17 time that we reach out to the youth within the
18 Village. I had a discussion with Lily this morning,
19 and I'm going to ask the Board if they'll give us
20 permission to try to create a plan to get some of the
21 youth, maybe with the school, reach out to some people
22 who actually do youth recreation activities that are
23 for older, older students.

24 We seem to concentrate on the younger ones, but
25 I think we have generations that are coming up that we

1 could encourage them to be part of the Junior Fire
2 Department, or we could encourage them to be part of
3 an activity within the Village where they could help
4 us do something, some kind of activity that gets them
5 involved where they actually understand what the
6 Village government is and what a beautiful place we
7 live in. And I think that's pretty much what we were
8 discussing. So that's one thing I'd like to do.

9 And I'd like to be able to tap Margo DeVito --
10 Paul's not here -- Margo DeVito to kind of -- since
11 she's in the rec. section of our Village, to kind of
12 have some discussions with her on some ideas, and
13 Janet Douglass, who's in the Southold Town
14 recreational program. Kind of get some thoughts
15 together, meet with Mindy at the -- at the skating
16 rink, perhaps Rena with the Skate Park, the Mini
17 Railroad, kind of cultivate a plan of action to start
18 getting activities to get the kids together to do some
19 public service.

20 MAYOR STUESSI: Well, I think it's important to
21 follow up on the conversation we had with the Chief --

22 TRUSTEE PHILLIPS: Yes.

23 MAYOR STUESSI: -- and the Assistant Chief on
24 recruitment, because that's a perfect area to get more
25 of the youth involved. I'm sure you see it from your

1 experience, and I know how we're struggling to manage
2 calls, and, you know, it's a lot of the same people.
3 Whatever we can do to engage with more of the youth of
4 the community, and in particular some of those who are
5 less represented, especially, since I know you guys
6 are also fielding a lot of calls from Spanish-speaking
7 people.

8 TRUSTEE PHILLIPS: As I said, the Halloween
9 Parade, having the Fire Department with the fire truck
10 in Mitchell Park was -- it was exciting to see. It
11 wasn't just little children, you know, it wasn't just
12 the four or five, six-years-old. I saw a lot of the
13 pre-teens went up to the fire truck and were asking a
14 lot of questions of the firemen, so I think that's an
15 opportunity.

16 The other thing that I'm going to bring up is I
17 know that we're spending money on the Baymen's Dock to
18 repair it. I'm going to throw -- and I asked you this
19 question, is I think we should approach Southold Town
20 about asking them to lease us the parking lot that's
21 there. The ramp, the ramp that's there is ours, it's
22 not theirs. I think if we were able to talk to them
23 and negotiate something, that we would be able to find
24 some funding at some point.

25 I know within the fishing industry there's some

1 grants coming up for infrastructure from NOAA. We
2 could be able to get the ramp fixed, which does need
3 fixing. A lot of people use it. And perhaps we could
4 create some storage area to clean that whole section
5 up, and give the baymen, who have -- who are tied up
6 there, an area where they can keep their gear, so that
7 it's -- you know, it's not -- it's not all over the
8 place. It's -- you know, they have a -- they have a
9 section that's for their gear. Also for protecting
10 some of their equipment, because sometimes things
11 disappear from there, whether it's one guy against
12 another, or whatever. But I think I would like to
13 entertain that idea of discussing it with Southold and
14 see if they'd be willing to say, "Yeah, you could take
15 care of it."

16 MAYOR STUESSI: Well, it's on the list as part
17 of the coastal assessment and resiliency issues, which
18 I'm going to talk about here in a few minutes. I
19 would be reluctant to want to take over the actual
20 land and maintain it when it's already in poor
21 condition, and we have a boat -- what do you call
22 it -- a ramp, to your point, that's in really pad
23 shape. But I think by partnering with them on some of
24 these coastal issues, that we can find funding
25 together for it in order to get it approved, and that

1 would be my goal.

2 TRUSTEE PHILLIPS: Well, either way, it needs to
3 get put it on the table and discussed, because the
4 fish -- a lot of the baymen, and there are -- there is
5 a quagmire, because Southold Town has a -- you have to
6 have a permit for a trailer, I do believe, okay? And
7 at one point they started to try to charge for the
8 ramp and that was a case that was thrown out.

9 So I think, yes, teaming up with them is great,
10 but I also know that we need to clean up down there,
11 because it's -- it's getting -- it's getting
12 expansive, and it's just going to keep going if we
13 don't do something. And I think the baymen that tie
14 up there should get some benefit of having someplace
15 to store their gear. And that's it for me.

16 MAYOR STUESSI: Did you want to talk briefly
17 about where we are on the code for Chapter 44 and 101?
18 I know we're going to be scheduling a public hearing
19 for that. If you could, you know, remind the Board,
20 I think it's important for everybody to take a look at
21 it again and be ready to start discussing.

22 TRUSTEE PHILLIPS: Well, I would really like to
23 perhaps create some efficiency in getting comments
24 out, and perhaps everyone could take a look at it and
25 perhaps send me some comments on it, what you feel,

1 between now and next work session. I think that would
2 get us more focused on creating, if there are some
3 discrepancies, or there are some new thoughts, or
4 whatever. I think that would be helpful to us as a
5 Board if we could get our thoughts before work session
6 and get them on the table, and we all can think about
7 them. I think that would be very helpful, especially
8 with Chapter 101, which is the recreation chapter. I
9 do know that there is some discussion of problems down
10 at the end of Fifth Street parking lot. And I believe
11 you're going to talk about something about the speed
12 limits --

13 MAYOR STUESSI: Yeah.

14 TRUSTEE PHILLIPS: -- on the streets, and I
15 think that's all going to tie in together at some
16 point. So that's -- that's what I would like to see,
17 if that's possible.

18 MAYOR STUESSI: Yeah. So there will be a motion
19 in next week's meeting to schedule the public hearing
20 for our February work session. So I think, to your
21 point, if everybody can be fully prepared for that
22 discussion, send, send a list of any comments ahead of
23 time, so that we can all be ready to discuss it, and
24 then, obviously, you know, get into the public
25 discussion that date. Did you have anything else?

