

1 VILLAGE OF GREENPORT  
2 COUNTY OF SUFFOLK : STATE OF NEW YORK  
3 -----x  
4 BOARD OF TRUSTEES  
5 WORK SESSION  
6 -----x  
7 Third Street Firehouse  
8 October 21, 2021  
9 7:00 P.M.  
10  
11 B E F O R E:  
12 GEORGE HUBBARD, JR. - MAYOR  
13 JACK MARTILOTTA - DEPUTY MAYOR  
14 PETER CLARKE - TRUSTEE  
15 MARY BESS PHILLIPS - TRUSTEE  
16 JULIA ROBINS - TRUSTEE  
17  
18 JOSEPH PROKOP - VILLAGE ATTORNEY  
19 SYLVIA PIRILLO - VILLAGE CLERK  
20 PAUL PALLAS - VILLAGE ADMINISTRATOR  
21 ROBERT BRANDT - VILLAGE TREASURER  
22  
23  
24  
25

1                   (The meeting was called to order at 7:00 p.m.)

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

4                   (All Stood for the Pledge of Allegiance)

5                   MAYOR HUBBARD: Thank you. Okay. We'll  
6                   start with the Fire Department. We have Chief  
7                   Manwaring here, along with a couple of guys from  
8                   the Truck Committee for the Hook and Ladder, Cliff  
9                   Harris and Pete Harris.

10                  CHIEF MANWARING: Hi. I put the  
11                  application. I hope you got all the reports. I'd  
12                  like you to accept the application for Charles  
13                  Hydell, Jr. to the Eagle Hose Company No. 1.

14                  Last night at the Board of Wardens, we  
15                  okayed the -- to send over the bid specs for the  
16                  new ladder truck for the Village to take a look at  
17                  it, see what you want to do with them.

18                  I also talked to Rob this morning about some  
19                  other stuff that we have going on.

20                  The Xmas, the Christmas Parade is going to  
21                  be December 4th, and if it's rains, it will be  
22                  December 7th.

23                  MAYOR HUBBARD: Correct.

24                  CHIEF MANWARING: Use of the Firehouse was  
25                  mentioned last night for the Halloween Parade,

1       which is okay, so that's fine, if it's raining  
2       Halloween night.

3           The -- there was also a thing, I guess Paul  
4       was working on, but we didn't know. The  
5       Village -- the guy that does our radios, he went  
6       to get up into the tower site again to see what  
7       kind of wattage it needs or what kind of wattage  
8       is in there, so we can put a generator in there,  
9       because the last time when the pole got hit up  
10      there on Silvermere, we lost power here. We do  
11      have a generator over here, but, you know, we'd  
12      lose -- once the generator was up, we still lost  
13      the high band system. So we had no radio system  
14      or communication out here at all on the East End.  
15      Not only did it knock out Greenport, it also  
16      knocked out East Marion and Orient when that --  
17      when that tower went down. So we're looking at  
18      upping that, so trying to make that a little bit  
19      of a project, which, you know --

20           TRUSTEE PHILLIPS: I'm sorry. Wade, could  
21      you --

22           MAYOR HUBBARD: No. Could --

23           TRUSTEE PHILLIPS: Oh, I'm sorry, Chief.

24           MAYOR HUBBARD: Go ahead.

25           TRUSTEE PHILLIPS: Could you explain a

1           little bit what Paul -- you just mentioned that  
2       Paul was working on something?

3           CHIEF MANWARING: Well, that's what I heard  
4       today, that Paul, Paul already knows about this,  
5       and he's working on it.

6           TRUSTEE PHILLIPS: Maybe he could explain a  
7       little further.

8           MAYOR HUBBARD: Well, if you want, I can  
9       explain it --

10          TRUSTEE PHILLIPS: Oh, okay. All right.

11          MAYOR HUBBARD: -- because this is something  
12       that just came up. We got -- we received a letter  
13       from Southold Fire Department asking to put a  
14       repeater on our tower. And Paul got the letter  
15       and him and I talked about it, why is Southold  
16       Fire Department asking for a repeater when nobody  
17       else is doing it town-wide.

18          TRUSTEE PHILLIPS: Right.

19          MAYOR HUBBARD: And the communication had  
20       been several years ago with the Chief of Police to  
21       put in one generator to power everybody that's on  
22       the antenna, us included, and not just everybody,  
23       each eight of the eight Departments doing it all  
24       piecemeal. So the conversation just started with  
25       Paul Pallas, myself, and Cliff Harris, who's one

1       of the Wardens. We just started the discussion  
2       and trying to coordinate this all together, so we  
3       could put in one generator, not eight. And the  
4       conversation only came up. What really brought it  
5       to a head was Southold Fire Department asking to  
6       put something on our tower.

7                     TRUSTEE PHILLIPS: Yeah, no.

8                     MAYOR HUBBARD: And that was Monday, or  
9       whatever, and that's what started the discussion.

10          CHIEF MANWARING: Okay, because that's the  
11       first we've heard about Southold Fire Department  
12       wanting to be in there. As far as we knew, it was  
13       just the Greenport Fire Department and the  
14       Southold Police Department for --

15          MAYOR HUBBARD: Yeah. Well, originally, it  
16       was started by -- for the Southold Town Chiefs  
17       Council with -- Ty Cochran had approached me six  
18       or seven years ago about doing something with  
19       this, and everything else, and it kind of all just  
20       kind of -- it's been hanging here and it hasn't  
21       been brought up again, so that's what brought this  
22       up. So Paul is going to be working on  
23       coordinating, trying to put in one generator to  
24       power everybody, so that -- especially where  
25       everybody's going to high band now, so it all

1 happens that way.

2 TRUSTEE PHILLIPS: Would we be able to ask  
3 them to help them chip in for that generator?

4 MAYOR HUBBARD: Ask them to what?

5 TRUSTEE PHILLIPS: To help pay for some of  
6 that generator, or is it --

7 MAYOR HUBBARD: I'm sure we will, yes.

8 TRUSTEE PHILLIPS: Oh, okay.

9 MAYOR HUBBARD: If the -- because the same  
10 thing is happening. The Police Department  
11 actually dispatch us. So if they can't reach us,  
12 if the power is out, they can't reach us, so it's  
13 half their responsibility to tell us. The other  
14 half is our responsibility to go to the calls.

15 CHIEF MANWARING: Right.

16 MAYOR HUBBARD: So we will be discussing  
17 that, but we need to just put it together as one  
18 package deal, coordinate it, so that everybody in  
19 the Eighth Division is covered --

20 TRUSTEE PHILLIPS: Okay.

21 MAYOR HUBBARD: -- by that, because Southold  
22 Town dispatches everybody --

23 TRUSTEE PHILLIPS: Right, okay.

24 MAYOR HUBBARD: -- on the East End, so.

25 TRUSTEE PHILLIPS: All right.

1                   CHIEF MANWARING: I do believe that's  
2 about it.

3                   MAYOR HUBBARD: Okay.

4                   CHIEF MANWARING: I'll drop off all this  
5 stuff as I walk out.

6                   MAYOR HUBBARD: All right. I -- just I got  
7 two other things. We received an email at 2:04  
8 today at Village Hall asking for 10 proclamations  
9 for this weekend.

10                  CHIEF MANWARING: Okay.

11                  MAYOR HUBBARD: And all it had was just a  
12 name and nothing else, not what years they were  
13 being honored for. A couple of the members on  
14 there aren't even Fire Department members, so we  
15 don't even know who they are. The information  
16 that we got to try to put that together in the  
17 Clerk's Office on a day's notice to be ready for  
18 an installation dinner that was planned months ago  
19 is not fair to the Village staff trying to do  
20 that.

21                  CHIEF MANWARING: All right. I will get it  
22 over there to you, the proper names. I'll  
23 probably --

24                  MAYOR HUBBARD: Yeah, still, I don't think  
25 it's going -- we're not going to be able to get

1           them all done for --

2           CHIEF MANWARING: That's fine.

3           MAYOR HUBBARD: -- tomorrow afternoon. I  
4 mean, that's when it has to be done by. And one  
5 person has already been honored. I already gave  
6 him a proclamation --

7           CHIEF MANWARING: Right.

8           MAYOR HUBBARD: -- because is company asked  
9 for that.

10          CHIEF MANWARING: Yep.

11          MAYOR HUBBARD: But he's on the list again.  
12          But it's got five EMTs of the Year.

13          CHIEF MANWARING: Right.

14          MAYOR HUBBARD: So I guess that's for the  
15 past five years?

16          CHIEF MANWARING: No, it's just last year.

17          MAYOR HUBBARD: All five of them for the one  
18 year?

19          CHIEF MANWARING: One call. One call, ten  
20 EMT's that were actually -- the whole call was,  
21 after you read the letter, if you saw the letter.

22          MAYOR HUBBARD: Okay. So that's for 2020?

23          CHIEF MANWARING: 2020, yeah.

24          MAYOR HUBBARD: Those five EMTs for 2020?

25          CHIEF MANWARING: For all that, yeah. When

1       COVID started, and two or three bad calls that we  
2       had. I wrote letters to the County and to the  
3       State honoring these people that did an excellent  
4       job during all that stuff, and that was, you  
5       know -- but we couldn't do nothing with COVID, so  
6       we didn't have a George Washington celebration  
7       where we would do it, so we're just doing it now  
8       for this year for last year's.

9           MAYOR HUBBARD: I mean, I understand that  
10       and I appreciate that, but a day's notice is not  
11       enough time to do 10 proclamations. I mean --

12           CHIEF MANWARING: Okay. Well --

13           MAYOR HUBBARD: I wish they could have told  
14       us a month ago or --

15           CHIEF MANWARING: It was --

16           MAYOR HUBBARD: -- two months ago, or a week  
17       ago, even. That's --

18           CHIEF MANWARING: We'll work on that on  
19       our end. That's --

20           MAYOR HUBBARD: Okay. Also, you have the  
21       Truck Committee. Anybody want questions, or talk  
22       about the --

23           CHIEF MANWARING: Sure.

24           MAYOR HUBBARD: -- the fire truck, the new  
25       hook and ladder?

1                   TRUSTEE MARTILOTTA: I don't have anything  
2 to ask.

3                   MAYOR HUBBARD: Huh?

4                   TRUSTEE MARTILOTTA: I don't need more to  
5 ask. What's here, he's got all --

6                   MAYOR HUBBARD: Okay. Well, I mean, do you  
7 want to have -- Cliff, you want to give an  
8 explanation on anything on it, or just explain  
9 what's going on? Or you want to wait until  
10 everybody has time to review the specs and do it  
11 next month? I know you came here, so that's why  
12 I'm just asking.

13                  CLIFF HARRIS: Yeah. I would only ask -- at  
14 this point, I'm not going to give a whole sales  
15 pitch, because we'll wait until the bids come  
16 back. Just know that with everything that's going  
17 on in the world today, prices are going up, so we  
18 need to try to expedite everything as quick as  
19 possible, because we are under a little bit of a  
20 timeline for pricing.

