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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK
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BOARD OF TRUSTEES
REGULAR SESSION

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Third Street Firehouse
Greenport, New York

June 22, 2017
7:00 P.M.

- B E F O R E:
- GEORGE HUBBARD, JR. - MAYOR
- JACK MARTILOTTA - DEPUTY MAYOR
- MARY BESS PHILLIPS - TRUSTEE
- DOUGLAS W. ROBERTS - TRUSTEE
- JULIA ROBINS - TRUSTEE
- SYLVIA PIRILLO - VILLAGE CLERK

1 (The meeting was called to order at 7:02 p.m.)

2 MAYOR HUBBARD: I call the meeting to order.

3 Pledge to the flag.

4 (All stood for the Pledge of Allegiance.)

5 MAYOR HUBBARD: Please remain standing for a
6 moment of silence for Kurt Davids, Patricia
7 Dinizio, Louise Swenson Downer, Russell John
8 Gagen, Richard K. Kearns, Martha Cox Mazzaferro
9 and Denise C. Rathbun.

10 (All remained standing for a Moment of
11 Silence.)

12 MAYOR HUBBARD: Thank you. You may be
13 seated.

14 Okay. Just to start off, before I do the
15 announcements, our Village Attorney had a family
16 commitment, so he is not going to be here this
17 evening. And Paul Pallas, our Village
18 Administrator, was away at a conference. He's
19 traveling back, so he's not going to be here this
20 evening either, just so you now.

21 Announcements: Each of the following Fire
22 Department Members were recently recognized for
23 the milestone accomplishment of 50 years in the
24 fire service:

25 Macy Marczewski, Jim Pirillo, Sr., and Jack

1 Skrezec. I just want to commend all three of
2 those gentlemen. Fifty years is a long time to be
3 involved in anything, and to be serving the
4 community for 50 years, I want to just commend
5 them and thank them for their service to the
6 Village and to the residents.

7 Village Offices will be closed on the 4th of
8 July in celebration of the national holiday.

9 The annual Fire Department Carnival will be
10 held from July 4th through July 8th, beginning at
11 6:00 p.m., with fireworks scheduled for July 4th
12 and July 8th.

13 We have one liquor license application from
14 Bruce & Son, LLC, of 208 Main Street. Anybody who
15 wishes to comment on that would send their
16 comments to the State Liquor Authority. A copy of
17 the application is available in the Clerk's Office
18 if you want to review it. It was also posted in
19 the newspaper.

20 Okay. That's all we have on that. We're
21 going to do a brief presentation from Anita Tencer
22 Shemin, if I pronounced that correct. Okay. This
23 is on mobile mats for handicapped access to our
24 beaches, something that's been discussed. She's
25 going to give us a little information about it.

1 MS. SHEMIN: Thank you very much.

2 MAYOR HUBBARD: Thank you for coming.

3 MS. SHEMIN: My name is Anita Tencer,
4 T-E-N-C-E-R, Shemin, S-H-E-M-I-N. I have a
5 prepared speech that shouldn't be too long.

6 MAYOR HUBBARD: Okay.

7 MS. SHEMIN: Thank you so much for the
8 opportunity to speak before you.

9 I moved to Greenport almost two years ago
10 and enjoyed the beauty of its surroundings and the
11 people who make up this diverse Village. One of
12 the first friends I made is a mother of a child
13 who was wheelchair bound. When we spoke of the
14 child's love for the water, the mom told me how
15 difficult it has been for the child to reach the
16 shoreline. I was moved by the child's love of the
17 water and her inability to get close to it. This
18 is what inspired me to come before you today. And
19 there are many others in our Village who are
20 unable to experience our waterways, be it the
21 sound or the bay.

22 How can an accessible beach mat, or
23 Mobi-Mat, help the disabled? A Mobi-Mat will
24 allow those with permanent and nonpermanent
25 disabilities traverse the sand and approach the

1 water. A Mobi-Mat is a portable and removable
2 rollout access pathway for pedestrians and
3 wheelchair users. It is firm, safe, and stable,
4 easy for any type of wheelchair, or walker, or
5 stroller to maneuver on, providing a smooth
6 continuous surface without gaps.

7 I do have a sample of a Mobi-Mat. I'd like
8 to approach --

9 MAYOR HUBBARD: Sure.

10 MS. SHEMIN: -- you, if you don't mind.
11 This is brown, I prefer blue.

12 (Laughter)

13 MAYOR HUBBARD: Thank you.

14 MS. SHEMIN: It is made of 100% recycled
15 polyester material, and in this way contributes to
16 the environment by utilizing recycled plastics,
17 and keeps folks on a designated path away from
18 environmentally fragile areas.

19 The mat itself remains cool when exposed to
20 very high temperatures for the benefit of
21 beach-goers and other disabled individuals. It is
22 also great for the visually impaired, and is
23 approved by the Americans With Disabilities Act.

24 The permeable structure allows sand to
25 filter through without sinking into the sand, and

1 is easily maintained by seeping -- excuse me --
2 sweeping any excess sand with a broom or a leaf
3 blower. The mat can be laid out for an entire
4 season or retained throughout the year.

5 These mats have been placed throughout the
6 New York City beaches, Brookhaven, New York,
7 Shelter Island, and in many other places all over
8 the world. This is what I suggest: I suggest we
9 place the Mobi-Mat at Fifth Street and Park. The
10 minimum requirement approved for beach usage is a
11 mere five feet wide. I have measured the beach
12 recently, like 10 minutes ago.

13 (Laughter)

14 And I can give you a very rough estimate of
15 the area where the mat will probably be placed.
16 So it would be five feet wide, between 50 and 100
17 feet, which will cost approximately, approximately
18 between 2,000 and \$4,000, and it has a rollout
19 weight between 68 to 135 pounds.

20 Our Village is a 21st Century Village, and
21 by providing this amenity to our local community,
22 as well as those who visit our community, I
23 believe it will add immeasurably to our public,
24 cultural and economic image.

25 And I do have some other handouts, if I may.

1 I have four, so they're going to have to be
2 shared.

3 MAYOR HUBBARD: Thank you.

4 MS. SHEMIN: And that concludes my
5 presentation.

6 MAYOR HUBBARD: Okay. Well, thank you very
7 much for coming.

8 MS. SHEMIN: You're very welcome.

9 MAYOR HUBBARD: We'll review this, we'll
10 look at it, and we will have a discussion at our
11 work session next month about it.

12 MS. SHEMIN: Thank you very much. I
13 appreciate it very much. Thank you.

14 MAYOR HUBBARD: Okay. Thanks for coming.

15 Okay. We have two public hearings. The
16 first one is a Wetlands Permit Application of
17 North Ferry Company, to replace 28 decaying
18 pilings with new pilings, and install plastic
19 guards on the pilings. The public hearing has
20 been noticed. We have the file here. The CAC
21 report came back, we just got that late today. I
22 don't know if the Board members have all seen it,
23 but I can -- yeah, it just --

24 MS. SMITH: Mayor, would you like me to read
25 it? Your choice.

1 MAYOR HUBBARD: Yeah. No, no, go right
2 ahead.

3 MS. SMITH: Okay.

4 MAYOR HUBBARD: Yeah.

5 TRUSTEE ROBINS: Please. Thank you.

6 MAYOR HUBBARD: It was dated 6:35, today we
7 got it back.

8 MS. SMITH: I know.

9 MAYOR HUBBARD: But Paul Pallas, he's in
10 transit, so we got it very late. So go ahead,
11 Liz, let us know what you got.

12 MS. SMITH: Liz Smith, 309 South Street.
13 I'm one of the members of the Conservation
14 Advisory Council, and I also got it at 6:35.

15 MAYOR HUBBARD: Okay.

16 MS. SMITH: So this -- as you know, this
17 serves as our report for the referenced permit
18 application.

19 We did a site visit for the permit on
20 June 6th, myself, John Saladino and Paul. We
21 didn't have any concerns with the application, but
22 we're recommending that a few pieces of
23 clarification to certain documents within the
24 package, specifically three sections of the EAF.

25 Page 5 of the application -- so this is like

1 a little in the weeds, but important components.
2 The project description is much broader than the
3 actual Village application, so there's a
4 disconnect between the State paperwork and the
5 Village paperwork. We assume it's because they
6 were submitting their DEC paperwork with the
7 Village application. They just need to reapply to
8 the Village for any work beyond the Village work.
9 So whenever you submit -- this is sort of like a
10 public broadcast. Whenever you're submitting work
11 for a Village application, you need to specify the
12 work that's going to happen for the Village
13 portion of the work, not the extent of stuff
14 that's within the range of the State.

15 The -- Page 6 for the Environmental
16 Assessment Form, when the application asks if it's
17 a critical environmental area, the application --
18 the applicant said no. But I looked up the -- on
19 DEC, and from the maps, it should be a yes. So
20 that needs to be corrected to make sure that we're
21 acknowledging that it is a critical environmental
22 area where the work is going to be performed.

23 And then, again, very minor, but this is
24 sort of getting everyone up to speed. Page 11,
25 question QG. The DEC form indicates the work is

1 going to be performed early spring or late fall.
2 Same question later on says summer 2017. So we're
3 just trying to get a little bit of streamlining
4 there and clarification. We want the permit to be
5 two years, which is what we have been recommending
6 for all permits.

7 And that concludes our report.

8 MAYOR HUBBARD: Okay. Thank you very much.

9 MS. SMITH: Any questions? Anything I can
10 clarify?

11 MAYOR HUBBARD: No. Seeing as the Board
12 hasn't really read it, they got it, just what you
13 said, now. They will review it. It's going to be
14 in their mailbox for tomorrow.

15 MS. SMITH: Perfect.

16 MAYOR HUBBARD: But we didn't want to hold
17 up the public hearing --

18 MS. SMITH: No, that's great.

19 MAYOR HUBBARD: -- just because we got it
20 back late. That's fine.

21 MS. SMITH: Great. Thanks.

22 MAYOR HUBBARD: Thank you. Would anybody
23 like to comment on the public hearing? Yes. Name
24 and address for the record, please.

25 MR. SWISKEY: Joe Smith. Bill Swiskey, 184

1 Fifth Street.

2 Couple of questions. These pilings, they're
3 going -- with this bottom controlled by the
4 Village of Greenport, right? We control that bay
5 bottom.

6 MAYOR HUBBARD: Yes. They're taking out
7 ones that are there now and putting new ones back
8 in, yes.

9 MR. SWISKEY: Yeah. So are we getting any
10 rent for this bay bottom?

11 MAYOR HUBBARD: No.

12 MR. SWISKEY: Why not?

13 MAYOR HUBBARD: Because we never have.

14 MR. SWISKEY: Well, don't you think it
15 should be something that would be brought up? I
16 mean, they make millions on this ferry every year,
17 and they use our bay bottom, they use our streets.
18 The one thing we can control right now is the bay
19 bottoms. We should tell them they got to pay
20 rent. A thousand dollars a piling a year is what,
21 \$28,000. Think about it. Thank you.

22 MR. SALADINO: You thought this was going to
23 be easy, right? Just as a clarification, we
24 looked at the underwater maps, New York State
25 underwater maps, and the maps that we saw, Paul

1 Pallas, myself, Dave Corwin, I'm not sure if --

2 AUDIENCE MEMBER: Can you speak into the
3 mic, please?

4 MR. SALADINO: I'm trying. I have
5 bronchitis, I apologize.

6 The maps that we saw said that land belonged
7 to New York State, it wasn't Village property. It
8 had always been MTA property, Long Island Railroad
9 property, underwater property. So I see John
10 Costello here, he might add something to it. We
11 personally don't believe it belongs to the
12 Village.

13 MAYOR HUBBARD: Okay.

14 TRUSTEE ROBERTS: Are you speaking on behalf
15 of the CAC?

16 MR. SALADINO: I'm speaking on empirical
17 data from maps that we looked at.

18 TRUSTEE ROBERTS: "We" as in CAC?

19 MR. SALADINO: I belong -- I belong to the
20 CAC.

21 TRUSTEE ROBERTS: Right, yes.

22 MR. SALADINO: Paul Pallas is not here
23 tonight, Dave Corwin is not here tonight, so I
24 give you the information that we gleaned from that
25 information.

1 TRUSTEE ROBERTS: Thanks.

2 MR. SALADINO: Thank you.

3 MAYOR HUBBARD: Okay. Thank you.

4 MR. SWISKEY: Not to be smart, but maybe we
5 should have our lawyer research, because other
6 documents say differently. You might want to have
7 your lawyer research it.

8 MAYOR HUBBARD: Anybody else wish to address
9 the public hearing?

10 (No Response)

11 MAYOR HUBBARD: Okay. At this point, I'll
12 close the public hearing. We will discuss that at
13 our work session next month.

14 TRUSTEE ROBERTS: Do you need a resolution
15 for that?

16 TRUSTEE PHILLIPS: We need a resolution to
17 close the hearing.

18 MAYOR HUBBARD: Yeah. I'll offer a motion
19 to close the public hearing.

20 TRUSTEE ROBERTS: Second.

21 MAYOR HUBBARD: All in favor?

22 TRUSTEE MARTILOTTA: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 TRUSTEE ROBERTS: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR HUBBARD: Aye.

2 Opposed?

3 (No Response)

4 MAYOR HUBBARD: Motion carried.

5 Okay. The second public hearing we have is
6 Proposed amendment to Chapter 103 (Rental
7 Regulations for the Residential Properties) of the
8 Village of Greenport Code.

9 There's a proposed new rental law that's
10 been published, it was put out there. The public
11 hearing was noticed. At this point, we're really
12 trying to take input from residents, tenants,
13 landlords, whatever, to give us some feedback on
14 what we're proposing on the rental law, to see if
15 we could put something together that's going to be
16 a good code for everybody in the Village. So, at
17 this point, I'd like to open it up to the public
18 that would like to comment. Go ahead.

19 TRUSTEE PHILLIPS: Mr. Mayor, before we
20 begin --

21 MAYOR HUBBARD: Yes.

22 TRUSTEE PHILLIPS: -- can I just get a
23 clarification for myself, because there's been a
24 lot of confusion out in the public whether this is
25 dealing with limiting short term rentals. Is that

1 part of what you want to hear in this public
2 hearing, or is that something that would be for
3 after we get through the description of the rental
4 law?

5 MAYOR HUBBARD: Right. I don't -- there's
6 no actual talk of limiting short term rentals in
7 the proposed law at this time.

8 TRUSTEE PHILLIPS: Okay. So what I'm asking
9 is, is people who were making comments in
10 reference to this public hearing would be dealing
11 with the document that we have currently, and that
12 if anyone is -- wishes to talk in reference to
13 either short term rentals or capping short term
14 rentals, or whatever, that that comes as the
15 general public time?

16 MAYOR HUBBARD: Yes, that would be at a
17 different part, because we're talking about what's
18 proposed on the law right now is what the public
19 hearing is on, on what is proposed.

20 TRUSTEE PHILLIPS: Okay. I just wanted to
21 get a clarification on that.

22 TRUSTEE ROBERTS: Well, then let me ask for
23 a clarification.

24 MAYOR HUBBARD: Okay.

25 TRUSTEE ROBERTS: Are we not -- so does that

1 mean people are not allowed to recommend
2 suggestions to Chapter 103, to the draft that's
3 out there?

4 TRUSTEE PHILLIPS: No, that's not what I'm
5 saying. I am saying that let's have a discussion
6 of the public hearing document, and then in the
7 general public section, if someone wishes to talk
8 about limiting short term rentals, or capping
9 them, or even short term rentals in general, that
10 that would be the time period that -- so that
11 these do not get crossed. That's what I'm
12 suggesting.

13 TRUSTEE ROBERTS: So, Trustee Phillips, just
14 hypothetically -- I'm sorry, Mr. Moore -- if a
15 speaker wanted to suggest that Chapter 103 be
16 amended to do something with short term -- this
17 law does -- this draft does add short term rentals
18 to the conversation.

19 MR. SWISKEY: Yeah, it does.

20 TRUSTEE ROBERTS: So one could, I would
21 think, comment on short term rentals, and whether
22 there should be more or less done with this draft.

23 MAYOR HUBBARD: Yeah. The idea is to try to
24 do this and let's get something that's a workable
25 law or code for everybody. So, I mean, if part of

1 the discussion does turn into that, if it's not in
2 the law now, but somebody has a suggestion to make
3 the law a better law, then that would be
4 appropriate to have a discussion on that.

5 TRUSTEE ROBERTS: Okay.

6 MAYOR HUBBARD: Okay? I think that's --
7 you know, we don't want to have three public
8 hearings about the same thing, you know. So, I
9 mean, if somebody has a discussion to say this law
10 would be better if you did this or that --

11 TRUSTEE ROBERTS: Right.

12 MAYOR HUBBARD: -- then that would be part
13 of the discussion we're going to have now.

14 TRUSTEE ROBERTS: Thank you.

15 MAYOR HUBBARD: Does that clarify your
16 question?

17 TRUSTEE PHILLIPS: That's fine.

18 MAYOR HUBBARD: Okay.

19 TRUSTEE PHILLIPS: I just wanted
20 clarification, that's all.

21 MAYOR HUBBARD: Right. But we're talking
22 just rental law stuff now, that's -- go ahead,
23 Mr. Moore.

24 MR. MOORE: I'll try to be very careful.

25 My name is Doug Moore. I live at 145

1 Sterling Street in the Village. I've had my house
2 nearly 25 years. We live in our house, we don't
3 rent our house. I think that would be a good
4 point for people who are also going to speak, so
5 we know where they're coming from.

6 The code that has been proposed, minor,
7 fairly minor changes, I think cause a number of
8 problems. One is that it has only essentially
9 changed two things. It serves to register all
10 rental properties, which I think is a good thing.
11 I think most people agree with that. And it also
12 no longer identifies the term of rental as the
13 previous code does.

14 And without stepping on the toes of the
15 short term subject, I think this is a great danger
16 to the Village, because if you pass this law -- it
17 was described as being the first step. I think
18 you may be making the last step in controlling the
19 expansion of short term rentals. Perhaps that's
20 what you want to happen.

21 But I think if you pass this law, do not
22 immediately consider, or consider at the same time
23 the impact of short term rentals. You're doing
24 Village and the residents a great disservice. I
25 think short term -- excuse me -- short term

1 rentals do need to be in the code. And I'll stop
2 my comments there, because I have suggestions on
3 how you might manage short term rentals, if you're
4 going to allow that discussion to happen tonight.

5 I'd also like to indicate that there are
6 some technical changes in the code, such as
7 deleting the definition of "family" where the code
8 continues to refer to families. You can't have a
9 code that refers to something that has no
10 definition.

11 No offense, Mary Bess, but I know -- I know
12 what you are trying to accomplish, but I think
13 it's a very valid point in a law to describe what
14 a family is. And many municipalities have very
15 similar definitions and it's not discriminatory,
16 it classifies what is allowed in a rental.

17 TRUSTEE PHILLIPS: I need to make a
18 clarification, because when I put that in, I
19 assumed that the Village Attorney would take out
20 all the term "family" throughout the rest of the
21 law, which he did not do.

22 MR. MOORE: Well, it does refer to families.
23 And it also causes you a problem, that if in the
24 future then only families by some perhaps blood
25 relationship, which everybody might accept, that

1 unrelated people could no longer rent a house,
2 even short term or long-term. So I'll reserve
3 other comments for the allowable short term rental
4 discussion. Thank you.

5 MAYOR HUBBARD: Thank you. Anybody else
6 wish to address the Board on this topic? Go
7 ahead. Go ahead. All right.

8 MR. FERRARI: Hi. Scott Ferrari, 508 Main
9 Street.

10 I just -- I just think it's important. I'm
11 in the construction industry, and I do see some --
12 see, it's hard to do this without going into the
13 like Airbnb type stuff.

14 I'm a big fan of rental housing for locals.
15 I think if we don't do everything we can to
16 preserve long term rentals for locals, we're not
17 going to have any locals anymore. We're going to
18 have trade parades, just like they do on the south
19 side, and we'll all be driving in every day and
20 driving out. I would hate to see that happen.

21 You know, it's -- you know, many people in
22 this room are multigenerational in Greenport, and
23 I would like to see that continue to happen,
24 instead of they get tired of living with family
25 and they want to go out on their own, now they

1 have to leave the area. So I just think it's
2 important to maintain long term housing, because
3 it's your workforce and it's the locals.

4 And the only thing I would say about the
5 short term rentals is I think there should be some
6 sort of limit on it, because, otherwise, it's just
7 going to be investment housing. Thank you.

8 MAYOR HUBBARD: Okay. Thank you. Okay.
9 Randy first, and then you'll be next.

10 MS. WADE: I've done a lot of research --

11 MAYOR HUBBARD: Just name and address.

12 MS. WADE: Sorry. Randy Wade, 440 Sixth
13 Street, resident in a residential district since
14 1983.

15 And so I've done a lot of research on
16 precedent of rental laws in other places, and I
17 would urge you to actually not vote on this rental
18 law at this time. I agree with Doug, that it
19 opens things up without addressing really any of
20 the problems effectively.

21 In looking at rental laws in other cities,
22 some of the most clear and effective ones
23 differentiate between -- they call long term
24 rentals quite often over 30 days, and short term
25 30 days and under. They differentiate between

1 owner-occupied. They still are very specific
2 about how many additional people can be a short
3 term renter in an owner-occupied dwelling.

4 For long term rentals, where one is defining
5 family or a group of unrelated individuals living
6 together, they make it very clear that there
7 should not be locked bedrooms or barrier walls
8 preventing access to the kitchen or any of the
9 living spaces. That's -- you know, the purpose
10 would be to prevent illegal hotels and SROs next
11 door to families in residential zones, because we
12 want, you know, to protect what we have, and still
13 worker housing is an issue.

14 One of the most effective things that
15 they've all done -- and I know there's some
16 concern about lawsuits. So in May, just last
17 month, San Francisco, who has big worker housing
18 problems, worse than we do, they won a lawsuit
19 against Airbnb. And so I am suggesting things
20 that are not even as dramatic as they have, but
21 includes some of their elements, which other
22 places have as well, which is a limit to the
23 number of days per year that you do a short term
24 rental. Ninety days is quite common limit, and it
25 would allow individual homeowners to make money to

1 help upgrade their house and improve it.

2 So I would just like to request -- I've
3 given you a lot of stuff in two pages that I don't
4 want to bore this audience with. Would you mind
5 allowing that to be incorporated into the record?
6 I sent it to the five of you.

7 MAYOR HUBBARD: Yes. Submit the paperwork,
8 submit it to the Village Clerk. She'll
9 disseminate it and she'll put it as part of the
10 public record on that.

11 MS. WADE: Okay. I emailed it to you, if
12 you want to forward it to her, or I could forward
13 it to her, whichever you --

14 MAYOR HUBBARD: Well, that way -- because
15 she keeps the records of the public hearings, so
16 she needs to have a copy of that --

17 MS. WADE: Oh, I'll give it to you after.

18 MAYOR HUBBARD: -- so it could be
19 incorporated into the public hearing.

20 MS. WADE: Perfect.

21 MAYOR HUBBARD: Okay?

22 MS. WADE: Okay. Thanks. Thanks very much.

23 MAYOR HUBBARD: Thank you.

24 MR. GAPPELBERG: How are you, neighbor? And
25 nice to meet you. My name is Evan Gappelberg. We

1 just opened up the Hampton Chocolate Factory in
2 town, and we're very happy to be part of the
3 business community.

4 Recently, we were introduced to other store
5 owners, and everybody thought that having sandwich
6 board displays or A-frames on the street was
7 something that the Town kind of got over last year
8 in terms of enforcement. And, you know, there was
9 a petition, I guess.

10 MAYOR HUBBARD: Okay. Well, right now,
11 we're doing a public hearing on the rental law.
12 So, I mean, you'll have -- if you're speaking on
13 the rental law, we're taking that now. Public
14 comments on sandwich boards and all we would do
15 under the public just comment to the Board.

16 MR. GAPPELBERG: I was told by Eileen
17 Wingate to come tonight to discuss this with you.

18 MAYOR HUBBARD: Okay, that is fine. You
19 definitely will be able to, but it's under a
20 different portion. This is a public hearing just
21 on the rental law right now.

22 MR. GAPPELBERG: So when would we be able to
23 talk about this?

24 TRUSTEE ROBERTS: In a few minutes.

25 MR. GAPPELBERG: Oh, okay.

1 MAYOR HUBBARD: On the agenda --

2 TRUSTEE PHILLIPS: Ten minutes.

3 MAYOR HUBBARD: Yeah, it will be in 10
4 minutes. Once we finish the public hearing --

5 MR. GAPPELBERG: Sure, sorry.

6 MAYOR HUBBARD: -- there's public to address
7 the Board. I'm just trying to do --

8 MR. GAPPELBERG: Okay, no problem. I
9 didn't --

10 MAYOR HUBBARD: -- in order, just to keep --

11 MR. GAPPELBERG: Didn't want to upset
12 protocol, I didn't know.

13 MAYOR HUBBARD: No, that's fine. You'll be
14 able to speak when we get to the public to address
15 the Board.

16 MR. GAPPELBERG: Yeah.

17 MS. RYAN: Hello. Mindy Ryan, 408 Front
18 Street. And, for the record, I have a two-family
19 home where we have a successful short term rental
20 downstairs.

21 I've gone over this proposed law with a fine
22 tooth comb, and like this -- it should be like
23 this one, the one for Babylon. Two pages is what
24 I think. This is intimidating.

25 I read through this when I first bought the

1 house, because there was a two-family and we were
2 trying to figure out what to do with the
3 downstairs. You know, do we want to rent it year
4 round, or do we want to do short term rentals,
5 so -- and we still lived in Laurel. We didn't --
6 we still lived there and my daughter was going to
7 school there, so we didn't have to move into
8 Greenport.