1 TRUSTEE PHILLIPS: No, I'm done.

2 MAYOR STUESSI: So the other items I have just
3 for quick Board discussion is we had briefly discussed
4 in two prior meetings looking at Building Department
5 fees. Village Counsel had made the suggestion that we
6 should remove Building Department fees from the code
7 and move it into policy, which would allow us to make
8 adjustments more easily. I think that makes a
9 tremendous amount of sense, as we discussed. So there
10 will be a motion for that in next week's meeting to
11 schedule a public hearing for it, and then we will
12 also circulate a brief study of Building Department
13 fees here versus Southold and a few other municipalities
14 in advance of when we would be taking a look at that.

15 One of the other items we had on our list that
16 we need to schedule a public hearing for is to
17 eliminate the prohibition on meters within the
18 Village. So that will be on next week's meeting, so
19 that we can then make a decision thereafter to do a
20 test of metered parking within certain limits of Front
21 and Main on certain periods of time, as we have
22 discussed.

23 And then the other one that I added on that we
24 have not discussed yet, and I'd like to discuss now,
25 which, frankly, makes plain sense to me, is,

1 evidently, Julia, or Mary Bess, or Paul, you'll
2 probably know better, I know you'll know better than
3 I, at some point the Village lowered the speed limit
4 on Front and Main Street from 30 to 25 miles an hour.
5 Does anybody remember about how long ago that was?

6 TRUSTEE PHILLIPS: Four years ago.

7 ADMINISTRATOR PALLAS: About four years.

8 TRUSTEE ROBINS: About four years ago.

9 MAYOR STUESSI: Okay. And so at that time it
10 was -- it was done for Front and Main, but was not
11 done in the rest of the Village. And it seems very
12 logical to me that we should lower it to 25 within the
13 rest of the Village. If we're slowing people down to
14 25 on Front and Main, we should be doing the same
15 thing in neighborhoods where people are walking their
16 dogs, and their kids are skateboarding, etcetera. And
17 then we could have one speed limit through the
18 entirety of the Village, and that could be signed at
19 the entrance to the Village as well.

20 TRUSTEE BRENNAN: I think that makes a lot of
21 sense. I thought it was 25 miles per hour.

22 MAYOR STUESSI: No.

23 TRUSTEE PHILLIPS: No, it's 30 in the code.

24 TRUSTEE DOUGHERTY-JOHNSON: There's not really
25 signs anywhere.

1 TRUSTEE ROBINS: You would not know it just
2 driving through the Village.

3 TRUSTEE DOUGHERTY-JOHNSON: Right.

4 TRUSTEE PHILLIPS: No, you wouldn't.

5 TRUSTEE ROBINS: You see the sign, you come in
6 here, 25 miles an hour, and everybody thinks that's
7 what it is.

8 TRUSTEE PHILLIPS: Right.

9 TRUSTEE BRENNAN: Is there -- are there posted --

10 MAYOR STUESSI: Well, it's --

11 TRUSTEE BRENNAN: Are there posted signs that say --

12 MAYOR STUESSI: It's not posted in the
13 neighborhood, so.

14 TRUSTEE ROBINS: No, not -- nothing posted.

15 TRUSTEE BRENNAN: I went driving around before
16 just to figure out --

17 MAYOR STUESSI: Yeah.

18 TRUSTEE BRENNAN: -- where that was. It's the
19 code.

20 TRUSTEE PHILLIPS: Yeah, it's written in the
21 code, it's been there for years.

22 MAYOR STUESSI: So this is an enforcement issue
23 when we've had issues of speeding within the
24 neighborhoods, and the police can only ticket people
25 if they're going --

1 TRUSTEE PHILLIPS: If they're going thirty.

2 MAYOR STUESSI: -- more than -- more than 30.

3 TRUSTEE PHILLIPS: Thirty miles and hour.

4 MAYOR STUESSI: Yeah.

5 TRUSTEE DOUGHERTY-JOHNSON: Doesn't -- and like
6 how do the streets work that are on the borders, like
7 is that a Village Street, as Washington and Bridge and
8 Seventh?

9 MAYOR STUESSI: Well, that's a good question.
10 Brian?

11 ATTORNEY STOLAR: If it's -- if it's
12 geographic -- if the portion of the street is
13 geographically within the Village boundaries, subject
14 to your regulation regarding the --

15 TRUSTEE DOUGHERTY-JOHNSON: Well, as far as I
16 know, it's like half, it's like down the street.

17 TRUSTEE PHILLIPS: Washington Avenue, the
18 history of Washington Avenue, one side is the Village
19 we had to do the stop sign.

20 TRUSTEE DOUGHERTY-JOHNSON: Right.

21 TRUSTEE PHILLIPS: The other side the Town of
22 Southold had to do the stop sign.

23 TRUSTEE DOUGHERTY-JOHNSON: Right, and like
24 Bridge.

25 TRUSTEE PHILLIPS: It's like split right down

1 the middle.

2 ATTORNEY STOLAR: Right. So you would control
3 whichever side is in -- within your geographical
4 boundary.

5 TRUSTEE DOUGHERTY-JOHNSON: Oh. So if you're
6 going one way, it's 25. Okay, interesting.

7 TRUSTEE BRENNAN: Well, it kind of meanders on
8 Washington, right?

9 ATTORNEY STOLAR: If you drive on the wrong side
10 of the road, you can be maybe --

11 TRUSTEE DOUGHERTY-JOHNSON: Right. I was just
12 curious.

13 MAYOR STUESSI: Were you going to say something,
14 Paul?

15 ADMINISTRATOR PALLAS: Yeah. I mean, I would
16 have to confirm this with the County, I guess, but as
17 I read the Suffolk County GIS maps the -- Washington,
18 the street itself is Southold, but Bridge is the
19 Village. That's how I read them.

20 TRUSTEE ROBINS: Is that right?

21 ADMINISTRATOR PALLAS: That's how I read them.

22 TRUSTEE ROBINS: Okay, that's Bridge. I thought
23 one side of Bridge was --

24 ADMINISTRATOR PALLAS: I would need to confirm it.

25 TRUSTEE PHILLIPS: I have another piece of paper

1 from New York State that says differently for the
2 road designations. I'll have to pull it out.