21                  MAYOR HUBBARD: Okay.

22                  CLIFF HARRIS: We're trying to save the  
23 Village quite a -- quite a bit of money by doing  
24 this as fast as possible.

25                  MAYOR HUBBARD: Okay. Thank you. Any

1       questions for the Chief or --

2                     TRUSTEE PHILLIPS: I mean, I've been hearing  
3                     it at the Wardens Meeting, but I think that the  
4                     other Trustees should have a chance to take a look  
5                     at it, so they can get their own questions.

6                     TRUSTEE CLARKE: I mean, the outline in the  
7                     report from last month is -- you know, I read  
8                     that, so, you know, I understand the direction.  
9                     So I don't have any current questions on that.

10                  MAYOR HUBBARD: Okay.

11                  TRUSTEE CLARKE: If there's more  
12                     information --

13                  TRUSTEE PHILLIPS: The only question that I  
14                     really would have is, and I see Robert's busy, is  
15                     the financing of it, the funding of it. That's --  
16                     that would be -- but we really won't know until we  
17                     have a true picture of the total price, because  
18                     I'm assuming it has to go out for bid.

19                  MAYOR HUBBARD: Yes, they're going to be  
20                     going out to bid

21                  TRUSTEE PHILLIPS: Okay, all right. So that  
22                     was a question that was raised last night, whether  
23                     there was an opportunity to try something else.  
24                     But I don't think it fits within our procurement  
25                     policy, so, you know, I'm assuming that's going

1 out to bid, then. Is that what the decision was  
2 today?

3 MAYOR HUBBARD: Well, we'll be voting on  
4 that next week to go out to bid.

5 TRUSTEE PHILLIPS: Okay, all right. Okay,  
6 all right.

7 TRUSTEE ROBINS: I just -- I do have a  
8 question about it. When you order a truck, I know  
9 that sometimes there is additional packages that  
10 have to be added on. Is that something that's  
11 inclusive in the bid package, or is that something  
12 that you order the basic truck and then you kind  
13 of outfit it when you get it? I'm just curious.

14 MAYOR HUBBARD: No, the bid will be a  
15 complete truck with everything on it.

16 TRUSTEE ROBINS: Complete truck with  
17 everything, all right.

18 MAYOR HUBBARD: Yeah.

19 TRUSTEE PHILLIPS: And I think maybe the  
20 other thing is the hook and ladder truck that we  
21 currently have is out of service because it's  
22 being repaired. I think maybe Wade, Chief Wade  
23 can give a better explanation. It was brought up  
24 last night as to --

25 CHIEF MANWARING: We started off going up

1       there for -- it failed the OSHA -- the truck  
2       failed --

3                   TRUSTEE PHILLIPS: You got to go back to --

4                   CHIEF MANWARING: The truck failed its  
5       annual ladder testing, which, you know, there are  
6       two big cylinders on the side of the truck which  
7       lifted up the ladders failed. So when they -- the  
8       company we sent it out to have it rebuilt, I got a  
9       quote for it.

10                  And once we -- once they -- the company  
11       started getting into this, taking it apart, they  
12       winded up having to cut things out of it, instead  
13       of trying to drive them out like they're supposed  
14       to, winded up cutting. They only got one out.  
15                  They winded up sending that to a third party to  
16       get the things out. Somewhere during that,  
17       something got bent. And then once they started  
18       to -- trying to find the parts, they couldn't find  
19       ones and all that.

20                  Anyway, it winded up -- it winds up that the  
21       project is now almost 30, high \$30,000 so far, and  
22       it's still not ready. And then it still has to  
23       have (inaudible) loaded, which once the ladder's  
24       out and it's got weight on it, they -- it would  
25       set off an alarm, so the operator will not have to

1 go any further. They're waiting for that. Then  
2 once they get all that, we may get it back in a  
3 while, so.

4 TRUSTEE PHILLIPS: And how old is the truck?

5 CHIEF MANWARING: It's a '95, I do believe,  
6 1995.

7 TRUSTEE PHILLIPS: Okay. All right.

8 CHIEF MANWARING: But, you know, from years  
9 of sitting around here just, you know, corroding  
10 and, you know, just sitting, not getting used  
11 quite often. But, you know, just normal wear and  
12 tear and all that, the truck gets use. And it's  
13 obsolete as far as parts, they can't get parts for  
14 it. And then it's still --

15 TRUSTEE PHILLIPS: Okay. So it's --

16 CHIEF MANWARING: It's still going to be,  
17 you know, a really old truck when it gets back  
18 here with a pretty new ladder on it.

19 TRUSTEE PHILLIPS: And you hope it's going  
20 to pass inspection.

21 CHIEF MANWARING: And it will pass, it  
22 should pass.

23 TRUSTEE PHILLIPS: It should pass?

24 CHIEF MANWARING: It should pass, unless  
25 they run into other problems with it. But

1        everything they seem to be doing runs into a  
2        bigger problem with it.

3              TRUSTEE PHILLIPS: Okay. So it's being  
4        proactive, in other words, looking into the hook  
5        and ladder truck.

6              CHIEF MANWARING: Correct, which would be --  
7        you know, I think it will be a year-and-a-half or  
8        so before you would see something like that around  
9        here. So we still need the ladder truck that is  
10       in the shop trying to get repaired. We still need  
11       that, even though --

12             TRUSTEE PHILLIPS: Okay.

13             CHIEF MANWARING: Thanks.

14             MAYOR HUBBARD: Okay. Any other questions?

15                 (No Response)

16             MAYOR HUBBARD: All right. Thank you. All  
17        right. Next, we'll go on to the Village  
18        Administrator report.

19             ADMINISTRATOR PALLAS: Thank you, Mr. Mayor.  
20        Just one -- I do have an executive session request  
21        for contract negotiations update at the end of the  
22        meeting.

23             I do -- the first item I have not on my  
24        list, I have -- I do have -- I do apologize. I  
25        have a number of resolutions that aren't on my

1       list, but I'll go over them one at a time. But  
2       for discussion items, the one I don't have.

3           I did come across the -- or I got the list  
4       of potential grants for -- through the CFA  
5       process. There were two that struck me. One was  
6       for trails cleanup. I know we've talked about  
7       that many times, and it's a -- the grant  
8       actually -- the way it reads, it almost -- you  
9       know, all you have to do is put in Moore's Lane  
10      trails and I don't have to do anymore work. So  
11      I'm going to try to get that going as quickly as I  
12      can, I just have to check on all the logistics  
13      of it.

14           The other one is one for -- I know it's come  
15      up in the past for LWRP consultant work and the --  
16      I know we had had it in the past. I don't know  
17      that we'll be eligible, because we did it once, so  
18      they may not grant it to us, but I'm going to talk  
19      to the Department of State and see if we're  
20      eligible for that. So that would be -- you know,  
21      I know that's a -- that would be helpful, so I'm  
22      going to be looking at that. I came across that  
23      at the last -- today, actually, so I just want to  
24      let you know about that.

25           On the ferry queue redesign update, just as

1       a piece of information, we had talked that the  
2       ramps for North Ferry were going to be included  
3       into the project. They would have paid for it,  
4       but due to timing constraints, they need to move  
5       that, move that faster than this project is going  
6       to move along. So that's going to be removed from  
7       the overall project for the purposes of this  
8       study.

9           That actually is to our benefit, because one  
10      of the major issues that had come up, among many,  
11      for the DOT on this third or fourth round of  
12      comments from them, was some environmental issues  
13      with regard to the water right by the ramps. We  
14      don't have -- for whatever reason, you have to do  
15      a lot more if it's -- if it's Federal money than  
16      if it's just through the normal permit process.  
17      They have the permits, so that they can move  
18      forward with that. I think they have every permit  
19      except ours, actually, I think, at this stage. So  
20      that, I think that's on the agenda to be talked  
21      about it in a little bit.

22           Moving on to the microgrid project. As of,  
23      I guess, yesterday, about one-third of the -- all  
24      the poles have been installed. That's just the  
25      poles themselves, no hardware, no cross arms, no

1       wire, nothing, just simply the installation of the  
2       poles, and that's going to continue. They're  
3       going to put all the poles in first, and then  
4       they'll start doing hardware and wire, and things  
5       like that, all the pieces that go as part of that.

6           The one thing I am still trying to get  
7       approval, I guess, on is the -- this building, the  
8       solar panels for this building. I know I had -- I  
9       had sent it to the Board and to the Fire  
10      Department. I know they had trouble getting a  
11      meeting with them, but, hopefully, they can  
12      quickly give me a go-ahead, because the grant  
13      folks are anxious for us to move forward on that.  
14      So it's not a big change, it's just the  
15      differences. Some of the panels are going on the  
16      front, as opposed to the back. So it's not a  
17      large, large ask from -- from them. So that's --  
18      I just want to bring that up.

19           The other big part of the microgrid project,  
20      I had talked I think in the beginning of the  
21      project, the grant money only covers within the  
22      Village boundary. There are a few areas that  
23      have -- that we serve that are beyond the Village  
24      boundary that we wouldn't get grant money for. I  
25      didn't even have it included in the design for

1       that reason. But we -- the one area that's of  
2       most import is along Manhasset, the feeds down --  
3       down in that area.

4           I have asked the contractor to give me, or I  
5       will be asking them, to give me a price to add  
6       that in as a separate quote, essentially, because  
7       I can't get grant money for it. So as soon as I  
8       get that, I'll certainly, you know, brief you all  
9       on the cost and the implications of doing it or  
10      not doing it. So I just wanted to alert you that  
11      that's going to be coming up at some point.

12           TRUSTEE CLARKE: Paul.

13           TRUSTEE PHILLIPS: Paul, just -- go ahead,  
14      Peter. No.

15           TRUSTEE CLARKE: Is that to extend to Sandy  
16      Beach for the microgrid?

17           ADMINISTRATOR PALLAS: Yeah, we -- yeah, it  
18      would be the part -- I don't remember if we go all  
19      the way down there. We've had some periodically  
20      voltage issues down in that general area.

21           Anything we do up at the front end of that along  
22      Manhasset will help out at Sandy Beach as well. I  
23      don't believe we have to include it, because  
24      that's -- at that point, it goes down to single  
25      phase and it's not even necessary. It's not a --

1       it's not -- we're not singling them out or  
2 anything, it's just not necessary to do to enhance  
3 the system out there.

4           TRUSTEE PHILLIPS: Paul, is that the only  
5 section within the Village that you're thinking  
6 about, or are there --

7           ADMINISTRATOR PALLAS: Yeah, that's the only  
8 one that has any real issue. The rest of the  
9 areas that are outside of the Village are  
10 typically short runs and single phase, not  
11 three-phase main lines.

12          TRUSTEE PHILLIPS: Okay.

13          ADMINISTRATOR PALLAS: Smaller loads and not  
14 a big -- not a big problem for us.

15          TRUSTEE ROBINS: Paul, do you mind if I take  
16 the opportunity just to say that, you know, we've  
17 talked about this microgrid project for probably a  
18 couple of years, and to actually see it begin and  
19 see the installation of the poles happening the  
20 past week or so, I'm so impressed that the Village  
21 was able to get this grant. I mean, it's really a  
22 coup for the Village to have this upgrade to our  
23 distribution system.