9 Once I finally figured this thing out, it's
10 like, "You know what, I think we need to be owner
11 occupied in order to do what we're doing
12 downstairs, to have a short term rental
13 downstairs." And we were like, "All right. Well,
14 so we'll sell the house and we'll move to
15 Greenport," you know, because we want to comply,
16 but it was a lot to go through, this thing.

17 So in order to cut this down to two pages
18 like this, you can -- you've got right in the
19 beginning 103 point -- dash one, Legislative
20 intent. Most of these things are in 53.1 and 65,
21 the building unsafe and the fire prevention
22 building construction. There's a lot of
23 repetition in this document that's already in the
24 code. So if you just refer to the code, it's
25 already there, you don't need to repeat it.

1 Moving on to the definitions. Another thing
2 where the definitions, in my opinion, should be in
3 150-2, the definitions of the Village Code. And
4 one reason for that is, is when you change a
5 definition on this document to eliminate family,
6 you didn't do it in the other -- you know, in the
7 150-2, family wasn't eliminated there. So if you
8 have the definitions only in one place, then you
9 only have to change it in one place. I do a lot
10 of typing in my job.

11 A lot of these -- so, okay. Moving past all
12 the things that I think should be in zoning, all
13 those definitions. There seems -- on here you
14 have a new permit, you have a renewal rental
15 permit and you have a rental permit, so three
16 different types of permits, where, in my opinion,
17 it just should be a permit.

18 When you get to -- let's see. I'm on
19 Page 7. Where Trustee Phillips suggested
20 including -- right below where she says,
21 "Including owner occupied dwellings that rent out
22 apartments," right below that, it says,
23 "Properties used exclusively for nonresidential or
24 commercial purposes in the zoning district." And
25 I really had to scratch my head to figure out why

1 this was in this rental document. But the way
2 Babylon has addressed it is -- the whole purpose
3 of their rental law is part for residents
4 occupancy. So if you just throw residents
5 occupancy into this document, you don't need to
6 say it doesn't apply to businesses, if you know
7 what I mean.

8 103-5, moving down, Confidential Information
9 Maintained By the Owner, the owner shall maintain
10 a confidential record. Confidential to whom is my
11 question? Does that mean the owner keeps the list
12 to themselves and they can't tell you? That would
13 be confidential like an attorney.

14 Rental permit required. Well, that's the
15 whole purpose of this rental law is to have a --
16 so I don't think we need to have that.

17 103.-7, Application For Rental Permit, if
18 you read the first sentence and then you read the
19 next one, they're almost identical sentences, but
20 they're just worded a little differently. The
21 words are a little bit rearranged, so it's
22 duplicate sentences.

23 Then you move down to the application, and
24 it tells you what needs to be on the application,
25 the name, address, telephone number of them, blah,

1 blah, blah. All that should just be on the
2 application. You don't need to -- in the actual
3 law, I don't think that you need to actually list
4 what's going to be on the application in the law.
5 Just put it on the application and then it will be
6 there.

7 I've found a lot of inconsistencies in the
8 -- you often refer to the 2015 International Fire
9 Prevention and Building Code, New York State
10 Supplement, but rarely is it worded in the exact
11 same way throughout the document. It gets mixed
12 around, blah, blah, blah. And in one particular
13 spot where you're talking about -- if you skip to
14 Page 12, the Building Inspector, he's just gone
15 out for any provision of the Greenport Village
16 Code, which there's a good chance that the
17 Greenport Village Code already covers all of those
18 other New York State International Building. That
19 might already be in the Greenport Village Code,
20 I'm not sure. But consistency throughout the
21 document of, you know, what you're abiding by, and
22 the Greenport Village Code should include all
23 that, in my opinion.

24 And, also, I would hesitate to date the 2015
25 International Building Fire Prevention, because I

1 looked it up and it was amended 2016. So if you
2 don't put a date in a document like this, then you
3 just refer to it as the current. You know,
4 whatever is current, you might have that listed
5 somewhere else. Same thing with fees. Don't list
6 what the fee is going to be like they do in
7 Babylon. It's like they don't list what the fee
8 is, but the fee is available if you go to
9 someplace else to look for it.

10 Moving on. Okay. 103-9, terms of permit
11 and renewal, just another inconsistency, where in
12 this case for the renewal, the owner has to sign
13 it. It doesn't say anything about the managing
14 agent being able to sign it. So it's just
15 another, you know, inconsistency in what you're
16 saying.

17 And, again, a lot of -- moving down to 103-9
18 to Number 2, it says, "Fully complies with all
19 the," blah, blah, blah, and then it says, "In
20 violation of," all the exact same blah, blah,
21 blah. So not only do you have to fully -- you're
22 swearing you fully comply with it, but you also
23 have to swear that you're not violating it, and to
24 me that's the same thing. I'm just cutting words
25 out of this to cut it down.

1 I see on this draft it was corrected to
2 biennial instead of biannual. The one online says
3 biannual.

4 The 103-11, in the fees, B, that says the
5 nonrefundable annual permit, so that should also
6 be biennial, I believe.

7 Going down to waiving of all the fees, I
8 don't -- at \$50 a year for the proposed fee, \$100
9 every two years, I don't think it should be waived
10 for anybody, because this is a lot of people to
11 waive it for; Enhanced Star, Veterans, senior
12 citizens. Is that senior citizens if it's a
13 couple? You know, my husband is a senior citizen,
14 but I'm not. He's listed first, so do we get the
15 exemption? You know, I don't know. It's just a
16 lot of -- it is a lot of -- a lot of people that
17 would be exempt, and I don't think anybody should
18 be exempt for \$50 a year.

19 Then moving down to you could be exempt if
20 you're going to rent it to seniors or disabled
21 people, which is terrific, but we're also -- part
22 of the housing crunch here is housing our
23 workforce, our young people. I keep hearing the
24 people that grew up here have no place to live,
25 they can't afford to stay here. So, you know, we

1 want to rent to them, too, you know, not just the
2 seniors, not just the disabled. So I think that
3 whole section should be eliminated. I'm sorry I'm
4 eliminating most of your document here.

5 (Laughter)

6 The regulations, right off the bat, 103-12,
7 "Rental property shall only be leased, occupied or
8 used by one person or a family." And I know
9 Mary Bess had asked that "family" be removed, so
10 now it reads, "Occupied or used by one person."

11 Now so many of these things in these
12 regulations I think are -- you know, for instance,
13 they're covered elsewhere in the code, I would
14 think. You know, like no rental property shall be
15 occupied by more than the number of persons
16 permitted. Well, is that any different than a
17 nonrental? Like a regular house, isn't there a
18 limit to, you know, how many people can live in a
19 house, safe occupancy? So it shouldn't be
20 different for a rental, it shouldn't be delineated
21 here.

22 Two bedrooms shall be permitted in the
23 basement of a rental. Well, how many bedrooms are
24 permitted in a house that's not rented? I don't
25 -- does anybody know that?

1 MAYOR HUBBARD: No.

2 MS. RYAN: And, you know, all this having to
3 be related, you can't sublet, subleasing. You
4 know, what if you have four waitresses that want
5 to share an apartment? So they can't all -- one
6 of them has to sign a lease and they pay for it?
7 You can't all -- I'm not -- I think we're getting
8 a little too specific with that.

9 The parking of -- parking regulations is
10 already in, that's 132 of Vehicle and Traffic.
11 That doesn't -- I don't think it needs to be in
12 here.

13 Rental property should be occupied and
14 utilized in accordance with Certificate of
15 Occupancy. That's in 150 Zoning.

16 The dumpster, that's 112-4. They already
17 address dumpsters in the code, so that's
18 repetitive.

19 And nuisances, you know, the Chapter 90,
20 nuisances, in the code covers a ton of stuff,
21 hazards, you know, that don't need to be repeated
22 in this document, in my opinion.

23 Inspections: The one thing I did like in
24 the inspections is that the -- you can request
25 assistance from the Village to deal with eviction.

1 And, let's see, covered in the application. Just
2 then we get to -- I'm sorry, did someone say
3 something else?

4 MR. SWISKEY: Keep going.

5 MS. RYAN: Then you get to Section 103-16,
6 evidence dwelling unit is being used as a rental
7 property. And then 103-17, evidence in
8 multi-family occupancy. Now some -- I think this
9 is just -- I think it all should be eliminated.

10 You know, more than one connecting line for
11 cable television. Have you ever had cable
12 installed at your house and did the service guy
13 actually remove all the other cable lines that are
14 already on your house? When I bought house, there
15 were already four on there, and then they put a
16 new one on for me. So, you know, that's no
17 indication of how many people are living there.
18 But a lot of these things are like that. You
19 know, like the cars, how many cars in the
20 driveway. One of my neighbors has a -- has a
21 little car fetish and there's only two people
22 there, you know, but they might have five cars.

23 So, it's just -- you know, stick to --
24 there's a spot in here where there's -- you can do
25 inspections, and you have a right to do the

1 inspections. So if there's a problem, if somebody
2 -- instead of listing all of these things, if
3 somebody complains and says, "This is going on
4 next door to me, I'd like you to investigate,"
5 well, now you've got a reason to investigate. So
6 do that and you don't have to go through all this
7 stuff.

8 103-22, Penalties for Offenses, it's a
9 little overkill, all the different levels here.
10 And, you know, how many times have any of these
11 penalties been put into place to begin with? And
12 now you've got all these different levels.

13 You know, what Babylon has is what is also
14 in your document, is that each day of the
15 violation constitutes a separate violation. Okay,
16 fine. But, you know, you can certainly get your
17 penalties down to, you know, this right here. I
18 think you can get this entire document down to
19 this.

20 So what I'm suggesting -- and the other
21 thing that's wrong with this document is that it
22 does not address short term rentals. That should
23 be in the rental code, as far as I'm concerned.
24 What I'm suggesting would be a good step is get it
25 down to one or two pages so it's not overwhelming

1 to somebody that wants to rent. Do a one-year
2 grace period and say, you're invited to come apply
3 for your rental permit at no charge for one year,
4 with an inspection to happen when we can get to
5 it, because you're going to be very busy
6 inspecting houses. So give them one year to step
7 forward and say, "I'm not afraid to apply for a
8 permit, so I'll do it now for no charge," save 50
9 bucks, and then I'm subject to renewing it every
10 two years, and an inspection, just like everybody
11 else.

12 And I guess everything else I had to say had
13 to do with short term rentals and the fact that
14 there's no -- you know, that we need to think
15 outside the box in order to accommodate our young
16 people and think about different ways to make our
17 housing work here.

18 MAYOR HUBBARD: Okay. Thank you. Go ahead.
19 Now you, Jim.

20 MR. OLINKIEWICZ: Oh, me? Okay. Good
21 evening, everyone. James Olinkiewicz, which is
22 408 Third Street. Not -- yeah, 414 Third Street,
23 Greenport.

24 Rental law, I believe in it. I believe that
25 there should be some kind of law. We need to --

1 need to figure out and keep long term rentals. As
2 everybody knows, I have a number of long term
3 rentals in the Village, and I have a tremendous
4 waiting list from local people waiting for
5 rentals, for anything that opens up that I have.
6 So I think that the Board has to address that and
7 be very careful with that.

8 Short term rentals, you need the -- you need
9 the extra short term rental for people to -- some
10 people to afford their house. They're only here
11 for the summer and they only want to rent when
12 they're there. There's a couple of different
13 contingencies.

14 I was reading over the law. There was only
15 one thing that I had a real issue or a question
16 about. There's the -- and it was just actually
17 brought up last, that there are no more than two
18 bedrooms shall be permitted in the basement of a
19 rental property.

20 So I bought the Greenport Methodist Church
21 and we're in the process of the renovation, an
22 historic renovation. We're keeping the whole
23 upstairs, sanctuary as one big open room. There
24 were five classrooms in the basement that we've
25 gone to renovate to bedrooms as under New York

1 State Law for that property. Now, currently, that
2 property is up for sale, but if I go to sell that,
3 if anybody buys it, they're going to be limited if
4 they decide to rent that to two of the bedrooms in
5 the basement. We're putting the proper ingress
6 and egress windows, we're putting in all the fire
7 systems, everything it needs for New York State
8 Law. So I'm wondering, well, why two bedrooms in
9 a basement would be an issue.

10 We're trying to preserve the sanctity of
11 that building, and then this winds up it would be
12 hampering to saving that. I mean, then it would
13 be -- it would be better for me to just divide it
14 up into bedrooms and pull out the stain glass and
15 go back to the Historic Board, because it's a --
16 becomes an issue.

17 So I'm not sure. Maybe it could and not --
18 that issue could be put up that it has to go to
19 Planning Board review or something, because it's
20 got to be a case-by-case basis on that, especially
21 when you're -- I mean, I find myself trying to
22 preserve that, and I really don't want to divide
23 up that great meeting hall in there. I want to
24 keep that open as a whole area and just have the
25 housing.

1 And it's an upside down house, is what we
2 call it in the trade. Sometimes we put bedrooms
3 on the first floor and living room on the second
4 floor to look at water view, right? It's an
5 upside down house. So we're trying to make do
6 with what we have there. So that's my only issue
7 about that.

8 I understand that the Board is afraid that
9 people are going to just start cramming apartments
10 in basements and everything else, because there's
11 a building code for that.

12 Other than that, thank you.

13 MAYOR HUBBARD: Okay. Thank you.

14 MS. ALLEN: Chatty Allen, Third Street. I'm
15 a lifelong resident, and a couple of months ago I
16 was almost forced to move. I work in Greenport,
17 I've been a bus driver. I will be starting my
18 23rd year.

19 There is a housing issue, not blaming
20 anybody for that. In this, I have stated many
21 times at meetings you need a level playing field.
22 One of the things on here does reference any
23 rental units. To me, whether you're renting
24 year-round or for a weekend, you are a -- it's a
25 rental unit. Anyplace that rents should have to

1 have a rental permit. So short term should be
2 included in this rental agreement, because they
3 are renting. How it's, you know -- and that goes
4 along with one of the regulations, 103-12(B),
5 about the COs.

6 Short term rentals are not regulated at all.
7 You go online, you see places that are on there,
8 and the amount that they are suggesting that this
9 unit or home holds is well over what the occupancy
10 of it should be. If there's a permit, it says how
11 many people are allowed to occupy. If you see it,
12 you find out they're in violation, just like you
13 would with a long term unit.

14 It's been said up here this evening you're
15 opening a can of worms by not putting the short
16 term in with this. It is a rental. Anyone that
17 rents should have to have a rental permit.

18 The other thing was -- hold on a second.
19 Oh, the multi-dwelling buildings. I'm not sure
20 why multi-dwelling went from three or more to only
21 two or more. It was crossed out from three. I
22 mean, you have, you know, two-family homes. Most
23 places, you know, like that home are two, and I
24 think it went to multi when it became more than
25 the two. I don't know if that's the reasoning

1 behind the switch from three to two, but then in
2 another place it does say three or more. So
3 there's, you know, a little discrepancy right
4 there.

5 But I hope you do consider that before this
6 goes to your vote. You need to have short term in
7 there because they are a rental unit. Thank you.

8 MAYOR HUBBARD: Thank you. You, John,
9 you're next.

10 MR. SALADINO: John Saladino, Sixth Street.
11 I was here for the debate and the public hearings
12 for the original rental permit law. I think the
13 law was progressed. I think the Legislators
14 legislated it with their hearts instead of their
15 heads. I think there was a certain mind set at
16 the time. The Legislative intent, the Legislative
17 intent is to promote the health and safety, unsafe
18 conditions, overcrowding.

19 I think, from listening to the testimony at
20 that time at the public hearings, the underlying
21 concerns of the residents that spoke at those
22 meetings was just that, overcrowding, and I think
23 it was directed -- and I don't want to -- I don't
24 want to get into a big crazy debate about this,
25 but I think at that particular moment in time,

1 because of the concerns that some neighbors and
2 some residents had, it was directed at some
3 perception about some particular demographic, or
4 some -- and, unfortunately, it progressed from
5 there. I think it was a mistake. I think it was
6 directed at certain people, as opposed to certain
7 conditions. I think it was directed at certain
8 builders whose clients count among those people.
9 And, ironically, those builders are the guys that
10 are probably the only guys that are conforming
11 with the -- that comply with the rental permit
12 law, which makes it kind of ironic.

13 So, having said that, there's -- you know,
14 Ms. Ryan, she pointed out a lot of stuff. Trustee
15 Phillips and I had a discussion about it at the
16 work session. There's a ton of mistakes in this
17 current -- I understand it's only a draft. Is it
18 a draft or is this the law?

19 MAYOR HUBBARD: It's a work in progress.
20 That's why we're taking comments. It's not -- you
21 know, we're trying to get the input from the
22 public to make a document that's going to be
23 workable, so.

24 MR. SALADINO: Okay. And, you know, Chatty
25 touched on it, I touched on it last week about

1 multiple dwelling. It says three, you crossed it
2 out to two, but then you go on to describe three
3 or more families. It just doesn't -- it doesn't
4 make sense. The same thing with "family". It's
5 referred to 27 different times in this particular
6 code. You know, perhaps to say "occupant" as
7 opposed to "family", I don't really know.

8 The other thing -- what you guys do with
9 this is going to be interesting to see. The other
10 thing, as long as we're comparing apples to apples
11 and oranges to oranges, I've heard it's written
12 that we have an 18-page document, Babylon has a
13 two-page document. If we're going to compare
14 apples to apples, Babylon's document, this
15 particular document is two pages. But it also
16 refers to additional portions in Chapter 199 that
17 refer to this document. It also refers to
18 additional portions in Chapter 2 -- 269. So I'm
19 kind of thinking, if we incorporate those
20 chapters, those two chapters into this two-page
21 document, we might well, in fact, wind up with an
22 18-page document.

23 So, I mean, we should -- we shouldn't just
24 say like, "Well, we got an 18-page document, they
25 did it in two," we really don't know that. So

1 just in the interest of being honest with the
2 public and being factual, you know, that's
3 something we might also research and consider.

4 As far as the short term rentals, I'm going
5 to have a little something to say about that
6 later. So thank you. Thanks for listening.

7 (Laughter)

8 MAYOR HUBBARD: Thank you.

9 MS. KAVAJIAN: Hi, my name is Andrea
10 Kavajian. I'm at 326 Front Street. I come at
11 this from two different angles. From a personal
12 level, I was born and raised out here on the North
13 Fork, and I have this fantasy that when I would
14 grow up, I would be able to buy a house out here
15 one day, and I can barely afford to rent anything
16 out here. I have a college degree. I have a
17 really good paying job, and I can barely afford to
18 live out here, and I only see that getting less
19 attainable. So that's kind of a bummer. I see
20 all of my friends either moving away, or at 29
21 years old, they still live with their parents, and
22 that's a trend this is just way too common, so I
23 think something needs to be done about that.

24 I don't know what the answer is, I'm not a
25 politician, but, clearly, whatever is in place

1 right now is not working. I think it needs to be
2 addressed from starting fresh. Obviously, there
3 are a lot of other cities out there that are doing
4 this and they seem to have it figured out, so I
5 think we can learn from them.

6 Coming at this from a different perspective,
7 I'm over at the Greenporter Hotel and I see the
8 things that we have to go through to keep our
9 business running, and short term rentals are
10 obviously infringing on that. And I'm not against
11 short term rentals. I love Airbnb. Whenever I
12 travel, I use it, but there needs to be some kind
13 of regulation in place, permits. It needs to be
14 capped. A lot needs to be done about it, and
15 right now there's nothing being done. So I would
16 like to see some progress being made.

17 And that's really it. Thank you.

18 MAYOR HUBBARD: Thank you.

19 MS. WALOSKI: Hi. I'm Caroline Waloski
20 from the Siren's Song Gallery and Carriage House,
21 and I have a short term rental. I have -- my
22 property is a legal two-family. I'd like to rent
23 it for longer periods than just a weekend, but in
24 the economic situation that we're in in this
25 country, people are not taking long vacations. If

1 I can get three weeks, a month, I would prefer
2 that to a weekend, but I can -- I have to take
3 what I can get so that I can afford to keep my
4 home.

5 And I'd like to see something in -- I
6 thought that there was going to be something in
7 this proposal, and I don't see anything on short
8 term rentals like Mindy had said. But I need to
9 feel secure that what -- I had gotten the blessing
10 of the Village 11 years ago to do what I did with
11 that building. It's not really designed for long
12 term living because of the closet space. It has
13 all it's legal, everything is legal. All the
14 egresses are there, but it's not really
15 comfortable as anything more than a vacation spot.
16 And I'm just concerned that if I lost that as
17 income, how I would be able to -- how I would be
18 able to stay in Greenport and keep my home. So
19 I'd like to see that addressed.

20 I know everybody has their own personal
21 issue, and just I need a comfort level.

22 MAYOR HUBBARD: Thanks. Mr. Tasker.

23 MR. TASKER: Good evening. Arthur Tasker,
24 Beach Street in Greenport.

25 I haven't had a chance to parse all the

1 details of 103, but I think there are couple of
2 overriding issues and principles that need to be
3 considered here.

4 First of all, the prospect of not including
5 short term rentals for the reasons that the
6 previous speaker just said, but because it is very
7 clear that many, many properties are being bought
8 in Greenport to be converted to short term
9 rentals. If they're not incorporated in any kind
10 of a rental property ordinance, then you're just
11 opening the floodgates to more and more of it.

12 The second -- the second concern I have is
13 that there's a great deal of talk about
14 affordability of housing. And, frankly, while I'm
15 very much in favor of -- despite what people
16 have -- some people have said about me, I'm very
17 much in favor of the fact that we need to have
18 affordable housing and the children of our
19 residents need be to able to live here. The
20 problem with that is unless you make -- unless you
21 repeal the laws of economics, it's going to be
22 almost an impossibility to have a rental law that
23 will accomplish affordable housing.

24 Affordable housing is usually subsidized by
25 a municipality or a charitable organization, or

1 something like that. Anyone who is looking to
2 real -- at the real property prices in this
3 Village and tumble the numbers in terms of what
4 it's going to take for rental income, and so forth
5 and so on, to be able to purchase a house, can see
6 that the affordable rent that a millennial, shall
7 we say, with a job as a bartender in Lucharitos,
8 for example, they aren't going to be able to rent
9 a decent house in the Village of Greenport,
10 because the landlords aren't going to rent it for
11 the prices that they can afford to pay.

12 So unless affordability is dealt with, and
13 affordability is not dealt with merely by building
14 lots more apartments. Affordability is dealt with
15 in a much different manner that I frankly am
16 unsure that the Village can accomplish. But by
17 letting Airbnbs or short term rentals -- excuse
18 me. By letting Airbnbs run wild, you're just
19 going to exacerbate the problem to a greater
20 extent than it is.

21 And I noticed that one of the comments that
22 was posted on the internet, on Facebook, recently
23 said, "This is a good time of year to start over
24 on the rental housing law. We have a full year
25 until the next summer season kicks into full

1 swing. What do you think?" Well, what I think is
2 that in November of 2015 I said the same thing,
3 that they had time to perhaps do something about
4 the rental law in time for the next Airbnb summer
5 season, and nothing has happened two years in a
6 row. Thank you.

7 MR. SWISKEY: William Swiskey, 184 Fifth
8 Street.

9 I come to all these meetings, and this
10 rental thing started like, what, three years ago,
11 George, or more under David Nyce, the first draft
12 of the rental law?

13 MAYOR HUBBARD: I think it's more like four
14 years ago it's been around for.

15 MR. SWISKEY: Yeah. Right, I know,
16 because --

17 MAYOR HUBBARD: I think it's four years.

18 MR. SWISKEY: And I don't really see where
19 we have progressed any, because at that time it
20 was also asked are we going to include the short
21 term rentals in the code and it was sort of
22 ambiguous back then. But I remember this Board
23 talking about it over the last few years, that
24 when we still had a Code Committee and it was
25 debating this and debating that or -- I guess it's

1 the Code Committee. It's gone right now, Mary
2 Bess?

3 TRUSTEE PHILLIPS: (Nodded yes).

4 MR. SWISKEY: The short term rental was
5 debated, and in the end, when the Code Committee
6 went away, it was determined that we would meld
7 the STRs into the new rental code. And I remember
8 hearing that a couple of times. I mean, I'm
9 getting old and I could be getting senile, but I
10 remember hearing that. Did I hear that right or
11 not, that we were going to meld --

12 MAYOR HUBBARD: Yes, any -- that's what's in
13 this code. Anything that's a rental, long term,
14 short term, whatever you want to call it, if you
15 have a rental unit in Greenport, you need to have
16 a permit. That's what this says now.

17 MR. SWISKEY: So despite what Mary Bess
18 says, then, the -- short term rentals are --
19 should be part of the discussion on this code, is
20 what I'm getting at.

21 MAYOR HUBBARD: If you have a rental unit,
22 and we're talking about a rental code --

23 MR. SWISKEY: Whether it's long term or
24 short term, it's covered by this, so they should
25 be part of the discussion. That's just one thing

1 that I wanted to get out there, because I was
2 shocked when I heard that, because -- granted,
3 this doesn't do much to regulate STRs, and I don't
4 know if we should or not, but I know the intention
5 of this code was to include it.

6 Now I have a few other things in this code.
7 It's like Chatty mentioned, the three -- three to
8 two or more dwelling units, and then right away it
9 goes on and says occupied by three or more
10 families. All right? So whoever wrote this code
11 didn't proofread it too good, so maybe you should
12 take it back and -- because there weren't that
13 many changes in it, but the ones that were were
14 like --

15 TRUSTEE PHILLIPS: Bill, I'm going to
16 clarify it, and I clarified it at the work
17 session, that that section that the Village
18 Attorney put in as two was not supposed to be
19 there. That was a typo on his part. I've
20 explained it at work session.

21 MR. SWISKEY: Well, all right.

22 TRUSTEE ROBERTS: He also added language
23 that is not marked as additional.

24 TRUSTEE PHILLIPS: Correct.

25 TRUSTEE ROBERTS: It's just in this there.

1 MR. SWISKEY: Yeah, because what I'm looking
2 for -- what I'm looking for for the changes is,
3 you know, the highlighted, the darker, heavier.