3 ADMINISTRATOR PALLAS: Yeah.

4 MAYOR STUESSI: Okay. Well, let's pull it all
5 out and figure it out and --

6 TRUSTEE DOUGHERTY-JOHNSON: I think decreasing
7 it sounds good.

8 TRUSTEE ROBINS: Are you saying one side of
9 Bridge is not -- is not Southold Town?

10 ADMINISTRATOR PALLAS: The street.

11 MAYOR STUESSI: He's talking about the street,
12 not the houses.

13 ADMINISTRATOR PALLAS: Yeah, the street itself.

14 TRUSTEE ROBINS: The street, not the houses, okay.

15 TRUSTEE PHILLIPS: Right.

16 MAYOR STUESSI: So, we'll add that onto next
17 week's agenda about -- to have a motion lowering the
18 speed limits to 25.

19 TRUSTEE BRENNAN: Yeah, that sound great.

20 MAYOR STUESSI: Yeah.

21 TRUSTEE BRENNAN: I have a question or comment
22 on the Building Department fees.

23 MAYOR STUESSI: Yeah.

24 TRUSTEE BRENNAN: So we have other kinds of
25 fees, right, in the code? Do we -- can they all

1 become policy?

2 TRUSTEE PHILLIPS: I believe that's -- that's
3 what the goal was.

4 ATTORNEY STOLAR: Yeah, you can --

5 TRUSTEE PHILLIPS: It wasn't just the --

6 ATTORNEY STOLAR: A fee, you can change it so
7 that you can adopt it by resolution it from time to
8 time as a policy.

9 TRUSTEE BRENNAN: Okay.

10 MAYOR STUESSI: Yeah.

11 TRUSTEE BRENNAN: Okay. So we're not limiting
12 ourselves to the building code?

13 MAYOR STUESSI: No, no, no, we wouldn't.

14 Parking --

15 TRUSTEE PHILLIPS: The only one, Brian, we can't
16 deal with is the sewer one, correct?

17 ADMINISTRATOR PALLAS: Rates, the rates.

18 ATTORNEY STOLAR: Sewer -- yeah, the sewer rates.

19 TRUSTEE PHILLIPS: The sewer rate, that has to
20 stay the way it is. That's --

21 ATTORNEY STOLAR: Any utility rate.

22 TRUSTEE PHILLIPS: Right, okay.

23 TRUSTEE DOUGHERTY-JOHNSON: But it would still
24 be easily found, and posted, and publicly available.

25 TRUSTEE PHILLIPS: It would not be all over the

1 place like it is.

2 TRUSTEE DOUGHERTY-JOHNSON: Right. Or just like
3 it wouldn't be something you'd have to go to Village
4 Hall and ask or something.

5 MAYOR STUESSI: No. You could -- we could
6 literally create a rate card for fees --

7 TRUSTEE PHILLIPS: Right.

8 MAYOR STUESSI: -- and make it even easier.

9 ADMINISTRATOR PALLAS: If I may, Mr. Mayor,
10 currently there's a significant number of fees that
11 are listed in the Appendix A-156.

12 TRUSTEE PHILLIPS: Uh-huh.

13 ADMINISTRATOR PALLAS: And, really, I think what
14 you would ultimately do, subject to Counsel's
15 agreement, that you would just move the Building
16 Department fees into that existing section. It also
17 makes it simpler for you to review on an annual basis.
18 You could just schedule a review once a year to go
19 through all of those fees --

20 MAYOR STUESSI: Yep.

21 ADMINISTRATOR PALLAS: -- and just simplify
22 everything.

23 MAYOR STUESSI: Agreed. So the other items I
24 have on my list is the first one being our recent
25 public session in regards to housing people can

1 afford. Very successful evening a few weeks -- a week
2 ago. We had about 75 people that attended. Opened up
3 the doors, got a tremendous amount of comments and
4 input from the community. As I mentioned earlier, we
5 will have those collated from Pace University here
6 tomorrow. You know, a really wonderful event. We're
7 looking to schedule some more with different
8 constituencies in the Village.

9 This is obviously an important subject, and Code
10 Committee is going to be working on a number of items
11 to bring in front of the Board here as part of our
12 housing compact that we voted on to be a Pro-Housing
13 Community per New York State Law.

14 In addition to that, the Governor mentioned us
15 in a speech today, as a matter of fact, with new
16 Super -- new County Executive Romaine. And we were
17 mentioned a week ago as well for the work that we are
18 endeavoring on, which I think is really wonderful for
19 the community, but there's a lot of -- a lot for us
20 to do.

21 I had already mentioned the fire boat and
22 Village safety. I think this is an incredibly
23 important item for our Village. And I know the Board
24 is very supportive of our Marine Rescue Fire Team, and
25 there's a lot more that we need to do. There were

1 recent -- two recent fire events in Mattituck, a
2 fishing trawler that burned, and then another
3 recreational boat. I think it really speaks to us
4 being this historic working waterfront, and a number
5 of historic buildings right on the water, let alone
6 the population of boats and people out recreating,
7 whether it's on a kayak or a boat, and what needs to
8 be done. And we as a Village should be doing whatever
9 we can to fund this part of the Fire Department, as
10 well as working on getting them an even better boat,
11 which is being done at the moment. There is a
12 committee working on that, together with the Village.

13 The Coastal Assessment and Resiliency Plan and
14 Town partnership updates: As we've discussed and
15 everybody is aware, you know, we had that great
16 meeting with Supervisor Russell and the Town Board
17 early on in the new administration, and the Supervisor
18 agreed that it was something they wanted to move on
19 with us. It was great to see some seed money funded
20 in their recent budget of \$100,000 towards it, which
21 is a drop in the bucket towards what needs to be done,
22 but it's a start. And I'm thrilled to say that new
23 Supervisor Krupski and his Board is behind it, and we
24 will be scheduling some joint meetings in the upcoming
25 future to discuss this.

1 It's obviously in light of what we all just
2 dealt with in the last week with some very surprising
3 flooding that we were very fortunate. The weather
4 was, dare I say, cooperative, and we didn't have the
5 winds and rain that could have made it even worse, but
6 it was, it was quite significant, and we are behind
7 the proverbial eight ball on dealing with this. We
8 need to make some tough decisions for the community,
9 and also get the funding that we need in order to make
10 some of the improvements and deal with it.

11 Our April annual Organization Meeting, Budget
12 and State of the Village, I'm going to be
13 communicating to the Board on some things I'll be
14 looking for some assistance on, together with the
15 Village team, in order to put something together for
16 all of us that we will be ready to do this in the
17 upcoming months and, you know, work on our ongoing
18 plan.