24          I don't know if the public realizes how  
25 important and what a great thing this is for us.

1 And I know Paul worked very hard on it with that  
2 person, Susan Stohr, Sylvia, everybody in the --  
3 in the Village office.

4                   So I just want to give everybody a really  
5                   big shout-out, and I hope everybody appreciates  
6                   how valuable this is to the Village. It's what?  
7                   It's probably close to a million dollars. And an  
8                   upgrade like this we would never be able to do on  
9                   our own, so really good.

10 ADMINISTRATOR PALLAS: Just to clarify, it's  
11 5 million.

12 TRUSTEE ROBINS: Five million?

13 ADMINISTRATOR PALLAS: Five million all in  
14 total. so --

15 TRUSTEE ROBINS: Okay. I underbid, I'm  
16 sorry.

17 ADMINISTRATOR PALLAS: Yeah, just to be  
18 clear

19 (Laughter)

20 TRUSTEE ROBINS: And the contractor,  
21 Haugland, super impressive. I've watched them do  
22 some work, you know, sent a video over to Sylvia  
23 of the installation of a pole. So they're super  
24 efficient and really managing traffic well, so we  
25 should feel really good about that.

1                   ADMINISTRATOR PALLAS: Thank you. Moving on  
2 to the next item, Effluent Reuse Study, we're  
3 still going through it. It's slow moving, it's a  
4 very small project, but the -- right now, what  
5 we're looking at instead of irrigation, because  
6 that just started to be an unwieldy project for a  
7 variety of reasons, we're actually thinking about  
8 creating, for lack of a better description, a  
9 recharge field at the polo grounds. It would be  
10 underground, you wouldn't even see it. It's  
11 basically just basins that would diffuse the water  
12 into the ground, rather than send it out to the  
13 sound. So we're -- that's the -- what they're  
14 looking at to see whether that's even possible.  
15 They have to be a certain distance from any  
16 Suffolk County Water Authority well, so they're  
17 working with the Water Authority to see if that's  
18 a viable option. So that's the very quick update  
19 on that.

20                   The Central Pump Station Rebuild Project,  
21 that's moving along. The only -- it's not really  
22 a glitch yet, it maybe. The electric part of the  
23 project is about four weeks to completion from  
24 today. The only major component that's left in  
25 the actual pumping part of that is the pumps

1       themselves, they've been delayed, like everything  
2       else, every other commodity and piece of  
3       equipment. But we're hopeful that that will  
4       arrive within the next four weeks, so they can  
5       continue working on that.

6           I would add, if they do come in in a  
7       reasonable time frame, I would anticipate we would  
8       be able to cut that over in two months or so.  
9       But, again, it all is going to hinge on when the  
10      pumps get delivered, but I'll certainly keep you  
11      updated as that moves forward.

12          Moving on to resolutions, the one printed  
13       there, the wastewater treatment plant site  
14       improvements, that I'm just asking to go out to  
15       bid for that. We've been talking about this for a  
16       number of years.

17          We have added into the retaining wall, a  
18       piece of this project, a drainage system. It's  
19       basically a wick, that's how it's described. It's  
20       basically a shaft that goes down to penetrate  
21       through the clay layer, so it will allow the water  
22       to drain off the site. We do think that there is  
23       some issue with the -- with water intrusion,  
24       rainwater intrusion, and ground -- surface water  
25       intrusion into the system from the site itself.

1        We think even if that's not our major contributor,  
2        it's well needed. The place gets -- any time it  
3        rains, it's quite a mess over there, so this is  
4        going to be a very helpful project for that.

5           I did send out several emails, and, again, I  
6        apologize for the last minute on a few of them.  
7        And the first one that I haven't even had a chance  
8        to send an email out. I had spoken months ago, I  
9        believe, about our current Building Department  
10      permit system called Municity. It's a legacy  
11      system and they are no longer supporting it. The  
12      company that runs it is General Code. They are no  
13      longer supporting that system.

14        We are currently part of Southold's system,  
15      and they have approached Southold. Southold has  
16      begun working on the upgrade. We had several  
17      meetings with them and we had been asking Municity  
18      for a proposal to piggyback onto that, the  
19      proposal they had with Southold, for several  
20      months, and they just -- they said, "Yeah, we'll  
21      get it to you." I got a call a couple of days ago  
22      from Southold asking that -- for an IMA for us, so  
23      that we could, you know, pay them instead of  
24      General Code. And I explained what I just said.  
25        They told them the exact opposite, they're not

1       going to give us a proposal, which explains why  
2       they haven't.

3           So that, I'll send that out tomorrow, if  
4       possible, because that's an ongoing process. If  
5       we can get a -- if it's all right with you, put a  
6       resolution on for next week to approve that. It's  
7       \$3,000 annually. The way that it's drafted as of  
8       now is that we -- our first payment, the first  
9       year's payment wouldn't be due until June. So it  
10      won't impact our current budget, but we just have  
11      to be prepared for it. So in -- but the process  
12      is a lengthy process to get all the data from our  
13      current system to the new system, and I'd like to  
14      kick that off as soon as possible.

15       The next one that I had sent out was for --  
16      again, for the Building Department. It -- I  
17      apologize. For J.R. Holzmacher to assist the  
18      Building Department for the building permit plan  
19      review. Our new Code Enforcement Officer will be  
20      completing a certification in a week,  
21      approximately a week, a week-and-a-half, which is  
22      all the academic part of that. But he really  
23      needs some practical experience, and we think that  
24      J.R. Holzmacher we're currently using for that  
25      purpose for a specific project and has worked out

1 fairly well, we think that would be a viable  
2 option. It's a \$10,000 retainer contract, and we  
3 would just pay that down as we use -- we use --  
4 use him for that.

5 TRUSTEE PHILLIPS: Paul do you think you  
6 need -- and I -- we had this discussion earlier.  
7 When you're doing the contract and the agreement,  
8 do you think it would behoove us to put in there  
9 for a renewal at the end of six months for another  
10 six months, in case we need it, or go through the  
11 same process that we're going through now?

12 ADMINISTRATOR PALLAS: Yeah, I think we  
13 would know enough in advance. I really -- I  
14 really think that this is going to be fine. I  
15 might -- you know, they -- if you -- in the  
16 proposal, they talk about phone assistance. So  
17 once, once this gets rolling, I think it will  
18 become apparent to them.

19 And it's not -- again, I want to be clear,  
20 it's not that our Code Enforcement Officer has no  
21 experience with blueprints and reviewing them. He  
22 was a builder, so he's familiar from that side of  
23 it, but not from -- you know, he's dealt with  
24 codes, because he's had to adhere to them, and had  
25 Building Inspectors work with him, so -- but now

1       he's on the other side of that fence and has to  
2       look at it from a different perspective. So I  
3       don't think it's going to be a long time, and I  
4       think it will go relatively quickly.

5             TRUSTEE PHILLIPS: On a personal note, I  
6       recently had experience for Alex to come and look  
7       at a job that we had to have done, you know, to  
8       put in, and I was extremely impressed with his  
9       accessibility, and the assistance that he helped  
10      with the contractor that we had doing the work.  
11      And I hope we could find a second one that's just  
12      as good as he is at some point, because it's -- I  
13      was extremely impressed. So thank you.

14           ADMINISTRATOR PALLAS: I'll pass that along.  
15      Thank you. The next item --

16           MR. PROKOP: Can I just ask a question? So  
17      did you say that this is a retainer agreement, or  
18      just -- or just that we have to sign a retainer?

19           ADMINISTRATOR PALLAS: We have to sign a  
20      retainer.

21           MR. PROKOP: Okay.

22           ADMINISTRATOR PALLAS: Yeah.

23           ATTORNEY PROKOP: I think they're suggesting  
24      that we plan on a budget of \$10,000?

25           ADMINISTRATOR PALLAS: Ten thousand,

1           correct. That's with the resolution -- yes.

2           MR. PROKOP: The person that they're -- the  
3           person that they're recommending to work with us  
4           has an hourly rate, and then we'll be billed off  
5           that hourly rate.

6           ADMINISTRATOR PALLAS: Correct, yes.

7           ATTORNEY PROKOP: Okay.

8           ADMINISTRATOR PALLAS: Yes. The next item I  
9           had sent out is an agreement with North Ferry to  
10          help fund the paving, part of the paving project,  
11          specifically Wiggins Street, to the amount of  
12          \$42,000, which is roughly half of the Wiggins  
13          Street portion of the paving. So I think -- you  
14          know, I was grateful that they were able. I asked  
15          them and they came through very quickly, so I'm  
16          thankful to them for that.

17          I have one additional item that I don't have  
18          anything for you yet. I may have something  
19          quickly. We were approached by a company that is  
20          doing some revetment work on the Sound, and they  
21          wanted to use Clark's Beach as a staging area.  
22          It's a 10-week project. I don't have -- they only  
23          just provided me with details in the last day or  
24          two. They do want to start relatively soon, but  
25          we don't even have, you know, any draft contracts

1 yet or anything. So I doubt I'm going to be able  
2 to get anything out to you in a timely fashion for  
3 next week, but I just wanted to let you know that  
4 that was -- we were approached by them for that  
5 purpose.

6 TRUSTEE PHILLIPS: What --

7 TRUSTEE ROBINS: Would that be a lease  
8 agreement? Sorry.

9 TRUSTEE PHILLIPS: Sorry.

10 TRUSTEE ROBINS: A lease agreement with them  
11 to use the space?

12 ADMINISTRATOR PALLAS: I don't -- it  
13 wouldn't be a lease --

14 MR. PROKOP: It would be a temporary license  
15 and easement.

16 ADMINISTRATOR PALLAS: Yeah.

17 TRUSTEE ROBINS: Okay.

18 ADMINISTRATOR PALLAS: Yeah.

19 TRUSTEE PHILLIPS: And what was the  
20 company's name?

21 ADMINISTRATOR PALLAS: I'm sorry, I  
22 apologize, I don't remember. It was a marine  
23 construction company, I just don't remember which  
24 one.

25 TRUSTEE PHILLIPS: Okay.

1                   ADMINISTRATOR PALLAS: Higgins, Higgins  
2                   Marine.

3                   TRUSTEE PHILLIPS: Higgins?

4                   ADMINISTRATOR PALLAS: Yeah.

5                   TRUSTEE PHILLIPS: Okay.

6                   ADMINISTRATOR PALLAS: Yeah. So,  
7                   essentially, what I understand in a conversation I  
8                   had with them, and again, I reviewed the latest  
9                   document they sent go me, is to keep trucks there  
10                  overnight, accept material during the day, move  
11                  the material to the spots along the Sound, and  
12                  then park the trucks there at night. That's  
13                  essentially what they need, not a whole lot.

14                  TRUSTEE PHILLIPS: So they have the Southold  
15                  Town permit, wetlands permit, is that what it is?