4 Now, all right, this code has definitions.
5 It has no definitions for an apartment. What is
6 an apartment? Because it refers to, all right,
7 you can rent out including owner-occupied
8 dwellings that rent out an apartment. Now I say
9 an apartment is one room. If I want to rent to
10 three workers, I rent them a bedroom. This would
11 actually be allowed under this code, because the
12 definition of an apartment is not there. It
13 speaks dwelling units and everything else, but --
14 I'm sorry that the Attorney couldn't make it
15 tonight, because, you know, a lot of people have
16 questions that he could have answered, and maybe
17 we should hold another hearing on this when he's
18 here so we can ask these questions.

19 It's just a little -- there's only a couple
20 of more things on this. Hold on, I've got to find
21 them. Floor plan of a rental unit, all right.
22 Oh, here. Selling of shares, regulations. It
23 will probably come to me later. That's what
24 usually happens when you get old.

25 But my point being that this thing is full

1 of flaws, and if the only regulation of a -- and
2 I'm not particularly -- care one way or the other
3 whether you regulate them or not, some other
4 people are, but I don't -- you know, say I want an
5 STR, single -- people rent rooms for a week or a
6 weekend in their house. Does this code allow
7 that?

8 MAYOR HUBBARD: Per se they rent one room?

9 MR. SWISKEY: Yeah.

10 MAYOR HUBBARD: I'd have to go back and read
11 that exactly, Bill. I just --

12 MR. SWISKEY: It does, it does allow it?
13 That's why I wish the Attorney was here.

14 MAYOR HUBBARD: Right. Well, it's not just
15 his document, we've all had input. We've read
16 through the thing and everything else.

17 MR. SWISKEY: Yeah, but --

18 MAYOR HUBBARD: Saying dwelling units, you
19 said what is an apartment. To me, an apartment is
20 not a bedroom. You rent one bedroom from an
21 Airbnb.

22 MR. SWISKEY: But the code doesn't say that.

23 MAYOR HUBBARD: I mean, from a bed and
24 breakfast, excuse me.

25 MR. SWISKEY: But, in other words, but

1 didn't you just say -- I just came -- that's what
2 I came up with, because an Airbnb person rents one
3 bedroom. They get \$500 a night for the weekend,
4 okay? And I ask is that allowed by this code?

5 MAYOR HUBBARD: I'd have to go back and read
6 it, Bill, I cannot answer that right now.

7 MR. SWISKEY: That's an important answer.

8 MAYOR HUBBARD: Well, it is, but that's --

9 TRUSTEE ROBERTS: It says rental unit, and a
10 rental unit is defined as -- it's not defined. We
11 have rental property to --

12 MAYOR HUBBARD: Right.

13 MR. SWISKEY: That's a biggy, because you're
14 either going to -- with this code, it will either
15 shut those people down, or it will allow them to
16 just go on, whatever. That's why I need that
17 answer.

18 MAYOR HUBBARD: Okay. Well, that's why this
19 is a draft. That's why we're having a public
20 hearing, to get comment from everybody, and then
21 we will take that.

22 MR. SWISKEY: Are we going -- are we going
23 to have another public hearing where we can get
24 the answers?

25 MAYOR HUBBARD: Of course we will. I mean,

1 we're working on this to put something together to
2 make changes, to put together a document that's
3 going to be workable. When we scheduled the
4 public hearing, it was on what was already been
5 proposed, so that's why it was put out there. So
6 we weren't going to change that, because we
7 scheduled this public hearing on what was there.

8 The comments from the work session were not
9 incorporated on this, because we already scheduled
10 the public hearing on what we had submitted, and
11 we didn't want to change it midstream and mislead
12 people.

13 MR. SWISKEY: I realize that.

14 MAYOR HUBBARD: So now we're taking all the
15 comments now, we'll come up with a new draft, and
16 then we'll propose that again, have another public
17 hearing, and then we'll have more comments on
18 that.

19 MR. SWISKEY: I realize that, but this is a
20 bad document --

21 MAYOR HUBBARD: Okay.

22 MR. SWISKEY: -- prepared by the legal staff
23 to the Village of Greenport, supposedly read by
24 the Trustees of the Village of Greenport with the
25 understanding so they can answer the people's

1 questions; am I right or wrong, that's the way
2 it's supposed to work? But nobody can tell me if
3 one bedroom is -- rental is outlawed by this or
4 not. That bothers me. Thank you.

5 MAYOR HUBBARD: Anybody else wish to address
6 the Board? Go ahead.

7 MR. COOPER: Hi. Mike Cooper, Clark Street,
8 Greenport.

9 I'd like to propose an amendment under the
10 regulations. I guess it would be Section J, that
11 no lease be less than 30 days.

12 I'm sure you guys have heard the same
13 rhetoric, you know, that we've heard time and time
14 again. We've heard it time and time again as far
15 as the short term rentals and the impact that it's
16 having on the price of homes, number one, and the
17 shortage of rental units, number two, for
18 full-time renters.

19 You know, in 2006 to 2008, when it was
20 really booming, we heard that -- the same song and
21 dance, well, you'll never -- because I just
22 graduated, it was the year I graduated from
23 college, and I just joined the workforce and you
24 heard the same rhetoric. It's you'll never buy in
25 Greenport, because the houses keep going, it's

1 popular, they found us, like there was some kind
2 of epiphany in Manhattan, that there's a big
3 billboard and it said, okay, well, Greenport's on
4 the map. That wasn't the case, that wasn't the
5 case at all. It was the ease of credit and the
6 ease that subprime mortgages afforded to allow
7 people that wouldn't normally be buying second
8 homes and investment homes to do that. Now we all
9 found out and we're all looking back in time and
10 saying, "Uh, duh, of course that's not going to
11 work," right? Subprime mortgages don't work, we
12 can all see that, and that's what caused the
13 prices to -- you know, we started seeing more and
14 more foreclosures, and the prices in Greenport
15 came down considerably.

16 The very similar economic insulation is
17 happening right now to short term rentals. See,
18 no one has a problem with second homeowners, and
19 nobody has traditionally had a problem with anyone
20 renting their house, you know, on a -- for the
21 summer or for a month, but there's a certain risk
22 in that investment. And what short term rentals
23 does, it unfairly mitigates that risk.

24 I'll take for example, we heard from a --
25 from a woman this evening that said that due to

1 the current economic times, people are not taking
2 the same amount of vacation. People are not
3 getting the same bonuses they got from Wall
4 Street, maybe. You know, I mean, it's actually a
5 pretty good market right now, so maybe they there.
6 But that pool of people that would rent your house
7 for a month for 5,000, \$10,000, or for the whole
8 summer for \$20,000 is a different pool of people
9 than that would rent your house for the weekend;
10 okay? We're talking about a very small number of
11 people, and a lot of it has to do with the
12 economy, because this is big money we're talking
13 about. We're not talking about a couple of
14 hundred bucks, we're talking about tens of
15 thousands of dollars for the summer. If you --
16 but if you open that up to the entire -- you know,
17 anybody who can afford a couple of hundred bucks a
18 night, you can get the same rate of return on your
19 investment, and so you can keep during those
20 times -- and listen, nobody wants anybody to lose
21 their house or their -- you know, and nobody wants
22 anybody to lose their second home. But during --
23 a market is a market, and, you know, you kind of
24 live by the sword and you die by the sword. If
25 you make an investment, and I'm including some

1 second homes as an investment, if you rent it out,
2 it is actually technically an investment, you
3 know, you should be -- you know, you're exposed to
4 the market, and that's what keeps markets going up
5 and down; okay?

6 If you suddenly are able to insulate
7 yourself from market forces, then of course the
8 prices are just going to continue to sore, because
9 they're protected, because they're no longer
10 exposed to what's going on, because there's a much
11 larger base of people that will -- that can
12 short-term rent than that could traditionally do a
13 summer rental. As we've seen, we've all grown up
14 knowing -- okay, you know, you open up the Suffolk
15 Times and it's \$10,000 for a month, or what have
16 you. You know, there's a different pool of people
17 here.

18 And as a second homeowner, if I own a house
19 somewhere else and I want to keep my second home
20 afloat, and maybe I -- maybe I probably wouldn't
21 have bought it had I not had this insulation, this
22 protection from the market, then, you know, I
23 probably wouldn't have bought it, or I may be
24 forced to sell it. You know, I mean, that's the
25 thing. They need to be -- people that make

1 investments, and, once again, I know second home
2 investment, it's kind of a gray area, but when
3 people make investments, they need to be able to
4 be exposed to the market. And by allowing short
5 term rentals, you're insulating that investor or
6 second homeowner from the economy, essentially, is
7 what you're doing; basis what the Village of
8 Greenport is. Because if you talk about value,
9 the Village of Greenport didn't necessarily have
10 to be what it is today.

11 There has been many battles right here that
12 have gone in the '80s. I mean, they were going to
13 develop Mitchell Park. They had to change the
14 zoning out from under, while they were under
15 contract, on a lot of this waterfront property,
16 the Village Board did.

17 So you also have to take a look at, yes, I
18 know that we -- I've heard rhetoric from second
19 homeowners saying, "Well, we bought the house and
20 we contribute to the community." Having said
21 that, what is value? Value is what we -- what
22 our, you know, parents and people who have served
23 this community before had created. It didn't
24 necessarily have to turn out to be the Greenport
25 that it is, and that's why everybody loves it.

1 Twenty years ago this wasn't on the top 10
2 best, cutest cities in the country, you know, it
3 just -- it wasn't. Now it is, now it's beautiful.
4 You know, I worked up the Island, it's "Oh, you
5 live in Greenport? Oh, it's great," you know. So
6 that's another thing. You know, yes, there are --
7 you know, they're using -- they actually are using
8 intrinsic value to rent their house that was built
9 on previous -- on basis, something that was --
10 that you couldn't -- you couldn't foresee.
11 Couldn't foresee short term rentals, because there
12 was no internet. But I'm pretty sure that all
13 this, you know, of this work that has been -- that
14 has brought the Village to where it is might --
15 you know, the people that did that were --
16 probably weren't doing it so that, you know,
17 people could rent their house out for, you know,
18 500, 700 bucks a pop on the weekend, you know.

19 So, anyway, I rambled all night, but that's it.

20 MAYOR HUBBARD: Thank you. Anybody else
21 wish to address the Board?

22 (No Response)

23 MAYOR HUBBARD: Okay. At this time, we'll
24 offer a motion to adjourn the public hearing, to
25 keep it open. We will work on this document with

1 edits and changes and everything that we've gotten
2 from the public comment, and if we propose
3 something else, we'll talk about it at the work
4 session. All right.

5 TRUSTEE ROBERTS: I'm sorry. Adjourn would
6 close it, right?

7 MAYOR HUBBARD: No, we're adjourning it.
8 We're just -- we're keeping it open, we're not
9 closing it. So we'll take future comments. Some
10 people have submitted paperwork and everything
11 else, then we'll get those comments from the
12 Village Clerk. So we're keeping the public
13 hearing open, basically. Just adjourning it for
14 tonight and we're staying open.

15 TRUSTEE ROBERTS: We're not doing a
16 resolution?

17 MAYOR HUBBARD: No.

18 TRUSTEE ROBERTS: Thank you

19 MAYOR HUBBARD: All right. Second. All in
20 favor?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBERTS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR HUBBARD: Aye.

1 Opposed?

2 (No Response)

3 MAYOR HUBBARD: Motion carried. Okay.

4 TRUSTEE ROBERTS: I think you just closed
5 the public hearing.

6 MAYOR HUBBARD: Thank you, everybody, for
7 your comments, your input and all.

8 TRUSTEE ROBERTS: Sorry. I think you just
9 closed the public hearing.

10 MAYOR HUBBARD: No, I adjourned it, I didn't
11 close it.

12 TRUSTEE PHILLIPS: He adjourned it.

13 TRUSTEE ROBERTS: Okay. Maybe I'm wrong.
14 If you vote to adjourn it, isn't it now adjourned,
15 it's over?

16 MAYOR HUBBARD: No, we vote to close it. I
17 mean --

18 TRUSTEE ROBERTS: All right. Maybe I'm
19 wrong. I'm sorry.

20 MAYOR HUBBARD: We could change the term. I
21 mean, adjourn, we're putting -- we're stopping it
22 at this time, but we're not closing it.

23 TRUSTEE ROBERTS: I understand your
24 intention. So, hopefully --

25 MAYOR HUBBARD: Well, if somebody interprets

1 that the wrong way, we will reopen it then. I'm
2 not closing it now. I want to keep it open for
3 additional comments. All right.

4 Okay. We'll move to the public to address
5 the Board. Gentlemen, you're first up, because
6 now you could talk about any topic on the agenda,
7 any topic with the Village. The public hearing is
8 done on the rental law. Okay.

9 MR. GAPPELBERG: Thank you, I appreciate
10 that.

11 MAYOR HUBBARD: Yeah.

12 MR. GAPPELBERG: So, again, Mayor Hubbard,
13 it's a pleasure being in the Town of Greenport.
14 We're at 117 Main Street. I have -- I guess, I
15 don't know what you would call this. It's kind of
16 a petition. It's signed by every single business
17 owner in town, which -- which it's pretty shocking
18 that you get a consensus that, you know, is so
19 definitive, where, you know, from Claudio's to
20 DiAngela's, to Lucharitos, to Sandpiper Ice Cream,
21 to Agave Grill. I mean, you know, every single
22 store owner in town has signed this document.
23 This is last year, so it's actually a year old.

24 And what's come up again is basically the
25 topic, which is that everybody that opens up a

1 store in these seasonal towns takes a huge amount
2 of capital risk. I'm now putting in 12, 15 hour
3 days. My son is now, you know, out of school and
4 he's putting in 12, 15 hour days. So we all work
5 really, really hard to be successful in business.
6 And the town is phenomenal.

7 It's -- you know, the conversation about
8 real estate is very interesting, that it's doing
9 so well, because, you know, it brings more people
10 to the Town of Greenport. It's just, you know,
11 the town is flourishing, and we're happy to be a
12 part of that. But it is a complex equation, being
13 successful in a town where the season is so short.

14 And so when we walk around town, and I try
15 and see what, you know, is driving traffic, and
16 what people, their habits are when it comes to
17 shopping, and I notice that people look at
18 windows, but basically, you know, they're walking,
19 and these signs that we all put out, whether
20 it's -- you know, some people put clothing racks
21 out, some people put hat racks out, some people
22 put A-frame signs out, which is what we do, with
23 pictures of our product that we're selling in the
24 store. We're limited to our window signs being a
25 certain, you know, amount of square footage, so

1 you know, we're using these signs that we put on
2 the sidewalk, and we're very, very careful to put
3 it out of the pedestrian traffic. All right.
4 We're aware. We want everybody to have a positive
5 experience that comes to the town. We want
6 everyone to leave the town feeling like, wow, you
7 know, great experience in Greenport. We don't
8 want anyone to feel like, yeah, I couldn't walk
9 the streets, it was too crowded with -- you know,
10 it felt like a flea market, whatever. We --
11 nobody's on that side, right? Everybody's trying
12 to do the right thing as business owners, because
13 you want people to come back, right? The whole
14 goal is to have a customer. And so if it's a bad
15 experience, it's not good for us, it's not good
16 for the town.

17 So everybody in business has decided that
18 these signs are good for business. And when you
19 drive around Long Island, you drive around the
20 country, you see these signs. It's a big
21 business, and the reason is, is that it's
22 successful, it works. It works. It communicates
23 to the customer, which is the person walking down
24 the street, who's looking up at the beautiful sky,
25 who's thinking about dinner. You know, so it's

1 hard to grab their attention with our little
2 storefronts, so these signs actually do work.

3 People come into our shop, and we've only
4 been open since Memorial Day, and they literally
5 are ordering what they see in these signs. They
6 come in saying, "I want, you know, the frozen hot
7 chocolate, or the frozen s'mores, or the ice cream
8 sandwich that I saw." You know, they don't know
9 how much it is, but they saw the picture and they
10 want it. And that is proof positive that the sign
11 works. The person feels good about their ability
12 to see a product that they want to buy, and
13 identify it immediately from a picture and go in
14 and buy it.

15 So this past week some enforcement person
16 came. I don't know his name. He came around with
17 Eileen, and said the Trustees don't want the
18 signs. The Trustees have decided that the signs
19 are -- I don't know. You know, the signs are not
20 acceptable, for whatever reason. So I'm not clear
21 on why. I've heard that it's possible that the
22 Trustees think that it's a danger to pedestrian
23 traffic, or an impediment, blocks traffic. I have
24 not seen that happen. I have not heard any
25 complaints from the pedestrians.

1 It's unclear to me why the Trustees would
2 not want to support the businesses who have all --
3 again, you know, last year the same thing came up.
4 So it's a little unclear to me why we're
5 revisiting something that seems to have been put
6 to bed last year.

7 I invested \$500 in these -- in my signs,
8 because I spoke to the other store owners and
9 said, "Hey, you know, what's the deal with these
10 A-frames that I see that you have?" And they
11 said, "Oh, yeah, you know, you can put them out.
12 You know, they don't enforce it." There's a code
13 that says you're not supposed to have it, I guess
14 it's 115-7(A), but it's not enforced. And so last
15 year it wasn't enforced, and everybody was very
16 happy about that.

17 I don't know if the code -- if it's
18 complicated to change the code so that it doesn't
19 exist. And I'm not sure why the Town would then,
20 you know, or the Trustees would then come after
21 last year, when everybody was happy, after, you
22 know, going through, I guess, the same
23 conversation, that there would be another round, I
24 guess, another discussion about the same signage.
25 So I was just wondering if it's possible to get

1 some clarity on whether you guys are going to
2 allow us store owners, who are -- we're all on the
3 same side, to put these signs out, or if you're
4 going to ticket us, and challenge us, and enforce
5 this code, that none of the store owners feel is
6 in alignment with their business.

7 MAYOR HUBBARD: Okay. I could just -- where
8 we were last year with this, we had asked the BID
9 to give us input of what they wanted to do for a
10 sign code, and they never told us. To make it
11 uniform, you're allowed a 12-by-12 or a 24-by-24.
12 It never came to a consensus on that. The code
13 has been enforce -- has been in place for 15, 20
14 years. I don't know exactly when the code went
15 into effect.

16 The feeling of the Board last year was that
17 if we have the code, if we have people that are
18 able to do the enforcement on it, which we had a
19 new gentleman who was just being trained on our
20 code, that if we have the codes, we need to
21 enforce the codes or take the code off. That's so
22 nobody -- we did not vote new this year to revisit
23 an old issue, or whatever. We have the manpower
24 in place now to enforce the code, and that's it.

25 If the BID would like to give us something

1 that they want to try to do as a universal type
2 sign, that would be fine. Because some people put
3 a two-by-two sign and somebody else has
4 three-by-three, and then it's four-by-four. You
5 know, there has to be some kind of regulation. If
6 all the store owners want to have the sandwich
7 board signs, we asked them for input of what do
8 the store owners want, and we didn't have an
9 answer or conclusion come back from the BID when
10 we asked for it last spring.

11 MR. GAPPELBERG: Which makes a lot of sense,
12 because every store is unique and different, and
13 so it's not about a sign per se. Somebody has,
14 like I said, a rack of clothing out, which is
15 basically the same thing, they have a sale sign
16 on. Somebody has what I have, which are pictures
17 of my product. Somebody has a hat, you know,
18 rack. Somebody has a sign that -- you know, it's
19 almost impossible to enforce a code on a
20 particular type and shape and size of a sign, you
21 know, it's hard to do that. So I think it makes
22 sense that that didn't happen, because it's asking
23 for something that's almost impossible, if not
24 impossible to do.

25 And so I think it -- you know, I just don't

1 think that's something that's plausible. I think
2 everybody wants to come to a -- you know, the
3 business owners would love to pay, let's say, some
4 kind of fee to have a sign, you know, I think
5 everybody's on board with that. There would be no
6 problems. Nobody would be upset with something
7 like that, if there was a permit, you know, where,
8 you know, you just -- you know, as long as it's
9 reasonable, right? I mean, you know, I don't know
10 what reasonable is, it's kind of a loaded word,
11 but as long as it's, you know, not blocking. Like
12 maybe they bring the sign in, you know, "Could you
13 approve this," and you guys go, "Yeah, it looks
14 okay," you know, some -- I don't know. But the
15 business owners are concerned.

16 I'm here today because everybody's kind of
17 talking around town, the business owners are
18 concerned. Nobody wants -- everybody just wants
19 to do their business. Nobody wants, right, to
20 have a police, you know, type enforcement guy
21 chasing, you know, us down and telling us that,
22 you know, we're in violation of the code. We're
23 here to conduct business, be successful, help the
24 town to be a destination that it already is. And
25 you know, we're all on the same side, we're just

1 looking for a solution that's plausible, so
2 something that works.

3 TRUSTEE ROBERTS: Respectfully, if I may.

4 MR. GAPPELBERG: Sure.

5 TRUSTEE ROBERTS: I think the Mayor just
6 offered you a compromise. And so go back -- and
7 Trustee Robins here is liaison to BID. I think
8 he's doing a pretty -- pretty solid thing here.
9 He's saying, "Tell you what, go back to your
10 folks, give us parameters for the signs, and we
11 may go and have a public hearing and change the
12 code for you." So I think he's offering you to
13 work --

14 MAYOR HUBBARD: Yeah.

15 MR. GAPPELBERG: No. I love the concept,
16 but could you just answer what you would do if --
17 how does that fit in with someone who has a rack,
18 right? That's not a sign, but it may not --

19 TRUSTEE ROBERTS: It may not, but that's why
20 this is a discussion, we're trying to find a
21 compromise. So --

22 MR. GAPPELBERG: Okay.

23 TRUSTEE ROBINS: Yeah. I am the liaison to
24 the BID, and we had this discussion last year, and
25 the BID did not come to a consensus to bring any

1 kind of an opinion to the Board, and we have had
2 this discussion.

3 I think one of the things that is going on
4 is that there is -- sidewalk space is a premium in
5 the Village. We have weekends where people
6 literally can't get down sidewalks. And one of
7 the things I'm concerned about is that there is a
8 minimum amount of passable sidewalk in front of
9 businesses. You know, I think that's what
10 sidewalk encumbrance code is all about, is making
11 sure that people can walk on the sidewalk. And I
12 have seen this many times downtown, is when they
13 can't, people will actually go out into the
14 street, and I'm concerned about public safety.

15 So I have -- we have had that discussion
16 with the BID, we can have it again. I certainly
17 will bring it to the meeting this next month, when
18 we -- when we get together. And, you know, if
19 you'd like to write a letter to us, I'll make sure
20 that it gets to the BID at their meeting.

21 MR. GAPPELBERG: Sure, sure. Has --

22 TRUSTEE ROBINS: I'd be happy to do that.

23 MR. GAPPELBERG: I have a question. Has
24 there -- you know, these signs have been out for,
25 you know, many years, and, you know, like I said,

1 they're used nationwide. Have you heard of any
2 instance ever where somebody was injured or -- I
3 understand the public safety, that people do walk
4 in the street occasionally when they can't, but
5 have you heard of an incidence where somebody's
6 actually been struck by a car, injured in any way
7 because of these signs?

8 TRUSTEE ROBINS: No, I don't have any
9 documentation or research on that, per se. I'm
10 looking at Greenport right now and the amount of
11 sidewalk space we have, and it varies at different
12 parts in the Village.

13 MR. GAPPELBERG: Sure.

14 TRUSTEE ROBINS: I mean, there are certainly
15 sections that have much wider sidewalks. The area
16 where your store is, I believe the sidewalk gets
17 very narrow there at places.

18 MR. GAPPELBERG: Yeah.

19 TRUSTEE ROBINS: And when there are things
20 out on the sidewalk, I've observed, maybe there's
21 20 inches of sidewalk for people to walk on.

22 MR. GAPPELBERG: Right.

23 TRUSTEE ROBINS: So, you know, I mean, we
24 have to take that into consideration. I'm sure
25 that's what the Code Enforcement Officer was

1 looking at at the time. But please --

2 MR. GAPPELBERG: Okay.

3 TRUSTEE ROBINS: You know, I will bring your
4 concerns to the next BID meeting for sure.

5 MR. GAPPELBERG: Okay.

6 TRUSTEE ROBINS: Okay?

7 MR. GAPPELBERG: Thank you very much for
8 your time.

9 TRUSTEE ROBINS: Thank you.

10 MR. GAPPELBERG: Thank you.

11 MAYOR HUBBARD: All right. Thank you.

12 MS. ALLEN: Chatty Allen, Third Street. I
13 just want to tag onto what he was just saying.
14 Unfortunately, his signs are extremely large. And
15 about two weeks ago, I went out for a walk. It
16 wasn't a busy evening. I literally had to go out
17 into the road, because I could not walk on the
18 sidewalk. And he has not one, but two large
19 sandwich boards.

20 I understand. I was here through all of
21 this with the Board deciding about sandwich
22 boards. And when we got our TCO last year, he
23 went around to all the businesses. I realize this
24 gentleman is new this year, and I'm sure that they
25 went to the business to say this is what the code

1 is. You know, you're not supposed to have it,
2 it's the code.

3 So I don't feel he, you know -- but I just
4 want to say as someone that has walked that area,
5 and Julia is right, it gets very narrow. And I
6 literally had to go into the road after I had
7 walked down by the water and came back, because,
8 like I said, there's not one, there's two, and
9 then the next one had a sign. So in that area,
10 yes, those sandwich boards are extremely
11 hazardous. The code -- the rack is up against the
12 building, it doesn't impede the sidewalk, so there
13 are certain areas where they aren't, but it's in
14 the code.

15 We have Code Enforcement and they're doing
16 their job by enforcing and letting people know
17 this is what a new business is. This is in the
18 code. We're just letting you know so you can
19 correct it. Thank you.