19 And then the last item I had was already talked
20 about earlier, which is the motion to accept the
21 transfer of the boat from Southold Town to Greenport.
22 So, hopefully, we can get that towed over next week,
23 which would be fantastic, and get the team to do what
24 little work they need to on this piece of equipment to
25 get it ready and out on the water this spring.

1 With that, is there anybody else from the public
2 that has anything else they would like to speak on?

3 PETER HARRIS: Again, Peter Harris, 212 Knapp
4 Place, Greenport. Your earlier discussion about
5 Mitchell Park Music in the Park, about relaxing the
6 open container law, I have no problem with that. One
7 problem I do have with being one that attends is the
8 rampant use of pot being smoked on the nights of Music
9 in the Park. It's -- and as far as I know, it's --
10 pot is legal, but not in a public, a public, you know,
11 park.

12 And I feel that on the nights of Music in the
13 Park, there is normally foot patrol, Southold Town
14 Police. I think it needs -- they need to be made
15 aware to do their due diligence, because, quite
16 honestly, I mean, I'm not -- I don't smoke pot, I
17 don't like the smell of pot. If you, if you want to
18 smoke it in your house or your yard, or whatever,
19 that's, that's your gig. But I shouldn't -- I mean,
20 someone that either has a glass of wine or has a, has
21 a bottle or a can of beer down at Music in the Park,
22 you're not, you're not inconveniencing me. But
23 someone sitting back there smoking, smoking a joint,
24 and I got to sit there and I got to smell, and I got
25 to smell that for the, for the 2 or 2 1/2 hours that

1 the band's playing, it's offensive to me, and I feel
2 that's something that needs to be addressed.

3 TRUSTEE PHILLIPS: Pete, just -- Paul, do we not
4 have something about -- I guess this is a Village
5 Attorney question -- cigarette smoke and pot smoke?
6 Are they one in the same as being --

7 ATTORNEY STOLAR: When they -- when the law was
8 changed a couple of years back, they are one in the
9 same.

10 TRUSTEE PHILLIPS: Okay. So do we not do --

11 ATTORNEY STOLAR: We don't need -- we don't need
12 them.

13 TRUSTEE PHILLIPS: Okay. Do we not have
14 something around the Carousel or "X" number of feet of
15 no smoking?

16 ADMINISTRATOR PALLAS: I thought it was in the
17 park entirely.

18 TRUSTEE PHILLIPS: I thought it was the entire
19 park, yeah.

20 ADMINISTRATOR PALLAS: If I remember correctly.

21 PETER HARRIS: I can honestly say I've never,
22 I've never seen anybody smoking just a regular
23 cigarette --

24 TRUSTEE PHILLIPS: No, you're not supposed to.

25 PETER HARRIS: -- because you're not supposed to.

1 TRUSTEE PHILLIPS: You're not supposed to.

2 PETER HARRIS: But I'm going to tell you,
3 especially as, as the sun sets while you're down
4 enjoying the music, the pot is rampant.

5 TRUSTEE PHILLIPS: Okay.

6 PETER HARRIS: And it's just not, it's not fair
7 for anyone that doesn't indulge, but it's the law.

8 TRUSTEE PHILLIPS: Yeah, no.

9 MAYOR STUESSI: Well, I believe it's a State
10 Law, isn't it, no smoking in public parks?

11 TRUSTEE PHILLIPS: In public places.

12 ATTORNEY STOLAR: No, it's not. It doesn't --
13 it depends on what you have adopted. You do have a
14 provision that prohibits smoking within 30 feet of
15 playground equipment and the Village Carousel,
16 Mitchell Park Carousel, or any other place designated
17 by resolution of the Board of Trustees. So you can at
18 any point in time incorporate other locations.

19 TRUSTEE PHILLIPS: Okay.

20 ATTORNEY STOLAR: I have municipalities that
21 preclude it on sidewalks or public places like
22 streets, sidewalks, public parks obviously being one
23 of them, you choose.

24 TRUSTEE PHILLIPS: Okay. I thought we --
25 because that goes, that goes back to when Christina

1 Kempner was a Trustee. That's when we voted on the --
2 moving away from the Carousel with the cigarettes.

3 ATTORNEY STOLAR: Uh-huh.

4 TRUSTEE PHILLIPS: But I just --

5 MAYOR STUESSI: Well, if that's the case, most
6 of Mitchell Park where people are sitting would be
7 able to theoretically smoke, if it only says 30 feet
8 away --

9 TRUSTEE BRENNAN: Yeah. Currently, yeah.

10 MAYOR STUESSI: -- from the Carousel.

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

12 MAYOR STUESSI: So we should look at changing
13 that, to your point, it's legal right now. We can't,
14 we can't stop it unless we change the code --

15 TRUSTEE PHILLIPS: To extend out the no smoking.

16 MAYOR STUESSI: -- and make it the entirety of
17 the park.

18 PETER HARRIS: Yeah. I'm just saying, you know,
19 it's -- you know, they changed the law, but the fact
20 of the matter is for, you know, anyone that does not
21 indulge should not have to, have to sit there and
22 smell the, smell the odor of someone doing their,
23 doing their thing.

24 Second thing, as you probably remembered, last
25 summer, a couple of different meetings I came here,

1 talked about things that were transpiring in the, in
2 the Carousel, unruly patrons. And one of the, one of
3 the big things that I also noticed is that every
4 single person, and most -- because they were
5 basically teen -- the majority of them were teenagers
6 that were attendants working at the Carousel,
7 everybody's got the cell phone. And ride's going and
8 we're (Demonstrating scrolling on phone). And, quite
9 honestly, if you're, if you're texting or you're
10 whatever on your cell phone, you're not doing your
11 job, for one thing, that you were hired to do. You
12 were hired to be attentive to what's going on during
13 the course of the ride. That, in my opinion, that
14 you -- if you're an employee and you come to work,
15 where the person that sells tickets and whatever at
16 the booth there, you take it and you have to put your
17 cell phone in a draw, or something, and you get to
18 pick your phone back up when your shift is over.
19 There is no, there is no reason why you would need to
20 use a cell phone while you're doing your job.