16                  ADMINISTRATOR PALLAS: They -- yeah.

17                  They -- yes.

18                  TRUSTEE PHILLIPS: Okay.

19                  ADMINISTRATOR PALLAS: They -- Southold  
20                  actually suggested they call us, so.

21                  TRUSTEE PHILLIPS: Okay. Everybody is --

22                  ADMINISTRATOR PALLAS: But they have no --  
23                  there's no spot for them to get to access, because  
24                  I assume they're close to Clark's Beach, I assume.  
25                  I didn't get the exact locations, because it's

1 irrelevant, so.

2 TRUSTEE PHILLIPS: Okay. But it's dealing  
3 with Town of Southold wetlands permit jobs.

4 ADMINISTRATOR PALLAS: Yes.

5 TRUSTEE PHILLIPS: Not anything that --  
6 okay.

7 ADMINISTRATOR PALLAS: Correct, have nothing  
8 to do with the Village. I'm sorry, yes,  
9 absolutely.

10 TRUSTEE PHILLIPS: Okay.

11 ADMINISTRATOR PALLAS: Yep. And that's --  
12 that's it for me. Again, I do have an executive  
13 session item.

14                   MAYOR HUBBARD: Okay. Any questions for  
15                   Paul?

16 (No Response)

17                   MAYOR HUBBARD: Okay. Thank you. Okay.  
18                   Village Treasurer, Robert Brandt.

19 MR. BRANDT: Good evening, everyone. Any  
20 questions on any of the budget mods on my report?  
21 Anyone? No?

22 (No Response)

23 MR. BRANDT: Okay. I do have an item on  
24 here about the annual Community Development Block  
25 Grant public hearing. I encourage people to give

1       us ideas for submission. I do want to say that  
2       this is our -- technically, would be for the  
3       fourth year that we're involved with the  
4       Consortium. The first year we piggy-backed on  
5       with Southold. We have just recently received for  
6       2020 funding and 2021 funding. So this is a  
7       worthwhile endeavor for the Village. So I  
8       encourage participation, ideas. Please, if you're  
9       unsure, contact me.

10           Certain things we can do: Housing  
11       rehabilitation, ADA compliance, improvement to  
12       public facilities, street improvements. So if  
13       you're unsure, you know, you contact me in Village  
14       Hall. But we really need some new ideas, because  
15       this is a good thing. We're getting funding from  
16       them, finally, and I want to continue the process.

17           Speaking of that, for the 2020 year, we got  
18       for sidewalk improvements an ADA accessibility for  
19       Third Street Park. We will be receiving \$101,595,  
20       and for the Fiscal Year 2021, we will be receiving  
21       150,000 for Fifth Street Beach inclusive  
22       playground equipment. Both fundings have no  
23       required Village match, so this is found money  
24       that we can use.

25           So, again, I want to keep the ball rolling,

1 so please, neighbors, friends, come up with ideas.

2 All right?

3 TRUSTEE PHILLIPS: I just want to say,  
4 Robert, thank you, because the Consortium in the  
5 beginning was -- just to get into it, was very  
6 time consuming. And the projects, Mayor, I think  
7 we just finished. Did we just finish Sixth Street  
8 with the curbs and sidewalks and --

9 MAYOR HUBBARD: Yeah, some of them.

10 TRUSTEE PHILLIPS: Yeah, so that was part of  
11 that funding.

12 MR. BRANDT: Yeah, we got 50 for that.

13 TRUSTEE PHILLIPS: Right. So I think it's  
14 extremely -- it's extremely important that -- to  
15 be part of that Consortium, so thank you for all  
16 that effort, the paperwork.

17 MR. BRANDT: Again, it's worthwhile and it's  
18 paying off, so I think we should just keep the  
19 ball at the moment going on that.

20 Final thing I just want to point out is  
21 today was the closing of the bond sale. So we  
22 received the proceeds for the paving and sidewalk  
23 projects for Sixth Avenue through Kaplan, and, of  
24 course, Fourth Street and Wiggins, and also the  
25 balance for the central pump station. So I just

1 wanted to alert the Board to that.

2 And that's all I have. Any questions?

3 (No Response)

4 TREASURER BRANDT: Okay. Thank you.

5 MAYOR HUBBARD: Okay. Thank you. Okay.

## 6 Village Clerk.

7 CLERK PIRILLO: Good evening, everyone. As  
8 usual, I'll start from the back side with  
9 additions.

10                   We have -- we went out to bid on three  
11                 different items. One was for a purchase of a  
12                 surplus item, which was a John Deere tractor, and  
13                 we would like to have a resolution accepting a bid  
14                 in the amount of \$1,750 for that tractor. That  
15                 was the highest bid received.

16                   We also went out to bid for our purchase of  
17                   two Ranger, Ford Ranger XL pickup trucks. And we  
18                   would like to accept the sole bid that was  
19                   received, and that was by Hempstead Ford Lincoln.

20                    We also went out to bid for two compact  
21                    cars, and we are still in -- Management is still  
22                    in review of that bid. So we will present to you  
23                    probably next month either a request to accept the  
24                    bid as received, or to reject that bid and go out  
25                    to bid again. We are just really doing a little

1       bit more research on the actual vehicle itself and  
2       whether it fits our needs.

3           We are also requesting a resolution to  
4       schedule a public hearing for a wetlands permit  
5       application. Paul was alluding to work to be done  
6       at the ferry by the ferry company. In 2018, North  
7       Ferry received a wetlands permit application that  
8       was approved by us, but didn't complete the work.  
9       The permit expired after two years. Of course,  
10      given COVID and other factors, the work was not  
11      completed, so they are coming back to us to finish  
12      Phases 2 and 3 of the same exact work. So, with  
13      your approval, we'd like to schedule a public  
14      hearing for the November 29th meeting.

15           MAYOR HUBBARD: Uh-huh.

16           CLERK PIRILLO: Moving on --

17           TRUSTEE CLARKE: This is for the same  
18      question of the ramps that Paul alluded to?

19           CLERK PIRILLO: That's correct. Moving on  
20      to my report. In the employment section, I am  
21      mentioning that we asked for applications or  
22      resumes for two open positions in the Road  
23      Department. One is Laborer, and the other is a  
24      Groundskeeper I. We received five applications  
25      and -- excuse me. Interviews will be conducted

1 tomorrow morning, beginning at 9 o'clock, spanning  
2 from 9 until 10:30.

3           Important to note that our Housing Authority  
4 is still actively looking for a new member.

5           Moving on to informational. Our annual  
6 Carahsoft quotation came back to us. As always,  
7 they tried to increase the price by what they call  
8 a set percentage. As always, I negotiated that we  
9 keep the price the same, so we saved approximately  
10 \$400 this year again. They were able to keep the  
11 price after I asked them to do so.

12          I wanted to remind everyone that early  
13 voting is happening this Saturday, the 23rd. Our  
14 closest place is the Southold Senior Center on  
15 Pacific Street. Any additional information you  
16 need or other locations, everything's posted at  
17 Village Hall, or you can feel free to contact  
18 anyone on my staff.

19           HEAP: We have regular component that opened  
20 on October 1st. We had the emergency component,  
21 which opens in January. Important to note.

22          Lastly, we are having an event at the skate  
23 park this weekend. It's what we're calling a  
24 popup festival. On Friday, it's an evening event,  
25 so it's from 5 to 8. On Saturday, it's an all day

1       event from 10 to 8. There will be bands and food  
2       available. And our committee has worked really  
3       hard, including last night until late into the  
4       night, to replace boards and metal, and to really  
5       make it a safer and more viable place. So we  
6       thank them very much for that, Colette Galvez and  
7       her crew. And anyone that helped them, thank you.

8                     TRUSTEE ROBINS: Sylvia, where was that  
9       promoted? Was that at the school? Because I  
10      didn't hear anything about it. I have pretty good  
11      news feeds, but I heard nothing about it. I'm  
12      just curious.

13                  CLERK PIRILLO: It's on -- it's on Facebook.  
14      They're doing a big Facebook push.

15                  TRUSTEE ROBINS: Really? Okay.

16                  CLERK PIRILLO: Yeah, absolutely. They've  
17      done a lot of social media, and possibly also  
18      Instagram.

19                  TRUSTEE ROBINS: Okay. Interesting.

20                  CLERK PIRILLO: And, of course, here.

21                  TRUSTEE ROBINS: (Laughter)

22                  CLERK PIRILLO: Any questions?

23                  (No Response)

24                  MAYOR HUBBARD: Okay. Thank you.

25                  CLERK PIRILLO: Thank you.

1 MAYOR HUBBARD: Okay. Village Attorney  
2 report.

3                   MR. PROKOP: I just have a few things for  
4                   tonight. The first is that since the last  
5                   meeting, the Village completed the paperwork on  
6                   the settlement of the Genesys litigation, and we  
7                   received the proceeds check from that settlement,  
8                   which has been deposited.

9                   Related to that case, we had another case,  
10                  which was the Village versus NYMIR, our insurance  
11                  company. We have an appeal that's pending in that  
12                  case, and I -- we have to discontinue it. And I'm  
13                  requesting that we have a resolution on the agenda  
14                  authorizing the attorneys to discontinue that  
15                  appeal, because we need official direction to do  
16                  that.

17                   And then we completed the paperwork with  
18                   another claim that we were resolving, which is by  
19                   AT&T, and that's now resolved, and I'll finish it.

20 So those are the only things I have, unless  
21 there's a question for me.

22                   MAYOR HUBBARD: Any questions for the  
23                   Village Attorney?

24 (No Response)

25 MR. PROKOP: Thank you.

1                   MAYOR HUBBARD: Okay. Thank you. Okay.  
2         Next on the agenda, we have Board discussion, 123  
3         Sterling covenants document. I know this was  
4         tabled last month. Everybody's had a month to  
5         think about it, come up with ideas on what they  
6         want to see as part of the covenants. So I'm  
7         open. Let's hear what you got to say.

8                   TRUSTEE PHILLIPS: Well, Mayor, I have to  
9         say I included in my work session report some of  
10        my thoughts, as I think it was better to write  
11        things down and have a discussion. And part of  
12        what I've done with what I've issued in the work  
13        is really strengthening some of the resident  
14        restrictions a little bit in a different way.

15                  Part of when someone's going to be closing,  
16        the whole goal originally and -- was the fact that  
17        these were supposed to be for first-time  
18        homebuyers. That was one of the original  
19        discussions back in 2007, and I think that is the  
20        way the agreement is kind of -- the stipulation is  
21        leaning towards. But I think that we need to  
22        strengthen the resident restrictions a little bit  
23        more than what's in the stipulation. I think  
24        we're -- we have the availability to do that with  
25        the language that's there.

1           There's also the Peconic Bay tax, which I'm  
2       sure if anybody has closed recently within the  
3       Town of the Southold, is a surprise amount of  
4       funding when you go to close. The Town of  
5       Southold offers what they call a first-time  
6       homebuyers' exemption to the Peconic Bay tax with  
7       their restrictions, which is pretty much what I  
8       modeled after what I've put on for suggestions. I  
9       just think that we really need to make the effort  
10      that this truly is to be for first-time homebuyers.