20 MAYOR HUBBARD: Thank you. Okay.

21 MS. RYAN: Can I talk about anything?

22 MAYOR HUBBARD: Go ahead.

23 TRUSTEE PHILLIPS: Yeah, you could talk
24 about anything, including short term rentals,
25 Mindy.

1 MS. RYAN: Okay. Mindy Ryan, 408 Front
2 Street.

3 As I said before, I do own a short term
4 rental. And, actually, I hate that term, short
5 term rental. I consider myself a guesthouse,
6 because I live there and these people are my
7 guests. I greet them personally. I'm upstairs
8 when they're downstairs, I know what's going on.
9 So I propose that maybe we change the term.

10 There should also be a cap on short term
11 rentals. And like I said, I made a decision, my
12 husband and I made a decision to sell our house
13 and move here so that we would be in compliance,
14 what we thought, being owner-occupied, so we made
15 that choice to do that. We could have done short
16 term rentals, you know, illegally, perhaps both
17 upstairs and downstairs. I don't know, because
18 there's no enforcement of it. So we are trying to
19 do the right thing.

20 But I think one way to put a cap on short
21 term rentals is to eliminate short term rentals
22 and not have a rental that's less than 29 days,
23 with the exception of a guesthouse. And a
24 guesthouse, the definition of a guesthouse is --
25 there's two parts to the definition, a building

1 that is separate from the main house of a property
2 and that is used for guests, and a small hotel, a
3 private house that accepts guests. And both of
4 those definitions indicate that there's an owner
5 on the property or in the building.

6 You know, I was always concerned when we
7 lived in Laurel and we had guests downstairs. I
8 would ask the tenant, you know, was there any
9 problems, "Did you hear" -- there was a full-time
10 tenant upstairs, and, "Did you ever hear
11 anything?" He's like, "No, never been a problem."
12 But it was always a concern of mine.

13 So I think owner-occupied you call short
14 term rentals, but I think change the term and then
15 just eliminate short term rentals, only guest
16 houses, like bed and breakfast. But unlike the
17 bed and breakfast, I only have one unit to rent,
18 I'm not renting 10 rooms. And so that's my
19 thought on short term rentals.

20 Then there's the housing crisis. The reason
21 we decided to go with short term rentals is
22 because we don't -- we live upstairs. It's an
23 1880s house, it's balloon framing. You can hear a
24 pin drop downstairs, upstairs. We don't want
25 somebody living downstairs year-round. We look

1 forward to the wintertime when we have the place
2 to ourselves. So we deal with our guests so that
3 we can afford to keep our house. We deal with
4 them on weekends and most of the summer, and we
5 walk around up there like church mice so that we
6 don't disturb them. We get up really early in the
7 morning and we don't want to -- you know, they
8 want to sleep in. So we're -- you know, it's
9 not -- even though it's a legal two-family home,
10 and that's the way we bought it, it's, you know,
11 not how we want to live.

12 If we were told that we couldn't do a short
13 term rental anymore, we would move, and we would
14 rent the upstairs and the downstairs apartment
15 separately, and they would cost -- they would not
16 be affordable, because they're too big to be
17 affordable. You know, the house next to mine is
18 almost identical, same year, same builder,
19 probably, and that's rented upstairs and
20 downstairs and they're getting well over \$2,000 a
21 month for those apartments each. So that's why we
22 do what we do.

23 And then moving on to affordable, creating
24 affordable apartments for our young people, for
25 our seniors, whoever. I think we need to think

1 out of the box and think about -- take my first
2 floor apartment as an example. It's about 970
3 square feet. You could take four -- I go back to
4 the four waitresses, because that sounds better
5 than four migrant workers, but it's still the same
6 thing. You know, it's still four people that are
7 not married or related. They're sharing housing.
8 It's almost dormitory style.

9 You could take my apartment and create --
10 make an incentive for people to take an apartment
11 like mine and create a bedroom/bathroom suite on
12 this side, a bedroom/bathroom suite on this side,
13 and in the center is a shared kitchen, living
14 room. And that's thinking out of the box. It's
15 not what we have now, it's not legal now,
16 probably, but, you know, it's taking an apartment
17 that -- the apartments next to me are occupied by
18 a single person downstairs and a couple upstairs,
19 and that's it. That's three people living in that
20 huge house.

21 We have so many big houses in this Village
22 where we could safely put more people. So you
23 have a couple living in one side, a couple living
24 in the other side, they have a baby. All right,
25 that's good for a year. After a year, okay, now

1 it's time for you to move on, because you've
2 outgrown this space. So that's a thought on that.

3 The other thing is we have room to go up
4 downtown. I spend a lot of time not just picking
5 up trash early in the morning, but I stand in the
6 middle of the street and I look up at these
7 buildings. And if you are on Main Street, there
8 are some just beautiful, beautiful buildings on
9 that street that have been renovated and they have
10 multiple floors. And I'm assuming there's
11 apartments up there that are legal. You know, it
12 just looks really nice. Then you go down Front
13 Street and you see it even more from the back side
14 of Front Street, where there's flat roofs and it's
15 just -- it doesn't look that nice. It doesn't
16 look -- it could be a lot nicer.

17 So if you gave incentives to building owners
18 to -- and gave them permission to go up with an
19 apartment, and you're changing the roof line,
20 you're making it taller, you're putting -- you
21 know, making it look more like Main Street does,
22 but doing it on Front Street, and you think
23 outside the box again, and maybe you have three
24 apartments above a business. And the water view
25 apartment, the rent, the sky's the limit. That's

1 where you're going to make your money back. But
2 the two apartments behind are rent controlled and
3 they have to be -- it has to be occupied by, you
4 know, a local worker, whoever they are.

5 And this -- I've been told this is happening
6 in Patchogue, where they've done a ton of this,
7 where you have a building that has high end rental
8 and then low income rental all in the same
9 building, might even be in the same hallway, and
10 you can't tell by looking at the door whether it's
11 a high end rental or a low end rental. It all
12 looks the same, and you don't know until you go in
13 there what the place looks like.

14 So, you know, we're not going to solve this
15 problem tonight or this year, but my suggestion is
16 think outside the box, brainstorm. We had a
17 session. Mark from Lucharitos held a meeting the
18 other night at the library. A lot of people came.
19 It's a brainstorming session, and don't, you know,
20 say no, or laugh at, or criticize somebody's
21 suggestion when you're brainstorming, you know,
22 there might be an idea there.

23 MAYOR HUBBARD: Okay. Thank you. You can
24 go, Bill. Then, Doug, you're after him.

25 MR. SWISKEY: William Swiskey, 184 Fifth

1 Street.

2 I was a little confused by what Mindy said.
3 My house is a guesthouse, so it's exempt from
4 being capped. I mean, that's part of the problem
5 here, don't gouge me, gouge my neighbor.

6 Now I know people that rent rooms out; okay?
7 That's their choice. If the Village chooses to
8 make a code against it or limit it, that's fine.
9 But to say that my guesthouse would be exempt,
10 and, you know, it just boggles the mind. It's --

11 MS. RYAN: It's an owner-occupied thing.

12 MR. SWISKEY: Yeah, it's an owner -- and
13 most of them are. Most STRs are owner-occupied,
14 they rent a room, they rent the second floor. I
15 mean, it totally made no sense to me.

16 MS. RYAN: Well, that should be allowed, is
17 what I'm saying. You know, it's --

18 MAYOR HUBBARD: Okay. All right. Let's --

19 MR. SWISKEY: Yeah. But, anyway, let's get
20 back to -- well, prices aren't coming down in
21 Greenport, no matter what anybody says. You know
22 what, you and I both know that, George. We know
23 what houses in our neighborhood are going for.
24 Our eyes are falling out. We should be in the
25 cellar making "For Sale" signs, you know what I

1 mean, living at the trailer park, or something.

2 That's just not going to happen.

3 And the demographics of this Village changed
4 when we created Mitchell Park and the Village took
5 off. And it's not going backwards. It will never
6 go backwards, I can tell you that. I mean, people
7 come on the bus, they come on the train. You hear
8 them talking about the Greenport experience. To
9 me it's like wow. It's in -- it's in the New York
10 magazines, it's in the New York papers, it's -- if
11 you're going to make affordables and you're going
12 to make affordable housing for your young working
13 people that they could buy, like Cedarfield was,
14 and like we did in the Village, but we ran out of
15 room; okay? I guess we created about a dozen, if
16 I remember, in the '80s or '90s.

17 MAYOR HUBBARD: Somewhere around there, yes.

18 MR. SWISKEY: Yeah, yeah. You have to get
19 cooperation of the Town, and that's where the land
20 is. We have no land, and you're not going to
21 build up a second floor on the swamp on -- I mean,
22 a third floor on the swamp on Front Street. The
23 cost of building would be so prohibitive that what
24 the owner would have to charge to get his return
25 back wouldn't be affordable anyway. I mean,

1 you're talking about driving pilings to meet code,
2 and steel, the whole nine yards, and it's just not
3 going to happen. You may be able to squeeze out a
4 few more apartments in some places, but they're
5 going to have to put in sprinkler systems, fire
6 escapes.

7 A perfect example would be the Rhumb Line.
8 They got three stories there. They probably got
9 empty rooms upstairs. But he'd need a sprinkler
10 system, fire egresses. You know, it would be just
11 expensive beyond what would be -- then be
12 affordable for working people.

13 It's a sad thing to say, but those of us
14 that are here have it made, and the others, it's
15 going to be tough. And I don't like to say that,
16 but that's realistic.

17 Anyway, now let's get to -- well, you should
18 speak with the Town. Maybe you can come up with
19 something, because this hearsay and this back and
20 forth has been going on since I can remember, from
21 the '80s and '90s. If the politicians are not
22 going to get together and make a stand now, it's
23 hopeless, let's stop talking about it.

24 I see Mr. Prokop is not here tonight. I
25 wanted to ask him about the ferry fee. I know he

1 discussed it with the Board in executive session
2 at the work session. Is there anything that the
3 public can know about that?

4 MAYOR HUBBARD: Actually, we did not bring
5 that subject up, Bill. It got to be late and we
6 forgot about it. There was no discussion about
7 that at the work session.

8 MR. SWISKEY: Oh, wow. That means I got to
9 wait another month to get an answer?

10 MAYOR HUBBARD: At this point, yes. He said
11 he was going to propose something to us. We went
12 to a bunch of other topics and legal situations
13 and the topic never came up.

14 MR. SWISKEY: You know, because we could be
15 losing a lot of money on a monthly basis on that,
16 because I think we could charge them. I mean, I'd
17 like to see that money in the Village's pocket,
18 not the Ferry's.

19 You know, I got no love for Shelter Island.
20 I'm Village of Greenport first. A lot of people
21 may not like that, but that's me.

22 All right. Now the Sandy Beach sewer,
23 did -- any progress on that at all?

24 MAYOR HUBBARD: The final work was being
25 done on the -- on the plan for it. Mr. Pallas was

1 close to finalizing that. We talked about that at
2 the work session. He is not here right now. I
3 know he was gone since the work session, he was
4 only in on Friday, so --

5 MR. SWISKEY: So, basically, we're going to
6 miss the opportunity to apply for a grant for this
7 year.

8 MAYOR HUBBARD: The designer -- the
9 preliminary talks about the grant, with the amount
10 of houses that would be connected to it, it wasn't
11 going to fit into the guidelines anyway.

12 MR. SWISKEY: So we're going to get a lot of
13 money from -- well, we got a lot of money from --
14 we got \$750,000 from Peconic Landing.

15 MAYOR HUBBARD: Yes, we did.

16 MR. SWISKEY: Any chance we could use a
17 couple of hundred thousand of that to sewer the
18 last part of the Village of Greenport that don't
19 have sewer?

20 MAYOR HUBBARD: Once he finishes with the
21 plans, then we can get a price from a contractor
22 what it's going to take. Until we have the plans,
23 we can't even get a contractor to get a price, so
24 we don't what it's going to cost, that's all.

25 MR. SWISKEY: Not to be smart, but it's

1 taking a long time to get these plans.

2 MAYOR HUBBARD: Well, they came up with a
3 couple of different designs, and they actually --
4 the design they were talking about was individual
5 pumps instead of one central pump, and it seemed
6 to be less expensive, more efficient, and a better
7 design. So that's taken some time to finalize
8 that to see if that's the way we're going to go
9 with it.

10 MR. SWISKEY: Each house is going to have
11 its own pump? Who's going to be responsible for
12 the maintenance?

13 MAYOR HUBBARD: Well, that's part of the
14 design of what we're working on, Bill. But when
15 he came back with the overall plan, that seemed to
16 be a better way than putting in a central station.
17 He could do a smaller pipe and everything else and
18 have a pump at each place, each house.

19 MR. SWISKEY: And they all would be
20 connected to a pipe that went under the creek?

21 MAYOR HUBBARD: Correct.

22 MR. SWISKEY: Each one would have to have a
23 check valve. That -- I could tell you, that is
24 not a good idea. You better look hard and fast at
25 that.

1 MAYOR HUBBARD: Well, we haven't -- like I
2 said, we haven't finalized it. We talked about it
3 at the work session. They were going to finalize
4 the plans and get it back to us.

5 MR. SWISKEY: Because one -- one -- say down
6 the line that pipe gets plugged, the guy up on the
7 top end is going to be pumping his sewage back out
8 of everybody else's ejector pump down the line.
9 It's -- that one was -- I know a little something
10 about this. Wow.

11 MAYOR HUBBARD: Well, I'm sure they're not
12 designing it that way, Bill. I mean, you know,
13 we'd have to look at the plan and come up with --

14 MR. SWISKEY: An individual pump is what it
15 is, yeah.

16 MAYOR HUBBARD: Yes, it is for each house,
17 to push it down until -- yes, instead of putting a
18 central station and a force main.

19 MR. SWISKEY: So -- and the owner would be
20 responsible for his pump?

21 MAYOR HUBBARD: As far as I understand right
22 now. I have not seen the finalized plans, because
23 they're not completed yet, Bill.

24 MR. SWISKEY: It's -- all right. Anyway,
25 and the sandwich signs, no, don't go for the

1 sandwich signs. I mean, we're starting to enforce
2 certain ordinances. The sandwich sign needs to
3 be -- I mean, are they going to -- if these guys
4 want a sign, are they going to give us a million
5 dollar liability policy to basically hold the
6 Village harmless if somebody stumbles over the
7 sign and breaks an arm or something? I mean, you
8 know, they're an obstruction on the sidewalk, and
9 we all know that.

10 And on the STRs, I mean, it's a tough
11 choice. Have a good day.

12 MAYOR HUBBARD: Thank you. Doug Moore.

13 MR. MOORE: Doug Moore, 145 Sterling Street.

14 Just very briefly, since we now can say STR.
15 The Village Code, as you are currently drafting, I
16 think you need to think hard whether short term
17 rentals should be treated differently and in some
18 way regulated to limit their expansion, as opposed
19 to longer term rentals.

20 And I think it's a very nice dividing line
21 that did exist. Twenty-nine days and more is a
22 rental long-term. The only missing part was
23 shorter than that, there was no regulation.

24 We have a permissive code, which means you
25 have to identify an item to be permitted. Things

1 aren't permitted just because they aren't
2 described. So I think you need something to
3 regulate, if you think it's important. If you
4 decide STRs are the best thing for the Village,
5 then just turn everything over to STRs. But I
6 think the public is concerned that something
7 should be done for STRs to limit them, whether it
8 be a cap or frequency, whatever, along with any
9 code that recognizes them and essentially
10 sanctions them. So if you just pass this code and
11 you don't address STRs, it's too late, you've
12 already opened the floodgates.

13 The last item, Mindy Ryan had a good comment
14 about the owner occupancy. A lot of these
15 situations sound like a bed and breakfast, and a
16 minor expansion of the bed and breakfast code I
17 think could cover all of them, and that's a short
18 term rental that I think has a lot of public
19 support, owner-occupied. Thank you.

20 MAYOR HUBBARD: Thank you.

21 MS. ANTONIADIS: Hello. My name is
22 Sofia Antoniadis and I'm from 857 Main Street in
23 Greenport.

24 I didn't plan on speaking today, but I would
25 like to commend Greenport for not getting involved

1 with the Southold short term rental situation and
2 the law.

3 My family owns several properties in New
4 York City, and the multiple family dwelling law of
5 the state does cover Long Island, and Greenport,
6 and Southold, and Brooklyn, all of the state. And
7 any dwelling that's three family or more is
8 already governed by the State of New York, that
9 it's a 30-day rental. You cannot rent a
10 three-family or more for less than 30 days. That
11 being said, is -- that's the law in the state.

12 And by the -- by Greenport not getting
13 involved with the short term rental, they're
14 pretty much removing themselves from the liability
15 of other lawsuits, Supreme Court lawsuits,
16 lawsuits that Southold have been dragged into.
17 Airbnb was restricted in the City of New York for
18 apartments, but there is a little bit of a gray
19 area, because if the apartment is owner-occupied,
20 you are still able to rent it on Airbnb, thus
21 being a boarder or taking a roommate. So having a
22 roommate is not -- does not seem to be illegal in
23 New York City and is not addressed by the State
24 Code. The State does not govern one and
25 two-family homes, those are left to the

1 independent owners.

2 My home has six bedrooms. How am I going to
3 rent out six bedrooms? No one can afford it.
4 Anyone that will rent it is going to get boarders,
5 because that's what the market is calling for, you
6 know, whether they're waitresses or workers. And
7 it's probably best for the towns -- for the Town
8 Attorney to make sure that there is no short term
9 rental code just yet and wait for the State to
10 make some type of law, because you'll just get
11 dragged into something.

12 MAYOR HUBBARD: Thank you. Anybody else
13 wish to address the Board?

14 MS. DE CRUZ: Hi. Margaret de Cruz, 25
15 Washington Avenue.

16 I like the idea of allowing people who have
17 a large home to divide their home into another
18 apartment, because it's true. I mean, even with
19 people who have -- like they have their own home
20 and then they have another home that they rent
21 out, but they're big apartments, similar to what
22 Wendy was saying. I just think it's a good idea
23 that we should consider something like that.

24 I think I would love to see a brainstorming
25 session, not just in Lucharitos. Maybe you guys

1 could call one, because we really have to figure
2 out how to help people. I mean, this town will
3 become just only for expensive -- for rich people,
4 which we don't want. You know, we see that all
5 over the country, and we don't want to see
6 highrises.

7 So somehow, if there are a way for us to
8 have people have their homes and be able to
9 have -- maybe divide them a little bit into an
10 apartment or something, because yeah. Thank you.

11 MAYOR HUBBARD: Thank you. Anybody else
12 wish to address the Board?

13 TRUSTEE PHILLIPS: Mr. Mayor, I had someone
14 send me an email that wasn't able to make it
15 tonight.

16 MAYOR HUBBARD: Okay.

17 TRUSTEE PHILLIPS: At some point, I'd like
18 to read it, but I was going to wait until
19 everybody had finished.

20 MS. ALLEN: No, I can wait.

21 MAYOR HUBBARD: Okay. Oh, no, go ahead,
22 Chatty.

23 TRUSTEE PHILLIPS: Go ahead, Chatty.

24 MAYOR HUBBARD: And then she'll read that at
25 the end.

1 MS. ALLEN: Chatty Allen again. I agree
2 with this about putting -- going up on Front
3 Street and further on Main Street structurally is
4 a bad idea, and it is going to cost a lot. Yes,
5 it's going to be beautiful views, but people that
6 are living here and are looking for places here,
7 they're not going to be able to afford the rents
8 there.

9 I don't feel we need to be going up, you
10 know. I mean, I know some of the buildings are
11 preexisting where there are areas where they could
12 renovate, that's one thing. I don't feel we
13 should start going up higher in an area that's
14 really not made to have larger buildings in them.

15 Short term rentals, I am all for
16 owner-occupied, you know. I don't know
17 necessarily putting a cap on saying, you know,
18 because basically they do it through the, you
19 know, summer months. Some do, you know, like in
20 the fall or in the spring, you know, they will
21 rent out then. What I have seen with short term
22 rentals are ones that are not owner-occupied that
23 become free-for-alls and they're unsafe. There
24 are way too many people in there. There's no one
25 governing anything. And I feel that if

1 something's being rented out short term, that's a
2 business more so than something year-round, and
3 there needs to be regulations on it. A regular
4 apartment or a home that's rented out has
5 regulations.

6 B&Bs, they get put through so much that they
7 have to conform with so many regulations. I
8 mean, I was at meeting after meeting with one B&B
9 owner who was trying to expand and had all the
10 space for everything and it took a long time.
11 Someone like that has to go through so much, yet
12 someone that has a second home and they want to
13 keep it for extra income, so they're renting them
14 out, you know, for exorbitant prices, but there's
15 no oversight to them.

16 You know, there was one, I won't say where,
17 but I could hear the commotion on the weekends,
18 the traffic back and forth, because, like I said,
19 there's way too many people in these places. No
20 one knows. You know, they rent out, they're
21 advertising, "Oh, yeah, we have this home, you
22 know, it sleeps 25," when the CO maybe is 10, 12
23 max. You know, they're doubling, because people
24 are -- you know, they're all coming out to party
25 for a long weekend.

1 I don't begrudge anyone making, you know,
2 extra income, but, you know, maybe start with the
3 owner-occupied short term. That will cut down on
4 a lot of these second income homes that maybe then
5 they'll say, "Oh, if I could only rent it a couple
6 of times a year, well, all right, maybe I will get
7 year-round rental in there." It's one way to
8 think about that, you know.

9 I know in this room tonight there are people
10 who are owner-occupied that do short term rentals.
11 Their places, they do everything by the book.
12 Their places are amazing. There's one that my
13 brother and sister-in-law continue to come back to
14 when they come up here to visit. Beautiful place,
15 well maintained, everything is by the book. But
16 short term rentals need to be in this agreement,
17 because it is a rental, and I think that's the
18 starting point right there. And then you can
19 decide what the time frame is. But if you just
20 first put in short term rentals need to be
21 owner-occupied while you work on the rest, so it
22 doesn't take, you know, another cycle to control
23 what's going on.

24 I don't feel that it's fair to our B&Bs who
25 have all the regulation on them, and people that

1 are doing it short term willy-nilly, they have no
2 regulation at all. A fire breaks out in one of
3 these, our guys don't know what they're going
4 into. They don't know how many people are there.
5 You know, that scares me.

6 There was one -- oh, the dead horse again.
7 This morning, I was nearly hit in my bus coming up
8 to the corner by Fourth Street due to ferry
9 traffic. Not one, but two cars turned from Third
10 heading west on Wiggins. So they're coming the
11 opposite direction. One van literally came as
12 close as Doug to my bus. There was nowhere for me
13 to go, because the traffic, the lane is on the
14 other side.

15 I know lately it has not been an everyday
16 occurrence, and, thank you, tomorrow is my last
17 day until September to have to drive that route in
18 the bus and I can avoid it for a while, but this
19 is really unsafe. I have mentioned it numerous
20 times. Someone needs to be controlling not just
21 Third Street. I could barely -- I had to keep
22 blowing the bus horn, because I knew that was the
23 only way I could go from Sixth Street onto
24 Wiggins, because I had cars at all the
25 intersections all trying to merge onto Wiggins. I

1 couldn't go anywhere but make my right on Wiggins.

2 We need someone basically follow the traffic
3 when it gets that bad. This is really dangerous.
4 I had someone say to me earlier, between Fourth
5 and Third, "How did you get your bus through
6 there?" I literally had inches on either side of
7 the bus trying to get through. And I said, "Well,
8 you get used to it." I just don't want to see
9 something happen, and I'm, like I said, beating a
10 dead horse sometimes, that I come up almost every
11 month and speak about this. I'm really afraid
12 there's going to be a major accident somewhere
13 along that route when it starts to get that bad.

14 But, and again, with the sandwich signs, I
15 personally feel that gentleman should have done a
16 little research before he came up and told you to
17 change the code (laughter). But that's why I had
18 to back that up and say his particular signs are a
19 hazard. So thank you very much.

20 MAYOR HUBBARD: Thank you.

21 TRUSTEE PHILLIPS: You want me to read the
22 letter or --

23 MAYOR HUBBARD: Sure.

24 TRUSTEE PHILLIPS: Okay.

25 MAYOR HUBBARD: He deferred to you.

1 TRUSTEE PHILLIPS: Oh, did he?

2 MAYOR HUBBARD: Yes.

3 TRUSTEE PHILLIPS: That's nice of you, John.
4 Thank you very much.

5 This is a correspondence from Dan and Tina
6 Finne.

7 *To Mayor Hubbard and Village Board Members,*
8 *We wanted to take time to express some of our*
9 *feelings about short term rentals. A long time*
10 *Village -- we are long time Village residents and*
11 *also owners of a rental property. We have seen*
12 *the many changes in Greenport. The housing issues*
13 *we speak of are not new ones, they are age old.*
14 *We have never taken for granted being able to live*
15 *here, Maybe because we didn't expect someone else*
16 *to make it possible, nor did we raise our five*
17 *children with that expectation. We, like most who*
18 *live here, have worked long and hard to get where*
19 *we are. At times it was a struggle. We have gone*
20 *where the work was, whether it was Connecticut,*
21 *Baldwin and in the Southside, to make a living.*

22 *The proposal of limiting our rights as*
23 *property owners is unjust. Limiting our freedom*
24 *to make financial decisions according to our*
25 *needs, business or otherwise, is wrong. In our*

1 *opinion, it is not the Board's job to pick winners*
2 *and losers.*

3 *As residents, we put up with all the*
4 *inconveniences, traffic, crowding, parking,*
5 *littering, and noise. Those, too, are age old,*
6 *have only gotten worse with Greenport's*
7 *popularity, mostly to the benefit of the downtown*
8 *business district. We have had many more --*
9 *excuse me. We have -- we have how many more*
10 *proposed restaurants? Should we start limiting*
11 *them, too? The argument being, if people can't*
12 *live here, they won't come back here to work does*
13 *not hold water. People go where the work is.*
14 *Many of us have done it and have -- and know*
15 *plenty still do it.*

16 *As a community, we have been a welcoming*
17 *one, always. Diversity is not an issue in the*
18 *Village, whether it is income or race. The*
19 *division has come, with "you against us"*
20 *mentality, which we don't agree. We've seen it in*
21 *the Village where people were demoralized for*
22 *protecting their neighborhood and property values,*
23 *and it's happening again. Standing up for our*
24 *rights is just that, it's not against anyone else.*

25 *When studying this issue and listening to*

1 *all concerned voices, we might want to take a*
2 *closer look at who actually lives in the Village*
3 *of Greenport. We've heard a lot of these voices*
4 *and they are not Village residents.*

5 *Thank you for your time. Sincerely, Dan and*
6 *Tina Finne.*

7 I just want to enter that in the record.

8 TRUSTEE ROBERTS: Trustee Phillips, do you
9 know, is she writing in her capacity as Chair of
10 the Housing Commission -- Housing Authority Board,
11 or is she writing personally?