21 MAYOR STUESSI: Paul, do we have any type of
22 cell phone policy in the Village employees policies?

23 ADMINISTRATOR PALLAS: I'm not, I'm not 100%
24 certain, I'll check.

25 MAYOR STUESSI: I don't recall that we do.

1 ADMINISTRATOR PALLAS: But we could certainly
2 implement that specific --

3 MAYOR STUESSI: Good idea.

4 ADMINISTRATOR PALLAS: -- specifically at the
5 Carousel. I know that it is --

6 MAYOR STUESSI: Well, I think we should look at
7 it for other roles as well. You know, one can use
8 their phone during breaks and things, but not during
9 the course of being on the job. Anything else, sir?

10 PETER HARRIS: They were the two things I really
11 hadn't planned on talking about. The one question,
12 the reason why I sat as long as I did near
13 everybody else --

14 (Laughter)

15 MAYOR STUESSI: Everybody like to sit next to
16 Don Fisher. I'd come just to sit next to him.

17 PETER HARRIS: The -- and I -- the sewer hookup
18 to Sandy Beach, you -- I believe that during the past
19 administration you had gotten a grant as far as for
20 the -- for that hookup. I know it probably wasn't
21 enough to cover the entire project, but with these
22 astronomical tides, I mean, every one of those
23 cottages along Sandy Beach, I believe they all got
24 cesspools, and they were underwater. And I'm just
25 curious as to where, where is -- where are we, and not

1 being me, being me, but the Village, where, where is
2 that project?

3 MAYOR STUESSI: So that project's been worked on
4 for somewhere close to 20 years now, as I understand.
5 There was a limited amount of funding, which Paul can
6 speak to.

7 ADMINISTRATOR PALLAS: It's 390,000, it says.

8 MAYOR STUESSI: Of what would be close to a
9 \$3 million job. And we're in the midst of a sewer
10 emergency right now because of our main line breaking.
11 So what we are doing is we are doing an intensive
12 study to take a look at some particularly problematic
13 areas, but that is absolutely on the radar, together
14 with more. And my hope is that we as a Village will
15 be able to get some funding from both the State and
16 the County to make overall infrastructure improvements
17 which could potentially include them, but we also have
18 a number of pump stations that need work, and lines
19 that are in the existing Village not able to handle
20 the load.

21 PETER HARRIS: The grant, is that still pending,
22 or is that expired, or --

23 MAYOR STUESSI: It's going to expire, when?

24 ADMINISTRATOR PALLAS: I think -- I communicated
25 with them recently, and as far as I know, it expires

1 in a year, at the end of this year. We got it
2 extended twice. I don't know that we could get it
3 extended again, but we could always try.

4 MAYOR STUESSI: Did you happen to go down there
5 during the storm last week? Because I went down that
6 way, and I will tell you the entirety of the
7 neighborhood going around to the harbor, even towards
8 Baymen's Dock, there was two feet of water on the road
9 over --

10 PETER HARRIS: Oh, absolutely.

11 MAYOR STUESSI: -- heading that way.

12 PETER HARRIS: Absolutely.

13 MAYOR STUESSI: And a lot of houses that were
14 underwater in that entire neighborhood, most of which
15 are in Southold Town.

16 PETER HARRIS: The --

17 MAYOR STUESSI: The cemetery was covered with water.

18 PETER HARRIS: I mean, for one thing, I mean,
19 like I said, I mean, and I don't recall. I mean, I
20 had the number written down just how many cottages
21 there are and every --

22 MAYOR STUESSI: Twenty-six.

23 PETER HARRIS: And, you know, just from a point
24 of view that if 26 cesspools right there on the water
25 were removed, that's a possibility of some point in

1 time that -- with that being removed, that part and
2 partial, maybe partial area of Stirling Creek could
3 possibly be back open for shellfish, because of the
4 fact that you no longer have that leaching. I mean,
5 any of the homes along Stirling, there's no, there's
6 no cesspools there. The two marinas, I believe they
7 wanted, they also wanted to hook into the -- to the
8 sewer.

9 MAYOR STUESSI: Yeah, the contemplated plan
10 would have gone across and hooked in Porto Bello
11 Restaurant, which does sit within the Village, and
12 then hook in the other marina as well, and then would
13 go onto Sandy Beach.

14 PETER HARRIS: But, right now, I would probably
15 say their septic system in place is actually a heck of
16 a lot better than what's on Sandy Beach.

17 MAYOR STUESSI: No, it's an equally terrible
18 situation.

19 PETER HARRIS: Okay, okay. Well, I mean, you
20 know, for years, when people would use the term global
21 warming, and I used to say, "You don't know what
22 you're talking about," and I was, I was in the highway
23 business for 43 years, and the last 12 the
24 Superintendent of Highways for the Town of Southold,
25 and I had road ends from the first year I took office

1 to 12 years later that you would ride down that used
2 to be when at high tide there was still 20 foot of
3 beach shoal. And when I left office, that same road
4 end, there was water up into the parking lot 10 feet.

5 Now, you, Mr. Mayor, I know you're not, you're
6 not, you're not born and raised here, but the -- what
7 we call Town beach on 48, Southold Town owns the
8 beach, and off to the west there's a giant rock, what
9 they call Whale Rock.

10 TRUSTEE PHILLIPS: Which is theirs.

11 PETER HARRIS: The other day, when we had one of
12 the high tides and it was flat calm, and that if you,
13 if you didn't know there was a giant rock out there,
14 because the first time in my life at a high tide that
15 that rock was underwater.

16 MAYOR STUESSI: Our future is here.

17 PETER HARRIS: And, you know, it's -- the water
18 level is not going down, the water level is just
19 increasing and -- but, like I said, I mean, Sandy
20 Beach, we got all the cesspools. And so, I mean, I
21 was just born and raised here, and I'm just -- was
22 curious as to -- I know the former Board had worked --
23 you know, had -- it was a big topic of discussion, had
24 secured grants, but I was just curious as to where,
25 where the --

1 MAYOR STUESSI: We're still working on it, we've
2 got a lot to do.

3 PETER HARRIS: Okay.

4 MAYOR STUESSI: Thank you, sir.

5 PETER HARRIS: Thank you so very much.

6 MAYOR STUESSI: Mr. Murray? Oh.

7 TRUSTEE BRENNAN: I had just a question on that
8 for Mr. Pallas. Was any of that grant money used on
9 that initial study?