11           The original concept was for young couples  
12      that were working within the community to be a  
13      starting point for purchasing a home or a unit.  
14      And I just find that, you know, we -- that that  
15      clause for the Village Board to be the final say  
16      on the CO was a checks and balances to make sure  
17      that no matter what year it was finally completed,  
18      that it would have some sort of a review, too, for  
19      the times we already are in.

20           So, as I said, one of my suggestions is that  
21      the property must be the buyer's primary  
22      residence? The buyers, buyers, that's husband and  
23      wife, or whoever the joint ownership is, do not  
24      currently own or have owned a primary residence at  
25      any time in the previous three years. The buyers

1 do not own a vacation or investment home anywhere.  
2 All of the buyers of the subject affordable  
3 resident and price-restricted unit must meet the  
4 above qualifications, whether it's husband, wife,  
5 joint ownership, etcetera. Buyers household  
6 income must not exceed the income limits defined  
7 by SONYMA in the nontargeted one and two-person  
8 household category of Suffolk County. And the  
9 buyers must present a most recent Federal or State  
10 income tax returns to the Village of Greenport  
11 Housing Authority for additional review to the  
12 requirements in Section 3 of the effectuating  
13 conditions of approvals.

14 So those are my thoughts, and that's how  
15 I -- that's what I think we should be working  
16 towards.

17 MAYOR HUBBARD: Okay. I just have a  
18 question for the Village Attorney. Joe, on the 2%  
19 tax, the CPF money, isn't the first 500,000 exempt  
20 from that?

21 MR. PROKOP: It's not \$500,000, it's a  
22 less -- it's a lower amount.

23 TRUSTEE ROBINS: The CPF currently is  
24 150,000.

25 MR. PROKOP: Yeah. It's -- again, it

1 depends on what type of unit it is, actually, but  
2 it's between 150 and 200.

3 MAYOR HUBBARD: So the 175 purchase price  
4 would be underneath the cap and that would be  
5 exempt anyway.

6 TRUSTEE PHILLIPS: Yes, but you're -- when  
7 this is turned over, okay, there will be a point  
8 that they will be selling the unit, that exemption  
9 would still be -- would still be part of -- blah,  
10 blah. Would still be -- would be -- I'm sure  
11 those units are not going to continue to sell for  
12 \$175,000. They may if they're -- if we have  
13 income restrictions placed into it, it may be an  
14 amount lower. But the 175,000, I'll be honest  
15 with you, was -- probably at that time, it might  
16 have been the price for a unit for that, but it's  
17 not in current times. But we cannot change the  
18 175,000. But that doesn't mean at the end of five  
19 years, or six years, or seven years that they're  
20 not going to turn around and sell it, and then we  
21 need to -- I feel we need to make sure that  
22 first-time homebuyers get the option to have those  
23 units. So that's my feeling

24 MAYOR HUBBARD: But that's on the original  
25 sale. After it flips, you want to make it so that

1       they don't have to pay the 2% tax after it flips,  
2       is what you're saying?

3                     TRUSTEE PHILLIPS: What I'm saying is that  
4       they should meet the requirements for that to get  
5       the exemption for the Peconic Bay. Those units,  
6       when you turn them over, the original -- the  
7       original point was to encourage those resident  
8       restriction units to be able to let young  
9       people -- not young people, but people who are  
10      professionals in the -- in the community be able  
11      to get a stepping stone in order to move on to  
12      other, other houses or units, as you and I and the  
13      rest of us have all done throughout our lives.  
14      Not everybody stays in one home. You know, a  
15      one-bedroom, one-bedroom unit is not going to push  
16      for a family growth, okay? That was --

17                  MAYOR HUBBARD: Yeah, no, I completely  
18      understand all that. I'm just saying you want  
19      us write in the exemption goes in perpetuity on  
20      these units forever, so nobody ever has to pay the  
21      2% tax?

22                  TRUSTEE PHILLIPS: Well, they have to fall  
23      into that criteria that it's -- that it's -- it  
24      has to be a first-time homebuyer for that  
25      exemption within the Town of Southold. If you

1       read how they say it, it's --

2           MAYOR HUBBARD: So these have to be  
3       first-time homebuyers in perpetuity on these five  
4       units?

5           TRUSTEE PHILLIPS: That's -- I guess that's  
6       what I'm saying, yes.

7           MAYOR HUBBARD: Is that what you're --

8           TRUSTEE PHILLIPS: That's what I'm saying,  
9       yes.

10          MAYOR HUBBARD: Okay, that's fine. I'm just  
11       trying to figure out what you're --

12          TRUSTEE PHILLIPS: No, I'm sorry, it's been  
13       a long couple of days. That's what I'm saying, is  
14       that --

15          MAYOR HUBBARD: So you want the covenant to  
16       be that these always have to be rental guideline  
17       incomes on it?

18          TRUSTEE PHILLIPS: Right.

19          MAYOR HUBBARD: Okay.

20          MR. PROKOP: I don't know that we have  
21       jurisdiction over the 2% tax. I'll look at that,  
22       but that's a State tax.

23          TRUSTEE PHILLIPS: But the Town of Southold  
24       offers it.

25          TRUSTEE ROBINS: Isn't the State the 2%?

1           ATTORNEY PROKOP: Well, it's --

2           MAYOR HUBBARD: It's some of the five East  
3           End towns.

4           MR. PROKOP: But it's State authorized.

5           TRUSTEE ROBINS: Peconic. They call it the  
6           Peconic tax, I believe. I don't know if it's a  
7           State tax.

8           TRUSTEE PHILLIPS: It's a tax that's for the  
9           five towns.

10          MR. PROKOP: Right, but it's authorized by  
11          the State. It is -- I don't know that we could  
12          give the exemption, but I will look at that.

13          MAYOR HUBBARD: Okay. Okay, Trustee Robins?

14          TRUSTEE ROBINS: Yeah, okay. You know,  
15          we're all coming at this with residency  
16          restrictions and first-time homeownership, but I  
17          don't think the criteria of first-time  
18          homeownership alone has the same impact that --  
19          where I'm coming from was, which is that there has  
20          to be some kind of an income level that -- of  
21          people that would qualify to buy these units.

22          And I think that -- you know, I've known  
23          first-time homebuyers that have come here, people  
24          that have been renting apartments in Manhattan for  
25          years. It does not mean that they don't have a

1       six-figure income, they just have not owned a home  
2       before. So I don't think that that alone is an  
3       adequate check.

4           And, you know, I'm looking at the first --  
5       you know, the four items in the original  
6       covenants. But I highlighted this quote in the  
7       last sentence that basically says the stipulation  
8       states that the Village shall work with 123  
9       Sterling to draft such other restrictions, other  
10      restrictions as may be necessary to support the  
11      foregoing restrictions. I think the language that  
12      addresses the income level of applicants is  
13      exactly what "other restrictions" means.

14           The Board of Trustees has jurisdiction to  
15      interpret the stipulation, I believe. It was  
16      clearly the intent of the signers to the original  
17      agreement that the units be sold to persons who  
18      have limited income, who will be using the unit as  
19      a home and not an investment. Applicants for  
20      these affordable units should be subject to the  
21      affordable housing income limits that are used by  
22      Suffolk -- by Southold Town and Suffolk County.  
23      Purchasers should be first-time homebuyers who  
24      have not -- I think should have not owned real  
25      estate anywhere for the last -- any time in the

1 last 7 years.

2 And I'm not -- you know, I'm deferring. I'm  
3 not -- I don't think that the Peconic tax would be  
4 relevant in this instance. But I think that we as  
5 a Board do have an opportunity to, you know, make  
6 an amendment, if you will, to the stipulation that  
7 requires that there has to be a certain income  
8 level of the people that get these units.

9 And, you know, I understand this is a  
10 private development. I'm digging in and making a  
11 point here, that's all. I'm making an affordable  
12 housing point, because I'm going to talk about it  
13 more later on in my report. But I think that at  
14 issue here is the fact I really do believe that  
15 when we granted the ability of 123 Sterling to get  
16 a conditional approval to use that waterfront  
17 property for a condominium, there was a tradeoff,  
18 you know, and there have been several tradeoffs  
19 there. We've also traded off basically all  
20 commercial use there now. And given the sale of  
21 those 12 units, waterfront space to people who are  
22 purchasing the condos, I don't particularly agree  
23 with that either. But this is one area where I  
24 think we should dig in our heels a little bit, you  
25 know, and require that this -- that these units be

1       sold to people who meet an income guideline, as  
2       well as a residency guideline.

3           MAYOR HUBBARD: Okay. You're saying  
4       basically the same thing Trustee Phillips said,  
5       the Suffolk County guideline for --

6           TRUSTEE ROBINS: Yes.

7           MAYOR HUBBARD: -- affordable units.

8           TRUSTEE ROBINS: For income level for  
9       affordable units.

10          MR. PROKOP: I think it's a -- didn't you  
11       say SONYMA nontargeted?

12          TRUSTEE PHILLIPS: That's what I said, was a  
13       SONYMA nontargeted.

14          TRUSTEE ROBINS: SONYMA is a mortgage  
15       product, though. That's a little bit different  
16       than the guidelines, you know, of the Town and the  
17       County.

18          ATTORNEY PROKOP: But I guess Southold --

19          TRUSTEE MARTILOTTA: Do you know the actual  
20       numbers?

21          MAYOR HUBBARD: What's that?

22          TRUSTEE MARTILOTTA: Do you know the actual  
23       numbers?

24          MR. PROKOP: I think it's -- I'm looking  
25       at -- I looked up this exemption. Apparently,

1       Southold does give a first-time homebuyer  
2       exemption to the Peconic Bay tax. I'm sorry. But  
3       it also -- several years ago, the SONYMA  
4       nontargeted income was 126,000, if I have this  
5       right, for a family of three.

6           MAYOR HUBBARD: Okay.

7           TRUSTEE PHILLIPS: I don't think that is  
8       what it is now.

9           MR. PROKOP: Yeah, it would have been  
10      adjusted, right.

11          TRUSTEE PHILLIPS: What? Right now it is?

12          MR. PROKOP: No, I said -- no, this was  
13      several years ago. I said --

14          TRUSTEE PHILLIPS: But that -- and I think  
15      that's where -- if I remember correctly, those  
16      were some of the numbers that flowed out that it  
17      was based on. So you and I were around when this  
18      took place.

19          ATTORNEY PROKOP: Yeah.

20          TRUSTEE PHILLIPS: We lived through -- we  
21      lived through a lot. I'll be honest with you, it  
22      was a tough -- it was a tough decision. The  
23      property owners were given a complete opportunity  
24      to run around our LWRP and our waterfront,  
25      waterfront commercial zoning to have condominiums

1 to settle a legal agreement.

2           The previous property owners were very much  
3 aware of the five affordable resident restricted  
4 units, it was part of the agreement. The SBNA was  
5 also aware of it, because they were a signer on  
6 the agreement.