12 TRUSTEE PHILLIPS: No, she's -- she and her
13 husband are writing -- are writing as residents of
14 the Village of Greenport.

15 TRUSTEE ROBERTS: Okay. Thanks.

16 TRUSTEE ROBINS: Who was that? I couldn't
17 hear. Who wrote that letter?

18 TRUSTEE PHILLIPS: Dan and Tina Finne.

19 TRUSTEE ROBINS: The Finnes, okay.

20 TRUSTEE ROBERTS: Oh, okay.

21 TRUSTEE ROBINS: All right. Thank you.

22 TRUSTEE ROBERTS: I misheard that.

23 MR. SWISKEY: John wanted to speak.

24 MAYOR HUBBARD: Go ahead, John.

25 MR. SALADINO: Billy said it was okay.

1 MAYOR HUBBARD: Oh, Billy said it was okay?
2 All right. Well, then it must be.

3 MR. SWISKEY: Yeah.

4 MR. SALADINO: John Saladino, Sixth Street.
5 Before I mention the short term rentals, I
6 would just like to clear up a few of the things
7 that I heard here today.

8 Nobody is enjoined. I mean, the concept,
9 the outside-the-box concept where the four
10 unrelated waitresses can share an apartment,
11 that's permitted under our code, that's allowed.
12 So that becomes the responsibility of the landlord
13 if they want to permit that. So if you have a
14 vacant -- if somebody has a vacant apartment and
15 they want to rent to four unrelated waitresses,
16 they're allowed to do that under our rental permit
17 code, the way it is now describing.

18 As far as second floors on Front Street,
19 building owners are allowed to do that now,
20 somebody wants to build a second floor. As the
21 Gusmar Building that's for sale for a gazillion
22 dollars, if the people that buy it want to put a
23 second floor up there -- Jimmy O. is gone. He
24 could have gave us the price for fire suppression.
25 Spend 70, \$80,000 for fire suppression, \$600,000

1 for construction, add that to the price of the
2 building, and then rent those apartments for what
3 people in this room might consider as affordable.

4 Affordable under Federal guidelines is 30%
5 of your monthly income. For somebody that's
6 making \$6,000 a month, it's \$1800 a month. I'm
7 not sure how many people that are living in their
8 mom's basement or in their attics that are working
9 in the service industry, or in the food service,
10 or retail are making 72 or \$75,000 a year that
11 would enable them to afford what's considered
12 affordable.

13 So, as far as the business owners, my
14 opinion is second floors downtown, first of all,
15 is not going to solve the housing crisis. We
16 don't know how many apartments. It exacerbates
17 the parking problems. And, also, it's an enormous
18 investment. That's already available to the
19 building owners now if they want to do it. So if
20 the building owners want to do it, they apply for
21 a building permit and they do it, as long as it
22 conforms with the code.

23 I think, again, solving that particular
24 housing problem, you're not -- it's not going to
25 be addressed in the downtown area. Everybody on

1 this Board knows about the annexation. You know,
2 I think it was 2013 we withdrew from the -- 2013
3 we withdrew from the lawsuit. We had a private
4 builder that wanted to build 127 units; 60 of them
5 were going to be workforce housing. Whatever the
6 reason, the Town, there was pushback from the
7 Town. The Village disputed its own Environmental
8 Assessment Form. The DEC said it was fine, the
9 Village disputed it. We had -- we had -- there
10 was sewer available, so density wasn't a problem.
11 There was pushback from the Town. I guess they
12 didn't want to annex it, give up the tax. That's
13 something that perhaps we should be at a Town
14 Board meeting asking.

15 We chose to withdraw from the lawsuit, which
16 I thought was kind of crazy. It was like being at
17 a crap table with somebody else's money. You
18 know, win, lose or draw, we didn't lose any money,
19 somebody else was funding the lawsuit. So I just
20 didn't understand why we withdrew from the
21 lawsuit. And, you know, the assumption was that
22 perhaps we were going to lose, but that doesn't
23 give you the -- you don't lose the right to
24 appeal. So you don't know down the road if the
25 next Judge, Administrative Law Judge or whoever,

1 decided that was a fact. So I didn't understand
2 that.

3 And the worst part, and the worst part of
4 the entire thing is, and you guys were here, two
5 of you's were Legislators at the time, we had to
6 pay back the legal fees as the result of a lawsuit
7 from the developer that was funding the lawsuit.
8 So not only we didn't get the project, we withdrew
9 from it. It actually cost us money because we had
10 to pay him his legal fees.

11 Anyway, about the short term rentals, I
12 think owner-occupied short term rental -- I've
13 been talking about short term rentals for years.
14 You know, I've been telling you guys all we had to
15 do was read the Suffolk Times five years ago,
16 there was 25 rentals, 25 apartments for rent, five
17 houses for sharing, two or three houses to rent.
18 Now there is none because of short term rentals.

19 There's a little bit of hypocrisy that I'm
20 hearing from the last short term rental hearing
21 and this. This is not a hearing, but this
22 discussion tonight. At the last one we heard a
23 lot of business owners sing the praise of Airbnb
24 and short term rental. How are we going to fill
25 500 restaurant seats if we don't have short term

1 rentals? How are we going to do it? They
2 contribute. We heard people here that were
3 investors. And when I talk about short term
4 rentals, I'm not talking about owner-occupied. I
5 think the guy that lives in his house and he
6 chooses to rent his upstairs or downstairs, or
7 whatever he has to rent that doesn't violate the
8 code, I think that should be his -- absolutely
9 should be his right. If somebody wants to rent a
10 bedroom in their house to somebody from Airbnb, I
11 think that's crazy, but that should be their
12 right. I mean, how do you invite a stranger into
13 like a spare bedroom?

14 (Laughter)

15 You know, but that should be their right.
16 What I'm talking about here now is the guy that
17 stood at this podium and had eight short term
18 rental properties in Greenport. That's not
19 subsidizing your income, that's a business, that's
20 a business. And if you're taking eight available
21 apartments off the market, that's eight available
22 apartments that a long-term renter can't be made
23 available to them.

24 So the discussion should be about -- in my
25 opinion, the discussion should be about short term

1 rentals that aren't owner-occupied. It should be
2 about investors that came here to cash in on a
3 particular dynamic, see an opportunity and cash in
4 on that opportunity.

5 You have short term -- the other thing is
6 enforcement. You guys have to get serious about
7 enforcement. You have short term rental
8 properties, you have Airbnbs in the Waterfront
9 Commercial. There's not even a residential
10 component in the Waterfront Commercial. You're
11 not even allowed to have residential in the
12 Waterfront Commercial, but yet you have short term
13 rentals. How does that even happen?

14 In the Commercial Retail, there's a big
15 discussion now about the Commercial Retail
16 District among some people that really don't know
17 what's happening that choose to -- but, anyway,
18 residential over commercial in a Commercial Retail
19 District is restricted to long term rentals.
20 That's not enforced, that's not even close to
21 being enforced.

22 So if we're going to get serious about it,
23 we got to get serious about what's in effect now.
24 I mean, you guys are negotiating for the unborn,
25 and we have a crisis in front of us now that you

1 refuse to address. So you got short term rental
2 properties in the Commercial Retail, you've got
3 short term properties -- short term rental
4 properties in the Waterfront Commercial.

5 I hear, not belonging to Facebook, but
6 people know it -- people know that I'm interested
7 and they send me stuff just so I get excited and
8 my blood pressure gets up.

9 (Laughter)

10 It's been suggested that by limiting some of
11 this stuff, and creative thinking and stuff, we
12 can bring down the price of housing in Greenport.
13 I kind of resent that. I think that's -- you're
14 trying to devalue the price of my home so someone
15 may or may not be able to afford the price of that
16 home or the home next door from me five or six, or
17 next year, or two, three years from now. I don't
18 think you -- I don't think you guys have that
19 right. And to suggest that -- most people in this
20 room, their homes are their biggest investment.
21 If you propose to somebody that, "Yeah, invest
22 this money in your home and you'll never see a
23 profit from it," "Buy this stock, it's \$10, but
24 for the life of that stock and your life it's
25 going to stay \$10," who would buy it? Who would

1 buy it? How do I move up? How do I buy that
2 million dollar house on Sixth Street if I can't
3 sell my -- if I can't buy my house for what it's
4 worth and then do a little bit of an investment,
5 and then hope that the property values go up, and
6 then realize a little profit from that and be able
7 to move up? That's how I got my house to begin
8 with. That's how all of us got their houses,
9 whether we're willing to admit it or not.

10 You know, I'm sorry that Jimmy O. is not
11 here anymore. He has no problem finding houses in
12 Greenport for \$300,000. He has zero problem
13 finding a house in Greenport for 250 to \$300,000.
14 Doesn't have three bathrooms, it doesn't have
15 granite countertops, it doesn't -- you know, it
16 doesn't have a swimming pool in the backyard. But
17 let's face it, is somebody that doesn't have a lot
18 of money entitled to all that stuff? Are you
19 really entitled to all that stuff if you can't
20 afford it? You buy a modest house, you fix it,
21 you put some -- Habitat for Humanity, you put in
22 sweat equity, you build up the value of your
23 house, you sell it, and you move on from there.
24 You buy the better house, you buy the better
25 house. We've all done it. We've all done it.

1 artificially lose value, right? The market's been
2 going up, but markets go up and down. We also
3 don't want anybody to move their -- lose their
4 primary residence. I think if -- I agree, if you
5 want to rent out a room and you're owner-occupied
6 primary residence, okay. But that's not the issue
7 here. The issue is, is that there's how many
8 title transfers in Greenport per year? You know,
9 talking about single family residences or -- you
10 know, what, around 40?

11 So we're not talking about a huge amount of
12 added interest that a second homeowner that
13 normally wouldn't be buying a second home or
14 wouldn't be able to float that second home. We're
15 not talking about a huge amount of units here.
16 We're talking about a couple of units, you know,
17 anywhere from three to five. That's going to be,
18 you know, 10% of the market, that's going to be,
19 you know, 7% of the market. That's going to have
20 an impact on the price of your home, yes.

21 So you may -- you know, you may have seen
22 this bump, right, which is -- which is fine, but
23 if you look at the slope, it's not a gradual slope
24 and it does go up and down. And then you have
25 this curve that goes up and down over time, it

1 goes like this, right (indicating)? So what I'm
2 saying is it's artificially -- the price of your
3 home is artificially bolstered by short term
4 rentals. It's because there's less -- we heard
5 from two people today that said, you know, "My
6 apartment is too big to rent." I have a hard time
7 grasping that. Is it because that per square
8 footage you are required by -- you know, to rent
9 it out somehow? No. It's because what you're
10 saying is, is nobody's going to pay \$4,000 a month
11 to rent my house, because the market won't bear
12 that. The rental market, nobody's going to do
13 that, because they'd just buy a house. That's the
14 rub right there. The market will not bear someone
15 paying \$6,000 for a rental, because no one's going
16 to pay that for a year-round rental. You can
17 maybe get a nice summer rental, but then you go
18 back to -- you're at the mercy of Wall Street,
19 you're at the mercy of people with -- wealthy
20 people with money.

21 So it's not really -- it's not about
22 entitlement, and it's not necessarily about, well,
23 I worked for what I have, and, you know, this,
24 that and the other thing. I mean, listen, just
25 because you own a house doesn't necessarily mean

1 that the government can't tell you what to do.

2 I have a copy here. This is a second home
3 rider that every single second homeowner that has
4 a Fannie Mae or Freddie Mac loan mortgage back
5 from signs, and it says, "The borrower shall
6 occupy and shall only use the property as
7 borrower's second home. The borrower shall keep
8 the property available for the borrower's
9 exclusive use and enjoyment at all times and shall
10 not subject the property to any time sharing or
11 other shared ownership arrangement, or to any
12 other rental pool agreement that requires the
13 borrower either to rent the property or to give
14 management firm or any other person control over
15 occupancy of that" -- "of said property."

16 Okay. This is -- this is a -- this is a
17 rider that people sign when they buy a second
18 home, and it says you can't rent it out, right?
19 Now I'm not saying -- you know, everybody says,
20 well, these are guys are all cash, you know, they
21 got mounds and mounds of money. That may be --
22 that may be it, but guess what, you may be
23 committing mortgage fraud if you own a second home
24 and you're renting it out. Now is that -- is
25 that -- you know, is that the same person saying,

1 "Well, it's my house, I can do whatever I want"?
2 Well, no, you can't, actually. Of course, there's
3 no way to -- there's no way to figure that out.
4 We're not going to run a title search on every
5 property. You know, we're not going to get loan
6 documents on every property. But it's not just
7 cut and dry as to what -- you know, what's legal
8 and what -- you know, just because it's your
9 house, you may not be operating exactly in the
10 confines of the law.

11 So when people say, "Don't tamper with, you
12 know, my property rights," well, not everybody has
13 the same property rights, depending upon what lien
14 the government has afforded you because of these
15 government backed loan programs. That's the
16 reason why you can get 2%. That's the reason why
17 you don't pay 10% at a private bank. It's a -- is
18 a -- you know, so you can't just categorically
19 say, "I own the house, the government can't tell
20 me what to do." You know, that's not true, you
21 know, in every case.

22 So I just wanted to clarify that, you know,
23 it's not about entitlement, it's not -- no one --
24 you know, no one here is saying that, you know, we
25 want all the houses to be \$130,000 anymore. It's

1 just, you know, let the -- let the normal market
2 forces bear its weight on second homeowners and
3 investors, because those are the first ones to go.
4 That's why investment homes, that's why they pay a
5 larger interest rate than first homes and second
6 homes. It's because it's a -- it's a more risky
7 investment and it's a more risky loan, that's why
8 they pay more. So that's -- those are the first
9 ones to go, those are the first ones they walk
10 away from, those are the first ones that go into
11 foreclosure.

12 And, like I said, no one wants -- I don't
13 want to see anybody out on the street because
14 their house goes into foreclosure. But if a
15 couple of investors have to high tail and run, and
16 it puts more -- you know, a couple of more units
17 on the total supply, it doesn't take 10 -- it
18 doesn't even take 10, it just takes a small
19 amount, 5%, 10%. We're talking about four units
20 here, we're not talking about hundreds.

21 You know, in regards to this situation that
22 Manhattan has and what they're -- what they're
23 using to -- you know, they're addressing that.
24 It's just because they have high-rise buildings.
25 That's their -- that's their issue. We don't have

1 high-rise buildings, that's not our issue. We
2 don't have that issue. The reason why it's a
3 multi -- the reason why it's only -- it only
4 applies to multi-families in New York City and
5 some of these other larger cities is because they
6 don't have the issue of the single family homes.
7 That's not -- that's not their issue. We have a
8 different issue. You can't compare it.

9 Anyway, that's all I want to say.

10 MAYOR HUBBARD: Okay. Thank you.

11 MR. SWISKEY: George, I got a quick
12 question.

13 MAYOR HUBBARD: Okay.

14 MR. SWISKEY: William Swiskey, 184 Fifth
15 Street. Mr. Saladino made we aware of something
16 that. How much did it cost us to -- how much did
17 we have to pay back to Kontokostas?

18 MAYOR HUBBARD: I don't remember us having
19 to pay back anything, but I don't have answer to
20 that right now.

21 TRUSTEE PHILLIPS: Me either.

22 MR. SWISKEY: Did we pay them back or didn't we?

23 CLERK PIRILLO: Not that I remember. I have
24 to check.

25 TRUSTEE PHILLIPS: I don't remember anything

1 of that.

2 CLERK PIRILLO: I have to check.

3 TRUSTEE PHILLIPS: We have to go back and
4 look. I don't remember anything.

5 MR. SWISKEY: Because I said at the time it
6 was a risk. But is there any way you can confirm
7 tomorrow, Sylvia, whether we paid them?

8 MS. PIRILLO: Not tomorrow, but Monday or
9 Tuesday.

10 MR. SWISKEY: All right. Because I'd like
11 to know, I mean, because it scared me a little bit
12 at the time when we discontinued the lawsuit. But
13 if we didn't pay it back, that's fine. But --

14 MAYOR HUBBARD: Okay.

15 MR. SWISKEY: -- John's usually pretty
16 accurate.

17 TRUSTEE PHILLIPS: I don't remember seeing
18 it on the abstract, but --

19 MAYOR HUBBARD: Okay. Anybody else wish to
20 address the Board? Okay.

21 MR. TASKER: Good evening again. Arthur
22 Tasker, 17 Beach Street in Greenport.

23 First of all, I want to thank Mr. Swiskey
24 for bringing up the question of the Sandy Beach
25 sewer. It saves me a lot of time, because that's

1 a project that's very important to me.

2 There was one point that was made as to
3 whether or not, if they were individual force
4 pumps, who would be responsible for their
5 maintenance. And I believe the answer was, "Well,
6 that depends on what the plan says." No, it
7 doesn't. That depends on what the Village's
8 policy is going to be regarding who is responsible
9 for the maintenance of individual force pumps.
10 It's not an engineering question that needs to be
11 decided.

12 Let me come back to the -- just briefly to
13 the issue that I raised earlier, is what is this
14 Village, what is this Board going to do about
15 affordable housing? We talk about things like,
16 well, the ZBA has just tried to kill housing in
17 the downtown area, a falsehood. We talk about the
18 fact that everybody's being encouraged from
19 outside to buy houses because of the market to run
20 Airbnbs. The gentleman here pointed out the
21 legality of many of those, that coupled with the
22 liar loans that an awful lot of people use to
23 purchase second homes. It created -- it's created
24 all kinds of problems.

25 I'd like to address particularly a comment

1 that was -- appeared in a posting on Trustee
2 Roberts' website, I guess his Facebook page today.
3 He says, "The Zoning Board of Appeals requested of
4 themselves an opinion on multi-family housing, and
5 they don't have the authority to do that under New
6 York Law or our code is beside the point." Well,
7 I'm afraid Mr. Roberts has often said, when he
8 talks about things like this, "I'm not a lawyer,
9 but," "I'm not an engineer, but," "I'm not an
10 environmentalist, but." It doesn't stop him from
11 speaking with great authority about matters about
12 which he apparently has no knowledge, by his own
13 admission.

14 Specifically, the powers and duties of the
15 Zoning Board of Appeals are as follows:

16 The Board of Appeals shall have all the
17 powers and duties prescribed by the State, Village
18 Law, and also by this chapter.

19 A, Interpretations: On request by any
20 official, board or agency of the village to decide
21 any of the following questions:

22 One, determination of the meaning of any
23 portion of the text of this chapter, or of any
24 condition or requirement specified or made under
25 the provision in this chapter.

1 That's the authority by which the Zoning
2 Board of Appeals can entertain, can propose and
3 address a question of interpretation. What
4 happened, however, was since the -- I gather that
5 the broadcast of the ZBA meeting was not
6 successful, because somehow the sound didn't get
7 out. One begins to be a little bit paranoid about
8 some of -- when some of these things occur. But
9 because people couldn't listen to the meeting,
10 they don't really know what happened. And they
11 should read the transcripts, which will appear.

12 But what happened was that the Building
13 Department back in February or so requested of the
14 Zoning Board of Appeals for an interpretation of a
15 section of the code and a description of where
16 multi-family housing -- where that affects where
17 multi-family housing can be accomplished in the
18 Village. That was a question on which a public
19 hearing was held for two days to -- rather, two
20 separate days on two separate months. And then,
21 because it looked like they weren't going to
22 get -- someone was not going to like the answer
23 they were going to get, the Village Administrator
24 tried to pull the question back from the ZBA.
25 Because there was confusion over who had made the

1 request and who was withdrawing the request, we
2 felt that the thing to do was to take up the
3 question on our own, using as the basis for our
4 determination the hearings, the public hearings
5 that had already been held and the deliberations
6 that we had.

7 The punch line is this: There was no
8 interpretation of other of those -- either of
9 those, because unless there is ambiguity, there is
10 no need for interpretation. And in neither of the
11 sections that were considered was there ambiguity.
12 Thus, the determination that 150-18, which is a
13 set of standards for constructing buildings,
14 sizes, heights, areas, that sort of thing, as --
15 says nothing whatsoever about where, in what
16 zoning districts it is applicable.

17 So the other half of the question that was
18 asked of us, that we picked up as our own
19 question, was where does multiple -- I think it
20 was to the effect where is multiple dwelling
21 permitted in the Village of Greenport, in what
22 districts, and the answer to that was, again, it
23 requires no interpretation.

24 The Zoning Code of the Village of Greenport
25 is a permissive code. Mr. -- the Chairman, former

1 Chairman of the ZBA, who's not here, Mr. Moore
2 said that. It is a permissive code. That means
3 unless the code says it's permitted, it's not
4 permitted. It's not a question of saying, "Well,
5 the code didn't say anything about it, so I can do it."

6 So you would go down zoning district by
7 zoning district, R-1, R-2, etcetera, etcetera, and
8 look for where multi-family housing is a permitted
9 use, and it is not permitted in any zoning
10 district in the Village of Greenport. It is
11 conditionally permitted in the R-2 District to
12 convert an existing building into a multi-family
13 dwelling following the structural and technical
14 requirements of 150-18. That gives 150-18 a home,
15 by the way. It doesn't exist out there in the
16 ether.

17 So the suggestion that was made, that the
18 opponents of reasonably priced rental housing do
19 not care that people can't find an apartment for
20 under \$2,000 a month, and three of them are on our
21 ZBA, frankly, that's borderline defamation to
22 make -- to make a suggestion like that. I don't
23 think there's anyone, myself included, and I
24 stated earlier, who has any, any whatever
25 objection to reasonably priced housing, but you're

1 not going to get it by building out retail --
2 rental over retail in the downtown area, and
3 because all you're doing is adding to the supply
4 of Airbnb when you do that. So I go back to my
5 question. What is --

6 TRUSTEE PHILLIPS: Mr. Tasker, excuse me.
7 Can I ask a clarification on what you just said?

8 MR. TASKER: Go ahead.

9 TRUSTEE PHILLIPS: In your decision process
10 of the ZBA, in what -- I did listen to the tape.
11 It was made available to all of the Trustees here.

12 CLERK PIRILLO: It's also available online.

13 TRUSTEE PHILLIPS: Let me just --

14 TRUSTEE ROBERTS: Today.

15 TRUSTEE PHILLIPS: Let me just --

16 MR. TASKER: Today.

17 TRUSTEE PHILLIPS: Today, today.

18 TRUSTEE ROBERTS: Right. Another job, so --

19 MR. TASKER: Not during the meeting.

20 TRUSTEE PHILLIPS: No, not during the
21 meeting, today.

22 TRUSTEE ROBERTS: So I will listen to it.

23 TRUSTEE PHILLIPS: Okay. I just want a
24 clarification, because I just heard something that
25 concerns me. Your decision was not based on your

1 feeling or your opinion of short term basis -- I
2 mean, short term rentals in the downtown district.

3 MR. TASKER: It had nothing do with that.

4 TRUSTEE PHILLIPS: Okay. I -- because what
5 I heard you say, just caught my attention, okay,
6 so your decision was based on the facts that were
7 presented to you within the code, correct?

8 MR. TASKER: Of course.

9 TRUSTEE PHILLIPS: Okay. I just -- I just --

10 MR. TASKER: As I had said.

11 TRUSTEE PHILLIPS: Okay.

12 MR. TASKER: We addressed only 150-18 and
13 the districts in which it might apply.

14 TRUSTEE PHILLIPS: Then I misunderstood your
15 last couple of comments.

16 MR. TASKER: A number -- a number of the
17 speakers who objected to the fact that we were
18 considering these issues at all were very much
19 interested in rental over retail. That seemed to
20 be a major theme. And it struck us that as soon
21 as it looked like the answer that we gave, which
22 was that multi-family housing is not permitted in
23 any district, that, I think, sent them running to
24 Village Hall. The next thing you know, we've got
25 proposed ordinance changes that are going to

1 affect these, which are being kept secret to this
2 point. So we really don't know what's going on.
3 But it looks to me, if I were a betting man, that
4 they're going to open the floodgate, the
5 floodgates will be open on retail over -- rather,
6 rental over retail, and that has nothing to do
7 with what we decided.

8 The Village Board, of course, is free to
9 change the code any time it wants, even if it
10 doesn't make sense, but that's not going to solve
11 the affordable housing problem. So I'll ask of
12 you again, maybe you can give me an answer, I
13 wonder, what's this Village Board going to do
14 about providing affordable housing in the Village
15 of Greenport?

16 MAYOR HUBBARD: At this point, there is
17 no problem. We have no vacant land that we're
18 planning on affording -- building affordable
19 housing. We tried that in the past with the spots
20 we had, and that's all that we could do.