10 ADMINISTRATOR PALLAS: No.

11 TRUSTEE BRENNAN: No. It wasn't applicable, then?

12 ADMINISTRATOR PALLAS: Correct.

13 TRUSTEE PHILLIPS: There's -- and I think
14 probably, Paul, you and Patrick maybe want to talk
15 about it later, but wasn't there -- there were some
16 issues that if we started to use that money, we had to
17 confirm -- set to a confirmed completion date or
18 something? It was --

19 ADMINISTRATOR PALLAS: That wasn't so much the
20 date. It was -- all grants have those kinds of dates.
21 But the main issue was this type of grant that it was,
22 we had to do the entire project.

23 TRUSTEE PHILLIPS: Project.

24 ADMINISTRATOR PALLAS: We couldn't piecemeal it,
25 we couldn't do half of it, get the money, if we

1 couldn't finish it or what have you. And the
2 rationale for that was that it was actually an
3 economic development grant, so it was more tied to the
4 marinas than it was to Sandy Beach. So it was --
5 Sandy Beach was kind of like a bonus part of that
6 grant, so.

7 MAYOR STUESSI: Mr. North?

8 CHRIS NORTH: Chris North, 525 Second Street,
9 Greenport. The only thing I have to say, in regards
10 to the community housing, whatever the presentation
11 was, the only way I knew about it was through
12 Jill Doherty, and I'm on the Housing Board, Authority
13 Board. Never received an email, never received a
14 notification. And as someone that is on the Housing
15 Board and cares about community housing and affordable
16 housing, I think we should be notified, the committee
17 members, to know what's going on as presentations.

18 MAYOR STUESSI: Are you on the Village email
19 list?

20 CHRIS NORTH: Yes, I am, never received it.

21 MAYOR STUESSI: It was -- you didn't get the
22 newsletter?

23 CHRIS NORTH: Nope.

24 MAYOR STUESSI: Because there was a newsletter
25 that went out to about 800 --

1 CHRIS NORTH: I got an email from you from a
2 subscription, basically.

3 MAYOR STUESSI: So the newsletter went out to
4 about eight -- when you're done, why don't you send me
5 your email.

6 CHRIS NORTH: Yeah.

7 MAYOR STUESSI: We'll check it up against the
8 email list, because it went out to like 800 people in
9 late December, which mentioned the meeting. And then
10 there was another reminder that went out the week of
11 as well.

12 CHRIS NORTH: Okay.

13 MAYOR STUESSI: So there must be an issue with
14 your email address that's in the Village email server.

15 TRUSTEE DOUGHERTY-JOHNSON: That's a good point,
16 though, Chris, and I take some of that on as being the
17 communication person. We should do more outreach to
18 relevant people, like you said.

19 CHRIS NORTH: But I think it should be a -- I've
20 been on many different government meetings, I serve on
21 the Police Advisory Committee, I serve on different
22 committees in the Town government. When there are
23 certain committees that pertain to your zoning or to
24 your particular committee, usually the Town would send
25 an email, "These parties please come to this

1 presentation, because this is in regard to your
2 purview."

3 MAYOR STUESSI: Yeah, it makes perfect sense.

4 CHRIS NORTH: I think that should be something
5 the Village should do, so that the parties are there
6 to be part of the conversation to make sure we know
7 what's going on.

8 MAYOR STUESSI: Great. Thank you. Mr. Murray?

9 DAVID MURRAY: Hello. David Murray, 332 Fifth
10 Avenue, Greenport. I got a couple of things. One of
11 the things is regarding the code and how it relates to
12 me being in construction.

13 So your -- the new codes, if I'm correct, were
14 adopted October 19th, or roughly around there. Is --

15 MAYOR STUESSI: You're talking in Commercial
16 Retail and Waterfront Commercial?

17 DAVID MURRAY: It's actually Residential. This
18 one pertains to residential --

19 MAYOR STUESSI: Okay.

20 DAVID MURRAY: -- permit application that I did
21 September 12th, which was about six, six weeks prior
22 to then. The code has to deal with driveways and
23 patios that are considered lot coverage. So if I did
24 a permit on September 12th, and I'm not bringing up a
25 sore subject, but it took a very long time for the

1 permit to get looked at, which was just last month, do
2 I get to abide by September 12th's codes for lot
3 coverage, or do -- it finally got it looked at in
4 December, let's say.

5 ATTORNEY STOLAR: The simple --

6 DAVID MURRAY: I'm kind of looking at the
7 Attorney.

8 ATTORNEY STOLAR: Yeah, that's fine. The simple
9 answer is whether or not you vested in your
10 development rights or your building rights. So if
11 you've taken certain steps, by law that includes
12 substantial construction, substantial reliance, then
13 you may -- the Building Department will have to review
14 it, but you may have vested, and if you vested, the
15 old law applies. If you have not, then the current
16 law will apply to your proposed development.

17 DAVID MURRAY: I don't really understand exactly
18 what you said with vested. Can you, can you -- so
19 what do you mean?

20 ATTORNEY STOLAR: Vesting, it's a term of art,
21 but it really -- what it means is have you taken
22 substantial steps, have you done substantial
23 construction, have you spent substantial funds?

24 DAVID MURRAY: No, no, no. I'm just -- this is
25 a permit application that I turned in in September.

1 ATTORNEY STOLAR: Right. So then if that's the
2 case, then you have likely not vested, you're going to
3 be subject to the new law.

4 DAVID MURRAY: Vested, though there was no
5 moratorium on residential. So September 12th was six
6 weeks, roughly six weeks. It's not like I was trying
7 to cram it in prior to a code change. On Village
8 paperwork it says that my application is going to be
9 reviewed between two to three weeks, would have been
10 well before the new codes. And since the Building
11 Department is backed up months and months, it's like
12 an abyss. So how -- so are you saying that new codes
13 apply to me? I mean, my vested was a huge plan that
14 we put together from plans, from engineering, from
15 everything. And now you're saying that the -- that
16 it's no good?

17 ATTORNEY STOLAR: No. What I'm saying is the
18 current law would apply to your proposal.

19 DAVID MURRAY: Do you, do you agree with that?

20 TRUSTEE PHILLIPS: Dave, I have to ask you a
21 question on the application. Did that application
22 have to go before any other Statutory Board?