7           I just -- as I said, I know at the time that  
8 the discussion was that the final CO was to be --  
9 you know, discussion was to take place between the  
10 property owners and the Village Board to make sure  
11 that there were checks and balances for the  
12 Village taxpayers or property owners, because of  
13 the decision to go against what we had in our code  
14 to deal with the legal agreement.

15           So I presented something -- you know, I've  
16 put some thoughts out for discussion. I'd be  
17 interested in hearing, Mayor, what you think, or  
18 Jack, or Peter, to be honest with you.

19           MAYOR HUBBARD: No, we're going to get to  
20 that.

21           TRUSTEE PHILLIPS: Okay.

22           MAYOR HUBBARD: All right. Trustee  
23 Martilotta.

24           TRUSTEE MARTILOTTA: Sure. I was -- I was  
25 okay with it the way it was last month, quite

1       frankly, because that's the New York State  
2       stipulation agreement that we've been working off  
3       of the entire time, and I'm just uncomfortable  
4       changing it at the last minute.

5           If we want to try and come up with some ways  
6       that -- like some of these things you guys are  
7       suggesting seems reasonable, but, you know, we  
8       gave the contractor permission to build this  
9       building, the condominium, you know, on the  
10      waterfront, and he came up with I don't even know  
11      how many alternatives to try to pitch to us of  
12      different ways he could do it. And as far as I  
13      can tell, we said no to almost all of them, or we,  
14      we the Village, said no to almost all of them, and  
15      then, you know, to start trying to change it at  
16      the last minute. Again, I'm comfortable with  
17      making some changes around the edges, but, you  
18      know, we made an agreement, and he got approval to  
19      do this from New York State and build the  
20      building.

21           TRUSTEE PHILLIPS: Jack, in all due  
22      respect --

23           TRUSTEE MARTILOTTA: Sure.

24           TRUSTEE PHILLIPS: -- okay, I did at several  
25      times ask to bring up the discussion of this last

1 part of the -- of the stipulation,  
2 because it did have in it that the Village Board  
3 was to be working with the developer.

4 TRUSTEE MARTILOTTA: And he did.

5 TRUSTEE PHILLIPS: Well, I don't --

6 TRUSTEE MARTILOTTA: It took two years to  
7 build the building. Like I'm not --

8 TRUSTEE PHILLIPS: But --

9 TRUSTEE MARTILOTTA: Sure. I'm not --

10 TRUSTEE PHILLIPS: We -- I don't, and maybe  
11 it's because I'm getting tired and it's been a  
12 long three weeks, but I don't really remember  
13 having a true one-on-one discussion about these  
14 fine points in the stipulation, so.

15 And as I said, I think Mr. Pawlowski's done  
16 a wonderful job. He has lived through many  
17 discussions, as the Stirling Basin and the  
18 Homeowner's Association has lived through many  
19 discussions. And I just think that this is  
20 something that the Board, previous Board agreed --  
21 Boards agreed to this legal stipulation, but there  
22 is that phrase in it that he's to work with us to  
23 come up with these other restrictions, as may be  
24 necessary to support the foregoing restrictions.  
25 So I think that we have the opportunity, and I

1 think that's what we're doing now, so. And I  
2 don't mean to override, and I'm sorry if I took  
3 your time.

4 TRUSTEE MARTILOTTA: No, no problem.

5 TRUSTEE PHILLIPS: But I feel very strongly  
6 about this. I -- somebody said to me, "Bring your  
7 box of paperwork." And I was like, "No, I'm not  
8 going to bring my box of paperwork." But this was  
9 a truly heart-wrenching decision. And I think  
10 that to really support the five units to be truly  
11 something for first home -- young people, first  
12 home homebuyers that work within the Village or  
13 work within the Greenport School District, which  
14 is in that agreement, is an important -- is an  
15 important, important spot to put my foot down and  
16 say we need to discuss it. Sorry, that's my  
17 feelings.

18 TRUSTEE ROBINS: Yeah. And, Jack, you  
19 mentioned that yes, it's been going on for several  
20 years, but this is really the first time that I as  
21 a Board member have been asked to give any input  
22 on this. I mean, it's been the other Boards that  
23 have done everything to work on this. I certainly  
24 wasn't involved in the original agreement. So,  
25 you know, this is -- this is, I feel, our only

1 opportunity to give any input on it at all. This  
2 is the one thing that we have still some control  
3 over, and I do feel that that --

4 TRUSTEE MARTILOTTA: I don't disagree, we  
5 should have this discussion, but I don't -- I'm  
6 not trying to shoot everybody down.

7 (Siren Sounded)

8 TRUSTEE MARTILOTTA: But no. If I'm coming  
9 across like I'm trying to shut it down, of course,  
10 discussions I think is just fine. I mean, we've  
11 been going -- I personally, I feel like we've been  
12 going over this for a long time. Like I don't  
13 need an invitation to discuss this stuff. I've  
14 talked to Mr. Pallas, I've talked to the Mayor,  
15 I've talked to some people on the Board of  
16 questions that I had. And pretty much from the  
17 beginning, I was under the understanding, and I  
18 believe I still am, that this is a New York State  
19 approved building permit with these stipulations.  
20 And again, I'm comfortable with making changes  
21 around the edges, that's fine, but we've agreed to  
22 this the entire time, and we've set the table as  
23 is the entire time, and I'm just not comfortable  
24 with big changes at the end, I just don't think  
25 that's fair.

1                   TRUSTEE PHILLIPS: See, I don't see these as  
2 a big changes.

3                   TRUSTEE MARTILOTTA: I don't -- and I'm not  
4 saying these are. I'm not saying these are. I  
5 mean, there were some -- we got some emails over  
6 the last few weeks where some of them I thought  
7 were fairly substantial changes, which I didn't  
8 think were fair.

9                   I'm not exactly sure what's legal and what's  
10 not, and, you know, that's for the Attorney or for  
11 the Mayor to figure out that. I don't know. But,  
12 again, these substantive changes, the things --  
13 some of the things that we got emails about over  
14 the last few weeks, two weeks, it's not fair.

15                  TRUSTEE PHILLIPS: I'm not going to disagree  
16 with you on that.

17                  TRUSTEE MARTILOTTA: Okay. And I'm not --  
18 just, you know, the Mayor asked me. But, again,  
19 things around the edges, or fine points towards  
20 the end, we can certainly discuss and perhaps I  
21 can get behind it. But as the agreement as a  
22 whole, I think -- like I said, I was comfortable  
23 last week and I'm comfortable.

24                  MAYOR HUBBARD: Okay. Trustee Clarke?

25                  TRUSTEE CLARKE: Thank you.

1                   TRUSTEE MARTILOTTA: Last month, not last  
2 week.

3                   TRUSTEE CLARKE: I believe that -- I agree  
4 with everyone who has spoken so far, including  
5 Jack. The major components that are spelled out  
6 in this stipulation I do not believe at this time  
7 we should try and reinterpret. But I don't  
8 believe that the request that Trustee Robins and  
9 Trustee Phillips are requesting, nor some of the  
10 suggestions that the developer has made, are out  
11 of the question or out of scope.

12                  The only thing I've heard that I'm unsure of  
13 is the idea of making any of these in perpetuity.  
14 I believe that everyone who has written to us  
15 from -- on this subject, from both the SBNA, from  
16 the Village residents, and from other interested  
17 parties, have all been looking for a way to  
18 encourage affordability or first-time homeowners  
19 in perpetuity. I don't see any way to construct  
20 that.

21                  I think our best bet is to try and work with  
22 the developer and agree on some of the concessions  
23 that have been requested tonight, such as the lack  
24 of property ownership elsewhere, and income  
25 requirement that is structured within the County

1 or Township that makes sense, as well as the offer  
2 to involve the Village by providing documentation,  
3 posting the information publicly, so it's a  
4 transparent process. I think we should put all of  
5 our effort into the first go-around of these  
6 units.

7 The stipulation does not leave us with  
8 enormous flexibility on either the flip tax  
9 penalty, nor the period of time that that covers.  
10 And, unfortunately, though I was in favor of much  
11 stricter guidelines during this, what is -- is it  
12 a two-year process already?

13 TRUSTEE MARTILOTTA: Oh, yeah.

14 TRUSTEE PHILLIPS: Yeah, it's about two  
15 years.

16 TRUSTEE CLARKE: Okay. Almost two years. I  
17 would say that the opportunities that we had to  
18 perhaps negotiate that have passed. And I can see  
19 that those -- the time for that conversation has  
20 passed. But we do have the -- I believe the  
21 authority and jurisdiction to make some of these  
22 additional requirements in terms of sharing  
23 information, signing an agreement or affidavit to  
24 say that you're testifying and buying this unit,  
25 that you have not -- you're not holding under

1 another corporation a property in another part of  
2 the country or world. And to try and do our due  
3 diligence in strengthening it to the point where  
4 we can at least be confident that we've given it  
5 our all, that a first-time homebuyer who meets the  
6 residential requirements will be able to enjoy a  
7 beautiful new home in this beautiful development.

8 So the only things that I didn't hear from  
9 Julia and Mary Bess specifically are the idea of  
10 posting the information publicly to make it --  
11 people aware that these units are available, as  
12 well as -- excuse me -- involving the Village  
13 Housing Authority and vetting the documentation.  
14 And that there is some sort of affidavit or  
15 agreement structured between the purchaser and  
16 developer that all these income requirements and  
17 the associated documentation, such as Mary Bess is  
18 suggesting, Federal, State income tax returns,  
19 things of that nature, pretty standard boiler  
20 plate application that would cover us on the fact  
21 that we've done our due diligence in requiring  
22 that these are not people who intend to set out to  
23 flip the unit for profit, that they truly are  
24 people in the community who will be facilitated to  
25 enjoy a first time beautiful new home at a less

1 than market price.

2           Trying to structure that to last into  
3 perpetuity, I don't see the legal means for us to  
4 do that. I'm not an expert. Perhaps there is and  
5 I'm just not aware of it. But it would strike me  
6 that our opportunity is to set this now for the  
7 first purchases of these units, and then do our  
8 best to get that done to the best of our ability.  
9 And, unfortunately, I believe that after that,  
10 this will go into a market rate situation, and we  
11 don't have the legal wherewithal to protect these  
12 units as affordable housing in perpetuity. If  
13 someone interprets that differently or has a  
14 different thought, I'm sure I'd be happy to  
15 listen, but that's my understanding at this time.

16           And I think that those additional requests I  
17 made in terms of -- I've mentioned them twice, so  
18 I won't repeat myself. In addition to those  
19 around residency requirements and income  
20 requirements would satisfy me to approve the  
21 covenants and move the project forward, so that  
22 the CO can be issued and everyone can move on.

23           MAYOR HUBBARD: Okay. Thank you. Okay. I  
24 mean, this has been thought about and hashed over,  
25 we've gone back and forth with a lot of it. The

1 general consensus, I mean, the stipulation says,  
2 you know, you have to live in the school district,  
3 you have to be in the area, that's there, nobody's  
4 questioning that.