21 TRUSTEE ROBERTS: So there's so much we
22 could do.

23 MR. TASKER: So -- well, so you've thrown up
24 your hands.

25 TRUSTEE ROBERTS: No, I'm not.

1

2 MAYOR HUBBARD: No, I'm not. I'm not doing
3 that.

4 TRUSTEE PHILLIPS: I don't think that we're
5 throwing up our hands.

6 MR. TASKER: I don't disagree with you,
7 Mr. Mayor. I don't disagree with what you said.

8 MAYOR HUBBARD: Right, okay.

9 TRUSTEE ROBERTS: Which is why you voted the
10 way you voted.

11 MR. TASKER: You effectively -- you've
12 thrown up your hands, because you're not going to
13 revise -- you're not going to change the law of
14 economics. One of the speakers, I'm sorry, I
15 missed your name, mentioned something that really
16 struck me as surprising, was rent control. Are
17 you kidding me? That's -- this is not New York
18 City. So --

19 TRUSTEE ROBERTS: May I respond to your
20 question?

21 MR. TASKER: Please.

22 TRUSTEE ROBERTS: Okay. So let's start
23 talking about things we could do. There are a lot
24 of people in this Village who own homes now who
25 may not otherwise have been able to, because we

1 got community development block grants. We got
2 them in droves during the Kapell administration.
3 And a lot of people are now living in homes and
4 they're going to age in place because of that.

5 We have no grant writer in this Village. We
6 have nobody who is pursuing community development
7 block grant money. So that's one thing we could
8 do. There's several other things we can do.

9 You've accused me of speaking about things
10 about which I'm not an expert. Are you an Urban
11 Planner?

12 MR. TASKER: No.

13 TRUSTEE ROBERTS: Are you an expert in
14 housing?

15 MR. TASKER: No, I'm not.

16 TRUSTEE ROBERTS: Okay. You just said that
17 we can't solve the housing problem by putting
18 rental over -- or rentals over retail.

19 MR. TASKER: Just in sheer numbers. Just in
20 sheer numbers.

21 TRUSTEE ROBERTS: So, again --

22 MR. TASKER: And the fact that --

23 TRUSTEE ROBERTS: Neither of us are experts,
24 so we're both conjecturers, right?

25 MR. TASKER: The fact that they're going to

1 be at market rate says they aren't going to be
2 affordable.

3 TRUSTEE ROBERTS: We've got some problems,
4 I'm going to give you that. But what we do not
5 have is real -- we only have what RPA did in data
6 about our rental market. There's a copy over
7 there. I've posted it about 4,000 times on my
8 thing. So this is the only data we have. And
9 this was done very far away from here, not by
10 people who care about us, but people who are
11 trying to help solve a regional issue.

12 So one thing we could do is get some
13 community development money to do a housing study
14 about our Village and figure out what we can and
15 can't do. Because, otherwise, it's a bunch of
16 nonexperts trying to solve a problem, or at
17 some -- and I would, you know, say -- I would
18 characterize you as saying, you know, maybe we
19 can't solve the problem, but I don't think that
20 way. I'm a half glass full person, I'd like to
21 see us try to solve it.

22 MR. TASKER: Well, I'd like to see some
23 evidence that there's a possibility of that.
24 Thank you.

25 MAYOR HUBBARD: Thank you.

1 MR. SWISKEY: George, can I just say one
2 thing?

3 MAYOR HUBBARD: Make it brief, Bill. It's
4 your third time. Just --

5 MR. SWISKEY: I realize that. William
6 Swiskey, 184 Fifth Street.

7 The last time we got community block grants
8 is your -- I believe your father was Mayor.
9 That's when we were building affordables. We were
10 doing all the -- we didn't get -- we built in the
11 '90s, because we had to, because we had the three
12 lots and had the money. I think we built three
13 affordable houses. But after that nothing came.
14 It was -- the grants were more for the downtown
15 area and things. No, we -- not since really the
16 '80s have we gotten any of that money, in other
17 words, so I just wanted to correct that record.

18 MAYOR HUBBARD: Okay. Some of those houses
19 were on Second Street that have recently been sold
20 and all.

21 MR. SWISKEY: Yeah, yes.

22 MAYOR HUBBARD: Where the old greenhouse
23 was.

24 MR. SWISKEY: Yeah.

25 MAYOR HUBBARD: We tore down derelict

1 buildings and they put new buildings up --

2 MR. SWISKEY: Your father was --

3 MAYOR HUBBARD: -- for people to live in.

4 But don't have any places like that now --

5 MR. SWISKEY: We have no land left, that's
6 our problem.

7 MAYOR HUBBARD: -- that we could do a bunch,
8 that's all.

9 MR. SWISKEY: We haven't done --

10 MAYOR HUBBARD: We would love to have -- I
11 would love to have a solution. I wish we had a
12 Cedarfields we could build in the Village, or
13 something like that.

14 MR. SWISKEY: But we don't have the land.
15 We don't --

16 MAYOR HUBBARD: But we don't have land for
17 it right now, so.

18 TRUSTEE ROBERTS: We were offered the
19 opportunity to buy a house and the Board turned it
20 down.

21 TRUSTEE ROBINS: I just want to make one
22 comment, too. You know, I bring a perspective as
23 a realtor, and I know what's going on in the real
24 estate market. But, you know, I will -- as the
25 Mayor said, you know, Greenport is built out.

1 We're one square mile. I did the calculations.
2 Southold Town is 535 square miles.

3 I agree with Bill, I think we have to look
4 to Southold for solutions. I don't think that
5 they've investigated everything by any means.
6 There are new wastewater treatment systems
7 available where they are going to be able to
8 build, you know, multi-unit complexes, which would
9 provide housing for, you know, younger people.
10 And their accessory apartment law is prohibitively
11 expensive right now.

12 I know of a number of stories of people
13 trying to build apartments in their existing homes
14 where the cost of that build-out prohibits them
15 from proceeding. The regulations are strict. I
16 would really, you know, like to see us partner on
17 a much more intense level to lobby the Town to
18 step up on this. And, unfortunately, I mean, my
19 son grew up here, he went to school here, he went
20 to college, he left, and he can't afford to come
21 back. And he knows it, he's a realist; okay?

22 I don't own a home here, I'm a tenant. I
23 have the same housing insecurity that a lot of
24 people have; okay? So, you know, I wish there
25 were solutions. I absolutely feel for the young

1 people that want to be here, but, you know,
2 outside the box I'm afraid also means outside the
3 Village, and I hope that that's the direction we
4 can head in. Thank you.

5 TRUSTEE ROBERTS: So then I think we're on
6 the same page about something. Let's move to send
7 the Town Board a letter and ask them for a meeting
8 for -- to discuss this. I've suggested this to
9 you all many times, let's go talk to the Town
10 Board, you know, let's do a resolution, let's go,
11 let's go interact with them, and it gets shot
12 down.

13 So, and some of you have said, "You know,
14 I've got a good relationship with the Supervisor,"
15 blah, blah, blah, so let's see it. Let's go talk
16 to him, because I would love to partner with them.
17 And I'd like to do it without having to go -- the
18 annexation thing I think was -- I've gotten a
19 sense from the Town folks, the Town Government
20 that they were not happy about that. So if you
21 say that word, people freak out, and I don't want
22 anybody to freak out, I want to have a productive
23 discussion.

24 MAYOR HUBBARD: Okay.

25 MR. WINKLER: One more, I'll be quick.

1 MAYOR HUBBARD: Okay.

2 MR. WINKLER: John Winkler, Fifth Street.

3 Well, I guess it's like the baseball, you
4 know, you build something and they'll come. Well,
5 that's what happened, and people are coming to
6 this Village as tourists, seeing how great this
7 place is to live; okay? Before it was affordable,
8 more affordable than anyplace else on the Island.
9 We have great -- a ton of utilities, and people
10 are taking advantage of that, okay, second homes.

11 This short term rental was not created by
12 the people that are doing it. There was a market
13 for it. And some people stepped in and said,
14 "Hey, this is an opportunity to make some money."
15 So we spent a lot of money to get the tourists
16 income here and they came and this is the
17 unintended consequences of it; okay?

18 As far as all these housing problems we
19 have, I don't think -- I think we need a planner.
20 And nothing -- all these changes in the laws are
21 just thrown up on the wall and let's see if they
22 work and nobody thinks about the unintended
23 consequences of them. So we need -- to do all of
24 these things, short term rentals, housing rentals,
25 Code Enforcement for overcrowded homes in

1 Greenport, which there are many of, okay, that
2 these people are charging, four -- three, \$400 a
3 person and putting 10 people in an apartment and
4 making \$4,000 a month on the apartment. That
5 limits the rental base for the local people also;
6 okay? So it's not just one thing that's creating
7 this problem; okay?

8 We have our tourism. Our businesses want
9 the tourism. We -- somehow -- and, again, we're
10 only a one square mile Village. What are we going
11 -- where are we going to put these people; okay?

12 I find more people are not buying homes for
13 short term rental, they're buying them as second
14 homes. There's three houses went up for sale in
15 my neighborhood, it's all families from Manhattan
16 and Brooklyn and they're buying summer homes.
17 They're not renting them short term or long term
18 over 30 days; okay? More -- fewer and fewer
19 people I think are renting single family homes
20 short term if they're sold recently; okay? They
21 just use them as second homes.

22 So, again, this problem has to be done by a
23 professional. And to keep throwing these things
24 out here and saying, "Oh, we're going to revise
25 this to make this work," and all that other stuff,

1 it's not going to work until we have a plan for
2 all of it; okay? And we can come up with a plan
3 that's going to work for all these things, because
4 they all affect us. They all affect the rental,
5 the prices, everything.

6 So I think -- Doug, I agree, there should be
7 a planner. I think we should maybe hire a
8 professional that knows how to do this, has done
9 it someplace else. And because you guys, you guys
10 do a great job for what -- for the time you have,
11 okay, and put the hours of the work you do, but
12 this is a difficult problem and I really don't
13 think that the capabilities are there, not
14 because -- you just don't have the time for it.
15 It's too much to do; okay?

16 So I think we should get a planner, a
17 professional planner and fix all the problems, or
18 at least try to, because one's going to affect the
19 other, and then the other one's going to affect
20 the other one, and it's never going to work, it's
21 just never going to work. Thank you.

22 MAYOR HUBBARD: Thank you. Okay. We'll
23 move on to the regular agenda.

24 RESOLUTION #06-2017-1, RESOLUTION adopting
25 the June 2017 agenda as printed. So moved.

1 TRUSTEE ROBERTS: Second.

2 MAYOR HUBBARD: All in favor?

3 TRUSTEE MARTILOTTA: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 TRUSTEE ROBERTS: Aye.

6 TRUSTEE ROBINS: Aye.

7 MAYOR HUBBARD: Aye.

8 Opposed?

9 (No Response)

10 MAYOR HUBBARD: Motion carried.

11 TRUSTEE ROBERTS: Mr. Mayor, I'm going to
12 walk a resolution on, as I just discussed.

13 Resolution directing the Village Clerk to
14 send a letter to be signed by Mayor Hubbard to
15 request a joint meeting of the Southold Town Board
16 and Greenport Village Board of Trustees to discuss
17 opportunities to partner to develop workforce
18 housing. So moved.

19 TRUSTEE ROBINS: Are we going to need
20 discussion on that, or are we --

21 TRUSTEE ROBERTS: It has to be seconded.

22 MAYOR HUBBARD: Is there a second?

23 TRUSTEE ROBINS: Second, yes.

24 TRUSTEE MARTILOTTA: Sure, second.

25 MAYOR HUBBARD: Okay. Any discussion?

1 TRUSTEE ROBINS: I just think -- you're
2 going to craft the letter, or are we going to have
3 it -- I thought maybe we could discuss it at a
4 work session and come up with, you know, our own
5 points of what we want to do.

6 TRUSTEE ROBERTS: I'm proposing a very
7 simple letter that says, "Can we have a meeting?"

8 TRUSTEE ROBINS: Oh, a meeting?

9 TRUSTEE ROBERTS: Yeah.

10 TRUSTEE ROBINS: That's all, a resolution to
11 ask for a meeting? Do we need a resolution to ask
12 for a meeting?

13 TRUSTEE ROBERTS: Well, we need a resolution
14 to direct the Clerk to send a letter for the
15 Mayor's signature to request a meeting. We could
16 wait, wait a month, Trustee Robins. I just --

17 TRUSTEE ROBINS: No, no. Okay, I'll second
18 it and, you know, we can vote on it.

19 TRUSTEE ROBERTS: Why wait?

20 TRUSTEE PHILLIPS: Well, I -- let's have a
21 discussion on it.

22 I think that if we're going to present
23 something to the Town of Southold -- I know that
24 the Mayor and Supervisor have had some
25 discussions. I think the letter -- the letter

1 doesn't need to be a directive from this Board. I
2 believe that the Mayor can make contact with the
3 Supervisor. We, we as a Board need to come up
4 with our points of what we want to discuss with
5 the Town Board, not just -- their question is
6 going to be, "Well, what do you want to discuss?"

7 TRUSTEE ROBERTS: We want to discuss
8 opportunities to partner on workforce housing. I
9 think we need to get together and talk about it.
10 With respect, Trustee Phillips, I've heard --
11 since being on this Board, I've heard, oh, so and
12 so is going to talk to the Supervisor, so and so
13 is going to talk to the Supervisor.

14 We had this silly concept of liaisons, we're
15 going to interact. And, you know, the one time I
16 went and talked to the Supervisor, he trashed me
17 in the press, so -- and I got a memo from the
18 Mayor a few days later directing me never to talk
19 to anybody again. So -- so, I mean --

20 (Laughter)

21 TRUSTEE PHILLIPS: Excuse me, Trustee
22 Roberts. I need to -- excuse me, I need to
23 correct you a little bit.

24 MAYOR HUBBARD: All right.

25 TRUSTEE PHILLIPS: Trustee Martilotta and I

1 did meet with Councilman Ghosio and Councilman
2 Dinizio, and we did discuss some issues of
3 housing, especially since we have the East-West
4 Sewer Study. And I believe, Trustee Martilotta,
5 you would agree with me that we did discuss some
6 ideas about housing and a way to pursue it. But,
7 in the meantime --

8 TRUSTEE ROBERTS: What were the outcomes?
9 Nothing. So why don't we have a meeting and talk
10 in public and people can be part of it? This is
11 not a -- this is not a -- this is not a crazy
12 concept to sit down and talk with five other
13 individuals who care as much about this as we do.

14 TRUSTEE PHILLIPS: Mayor, I'm going to ask
15 your opinion. You are Mayor, you do talk to the
16 Supervisor. I'm sure that you've had some
17 conversations as of late, yes?

18 MAYOR HUBBARD: About affordable housing,
19 no, I have not.

20 TRUSTEE PHILLIPS: Oh, okay. All right.
21 I'm just asking.

22 MAYOR HUBBARD: There has not been a
23 discussion, no.

24 TRUSTEE PHILLIPS: Okay.

25 MAYOR HUBBARD: This is something that

1 Trustee Roberts brought up and he posted today --

2 TRUSTEE PHILLIPS: Oh, okay.

3 MAYOR HUBBARD: -- about calling for this
4 meeting. I mean, we have liaisons to the Town,
5 the Town has them, we have them. We have a
6 committee that's supposed to be handling this sort
7 of stuff. We could have liaisons come back with
8 an answer. I mean, we need to propose something
9 to the Town to have a Town Board and Village Board
10 meeting together, just have open discussions. We
11 could ask that. I don't if they're going to go
12 for that, you know.

13 But, I mean, what do you want to accomplish
14 out of the meeting? What is your -- I know you
15 say just have a discussion, but what -- the letter
16 can't just say we want to sit down and have a
17 discussion.

18 TRUSTEE ROBERTS: So I think specifically
19 what we have to request is a potential -- a
20 discussion of a potential joint taxing district.
21 I'm not using the right language, but some sort of
22 way to work together so that the Town gets its tax
23 revenue, we can develop in -- on their lands using
24 our more density friendly code, so we can -- plus,
25 within striking distance of a sewer, so we can put

1 them on the sewer, and we can work together to
2 help provide housing for the people who live
3 around here.

4 MAYOR HUBBARD: So, basically, doing the
5 annexation without saying it's an annexation.
6 That was exactly what that other plan was and it
7 got shot down.

8 TRUSTEE PHILLIPS: Well, the Town currently
9 is doing -- if I remember reading the newspapers
10 correctly, they're doing some type of -- Julia,
11 maybe you can correct me -- some type of registry,
12 where they're asking some of their Town -- the
13 Town residents for affordable housing suggestions.
14 Is that's what's going on in the Town Hall right
15 now?

16 TRUSTEE ROBINS: I did see something about a
17 meeting or a discussion about that.

18 TRUSTEE PHILLIPS: So is that something
19 that, Trustee Roberts, you would like to discuss
20 with the Town Board, is to become part of that,
21 that process that's going on?

22 TRUSTEE ROBERTS: Sure.

23 TRUSTEE PHILLIPS: Well, at least that's a
24 direction, instead of just asking for a meeting
25 with no reason. You know, we all have a reason,

1 but I think that the -- out of respect for the
2 Supervisor and for the other Councilmen, we need
3 to kind of give them an idea of what we really
4 want to talk about, other than just using the term
5 "housing" or "affordable".

6 I mean, if we want to be part of that
7 registry program that they're doing, if it would
8 be beneficial for us to do as a joint project
9 between the Town and the Village, then I could see
10 the Mayor contacting the Supervisor to see if that
11 is something possible.

12 TRUSTEE ROBINS: I think I would like to see
13 us discuss this at a work session and kind of
14 formulate a joint opinion on what we're exactly
15 looking for with the Town.

16 TRUSTEE MARTILOTTA: Well, I think it
17 would -- I think it would further our discussion
18 if we had several bullet points, if you will. You
19 know what I mean, A, B, C and D, this is what we
20 would like to discuss. We could give it to them
21 prior, so that they're prepared for it as well.
22 You understand what I'm saying? Like so there --

23 MAYOR HUBBARD: Uh-huh.

24 TRUSTEE MARTILOTTA: So there's purpose and
25 direction behind -- like I'm certainly fine with

1 meeting with whomever, I think it's a great idea.
2 But I think without -- without that preexisting
3 framework, we put some ideas back and forth, so
4 that we're not just going to the table, but both
5 parties are going to the table prepared to discuss
6 four or five points. I think -- I think that
7 would -- that would result in -- I would think
8 that would result in something much more
9 productive.

10 TRUSTEE ROBERTS: Respectfully, if we write
11 them a letter asking for a meeting, they're not
12 going to meet with us tomorrow, so --

13 TRUSTEE MARTILOTTA: No, or the next day.

14 TRUSTEE ROBERTS: I'm sure we have our work
15 session to get our act together and discuss in the
16 public eye about what we want to ask them about.
17 This meeting probably doesn't happen until August
18 earliest. But, again, I'm just -- I'm just asking
19 you to vote to send a letter to the Town Board
20 saying, "Hey, let's try to work together on
21 housing." I don't see why this is controversial.

22 MAYOR HUBBARD: No. You're voting to tell
23 me to write a letter that you want me to write,
24 that you're not giving me substance of what you
25 want me to ask for. Your resolution said to

1 direct the Mayor to write a letter to the Town
2 Board requesting a meeting.

3 TRUSTEE ROBERTS: Yeah.

4 MAYOR HUBBARD: Okay. Give me more of the
5 resolution what you want. And opening a thing
6 like that, you're telling me to write a letter to
7 the Supervisor and you want me to vote on that,
8 but you're not telling me what you want in it, to
9 have a discussion.

10 TRUSTEE ROBERTS: So, in fairness,
11 Mr. Mayor, we have several times passed
12 resolutions asking you to write letters, you know,
13 to the IDA requesting help with the -- you know,
14 we do -- we do do this. I'm happy to draft it.

15 MAYOR HUBBARD: And we -- normally we
16 discuss that beforehand. You don't just throw it
17 out at a meeting when we're sitting here with an
18 agenda and just say, "I want to changed the agenda
19 and I want to direct the Mayor to go and write a
20 letter."

21 TRUSTEE ROBERTS: Well, in fairness and
22 respect, I am following your Robert's Rules of
23 Order and I'm --

24 MAYOR HUBBARD: Yes, you are. Okay, that's
25 fine.

1 TRUSTEE ROBERTS: It is my prerogative as a
2 Trustee to put a motion on the table.

3 MAYOR HUBBARD: And I'm just asking you,
4 what do you want me to put in that letter? I'm
5 not going to spend two weeks with everybody
6 putting comments back on it of what you want.
7 Tell me what you want in the letter and make it
8 part of the resolution and we'll vote on it.

9 TRUSTEE ROBERTS: Trustee Robins had
10 brought -- I wasn't going to say this, but she
11 suggested that we reach out to the Town, so I
12 thought we could capitalize on the momentum, send
13 a letter to the Town. If it makes you that
14 uncomfortable, I will withdraw the resolution.
15 I'm just trying to --

16 MAYOR HUBBARD: No. I just want to know
17 what you want -- if we're going to vote on it, I
18 want to know what you want in the letter.

19 TRUSTEE ROBERTS: And the public's waited
20 long enough, so we'll just wait another month. I
21 can't -- do you want me to sit here and type it
22 out right now, the letter?

23 MAYOR HUBBARD: Give me the three bullet
24 points that Trustee Martilotta just said. What
25 are the three bullet point you want in the letter?

1 What do you want me to ask them for?

2 TRUSTEE ROBERTS: To discuss what Trustee
3 Phillips just said, to discuss being part of
4 working with them on the housing registry, to
5 discuss partnering and potentially developing a
6 joint taxing district or joint sewerage district
7 for lands that are adjacent to or close to the
8 Village of Greenport.

9 MAYOR HUBBARD: So you want a sewer taxing
10 district in the Town.

11 TRUSTEE PHILLIPS: So, wait, wait, wait.
12 I'm sorry. Let's take it -- what do you mean by a
13 sewer taxing district in the Town, since we
14 have -- that's what we're in the business, is of
15 sewer.

16 TRUSTEE ROBERTS: This is government and
17 progress at its best. I withdraw the resolution.
18 It will be in my work session report.

19 RESOLUTION #06-2017-2, RESOLUTION accepting
20 the monthly reports of the Greenport Fire
21 Department, Village Administrator, Village
22 Treasurer, Village Clerk, Village Attorney, Mayor
23 and Board of Trustees. So moved.

24 TRUSTEE ROBINS: Second.

25 MAYOR HUBBARD: All in favor?

1 TRUSTEE MARTILOTTA: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 TRUSTEE ROBERTS: Aye.

4 TRUSTEE ROBINS: Aye.

5 MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response)

8 MAYOR HUBBARD: Motion carried.

9 TRUSTEE ROBINS: RESOLUTION #06-2017-3,
10 RESOLUTION ratifying the following resolutions as
11 approved at the June 15th, 2017 work session
12 meeting of the Village of Greenport Board of
13 Trustees:

14 RESOLUTION ratifying the hiring of Katelyn
15 Cacace and Christopher Keeley as seasonal,
16 part-time Traffic Control officers, effective May
17 23rd, 2017; at a pay rate of \$15.00 per hour, and

18 RESOLUTION ratifying the hiring of Fiona
19 Faherty as a seasonal, part-time employee at the
20 Village of Greenport Mitchell Park Marina Office
21 effective May 25th, 2017; at a pay rate of \$11.00
22 per hour. So moved.

23 TRUSTEE MARTILOTTA: Second.

24 MAYOR HUBBARD: All in favor?

25 TRUSTEE MARTILOTTA: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBERTS: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR HUBBARD: Aye.

5 Opposed?

6 (No Response)

7 MAYOR HUBBARD: Motion carried.

8 TRUSTEE MARTILOTTA: RESOLUTION #06-2017-4,
9 RESOLUTION approving the request of the Greenport
10 Fire Department to use a portion of the Fifth
11 Street Beach/Park on July 29th, 2017 for the
12 Annual Fire Department Picnic. So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR HUBBARD: All in favor?

15 TRUSTEE MARTILOTTA: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBERTS: Aye.

18 TRUSTEE ROBINS: Aye.

19 MAYOR HUBBARD: Aye.

20 Opposed?

21 (No Response)

22 MAYOR HUBBARD: Motion carried.

23 TRUSTEE PHILLIPS: RESOLUTION #06-2017-5,
24 RESOLUTION ratifying the rehiring of Sean
25 Gambaiani, Jack Gold and Jordyn Maichin as

1 part-time, seasonal Camp Counselors at a pay rate
2 of \$10.00 per hour; effective June 13, 2017.

3 CLERK PIRILLO: So moved.

4 TRUSTEE PHILLIPS: Oh, so moved.

5 TRUSTEE ROBERTS: Second.

6 TRUSTEE PHILLIPS: Yes, so moved.

7 MAYOR HUBBARD: All in favor?

8 TRUSTEE MARTILOTTA: Aye.

9 TRUSTEE PHILLIPS: Aye.

10 TRUSTEE ROBERTS: Aye.

11 TRUSTEE ROBINS: Aye.

12 MAYOR HUBBARD: Aye.

13 Opposed?

14 (No Response)

15 MAYOR HUBBARD: Motion carried.

16 TRUSTEE ROBERTS: (RESOLUTION #06-2017-6),
17 RESOLUTION ratifying the hiring of Adam Brautigam
18 as a part-time employee at the Village of
19 Greenport Mitchell Park Marina Office at a pay
20 rate of \$15.00 per hour; effective June 9th, 2017.
21 So moved.

22 TRUSTEE ROBINS: Second

23 MAYOR HUBBARD: All in favor?

24 TRUSTEE MARTILOTTA: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE ROBERTS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR HUBBARD: Aye.

4 Opposed?

5 (No Response)

6 MAYOR HUBBARD: Motion carried.

7 TRUSTEE ROBINS: (RESOLUTION #06-2017-7),
8 RESOLUTION ratifying the hiring of Elizabeth
9 Gironda as a seasonal, part-time Camp Counselor
10 and also as an employee at the Village of
11 Greenport Mitchell Park Marina Office at a pay
12 rate of \$10.00 per hour; effective June 12th,
13 2017. So moved.