23 DAVID MURRAY: No.

24 TRUSTEE PHILLIPS: Okay.

25 TRUSTEE ROBINS: A straight building permit.

1 DAVID MURRAY: No. Now it will.

2 TRUSTEE PHILLIPS: Well, no.

3 DAVID MURRAY: Now it will. And, actually,
4 what's going to happen is, you know, the Zoning Board
5 is going to get inundated with more paperwork that we,
6 that we, that we call it in the building -- any time a
7 building is nonconforming, you have to get all these
8 variances, right? Everybody knows that problem.
9 Well, the new code with the driveway, which really
10 should be looked at in itself, because the Village was
11 begging people to build driveways to get them off the
12 street, now we're calling that part of the lot
13 coverage. So you got lot coverage with the driveway,
14 which is going to push so many people over the 30%.
15 So you're saying that, that my plan is not vested, the
16 whole permit application? If any one of you did that,
17 what would you want?

18 TRUSTEE ROBINS: I'm thinking of it, you know --

19 DAVID MURRAY: Yeah. No, I know.

20 TRUSTEE ROBINS: -- in terms of the driveway on
21 grade, right? I mean, we always -- we, I mean --

22 DAVID MURRAY: This driveway, it's -- now
23 they're calling patios, walls, driveway as lot
24 coverage. So --

25 TRUSTEE ROBINS: Well, I could see the

1 difference between a wall and a patio or something
2 that's on grade, right, because usually on -- anything
3 that's on grade, it's not taxable, right? Isn't it
4 considered part of the --

5 ATTORNEY STOLAR: Yeah.

6 TRUSTEE ROBINS: -- configuration of a property?

7 ATTORNEY STOLAR: The lot coverage definition,
8 as it currently exists, to which your -- as you
9 described --

10 DAVID MURRAY: You mean what's on the -- what's
11 with the new code or --

12 ATTORNEY STOLAR: New code.

13 DAVID MURRAY: -- or the one that's on the
14 website? Okay.

15 ATTORNEY STOLAR: Excluded from lot coverage are
16 at-grade driveways, paths, walkways and parking areas.
17 So your driveway is not included based on the new code.

18 DAVID MURRAY: Patios -- but pool patios are?

19 ATTORNEY STOLAR: Swimming pools are.

20 DAVID MURRAY: Yeah, swimming --

21 ATTORNEY STOLAR: The definition of swimming
22 pool does not include the patio area around it. So
23 that will be up to the Building Department as to how
24 they'll interpret that code provision.

25 TRUSTEE BRENNAN: Mr. Murray, we did discuss

1 this in detail when we were contemplating that code
2 change, and I brought this to the attention of my
3 colleagues here. And some of the earlier versions
4 were more restrictive, so more things were going to be
5 included in that lot coverage. And I did advocate to
6 carve out driveways, pathways, things like that. I
7 was aware that this was going to throw many properties
8 into -- to exceed the lot coverage.

9 DAVID MURRAY: Right, it's going to put quite a
10 bit in.

11 TRUSTEE BRENNAN: Yeah, I understand.

12 DAVID MURRAY: And it's going to -- and now
13 every -- so everybody that does a small addition to
14 their house has to do paperwork, cleanup.

15 TRUSTEE BRENNAN: They may. Not everybody, but
16 there would be more.

17 DAVID MURRAY: Well, everything's going to get
18 denied until it is cleaned up.

19 TRUSTEE BRENNAN: Yeah.

20 DAVID MURRAY: Right?

21 TRUSTEE BRENNAN: That's right.

22 DAVID MURRAY: All right. So what you're saying
23 is that my pool patio does not -- won't be included in
24 that, or it's up to the Building Department, which I
25 would think would probably overlook it since it's six

1 weeks prior.

2 TRUSTEE BRENNAN: It's worth a shot.

3 (Laughter)

4 TRUSTEE PHILLIPS: I guess my question, Dave, is
5 have you had a discussion with the Building Inspector?
6 Have you reached --

7 DAVID MURRAY: That's -- that's something
8 private we can chat about, but --

9 TRUSTEE PHILLIPS: Well, I mean, what's your --
10 where is your application sitting? I know you're here
11 in front of us, but where is the application sitting?
12 Is it still in the --

13 DAVID MURRAY: The application is sitting with a
14 few things that he's required --

15 TRUSTEE PHILLIPS: Okay.

16 DAVID MURRAY: -- to get done, which is fine, I
17 have no problem with that, but I know this is -- this
18 is one of them. So now I'm -- so it's a very simple
19 no-variances-required, and now I'm going to be having
20 to go through all the Boards because of a pool patio
21 change that got changed six weeks after I applied for
22 the application.

23 TRUSTEE PHILLIPS: Okay.

24 DAVID MURRAY: And now it's going to get set up
25 through all the Boards.

1 TRUSTEE PHILLIPS: Okay.

2 DAVID MURRAY: So my question is --

3 MAYOR STUESSI: Well, it sounds like it's
4 undetermined of a pool patio.

5 DAVID MURRAY: No, that will put me over, it
6 will put me over the percentage. Right now it would
7 be 29.6%, so that would take me over to like 32%,
8 which puts me into --

9 MAYOR STUESSI: But, pardon me, if I heard you
10 correctly, you said it's going to be up to the
11 Building Department to make a determination as to --

12 ATTORNEY STOLAR: Yeah, I mean, there --

13 MAYOR STUESSI: -- whether the patio is
14 considered lot coverage. The pool would be considered
15 lot coverage.

16 DAVID MURRAY: Yeah, the pool is.

17 MAYOR STUESSI: But the patio is not.

18 DAVID MURRAY: The pool is already lot coverage,
19 it's the existing patio.

20 ATTORNEY STOLAR: Patio depends -- I mean, it's
21 defined as a structure. I know how I'd read it, but
22 I'm still -- I'd still defer it to the Building
23 Department to --

24 MAYOR STUESSI: Yeah.

25 ATTORNEY STOLAR: -- make the final

1 determination.

2 DAVID MURRAY: Okay. So that can be a
3 discussion, which is fine. So I just wanted to see
4 how these codes are going to work with permits that
5 were turned in prior. So you're saying that --

6 MAYOR STUESSI: That's a State Law. I mean --

7 DAVID MURRAY: Well --

8 ATTORNEY STOLAR: -- if you want to speak to it,
9 we don't have any ability --

10 ATTORNEY STOLAR: The only way around it would
11 have been if we adopted provisions specifically
12 grandfathering applications that already were part --
13 were already in the Building Department.