5 First-time homebuyer I think is a good idea,  
6 you know, and proving that you don't own other  
7 property, so you can't come from somewhere else.  
8 I think that's a decent idea, you know, I think  
9 that's good.

10 The rental income, it's hard to put a  
11 restriction on it, because they have to be able to  
12 afford it. If you put a rental income, I mean,  
13 income restriction on it that's too low, they're  
14 not going to be able to afford the payments, the  
15 mortgage, and everything else. So, you know, we  
16 could leave that to Suffolk County. They're the  
17 ones, the experts on figuring out how much you can  
18 pay, how much you can afford. You know, we don't  
19 know the exact monthly charges that are going to  
20 be there, but that's just something that will have  
21 to be worked into the process as they're doing  
22 that.

23 So if we put together a covenant agreement  
24 that's going to be first-time homebuyer, the  
25 rental -- I mean, the resident restrictions that

1       are already in the stipulation, proof that you  
2       don't own other property, it should be any  
3       property, doesn't have to be in the past three  
4       years, whatever. You know, if somebody went  
5       through bankruptcy, whatever, they're not going to  
6       be able to get a mortgage to afford it anyway. So  
7       that you don't own property anywhere, so that  
8       excludes speculators and other things like that.

9           So first-time homebuyer, income limit, you  
10      don't own another property, and transparency.  
11      Yes, they're going to have to show paperwork.

12      That's in the stipulation, that it goes through  
13      and is vetted by the Housing Authority. That's  
14      already in the stipulation, but we can -- you  
15      know, they'll know what they need to look at.

16      Paul can set that up with the Village Attorney.  
17      This is the document that we need to prove your  
18      pay stubs for the past two years, where you've  
19      been working, you know, your income, you know,  
20      your W-2's, whatever.

21      You know, a lot of people don't like giving  
22      out their overall tax returns, so I can't say tax  
23      returns, but just proof of your income, which  
24      could be a completely blotted out thing and just  
25      has your total income on it. You know, and that

1       would also show interest incomes, whatever. If  
2       you have a million dollars in interest income,  
3       you've owned something else before, that will kind  
4       of -- shows up on what's on a W-2.

5           TRUSTEE ROBINS: Or a trust fund. Sometimes  
6       trusts are a way to hide income.

7           MAYOR HUBBARD: Well, if somebody leaves you  
8       money in a trust fund, a grandparent leaves you  
9       money or something, I can't begrudge that, because  
10       those are the people that would be able to --  
11       probably be able to afford to buy the place, or  
12       whatever, but they didn't own something before.  
13       But if they owned a condo in the city and they're  
14       moving from the city out here, they don't qualify  
15       as being a first-time homebuyer.

16           TRUSTEE PHILLIPS: Plus, they would have  
17       to --

18           MAYOR HUBBARD: Same with the --

19           TRUSTEE PHILLIPS: -- have the residence  
20       restriction.

21           MAYOR HUBBARD: Right. Same with CPF money  
22       and everything else. You have to prove that  
23       you're a first-time homebuyer. There's  
24       restrictions on it, there's guidelines on that.  
25       You can't just say, "I didn't own something

1 before," --

2 TRUSTEE PHILLIPS: Right.

3 MAYOR HUBBARD: -- because they will  
4 find it.

5 TRUSTEE PHILLIPS: No, because they ask for  
6 it, they ask for the --

7 MAYOR HUBBARD: Well, exactly. You know, so  
8 if you owned a house in Arizona, you're moving  
9 here, you've been here for two years, so I'm a  
10 first-time homebuyer in New York, that doesn't  
11 count.

12 TRUSTEE PHILLIPS: Right.

13 MAYOR HUBBARD: Okay? So if we put those  
14 four items, I -- you know, Paul was writing them  
15 down as I said it, if we put them together with  
16 what's already in the stipulation agreement, if we  
17 put that together for a vote for next week, would  
18 everybody feel comfortable with that?

19 TRUSTEE CLARKE: Yes, sir.

20 TRUSTEE MARTILOTTA: I would be.

21 TRUSTEE PHILLIPS: Yeah.

22 MAYOR HUBBARD: Okay. Can Paul and Joe work  
23 on putting that together as early as possible, so  
24 that we could all review it, we could see it?  
25 Because we -- also, it needs to go to

1       Mr. Pawlowski and his attorney, because they have  
2       to agree on it, so it needs to go to them. So the  
3       sooner we can put that together, along with the  
4       recommendations that -- you know, that Paul had on  
5       the transparency, you know, posting the things, I  
6       think there -- it's all great ideas and everybody  
7       knows it.

8           I know there's a gentleman in the audience  
9       who's interested in one them. We've had  
10      discussions about it, and he wants to buy one, and  
11      he's not planning on flipping on it. He's like,  
12      "I got no other place to go." He'd rather not  
13      keep paying rent and have something that he's  
14      buying and investing in.

15       And so I've had discussions from the other  
16      side, and these are people that are working here  
17      that want to just stop paying \$2500 a month in  
18      rent and have something to show for it moving  
19      forward. So that's what -- that's the whole  
20      intention of this overall -- these five units, I  
21      believe, from everything that we've -- been  
22      discussed.

23           TRUSTEE PHILLIPS: Mayor, that's exactly  
24      what the discussion was back in 2007.

25           MAYOR HUBBARD: Right.

1                   TRUSTEE PHILLIPS: Okay? So --

2                   MAYOR HUBBARD: So that's what -- by, you  
3                   know, first-time homebuyer, and you don't own  
4                   other property, that excludes a lot of other  
5                   people that would get these just to flip them, I  
6                   believe, so.

7                   All right. So we could put that together.

8                   Everybody's comfortable with that, then we should  
9                   be able to vote on that for next week. Okay?

10                  Very good.

11                  TRUSTEE PHILLIPS: Thank you, Mayor, for  
12                  giving us the opportunity to --

13                  MAYOR HUBBARD: No, that's fine.

14                  TRUSTEE PHILLIPS: As I said, this has been  
15                  a process that I probably have lived longer with  
16                  it than everybody else, including the current  
17                  property owner.

18                  MAYOR HUBBARD: Uh-huh.

19                  TRUSTEE PHILLIPS: And it was -- it was a  
20                  heart-wrenching decision to give up what we pride  
21                  as our waterfront commercial properties, so it --  
22                  I was glad to see that first-time homebuyers are  
23                  given an opportunity.

24                  MAYOR HUBBARD: Yep.

25                  TRUSTEE PHILLIPS: So thank you.

1           MAYOR HUBBARD: It would be a good  
2 opportunity for five individuals, families,  
3 whatever. It can't be a big family, because it's  
4 only 650 square feet.

5           TRUSTEE PHILLIPS: One bedroom apartment.

6           MAYOR HUBBARD: So okay. All right. We'll  
7 go to Trustee reports. We'll start with Trustee  
8 Clarke.

9           TRUSTEE CLARKE: Very good. I wanted to  
10 respond to some of the subjects that had come up,  
11 not only from the other Trustees, but in a list  
12 that -- for feedback that Paul had provided,  
13 continuing the conversation on parking code  
14 comments.

15           I responded to Mary Bess' comment on making  
16 sure that whatever we do in working on the code  
17 change for the parking exemption in the  
18 grandfathering part of the code that we discussed  
19 last month, that the additional commentary about  
20 being careful to make sure that nothing that we do  
21 impedes the ongoing investment and development of  
22 our Business District, so that we are very careful  
23 in our steps forward, that we not burden the  
24 district with such fees and code changes that it  
25 prompts a decline, if you will, in the vitality of

1       our community, but trying to find a smart way  
2       forward where we can enhance the district at the  
3       same time by -- I think there's a happy medium  
4       whereby we can gain revenue and investment from  
5       investors in the district in improving our  
6       Village, and helping to offset expenses to the  
7       residents, but, at the same time, do it in a very  
8       thoughtful business-forward way with plans and  
9       ideas, versus the word "moratorium", which I  
10      brought forth when I first joined the Board, and  
11      now have given second thought to it. That I think  
12      that perhaps suggesting moratoriums on specific  
13      development or specific types of development may  
14      be the wrong approach for us to take.

15           That what I'm really looking for us to do is  
16      to find more resources for planning, ideating, and  
17      putting forth a vision, so that we can fulfill  
18      that through the normal course, rather than saying  
19      we're going to prohibit things. So keeping  
20      Greenport as a place where it's good to do  
21      business, and where business interests thrive and  
22      continue to grow, but not at the expense of our  
23      community.

24           And I've changed my thoughts on any idea of  
25      needing moratorium. But what I think is missing

1       is the concept of, as Trustee Phillips also put  
2       forth this month, and as Trustee Robins has been  
3       putting forth for several months, the need to  
4       augment our resources, to revisit and update and  
5       finalize our LWRP, and to look for additional --  
6       and perhaps planning is the wrong word, because  
7       planning and civic planning implies that there's  
8       lots of open space to be planned and we don't  
9       really have that. But, yet, we do have material  
10      business area and material public land that would,  
11      I think, benefit from a more cohesive thoughtful  
12      plan.

13           I'm for one very excited about the  
14      developments that are taking place on Moore's  
15      Lane, but, yet, I recognize that that's an area  
16      where there really isn't an overall 10 or 20-year  
17      plan to guide us. Once the railroad's in, once  
18      the station house is built and public bathrooms  
19      are there, how do we look at parking and off-site  
20      parking, and that how do we really look at that  
21      asset, and develop it to compliment the rest of  
22      the residential and Business District of the  
23      Village? I think that needs work. I call it  
24      planning, but maybe that's not the right word.  
25      But I do recognize that that would benefit from

1 dedicated work on the LWRP.

2 I thought Trustee Phillips' suggestion of  
3 setting aside some money in a budget to augment  
4 our limited resources to get that completed and  
5 updated, so that we can actively put in place a  
6 blueprint for the next phase of Greenport's  
7 evolution and development, would be really a good  
8 idea, and I see those issues as interrelated.

9 You know, parking, development, planning,  
10 our vision for the community, the LWRP, they're  
11 interconnected, I don't think you can do one  
12 without the other. But I want to be very careful  
13 in changing my language from trying to forbid  
14 market forces that are in play, and trying to say  
15 let's stop, let's engage the community, let's  
16 think about what we want to do next, where we want  
17 to go, what we want to be. I think the Business  
18 Improvement District should be more involved in  
19 that process as well.

20 We can't dictate what market forces will  
21 cause to happen in our Business District, but we  
22 can actively look and seek for development that  
23 we're interested in, versus allowing it to just  
24 happen only by market force. I think that some  
25 direction or structure around it or some vision

1 from us to say this is what we'd like to see  
2 would -- would be very helpful.