14 TRUSTEE MARTILOTTA: Second.

15 MAYOR HUBBARD: All in favor?

16 TRUSTEE MARTILOTTA: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE ROBERTS: Aye.

19 TRUSTEE ROBINS: Aye.

20 MAYOR HUBBARD: Aye.

21 Opposed?

22 (No Response)

23 MAYOR HUBBARD: Motion carried.

24 TRUSTEE MARTILOTTA: RESOLUTION #06-2017-8,
25 RESOLUTION ratifying the hiring of Anna Llukaci as

1 a seasonal, part-time Carousel employee at a (pay)
2 rate of \$10.00 per hour; effective June 10th,
3 2017. So moved.

4 TRUSTEE PHILLIPS: Second.

5 MAYOR HUBBARD: All in favor?

6 TRUSTEE MARTILOTTA: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBERTS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR HUBBARD: Aye.

11 Opposed?

12 (No Response)

13 MAYOR HUBBARD: Motion carried.

14 TRUSTEE PHILLIPS: RESOLUTION #06-2017-9,
15 RESOLUTION ratifying the hiring of Kyle Mackey as
16 a seasonal, part-time Camp Counselor at a (pay)
17 rate of \$10.00 per hour; effective June 13th,
18 2017. So moved.

19 TRUSTEE ROBERTS: Second.

20 MAYOR HUBBARD: All in favor?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBERTS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR HUBBARD: Aye.

1 Opposed?

2 (No Response)

3 MAYOR HUBBARD: Motion carried.

4 TRUSTEE ROBERTS: RESOLUTION #06-2017-10,
5 RESOLUTION amending Resolution #04-2017-11 from
6 the April 27, 2017 regular meeting of the Board of
7 Trustees, to correct the pay rate of Joe Zabarra
8 to be \$10 per hour, and to correct the pay rate of
9 Dylan Zabarra to be \$10 per hour; with both
10 corrected pay rates effective May 15th, 2017. So
11 moved.

12 TRUSTEE ROBINS: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 TRUSTEE ROBINS: RESOLUTION #06-2017-11,
23 RESOLUTION ratifying the attendance of Eileen
24 Wingate at the Stony Brook University Code
25 Conference, from June 13th, 2017 through June

1 15th, 2017; for the completion of the required
2 annual 24-hour in-service building code training.
3 There is no fee for the training, and all
4 applicable mileage and meal reimbursements, to be
5 expensed from account A.3620.400 (Safety
6 Inspection Contractual Expense), applying to the
7 training. So moved.

8 TRUSTEE MARTILOTTA: Second.

9 MAYOR HUBBARD: All in favor?

10 TRUSTEE MARTILOTTA: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE ROBERTS: Aye.

13 TRUSTEE ROBINS: Aye.

14 MAYOR HUBBARD: Aye.

15 Opposed?

16 (No Response)

17 MAYOR HUBBARD: Motion carried.

18 TRUSTEE MARTILOTTA: RESOLUTION #06-2017-12,
19 RESOLUTION approving the request by Global Common
20 for a Letter of Support from the Village of
21 Greenport for a grant from the New York State
22 Energy Research and Development Authority, for
23 Round Two of the Electric Power Transmission and
24 Distribution High Performing Grid Program, and
25 authorizing Mayor Hubbard to sign the Letter of

1 Support. So moved.

2 TRUSTEE PHILLIPS: Second.

3 TRUSTEE ROBERTS: Point of discussion. Do
4 we have a -- forget it. Do we have the language
5 of the letter? Forget it.

6 MAYOR HUBBARD: Yes, there was.

7 TRUSTEE ROBINS: Yeah.

8 MAYOR HUBBARD: A draft of the letter was
9 sent around from the Village -- from the Village
10 Clerk.

11 TRUSTEE ROBERTS: I lose. Okay.

12 MAYOR HUBBARD: No, it was. It was sent
13 around --

14 TRUSTEE ROBERTS: You're right.

15 MAYOR HUBBARD: -- Tuesday. Tuesday,
16 Wednesday, whatever. It was around, so we had an
17 idea what the letter was before we voted on it.

18 TRUSTEE ROBERTS: Sorry I wasted your time.

19 MAYOR HUBBARD: No, that's -- no. Always
20 open for questions.

21 All right. All in favor?

22 TRUSTEE MARTILOTTA: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 TRUSTEE ROBERTS: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR HUBBARD: Aye.

2 Opposed?

3 (No Response)

4 MAYOR HUBBARD: Motion carried.

5 TRUSTEE PHILLIPS: RESOLUTION #06-2017-13,
6 RESOLUTION authorizing Treasurer Brandt to perform
7 attached Budget Transfer #3677, for year-end
8 adjustments for the Enterprise Funds, and
9 directing that Budget Transfer #3677 be included
10 as part of the formal meeting minutes for the
11 June 22nd, 2017 regular meeting of the Board of
12 Trustees. So moved.

13 TRUSTEE ROBERTS: Second.

14 MAYOR HUBBARD: All in favor?

15 TRUSTEE MARTILOTTA: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBERTS: Aye.

18 TRUSTEE ROBINS: Aye.

19 MAYOR HUBBARD: Aye.

20 Opposed?

21 (No Response)

22 MAYOR HUBBARD: Motion carried.

23 TRUSTEE ROBERTS: RESOLUTION #06-2017-14,
24 RESOLUTION authorizing Treasurer Brandt to perform
25 attached Budget Transfer #3678, for year-end

1 adjustments for the General Fund, and directing
2 that Budget Transfer #3678 be included as part of
3 the formal meeting minutes of the June 22nd, 2017
4 regular meeting of the Board of Trustees. So
5 moved.

6 TRUSTEE ROBINS: Second

7 MAYOR HUBBARD: All in favor?

8 TRUSTEE MARTILOTTA: Aye.

9 TRUSTEE PHILLIPS: Aye.

10 TRUSTEE ROBERTS: Aye.

11 TRUSTEE ROBINS: Aye.

12 MAYOR HUBBARD: Aye.

13 Opposed?

14 (No Response)

15 MAYOR HUBBARD: Motion carried.

16 TRUSTEE ROBINS: RESOLUTION #06-2017-15,
17 RESOLUTION authorizing Treasurer Brandt to perform
18 attached Budget Amendment #3679, to fund the Light
19 Plant cooling tower, and directing that Budget
20 Amendment #3679 be included as part of the formal
21 meeting minutes for the June 22nd, 2017 regular
22 meeting of the Board of Trustees. So moved.

23 TRUSTEE MARTILOTTA: Second.

24 MAYOR HUBBARD: All in favor?

25 TRUSTEE MARTILOTTA: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBERTS: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR HUBBARD: Aye.

5 Opposed?

6 (No Response)

7 MAYOR HUBBARD: Motion carried.

8 TRUSTEE MARTILOTTA: RESOLUTION #06-2017-16,
9 RESOLUTION scheduling a public hearing for
10 7:00 p.m. on July 27th, 2017 at the Third Street
11 Firehouse, Third and South Streets, Greenport, New
12 York, 11944 regarding a proposed amendment to
13 Chapter 105 (Sewers), Article -- good Lord --
14 IX --

15 MAYOR HUBBARD: IX.

16 (Laughter)

17 TRUSTEE MARTILOTTA: -- (Fees and Charges)
18 of the Village of Greenport Code, adopting revised
19 sewer rates per the report prepared and submitted
20 by BST & Company, CPA's, LLP; and directing Clerk
21 Pirillo to notice the public hearing accordingly.
22 So moved.

23 TRUSTEE PHILLIPS: Second.

24 MAYOR HUBBARD: All in favor?

25 TRUSTEE MARTILOTTA: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBERTS: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR HUBBARD: Aye.

5 Opposed?

6 (No Response)

7 MAYOR HUBBARD: Motion carried.

8 TRUSTEE PHILLIPS: RESOLUTION #06-2017-17,
9 RESOLUTION ratifying the hiring of Andrew Smith as
10 the part-time Fire Marshal for the Village of
11 Greenport, effective June 6th, 2017; at a pay rate
12 of \$20.00 -- excuse me -- \$25.00 per hour. So
13 moved

14 TRUSTEE ROBERTS: Second.

15 MAYOR HUBBARD: All in favor?

16 TRUSTEE MARTILOTTA: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE ROBERTS: Aye.

19 TRUSTEE ROBINS: Aye.

20 MAYOR HUBBARD: Aye.

21 Opposed?

22 (No Response)

23 MAYOR HUBBARD: Motion carried.

24 TRUSTEE ROBERTS: (RESOLUTION #06-2017-18),
25 RESOLUTION hiring Adam Brautigam as a full-time

1 Account Clerk Typist for the Village of Greenport
2 Mitchell Park Marina Office, at a pay rate of \$15
3 per hour, effective June 28, 2017. All health
4 insurance and other full-time employment benefit
5 provisions specified in the current contract
6 between the Village of Greenport and CSEA Local
7 1000 apply to this hiring, as does the standard
8 twenty-six week Suffolk County Civil Service
9 probationary period. So moved.

10 TRUSTEE ROBINS: Second.

11 MAYOR HUBBARD: All in favor?

12 TRUSTEE ROBERTS: I'm sorry. I'm sorry.
13 Didn't we just hire Adam Brautigam for something
14 else?

15 MR. SWISKEY: Yeah, you did.

16 CLERK PIRILLO: You hired him part-time, and
17 this is the full-time hiring. We divided it into
18 did two resolutions, because he's coming part-time
19 before starting full-time.

20 TRUSTEE ROBERTS: Thank you.

21 CLERK PIRILLO: You're welcome.

22 MAYOR HUBBARD: Any other discussion?

23 T (No Response)

24 MAYOR HUBBARD: All in favor?

25 TRUSTEE MARTILOTTA: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBERTS: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR HUBBARD: Aye.

5 Opposed?

6 (No Response)

7 MAYOR HUBBARD: Motion carried.

8 TRUSTEE ROBINS: RESOLUTION #06-2017-19,
9 RESOLUTION hiring Jason Doucett as a full-time
10 Groundskeeper I for the Village of Greenport Road
11 Department, at a pay rate of \$16 per hour,
12 effective June 28th, 2017. All health insurance
13 and other full-time employment benefit provisions
14 specified in the current contract between the
15 Village of Greenport and CSEA Local 1000 apply to
16 this hiring, as does the standard twenty-six week
17 Suffolk County Civil Service probationary period.
18 So moved.

19 TRUSTEE MARTILOTTA: Second.

20 MAYOR HUBBARD: All in favor?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBERTS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR HUBBARD: Aye.

1 RESOLUTION scheduling a public hearing for
2 7:00 p.m. on July 27th, 2017 at the Third Street
3 Firehouse, Third and South Streets, Greenport, New
4 York, 11944 regarding a proposed amendment to
5 Chapter 150 (Zoning), Section 9 (CR-Retail
6 Commercial District) and Section 17 (18)
7 (Multi-Family Dwelling) of the Village of
8 Greenport Code, adopting regulations regarding
9 multi-use residential and commercial buildings in
10 the CR (Retail Commercial) District and
11 Multi-Family Buildings in the R-2 (One and
12 Two-Family Residence) District, and directing
13 Clerk Pirillo to notice the public hearings
14 accordingly. So moved.

15 TRUSTEE ROBERTS: Second.

16 MAYOR HUBBARD: All in favor?

17 TRUSTEE MARTILOTTA: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 TRUSTEE ROBERTS: Aye.

20 TRUSTEE ROBINS: Aye.

21 MAYOR HUBBARD: Aye.

22 Opposed?

23 (No Response)

24 MAYOR HUBBARD: Motion carried.

25 TRUSTEE ROBERTS: (RESOLUTION #06-2017-22),

1 RESOLUTION scheduling a public hearing for
2 7:00 p.m. on July 27, 2017 at the Third Street
3 Firehouse, Third and South Streets, Greenport, New
4 York, 11944 regarding a proposed amendment to
5 Chapter 65 (Fire Prevention and Building
6 Construction) of the Village of Greenport Code,
7 adopting the 2015 International Building and Fire
8 Prevention Codes, and directing Clerk Pirillo to
9 notice the public hearing accordingly. So moved.

10 TRUSTEE ROBINS: Second.

11 MAYOR HUBBARD: Just a bit of discussion on
12 that. Can we just check on that? I heard this
13 evening that it's already been amended to 2016.

14 CLERK PIRILLO: Yes. We have checked once,
15 and 65, Chapter 65 was amended for fees only.

16 MAYOR HUBBARD: Okay.

17 CLERK PIRILLO: We haven't found any
18 evidence of other, but we'll check again before
19 noticing.

20 MAYOR HUBBARD: Okay. Any other discussion?

21 (No Response)

22 MAYOR HUBBARD: All in favor?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBERTS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 MAYOR HUBBARD: Motion carried.

6 TRUSTEE ROBINS: RESOLUTION #06-2017-23,
7 RESOLUTION accepting the donation of one, two-part
8 "Big Belly" solar trash can/compactor, from Sharon
9 Sailor, to be placed on Village-owned property
10 selected by the Village of Greenport Board of
11 Trustees, with the period of the donation to be
12 one year from the delivery date of the solar trash
13 can/compactor. The value of the donation to the
14 Village of Greenport totals \$2,820 for one year,
15 as \$235 per month, payable by Sharon Sailor for
16 the first year of a five-year lease agreement. So
17 moved.

18 TRUSTEE MARTILOTTA: Second.

19 MAYOR HUBBARD: All in favor?

20 TRUSTEE MARTILOTTA: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE ROBERTS: Aye.

23 TRUSTEE ROBINS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

1 (No Response)

2 MAYOR HUBBARD: Motion carried.

3 (Applause)

4 TRUSTEE MARTILOTTA: RESOLUTION #06-2017-24,
5 RESOLUTION approving all checks for the Fiscal
6 Year 2016/2017 per the Voucher Summary Report
7 dated June 16th, 2017, in the total amount of
8 \$287,193.92 consisting of:

9 o All regular checks in the amount of
10 \$287,193.92. So moved.

11 TRUSTEE PHILLIPS: Second.

12 MAYOR HUBBARD: All in favor?

13 TRUSTEE MARTILOTTA: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 TRUSTEE ROBERTS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR HUBBARD: Aye.

18 Opposed?

19 (No Response)

20 MAYOR HUBBARD: Motion carried.

21 TRUSTEE PHILLIPS: RESOLUTION #06-2017-25,
22 RESOLUTION approving all checks for Fiscal Year
23 2017/2018 per the Voucher Summary Report dated
24 June 16th, 2017, in the total amount of
25 \$218,460.86 consisting of:

1 o All regular checks in the amount of
2 \$188,137.68, and

3 o All prepaid checks (including wire
4 transfers) in the amount of \$30,323.18. So moved.

5 TRUSTEE ROBERTS: Second.

6 MAYOR HUBBARD: All in favor?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBERTS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 MAYOR HUBBARD: Motion carried.

15 Okay. I'll offer a motion to adjourn at 9:58.

16 TRUSTEE MARTILOTTA: Second

17 TRUSTEE ROBINS: Second

18 MAYOR HUBBARD: All in favor?

19 TRUSTEE MARTILOTTA: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 TRUSTEE ROBERTS: Aye.

22 TRUSTEE ROBINS: Aye.

23 MAYOR HUBBARD: Aye.

24 Opposed?

25 (No Response)

1 MAYOR HUBBARD: Motion carried. We're
2 adjourned. Thank you all for coming.

3 (The meeting was adjourned at 9:58 p.m.)
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#	\$11.00 [1] - 148:21 \$130,000 [1] - 115:25 \$15 [1] - 160:2 \$15.00 [2] - 148:17, 150:20 \$16 [2] - 161:11, 162:7 \$1800 [1] - 104:6 \$188,137.68 [1] - 167:2 \$2,000 [2] - 79:20, 123:20 \$2,820 [1] - 165:14 \$20,000 [1] - 58:8 \$20.00 [1] - 159:12 \$218,460.86 [1] - 166:25 \$235 [1] - 165:15 \$25.00 [1] - 159:12 \$28,000 [1] - 11:21 \$287,193.92 [2] - 166:8, 166:10 \$30,323.18 [1] - 167:4 \$300,000 [2] - 110:12, 110:13 \$4,000 [3] - 6:18, 113:10, 135:4 \$400 [1] - 135:2 \$50 [2] - 31:8, 31:18 \$500 [2] - 54:3, 68:7 \$6,000 [2] - 104:6, 113:15 \$600,000 [1] - 103:25 \$75,000 [1] - 104:10 \$750,000 [1] - 87:14 \$80,000 [1] - 103:25	06-2017-9 [1] - 152:14 1 10 [8] - 6:12, 25:3, 61:1, 78:18, 96:22, 116:17, 116:18, 135:3 10% [3] - 112:18, 115:17, 116:19 100 [1] - 6:16 100% [1] - 5:14 1000 [3] - 160:7, 161:15, 162:12 103 [5] - 14:6, 16:2, 16:15, 26:19, 47:1 103-11 [1] - 31:4 103-12 [1] - 32:6 103-12(B) [1] - 40:4 103-16 [1] - 34:5 103-17 [1] - 34:7 103-22 [1] - 35:8 103-5 [1] - 28:8 103-9 [2] - 30:10, 30:17 103-.7 [1] - 28:17 105 [1] - 158:13 10th [1] - 152:2 11 [2] - 9:24, 46:10 112-4 [1] - 33:16 115-7(A) [1] - 68:14 117 [1] - 64:14 11944 [3] - 158:12, 163:4, 164:4 12 [4] - 29:14, 65:2, 65:4, 96:22 12-by-12 [1] - 69:11 127 [1] - 105:4 12th [1] - 151:12 13 [1] - 150:2 132 [1] - 33:10 135 [1] - 6:19 13th [2] - 152:17, 153:25 145 [2] - 17:25, 90:13 15 [3] - 65:2, 65:4, 69:13 150 [2] - 33:15, 163:5 150-18 [4] - 122:12, 123:14, 125:12 150-2 [2] - 27:3, 27:7 15th [3] - 148:11, 153:10, 154:1	16th [2] - 166:7, 166:24 17 [2] - 118:22, 163:6 18 [1] - 163:6 18-page [3] - 43:12, 43:22, 43:24 184 [5] - 10:25, 49:7, 82:25, 117:14, 130:6 1880s [1] - 78:23 1983 [1] - 21:14 199 [1] - 43:16	2 2 [2] - 30:18, 43:18 2% [1] - 115:16 2,000 [1] - 6:18 20 [2] - 69:13, 74:21 2006 [1] - 56:19 2008 [1] - 56:19 2013 [2] - 105:2 2015 [4] - 29:8, 29:24, 49:2, 164:7 2016 [2] - 30:1, 164:13 2016/2017 [1] - 166:6 2017 [30] - 1:9, 10:2, 136:25, 148:11, 148:17, 148:21, 149:11, 150:2, 150:20, 151:13, 152:3, 152:18, 153:6, 153:10, 153:25, 154:1, 156:11, 157:3, 157:21, 158:10, 159:11, 160:3, 161:12, 162:8, 163:2, 164:2, 166:7, 166:24, 169:12, 169:18 2017/2018 [1] - 166:23 208 [1] - 3:14 21st [1] - 6:20 22 [2] - 1:9, 169:12 22nd [3] - 156:11, 157:3, 157:21 23rd [2] - 39:18, 148:17 24-by-24 [1] - 69:11 24-hour [1] - 154:2 25 [5] - 18:2, 93:14, 96:22, 106:16 250 [1] - 110:13	25th [1] - 148:21 269 [1] - 43:18 27 [3] - 43:5, 153:6, 164:2 27th [2] - 158:10, 163:2 28 [3] - 7:17, 160:3, 162:8 28th [1] - 161:12 29 [2] - 44:20, 77:22 29th [1] - 149:11 3 30 [5] - 21:24, 21:25, 56:11, 92:10, 135:18 30% [1] - 104:4 30-day [1] - 92:9 309 [1] - 8:12 326 [1] - 44:10 3rd [1] - 169:18 4 4,000 [1] - 129:7 40 [1] - 112:10 408 [3] - 25:17, 36:22, 77:1 414 [1] - 36:22 440 [1] - 21:12 45 [1] - 111:13 4th [3] - 3:7, 3:10, 3:11 5 5 [1] - 8:25 5% [1] - 116:19 5,000 [1] - 58:7 50 [4] - 2:23, 3:4, 6:16, 36:8 500 [2] - 61:18, 106:25 508 [1] - 20:8 53.1 [1] - 26:20 535 [1] - 132:2 6 6 [1] - 9:15 60 [1] - 105:4 65 [4] - 26:20, 164:5, 164:15 68 [1] - 6:19 6:00 [1] - 3:11
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Mary Bess Phillips

From: Tina Finne <tfinne1430@aol.com>
Sent: Thursday, June 22, 2017 9:30 AM
To: Mary Bess Phillips
Subject: STR law

June 21, 2017

To Mayor Hubbard and Village Board Members,

We wanted to take the time to express some of our feelings about the proposed changes to the STR laws. As long time Village residents and also owners of a rental property, we have seen the many changes in Greenport. The housing issues we speak of are not new ones, they are age old. We, have never taken for granted being able to live here. Maybe because we didn't expect someone else to make it possible, nor did we raise our 5 children with that expectation. We, like most who live here, have worked long and hard to get where we are. At times it was a struggle, we have gone where the work was, whether it was Connecticut, Baldwin and the Southside, to make a living.

The proposal of limiting our rights as property owners is unjust. Limiting our freedom to make financial decisions according to our needs, business or otherwise is wrong. In our opinion it is not the Boards job to pick winners and losers.

As residents we put up with all the inconveniences, traffic, crowding, parking, littering, and noise, (Those too are age old, having only gotten worse with Greenport's popularity.) mostly to the benefit of the downtown business district. We have how many more proposed restaurants? Should we start limiting them? The argument being; if people can't live here , they wont come here to work does not hold water. People go where the work is. Many of us have done it and know plenty still doing it.

As a community we have been a welcoming one, always. Diversity is not an issue in the Village, whether it be income or race. The division has come, with the you against us mentality, when we don't agree. We've seen it in the Village where people were demonized for protecting their neighborhood and property values. And its happening again, standing up for our rights, is just that, it's not against anyone else.

When studying this issue and listening to all the concerned voices, we might want to take a closer look at who actually lives in the Village of Greenport. We've heard a lot of these voices and they are not Village residents.

Thank you for your time.

Sincerely,

Dan and Tina Finne

Sent from my iPad

Sent from my iPad

Sylvia Pirillo

From: corwin <corwin@optonline.net>
Sent: Thursday, June 22, 2017 11:51 AM
To: Sylvia Pirillo
Subject: Draft Rental Permit Law

Dear Clerk Pirillo:

Please find some comments below on the re-proposed Village of Greenport Rental Law, Code Chapter 103. I am afraid I have not done the best job in putting this together. Village of Greenport PDF files are not searchable by me nor can I copy text. One of the Trustees told me they thought they could correct the problem but apparently could not or did not try.

Unfortunately I have a limited amount of time to devote to these things so I may have made mistakes as I am not checking this correspondence with a satisfactory lag time. I apologize for doing this via electronic correspondence.

I had not planned on commenting on the Chapter 103 document but reading it makes me think it is my duty as a citizen to comment. I am reading this as an item attached to your agenda so I assume this is the document that counts.

Below are some comments on what appear to me to be errors or poor thinking:

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

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Draft Rental Permit Law;
February 8, 2017 updated June 6, 2017

~~Greenport.~~ (deletion requested by Trustee Phillips)

~~IMMEDIATE FAMILY; The owner's spouse, children, parents, siblings, grandparents or grandchildren.~~ (Deletion requested by Trustee Phillips).

It is pointless to go through this exercise and not define **family**.

York State Supplement, the 2015 International Building and Fire Prevention Code, New York State Supplement, will prevail. The issuance of any permit or the filing of any form under this

Are you sure you are citing this correctly?

~~You have a definition of Two-Family Building where it should not be.~~

1. The legal residence of each owner and in the event that the owner of the rental property is a corporation, partnership, limited liability company, or other business entity, the name, proof of legal residence, and telephone number of the responsible party of the owner or owner entity shall be provided.

B,1) As far as I can see a Limited Liability Company's "proof of legal residence" is generally some address for service of papers and that is all.

5. Floor plan needs a definition

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

1. Enhanced STAR;
2. Veterans exemption; or
3. Senior citizens exemption.
4. The owner of a rental property submits a sworn affidavit affirming that the rental

C. There should be no exemptions from application fees except for low income tenants.
(When I am the only one left paying taxes and fees, it is just not going to work.)

F. The owner(s) and tenant(s) shall ensure that all applicable parking regulations provided for in the Greenport Village Code are satisfied.

That doesn't work.

I. Dumpsters are prohibited on residential property for anything other than

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Draft Rental Permit Law;
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incidental short term use.

Sometimes dumpsters are better than plastic bags.

7. There are more than three waste receptacles, cans, containers, bags or boxes containing waste from the premises placed for pickup at least twice during a weekly garbage pickup area;

Does this even make sense? There is generally only one garbage pickup per week at any residential building.

Respectfully yours,
Citizen David Corwin

Patricia Mundus
182 Sterling Street
Greenport NY 11944

March 14 and June 22 2017

Dear Mayor Hubbard and Members of the Greenport Village Board of Trustees,

Thank you Mayor Hubbard and Trustees for your resolution assuring a safe and hearty newcomer welcome. It is a beautiful stand against the divisive "us & them" anti-immigrant movement sweeping the country. This letter asks how will you shape related rental legislation into one that recognizes that concurrently we're also become a popular resort community 2-1/2 hours away from the biggest city in the country. Our new local tourist-based economy means jobs for immigrants and locals alike. Hopefully your board will rise to the challenge of regulating safety and overcrowding while balancing individual rights and the principals of our free market economy.