14 MAYOR STUESSI: Right.

15 ATTORNEY STOLAR: Short of that, no, the current
16 law applies to any application that's still pending.

17 DAVID MURRAY: All right. On a lighter note, I
18 want to talk -- we'll talk about -- the basketball
19 courts, they need new nets. I was involved in the
20 basketball courts, so I'm hoping that we could put
21 that on the --

22 MAYOR STUESSI: Well, it's interesting you say
23 that, because we bought new nets in July for the
24 tournament and --

25 DAVID MURRAY: And nobody put them up?

1 MAYOR STUESSI: No, they were put up.

2 DAVID MURRAY: Oh, they were?

3 MAYOR STUESSI: Oh, absolutely.

4 DAVID MURRAY: All right. There's a -- okay.

5 MAYOR STUESSI: The bigger thing we need to do
6 in the basketball court is resurface the courts,
7 because they've gotten really bad. And I know you
8 were involved in recreating --

9 DAVID MURRAY: Uh-huh.

10 MAYOR STUESSI: -- that whole area. It needs
11 work, for sure.

12 DAVID MURRAY: Yeah, they do. So I just -- I
13 just see that the nets need replacing.

14 MAYOR STUESSI: Yeah. Actually, I think you may
15 have heard Candace talk about the summer basketball
16 tournament.

17 DAVID MURRAY: Yeah.

18 MAYOR STUESSI: When she sent that in, I had
19 sent an email back to the Board that we need to take a
20 look at funding to redo the courts --

21 DAVID MURRAY: Yeah. We did that when?

22 MAYOR STUESSI: -- because they are not in good
23 shape.

24 DAVID MURRAY: We did that -- that was what,
25 nine, ten years ago?

1 ADMINISTRATOR PALLAS: Nine years ago.

2 DAVID MURRAY: Nine years ago.

3 TRUSTEE PHILLIPS: Yeah, I remember that, yes.

4 DAVID MURRAY: So --

5 TRUSTEE ROBINS: Big day in the Village.

6 DAVID MURRAY: Yeah, that was a big day.

7 (Laughter)

8 DAVID MURRAY: And if you -- I think that's all
9 I had. That was my main question, is how that code
10 was working. Thank you very much for your time.

11 MAYOR STUESSI: Thank you, sir. Mr. Fisher?
12 Oh, you know what? Don, if you want to take a seat,
13 we need to give our Stenographer a quick break.

14 DON FISHER: Okay.

15 (Recess: 8:59 p.m. - 9:01 p.m.)

16 MAYOR STUESSI: All right. Mr. Fisher, if you
17 want to head up.

18 DON FISHER: Don Fisher, Railroad Museum of Long
19 Island, 440 Fourth Street, Greenport. It's my
20 pleasure to advise the Board that the Pomeroy
21 Foundation has granted us funding --

22 MAYOR STUESSI: Yes.

23 DON FISHER: -- for a beautiful plaque to go
24 down at the opening to the -- to the railroad.

25 MAYOR STUESSI: Fantastic. What's the timing

1 on that?

2 DON FISHER: Well, it's very possible that it
3 would be ready by the end of March. But it was
4 180 years ago on Saturday, July 27th, 1844, that the
5 first train got here to Greenport. And this year, the
6 180th Anniversary, July 27th is a Saturday. So my
7 suggestion to my Board and to Pomeroy and to you is
8 that we unveil it 180 years to the day on Saturday,
9 July 27th, if that sounds good for you guys. We'll
10 get the plaque and hold it, keep it covered up, and we
11 could have a right nice little ceremony down there,
12 and you and I, we'll get a couple of gold shovels and
13 dig the hole.

14 MAYOR STUESSI: Fantastic.

15 (Laughter)

16 DON FISHER: Have it set up. And there is some
17 discussion that the Long Island Railroad, to
18 celebrate, may also be having an excursion train.

19 MAYOR STUESSI: Really?

20 DON FISHER: Yeah.

21 MAYOR STUESSI: That would be wonderful.

22 DON FISHER: As they did 15 years ago, they
23 would come out just special for the day.

24 MAYOR STUESSI: Uh-huh.

25 DON FISHER: So whether --

1 MAYOR STUESSI: What train did they use for
2 that?

3 DON FISHER: Regular D.E.

4 MAYOR STUESSI: Yeah.

5 DON FISHER: You know, dual-mode BI-L0. But
6 they did send a special train out 15 years ago for the
7 175th. They've also at five-year intervals just added
8 a couple of cars that we use specifically for people
9 that want to go on the excursions. I don't know.
10 It's in the talking phase right now, but it seems as
11 if that's something the Railroad wants to do, is to
12 bring a special train out. So if that happens, I'd
13 like us to stay with a plan for the 27th of July to do
14 the unveiling of the plaque, and we'd kind of work it
15 around when and if the excursion train got here, and
16 it could be a lot of fun. So viva la history.

17 MAYOR STUESSI: Mary Bess will play the flute.
18 I don't know if anybody else has any musical talents.

19 DON FISHER: I could get out the old bass drum.

20 (Laughter)

21 DON FISHER: So --

22 TRUSTEE BRENNAN: We'll make it a holiday.

23 (Laughter)

24 TRUSTEE PHILLIPS: Don, you're bringing out
25 secrets that I haven't told anybody about. I mean,

1 you know, remember, remember, I'm the fishmonger's
2 wife, remember?

3 DON FISHER: Oh, much more than the fishmonger's
4 wife. All right. So that's --

5 MAYOR STUESSI: We've got until -- we've got
6 until 12:30 at night to have music playing, so.

7 (Laughter)

8 DON FISHER: Well, we'll do it before the --

9 MAYOR STUESSI: Not 2 a.m., Don.

10 DON FISHER: No, no, before the sun goes down.
11 So thank you.

12 MAYOR STUESSI: Thank you. Anybody else? Dinni?

13 DINNI GORDON: No.

14 MAYOR STUESSI: No? All right. Unless anybody
15 else on the Board has anything, I will make a motion
16 to close the meeting. Do I have a second?

17 TRUSTEE ROBINS: I'll second that.

18 MAYOR STUESSI: All in favor?

19 TRUSTEE ROBINS: Aye.

20 TRUSTEE BRENNAN: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE DOUGHERTY-JOHNSON: Aye.

23 MAYOR STUESSI: Aye.

24 Thank you, everybody.

25 (The Meeting was Adjourned at 9:04 p.m.)