Greenport's economic and physical revitalization is fueled in part by short-term visitors. It is a rare Greenport local or newcomer whose family or friends do not benefit from the trickle-down effect of thriving stores & restaurants, rental companies, spas, outdoor sports and recreation, farmers & fishermen, etc. Now that revitalization has gained momentum, Greenport's tradesmen too are benefiting - like all the other East End communities close to weekend striking distance from New York. Please don't throw out the baby with the bath water and impose legislation that reduces visitor short-term accommodations. My observations:

1. House-sharing is not all bad and not only immigrants do it. It actually make sense in communities that have reached build-out like Greenport. Why is it wrong to allow safe and sensible shared housing where single-tenant rents may be prohibitive? Why is it wrong to allow existing housing stock to be used for visitors when there is a major shortage of visitor accommodations? Be courageous and forthright in our acceptance of present-day realities. Legislation needs to bear this in mind.
2. Many Greenport residents have livelihoods that dictate that homeowners leave their houses for periods of time. If these houses were rented in their absence, what qualifies as a short-term rental? Why should people in this category be penalized for utilizing this valuable housing stock as short-term rentals? Does it benefit the economy to have houses stand empty and unused? These properties are NOT the same houses that would otherwise be on the regular rental market. These dwelling units are mutually exclusive groups. I hope the evolved thinking of the Board will take this into consideration.
3. Re Airbnb bashing, may I interject some user reality? Airbnb and other house-sharing platforms have systems in place where hosts and guests are already vetted and reviewed. Every guest makes a respectful request to stay in a host's home and is selected or rejected by the host, based on a back-and-forth interview and acceptance process. Be wary of opinions of people not personally in tune with the business model of Airbnb. I am an in-residence Airbnb host and can attest that my own guests are well-funded and responsible visitors. Very few arrive by automobile. Some return time and again and some have even become friends!

4. There is a huge shortage of overnight accommodations in Greenport. The most common feedback I get from my summer Airbnb guests is, "We couldn't find anywhere to stay to attend our (friend's, niece/nephew's, brother/sister's) wedding! Thank you so much for hosting us!" It's a win-win-win situation for the Greenport economy, for visitors, and for homeowners.

5. An appropriately inspected house with a modern C of O should already be as safe as a B & B or small inn. As an example, my own 4 bedroom house has six smoke detectors, three CO2 monitors, two waters lines, and Village sewage - all for me, a single person in residence! My winter housemate is a single person and a local boat builder, benefiting from modest workforce housing rates, which is partially cross-subsidized by my summer Airbnb income!

6. Airbnb hosts pay significant additional taxes. Airbnb hosts pay a 3% Suffolk County Hotel/Motel tax and Suffolk County utilizes this revenue to promote hospitality safety and tourism. Airbnb income is automatically reported formally to the IRS. We are not scamming the system. We contribute to Greenport's revitalization and attractiveness to tourism and pay taxes above and beyond the average homeowner. Please resist the urge to impose additional punitive user fees above and beyond landlord registration.

I support a simplified rental permit registry to create a baseline of landlords and safety criteria. This will benefit everyone. It will also create a measurable way to monitor the impact of each rental on the rest of the community and quantify the amount of units we are discussing. How can you regulate an aspect of the Village that is not even quantified yet?

I support including low income housing in this rental permit process. In my five years on the Planning Board, very few complaints or comments were brought against middle-class home owners renting short-term. The majority of community disruption and complaints were created by full-time work-force tenant overcrowding, trash receptacles and dumpsters overflowing, too many cars in the driveway, loud music, etc. This is the sector of the rental market that most impacts the community, but we are considering targeting the short-term sector that has little detrimental impact? It doesn't add up.

I do not support limiting the amount of permits to a certain percentage of landlords. This is discrimination and (if I were a Trustee) I would hate being responsible for preventing a well-meaning homeowner from being allowed the same rights as his/her neighbors. Who will decide? What is fair? How many will be allowed? How will you guard against accusations of favoritism? Are you willing to tell someone "NO" they can't rent their house for a couple of weeks to help pay their kid's college tuition or finance a much needed home improvement? What if it were you being denied this right?

We all should care about the community soul-sickness that exclusionary rents can create. In the examples above, I encourage you to fearlessly face the present economic realities and weave thoughtful discernment into your legislative process. Please balance allowing the rights of existing homeowners to retain short-term rentals while encouraging decent modest workforce housing. These are two mutually exclusive groups. Thank you for considering my opinion.

Sincerely,
Pat Mundus

Sylvia Pirillo

From: Sylvia Pirillo
Sent: Wednesday, June 21, 2017 11:29 AM
To: Julia Robins; Mary Bess Phillips; Jack Martilotta; Douglas Roberts
Cc: George Hubbard; Paul Pallas; jwpgreenport@aol.com
Subject: Jane Ratsey Williams' comments for the Rental Law Public Hearing on 6/22/17
Attachments: Fee structure for permits 9.30.docx; Permit Cover Sheet.docx; Questionnaire for rentals ST and long.xlsx; Rental Permit Application Oct.docx; Suggested Permit Form Oct.xlsx

Good morning, all.

Kindly see the attached and below from Jane Ratsey Williams, as part of the record for the public hearing on the Rental Law, which Ms. Williams is unable to attend.

Thank you –
Sylvia.

Sylvia Pirillo, RMC
Village Clerk
Village of Greenport

From: Jane Ratsey Williams [mailto:jrw229@gmail.com]
Sent: Wednesday, June 21, 2017 9:40 AM
To: Sylvia Pirillo <spirillo@greenportvillage.org>
Subject: Kindly distribute to the board, mayor and lawyer

Morning Sylvia,

Attached some documents I would like in the minutes for this week's Board Meeting. Unfortunately, I am unable to attend the meeting.

These are documents are ones I have created after much review and studying what is currently in use in an attempt and make the rental permit process more efficient, professional and thorough. I shared these documents last fall with Trustees Roberts and Philips.

Should the Board wish to use these or a form of these they are welcome to.

I am including the following:
Fee Structure
Permit Cover Sheet
Questionnaire for property owner
Rental Permit Application
Suggested Permit

Also I feel very strongly that the Village should charge short term rental properties a yearly fee of \$500. Most easily make that on one weekend rental. This income could also possibly be used to hire someone to monitor this process.

Thank you.

Jane

--

Jane Ratsey Williams
229 Fifth Street
Greenport, NY 11944
631.680.1104



RENTAL PERMIT APPLICATION FEE STRUCTURE

Presented here is the fee structure for a rental permit in the Village of Greenport, effective September 22, 2016. Because of the official time it takes to review applications, make corrections as necessary, do on-site inspections, bill anniversary fees and file said applications there are no longer any exemptions.

Short-term rental properties	\$500.00 per year due upon application
Owner occupancy rental properties	\$100.00 per unit every two years due upon application acceptance anniversary
Not owner occupied rental properties	\$200.00 per unit every two years due upon application acceptance anniversary

QUESTIONS

Liability of non-payment?????

Percentage added after 30 days on non-payment ????

Internal Use Only

Short-term rental _____

Owner-occupied rental _____

Not owner occupied rental _____

Paid Date _____ Check _____ Visa/MasterCard _____

Anniversary Date noted on reminder Yes _____ Initials _____



RENTAL PERMIT APPLICATION

Please complete the attached application and return it to Village Hall

Kindly note a *separate* Application should be completed for *each* rental. A certificate of occupancy will be attached by the Building Inspector. If there is none on file, you will be contacted to provide one before any permit can be issued.

The paperwork should also include:

- ❖ A notary seal where indicated
- ❖ A floor plan of the property

Pursuant to the Code of the Village of Greenport, Chapter 103 a safety inspection is required. Please designate here if an inspection is to be completed by a Village Code Enforcement Official

_____ Yes, schedule an inspection with the Village

_____ No, I am providing a certification from a licensed architect or a licensed professional engineer stating that the property is in compliance with all the provisions of the Code of the Village of Greenport, the laws and sanitary and housing regulations of the County of Suffolk and laws adopted by the New York State Uniform Fire and Building Code Council.

Thank you,

Eileen Wingate, Building Inspector
Village of Greenport
236 Third Street
Greenport, NY 11944
631.477.1217 x 210
631.477.1877 Fax
ewingat@greenportvillage.org



Suggested Permit for Greenport Short-Term Rentals		DRAFT ONLY
<i>Or all rental properties</i>		JRW
Updated September 22, 2016		
PERMIT APPLICATION		
For Internal Use Only Are Village taxes current? Yes _____ No _____		
Date of Permit Application:		
RENTAL PROPERTY LOCATION		
Address of Rental Property:		
Street		
City		State & Zip
Name (if any) of Rental Property:		
OWNER INFORMATION		
Owner(s) of Property:		
#1 (Primary Contact)		
#2		
#3		
Legal Street Address of Owner #1:		
Street		
City		State & Zip
Mailing Address of Owner #1		
Street		
PO Box		
City		State & Zip
Daytime Phone # of Owner:		
()		
Cell # of Owner:		
()		
Email address of Owner:		



RENTAL PERMIT APPLICATION

Please complete the attached application and return it to Village Hall

Please note a *separate* Application should be completed for *each* rental. A certificate of occupancy will be attached by the Building Inspector. If there is none on file, you will be contacted to provide one before any permit can be issued.

The paperwork should also include:

- ❖ A notary seal where indicated
- ❖ A floor plan of the property

Pursuant to the Code of the Village of Greenport, Chapter 103 a safety inspection is required. Please designate here if an inspection is to be completed by a Village Code Enforcement Official

_____ Yes, schedule an inspection with the Village

_____ No, I am providing a certification from a licensed architect or a licensed professional engineer stating that the property is in compliance with all the provisions of the Code of the Village of Greenport, the laws and sanitary and housing regulations of the County of Suffolk and laws adopted by the New York State Uniform Fire and Building Code Council.

Thank you,

Eileen Wingate, Building Inspector
Village of Greenport
236 Third Street
Greenport, NY 11944
631.477.1217 x 210
631.477.1877 Fax
ewingat@greenportvillage.org



Suggested Permit for Greenport Short-Term Rentals

Or all rental properties

Updated September 22, 2016

DRAFT ONLY

JRW

PERMIT APPLICATION

For Internal Use Only

Are Village taxes current?

Yes _____ No _____

Date of Permit Application:

RENTAL PROPERTY LOCATION

Address of Rental Property:

Street

City

State & Zip

Name (if any) of Rental Property:

OWNER INFORMATION

Owner(s) of Property:

#1 (Primary Contact)

#2

#3

Legal Street Address of Owner #1:

Street

City

State & Zip

Mailing Address of Owner #1

Street

PO Box

City

State & Zip

Daytime Phone # of Owner:

()

Cell # of Owner:

()

Email address of Owner:

RENTAL MANAGEMENT INFORMATION

Name of Person Handling Rental:									
Is this an Owner or Property Manager?		Owner					Property Manager		
Address of Manager:		Street							
		PO Box							
		City					State & Zip		
Daytime Phone # of Manager:		()							
Cell # of Manager:		()							
Email address of Manager:									

PROPERTY INFORMATION

Can you confirm this property does NOT have a Fanny Mae or Freddie Mac Mortgage:						Yes		No	
Is any owner currently in bankruptcy?						Yes		No	
Does this property go unoccupied during the year for more than 14 days at a time?						Yes		No	

PROPERTY DESCRIPTION

Does owner or Property Manager live on site?						Yes		No	
If so for how many months a year?		NEW							
If not how far are they from Rental Property?									
How many bedrooms do you advertise?						#			
How many bathrooms do you advertise?						#			
How many people do you accept to sleep there?						#			

from Randy Wade

Goals:

1. Maintain diverse character of Greenport by avoiding a gold rush conversion of housing into illegal hotels that destroy residentially zoned neighborhoods.
2. Provide reasonable accommodation for homeowners to make extra money for upkeep that also supports a vibrant business district by providing extra tourist housing during peak periods when hotels are fully booked.
3. Ensure the safety of residents and visitors.

Strategy:

1. Make the application process simple and regulations clear.
2. Follow precedents set by other municipalities.
3. Monitor implementation, seeking improvements such as receipt of a percentage of revenue from the Suffolk County occupancy tax; automating payment of taxes from receiver of rental payment entity (17 locations as of Jan., 2017) to Suffolk.
4. Pursue having Airbnb provide listings to Suffolk County who could then provide to Greenport. They do this for San Francisco, New Orleans, Chicago, Denver and others.

Non-Owner Occupied Short Term Proposed regulations in Residential Zones:

1. Increase application fee for Short-Term Rentals from \$50 to \$250 annually to cover costs for reviews, inspections, addressing complaints.
2. For rentals of 30 days or less in a residential zone.
3. Allow up to two individuals per bedroom to a maximum of eight guests. A group of individuals can rent under only one rental agreement.
4. Limit number of short-term, non-owner residing rental days per year to 90 (San Francisco)
5. The owner or designated representative must be available within one hour's notice and less than 30 miles away at all times during the occupancy with a phone number provided to the Village. (San Francisco, Galveston, Maui,)
6. Applicant must provide proof of Liability Insurance. (Airbnb and Homeaway provide this to hosts.)
7. Rental Unit must have a legal Certificate of Occupancy to rent. As per NYS fire code, must have hard wired Fire & Carbon Monoxide detectors. Must also have sprinklers on 3rd floor for any legal third floor bedroom.
8. Applicant's housing unit must be at least 5 years old for a short-term rental license. (Maui)
9. Proof of tax payment may be requested including sales tax for laundry or food provided at extra fees.
10. Failure to register or comply with regulations will result in a fine of up to \$500 per illegal rental day & owner cannot apply for a short-term permit before one year.
11. Non-transfer clause
12. Village right to revoke clause

Owner-Occupied in Residential Zones

1. All of the above except that one of the legal bedrooms must be for the owner and no limit the number of days rented per year, new houses would qualify to a maximum of 3 bedrooms for 6 guests.

Long Term Proposed Regulations in Residential Zones

1. Maintain \$50 application fee
2. For rentals of more than 30 days.

3. Each living unit as defined by the C of O may have only one family or group of unrelated individuals living as a family in the residential unit if they live as a family without locks on the bedrooms or walls that separate the living areas and kitchen.
4. Etc.

Residential Rentals in Business or Commercial Districts

Other municipalities:

1. Southold and Islip, except Fire Island - 2 week minimum.
2. East Hampton - Shorter than 15 days and only twice in 6 months (= 60 days annual limit) and fines up to \$30,000 & up to 6 months in jail.
3. NYC - 30 day minimum unless owner in rental for duration; fines at least \$1,000 a day. Tax 18%.
4. CT - Tax 15%; file \$1.2 million lawsuit against landlord running multiple properties as illegal hotel.
5. Folly Beach - Requires a business license; Rental Registration if less than 30 days; may rent non-owner occupied up to 72 days a year, must collect sales & accommodation tax; 3 years retroactive penalties, annual audit.
6. Maui - Must have been built more than 5 years prior to application.
7. New Orleans - Min 60 days in French Quarter, 30 days a year elsewhere.
8. San Luis Obispo, CA - Cannot be within 200' of a similar rental on same block
9. Isle of Palms, S. Carolina - 2 people per bed & additional 2 people (?)
10. Palm Desert, CA - Short term rentals up to 27 days, 9% transient occupancy tax
11. San Francisco - Must live in property 275 days per year and reside for 60 days prior to the application. Airbnb processes permit application and won't allow renting in SF without a registration number. Courtesy notice of application sent to owners/tenants within 300' of unit. Can rent unlimited nights as hosted rental. May not offer more than 5 individual short term rental reservations within dwelling unit at the same time (i.e. offer no more than 5 individual beds as separate, bookable listings).
12. Boulder - Only the owner of a primary residence may apply for a short-term rental license, under 30 day rental; a maximum of 120 days per year in an accessory rental on the owner's property can be short term; can only be short-term in main or accessory unit not both; accessory limited to two individuals renting; primary limited to 2 or 3 depending on zoning district.
13. Del Mar, CA - Short-terms illegal in residential areas.
14. Nashville - Responsible party must reside within 25 miles; Type 1 owner occupied, Type 2 cap of 3% over district on non-owner-occupied; Type 3 multi-family non-owner occupies—for all Types no more than 4 bedrooms in rental, no signs its a rental, no recreational vehicles visible from street; no food prepared or served.

New York State Fire Code Amendment

Defines Bed & Breakfasts as having 5 bedrooms for transient use of up to 10 lodgers where breakfast is served.

AJ704.3 Special conditions. A one-family dwelling is permitted to be converted for use as a bed and breakfast dwelling under the following conditions:

1. No sleeping rooms for transient use shall be located above the second story.
2. A fire-safety notice shall be affixed to the occupied side of the entrance door of

each bedroom for transient use indicating:

- a. Means of egress;
- b. Location of means for transmitting fire alarms, if any; and
- c. Evacuation procedures to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke-detecting or other alarm device.

AJ704.4 Means of egress. Means of egress shall include at least one of the following alternatives:

1. A limited area sprinkler system installed in conformance with NFPA 13D protecting all interior stairs serving as a means of egress;
2. An exterior stair conforming to the requirements of R311.7 of this code, providing a second means of egress from all above grade stories or levels; or
3. An opening for emergency use conforming to the requirements of Section R310 of this code within each bedroom for transient use, such opening to have a sill not more than 14 feet above level grade directly below and, as permanent equipment, a portable escape ladder that attaches securely to such sill. Such ladder shall be constructed with rigid rungs designed to stand off from the building wall, shall be capable of sustaining a minimum load of 1,000 pounds, and shall extend to and provide unobstructed egress to open space at grade.

AJ802.3 Automatic sprinkler systems. Whenever a vertical addition is made to a building to create a third story above grade, or when the floor area of a legally existing third story is increased more than 10 percent, the building shall be equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13D.

LOCAL LAW NO. OF THE YEAR 2017
AMENDING CHAPTER 103 OF THE GREENPORT VILLAGE CODE
RENTAL REGULATIONS FOR RESIDENTIAL PROPERTIES
BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,
Purpose and Definitions.

- 1.1 Title of Local Law
- 1.2 Enactment.
- 1.3 Effective Date.
- 1.4 Purpose and Intent of Local Law.
- 2.0 General Provisions
- 2.1 Amendment of Chapter 103
- 3.0 Severability

1.1 Title

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

1.2. Enactment.

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

1.3. Effective Date.

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

Draft Rental Permit Law;
February 8, 2017 updated June 6, 2017

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

1.4 Purpose and Intent of Local Law.

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

General Provisions.

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

103-1 Legislative Intent

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

103-2 Applicability

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

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

103-3 Relation to other Laws and Regulations

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

103-4 Definitions

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

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

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

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

Draft Rental Permit Law;
February 8, 2017 updated June 6, 2017

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

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

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

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

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

Draft Rental Permit Law;
February 8, 2017 updated June 6, 2017

~~Greenport~~. (deletion requested by Trustee Phillips)

~~———— IMMEDIATE FAMILY; The owner's spouse, children, parents, siblings, grandparents or grandchildren.~~ (Deletion requested by Trustee Phillips).

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

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

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

MULTIPLE DWELLING BUILDING; A building or portion thereof containing ~~three~~ **Two** or more dwelling units and designed for, or occupied by, three or more families living independently of each other. (change requested by Trustee Phillips).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

103-5 Confidential Information Maintained by Owner

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

103-6 Rental permit required

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

rental unit. A rental permit issued under this Chapter shall only be issued to the owner(s) of the real property at issue.

Section 103-7 Application for a Rental Permit

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

B. The application shall contain the following:

1. The legal residence of each owner and in the event that the owner of the rental property is a corporation, partnership, limited liability company, or other business entity, the name, proof of legal residence, and telephone number of the responsible party of the owner or owner entity shall be provided.

2. The name, address and telephone number of the managing agent, if applicable.

3. The location of the rental property, including the street address and the Suffolk County Tax Map parcel number.

4. Verification of an inspection by the Village of Greenport or a written certification from a licensed architect or licensed engineer, or proof of inspection or report by a governmental agency or representative of that agency that states that the rental property fully complies with all of the provisions of the Greenport Village Code, the 2015 International Fire Prevention and Building Code, New York State Supplement, and any other applicable codes and regulations of the State of New York, which certification shall not have been completed more than thirty (30) days prior to the date of the application.

5. Floor plan of rental unit. (addition requested by Trustee Robins).

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

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

103-9 Term of permits and renewal

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

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

Section 103-10 Register of permits

It shall be the duty of the Building Inspector to maintain a register of permits issued pursuant to this Chapter. Such register shall be kept by street address, showing the name and address of the permittee, the number of rooms in the rental property, and the date of expiration of the rental permit.

Section 103-11 Fees

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

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

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

1. Enhanced STAR;
2. Veterans exemption; or
3. Senior citizens exemption.
4. The owner of a rental property submits a sworn affidavit affirming that the rental property will be leased to any active member of a volunteer fire department or ambulance corps and/or if the owner is qualified for a volunteer firefighter or ambulance worker real property tax exemption.
5. The non-refundable biennial rental permit application fee shall be waived if the owner of a rental property submits a sworn affidavit affirming that the rental property will be

leased to a senior citizen or a qualified disabled person.

D. If an owner of a rental property is found by any court of competent jurisdiction to have violated this Chapter, within a two year period preceding the date of the commencement of the renewal period, the nonrefundable biennial rental permit application fee for the property involved will be \$500.

Section 103-12 Regulations

A. A rental property shall only be leased, occupied or used by one person or a family.

B. No rental property shall be occupied by more than the number of persons permitted to occupy the rental property under the International Code and the other codes and regulations of the State of New York.

C. No more than two bedrooms shall be permitted in the basement of a rental property.

D. The selling of shares to subtenants where they obtain rights for use and/or occupancy in a dwelling shall be prohibited.

E. The leasing, subleasing, occupancy or use by a tenant of less than the entire rental property is prohibited.

F. The owner(s) and tenant(s) shall ensure that all applicable parking regulations provided for in the Greenport Village Code are satisfied.

G. A rental property shall only be occupied or otherwise utilized in accordance with the certificate of occupancy issued for the rental property.

H. The owner(s) and tenant(s) shall ensure that all property maintenance regulations provided for in the Greenport Village Code, the codes and regulations of the State of New York, and the United States Department of Housing and Urban Development Section 8 Housing Quality Standard Inspection Checklist standards are satisfied as may be applicable.

I. Dumpsters are prohibited on residential property for anything other than

incidental short term use.

Section 103-13 Inspections

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

Section 103-14 Application for search warrant authorized

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

Section 103-15 Revocation of permit

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

B. An appeal from such revocation may be made in writing by the permit holder to the Board of Trustees within 30 days from the date of such revocation. The Village Board of Trustees shall hold a public hearing on such appeal within 30 days after receipt of written notice

of such appeal and, after such hearing, shall make written findings and a decision either sustaining such permit revocation or reinstating such permit within 30 days after close of such public hearing.

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

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

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

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

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

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

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

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

Section 103-17 Presumptive evidence of multifamily occupancy

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

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

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

3. More than one doorbell or doorway on the same side of the dwelling unit;
4. More than one connecting line for cable television service;
5. More than one antenna, satellite dish, or related receiving equipment;
6. There are three or more motor vehicles registered to the dwelling and each vehicle owner has a different surname;
7. There are more than three waste receptacles, cans, containers, bags or boxes containing waste from the premises placed for pickup at least twice during a weekly garbage pickup area;
8. There are separate entrances for segregated parts of the dwelling;
9. There are partitions or internal doors which may serve to bar access between segregated portions of the dwelling, including but not limited to bedrooms;
10. There exists a separate written or oral lease or rental arrangement, payment or agreement for portions of the dwelling among the owner and/or occupants and/or persons in possession thereof;
11. Any occupant or person in possession thereof does not have unimpeded and/or lawful access to all parts of the dwelling unit;
12. Two or more kitchens, each containing one or more of the following: a range, oven, hotplate, microwave or other similar device customarily used for cooking or preparation of food and/or a refrigerator;
13. There are bedrooms that are separately locked.

B. If any two or more of the features set forth in Subsection A(1) through (13) are found to exist on the premises by the Building Inspector or Village personnel engaged in the enforcement of the provisions of this Chapter, a verified statement will be requested from the owner of the dwelling unit by the Building Inspector that the dwelling unit is in compliance with all of the provisions of the Greenport Village Code the laws and sanitary and housing regulations

of the County of Suffolk and the laws of the State of New York. If the owner fails to submit such verified statement, in writing, to the Building Inspector within ten (10) calendar days of such request, such shall be deemed a violation of this Chapter.

Section 103-18 Presumptive evidence of owner's residence

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

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

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

Section 103-19 Presumptive evidence of over-occupancy

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

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

Section 103-20 General applicability of presumptions.

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

Section 103-21 Appeals of Building Inspector Determinations

An appeal from the Building Inspector's determination may be taken to the Board of

Trustees, by written request, within 30 days of such determination. The Board of Trustees shall hold a public hearing on such appeal within sixty (60) calendar days after receipt of written notice of such appeal and, after such hearing, shall make written findings and a decision either sustaining or reversing such determination within thirty (30) calendar days after close of such public hearing.

Section 103-22 Penalties for offenses

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

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

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

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

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

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

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

of the occupancy.

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

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

J. The Village shall have the right, after the determination by the Building Inspector, or other appropriate official or employee of the Village, that a dangerous, hazardous or unsafe condition exists on a premises that is subject to this Chapter, after the expiration of ten (10) calendar days from the date of the mailing of written notice to the owner and the occupant served by regular and certified mail return receipt requested, to enter the premises and cure, correct or repair the dangerous, hazardous or unsafe condition, and all costs and expenses associated with that action by the Village, (including administrative, engineering and professional fees in the

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amount of 25% of the actual costs and expenses incurred in curing, correcting or repairing the condition), shall be reimbursed by the owner of the property to the Village, and in the event that the amount has not been paid to the Village within ten days of the date of billing, the amount shall become a lien on the property and billable in the next Village real estate tax bill for that property. The notice required in this section shall not prejudice or affect any other right that the Village may have under the law to address or remedy a dangerous, hazardous or unsafe condition, including the right to immediately enter the property to correct a condition that is an imminent danger to life, property or public safety.

Severability

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