3 So that's a -- that's an important change to  
4 note from where I started on the Board a couple of  
5 years ago, before the pandemic, in terms of  
6 calling for a food and beverage business  
7 moratorium, because of rapid growth in that  
8 industry and the rising rents. But I was very,  
9 very influenced by several people who took me to  
10 task on that statement, that, okay, you know,  
11 well, if we're not going to develop those, what  
12 are we going to develop? What's your vision,  
13 what's your answer, what's your idea? And I think  
14 that's where my energy and the Board's energy  
15 needs to go in making sure that we have vision and  
16 ideas that we can bring forward and engage the  
17 public with.

18 The idea of revamping our parking  
19 restrictions makes a lot of sense in a thoughtful  
20 way, just so that we don't have a across-the-board  
21 exemption that provides us really with no future  
22 revenue as our district becomes more and more  
23 busy, and that the expenses that we incur to  
24 maintain the district are certainly rising. And I  
25 think, again, as Trustee Phillips mentioned in her

1 report, the idea of finding some revenue in the  
2 process would make all the sense in the world.  
3 But, once again, coordinating that with off-site  
4 parking, with employee parking, with residential  
5 parking, with business parking, it's a -- it's a  
6 big subject, but one that I think we can tackle.  
7 I would very much like to get behind whatever work  
8 we need to do in making that happen.

9 I think that's enough for me to speak of  
10 tonight. That really were the biggest questions  
11 that were brought up in terms of looking at our  
12 most recent conversations in the past couple of  
13 months in work session. These seem to be --  
14 affordable housing is the other one, but I'm not  
15 prepared to speak on anything about that tonight.

16 And I hope to get the conversation going,  
17 because these aren't just uniquely my ideas,  
18 they're present in other reports that have come  
19 out this month that I respect, and also  
20 suggestions and ideas that you've brought forth to  
21 us as well. And, you know, I'm really behind them  
22 and would like to do whatever I can to facilitate it.

23 MAYOR HUBBARD: Okay. Thank you.

24 TRUSTEE CLARKE: You're very welcome.

25 MAYOR HUBBARD: Yep. Trustee Martilotta.

1                   TRUSTEE MARTILOTTA: Sure. First and  
2 foremost, contract negotiations continue to move  
3 into a positive direction, something I'm sure  
4 Mr. Pallas wants to speak about in executive  
5 session. So that's that one.

6                   Also, I guess in a similar vein to what  
7 Trustee Clarke was saying, but on a slightly  
8 different tack. Dinni Gordon said something  
9 several months ago that really stuck with me about  
10 how we've been able to tackle some of the bigger  
11 problems that we had in the Village five years ago  
12 with the power plant, sewer plant, and pave roads,  
13 and we're doing a lot of those things, you know,  
14 it's really great.

15                  And she pointed out that, you know, now  
16 might be a time to start looking at the other  
17 things. And what those other things might be, I  
18 know she said, and other people have told me,  
19 Mr. Saladino, and, you know, some other people in  
20 town, the misters, the fountain on Adams Street,  
21 the jail, Camera Obscura, different potentially  
22 really amazing things in the Village that are  
23 still pretty cool, don't get me wrong. But I'd  
24 really love to see like what the inside of the  
25 jail looks like. That would be really neat. You

1 know, I don't know that's something that would  
2 be -- it's obviously not something we can do  
3 tomorrow.

4 But I think that -- I think it might behoove  
5 us that as we start moving in this direction, that  
6 we have done a great job paving a bunch of roads.  
7 Like I said, all these different things that  
8 didn't work several years ago, it took a Herculean  
9 effort to get going, I think now we can continue  
10 to push forward. I think those are things that we  
11 should start looking at as well, maybe coming up  
12 with some sort of plan to, I don't know, address  
13 one a year, or one every couple of years,  
14 depending on how much it might cost. But I think  
15 it might be in our -- I think it might be in the  
16 best interest of the Village to start looking at  
17 those things and see where they're at.

18 Also, if I get up and leave here in the next  
19 five minutes, my daughter is getting tired, but I  
20 will be back, so I apologize.

21 (Laughter)

22 TRUSTEE MARTILOTTA: And that's all I have,  
23 Mr. Mayor.

24 MAYOR HUBBARD: Okay. Thank you. Trustee  
25 Phillips.

1                   TRUSTEE PHILLIPS: I'll start with the LWRP.  
2 I do believe that as much as Paul is just recently  
3 looking at the grant opportunities, I do think  
4 that we -- and I would request that we put an RFP  
5 out for a consultant to come in and finish it. At  
6 least we'd be able to get prices to see what it  
7 would cost us, especially for the grant process,  
8 to have some kind of numbers. We need to finish  
9 it, it's time we finish it. It needs to be  
10 updated as well.

11                  I was going through some of it and I believe  
12 that we are still stuck in neutral with the State  
13 Department, if I remember having a conversation  
14 with Paul and Joe. So I think we need to have  
15 somebody who's going to be just directly  
16 responsible for getting it done. So I really  
17 would like to see a resolution next week for us to  
18 go out for RFP for a consultant to finish the  
19 LWRP. That's one of my requests.

20                  Getting and just following on what Trustee  
21 Clarke has said before, and also what Trustee  
22 Martilotta said, is that the exemption for parking  
23 back in 1991 was done because at the point in --  
24 for institutional history, we had plenty of empty  
25 storefronts. It was the beginning of the

1       renaissance, as I call it, for the Downtown  
2       Business District. It served its purpose. I  
3       think it now has become a time that we actually do  
4       take a look at it, but look at it into a broader  
5       picture of what we want the Downtown District to  
6       look like.

7           I do know that Trustee Robins is discussing  
8       affordable housing, but I also believe that if  
9       we're going to be discussing parking and  
10      development, and where we want to be, who we want  
11      to look like, I think we need to discuss the  
12      opportunity for some of those buildings in the  
13      commercial retail section, not in the waterfront  
14      commercial, but in the commercial retail, to go  
15      up, and have the opportunity to perhaps build some  
16      type of apartments on top of some of the  
17      commercial retail areas of the Village. I think  
18      it's -- to encourage it, and I think it would be a  
19      great idea.

20           We've all discussed the Arcade property. It  
21       would be great if we could come up with some, some  
22       community development thoughts, whatever, to  
23       either help the property owner do something with  
24       it, or encourage him to sell it to someone to do  
25       something with the building. It's part -- it's

1       one of -- it's a -- it's a major piece of property  
2       in the Downtown District, and I think it would be  
3       important to look into ideas on to how to  
4       improve it.

5              Parking meters: Mayor Hubbard, you and I  
6        were involved with the first attempt at having  
7        paid parking. The technology is much different  
8        now than it was back when this first was presented  
9        under Mayor Nyce's administration. But I still do  
10       feel that the Village residents should have the  
11       opportunity to have some revenue generated for the  
12       maintaining of streets from the visitors, marketed  
13       by the Business District that created our Village  
14       of Greenport into a destination. The parking has  
15       now extended out into the residential areas, it's  
16       not just confined to down the street as it was  
17       before.

18              So I think we have an opportunity here. And  
19       I'm following along the same path that Trustee  
20       Clarke has put on the table already, that we need  
21       to be taking an overall picture, and not just  
22       chopping it up into pieces into the code. So  
23       that's pretty much where my thoughts are.

24              Getting back to the subject of a moratorium,  
25       moratoriums are really meant for a specific time

1 period to solve a problem. I did a fair amount of  
2 research in the last day or two on the Department  
3 of State website where they actually have a  
4 document of land use moratoria, which is pretty  
5 descriptive as to what is -- what it -- when a  
6 moratorium is useful, and when it looks like  
7 you're trying to restrict something, which is not  
8 what I think we're trying to do. I think we're  
9 trying to look towards creating an overall,  
10 overall path for the Village of Greenport. Some  
11 people say it's too late. I think this is an  
12 opportunity to really look at it.

13 I had the opportunity for -- the Presiding  
14 Officer for Suffolk County happened to be at our  
15 establishment a week ago, and I asked him about  
16 Downtown Patchogue, and he just went to me, he  
17 said, "Mary Bess, understand something.  
18 Restaurants bring people." People, it's changing  
19 in this climate. Retail stores are struggling,  
20 because most people are doing online sales,  
21 they're doing different types of commercial retail  
22 other than the actual mortar building. He said,  
23 so Patchogue has taken the approach of activities,  
24 in other words, drawing people downtown. Our  
25 Business District has done that, the Village has

1 allowed that to move forward.

2 I think we need to now look at something to  
3 create increasing our assessments by improving the  
4 buildings, by going up, providing some type of  
5 housing. And I'm kind of excited to hear the  
6 discussions and want to kind of participate in  
7 them, because we have all invested here in the  
8 Village, we've all stayed here.

9 I mean, George, you and I, and Peter, and  
10 Julia, and Jack, we've all worked hard to create  
11 the drive to keep our young -- you know, to work  
12 towards getting our young people to stay here.  
13 They want to have activities, you know, young  
14 adults that we need to get into the Fire  
15 Department, into the -- you know, yes, eventually  
16 they'll become family people, but I think we need  
17 to also encourage the youth, and one of the ways  
18 is giving them some type of opportunity for  
19 housing, okay? And if that means an apartment  
20 rental, that means an apartment rental.

21 The Village of Greenport has had buildings  
22 three stories high in the past. I believe 1970,  
23 was that the fire that was down at the end of Main  
24 Street where the apartment houses were up above?

25 MAYOR HUBBARD: Somewhere around then, yeah.

1                   TRUSTEE PHILLIPS: Yeah. So we've had  
2 housing that's gone up into the -- into the --  
3 towards the air space. So that, I think strongly  
4 about that.

5                   I do believe that on our waterfront  
6 commercial zone, that we need to really look at  
7 the conditional uses. I think we need to  
8 strengthen them a little bit more, take a look at  
9 them, and see where we really want to be with the  
10 conditional uses on the waterfront. So those --  
11 that's part of what I wanted to bring up tonight.

12                  So that's pretty much it. And I will say  
13 thank you to all, because it's been a little busy  
14 in my household and I'm a little tired, so if I'm  
15 a little tongue-tied, I do apologize.

16                  MAYOR HUBBARD: No, that's fine. Thank you.

17                  TRUSTEE CLARKE: One thing that Mary Bess  
18 reminded me of just then was in speaking of the  
19 Arcade, is the other, the other building that  
20 would merit, if we could find it, any, any other  
21 way for us to get involved, or to help private  
22 resources get involved, is our auditorium. That  
23 is an incredible building for Long Island, and  
24 incredible building for the Village. And I know  
25 that being in the Historic District, that the

1 facade is protected, but I know that the interior  
2 is not. And, in my mind, that would be a sad  
3 thing to see it developed where the interior is  
4 changed in a way that it could never come back as  
5 it was originally.

6 People are always worried. Again, the next  
7 thing they say is, "Oh, well, if it ever became a  
8 facility that had any kind of entertainment, where  
9 would people park?" So, you know, but I don't  
10 think that allowing parking to prevent us from at  
11 least recognizing that this is a historic  
12 property, that if there's any chance we could  
13 either involve private or governmental resources  
14 to preserve for our community would be a fantastic  
15 achievement, in addition to the Arcade building.  
16 Those are both two properties that are really ripe  
17 for redevelopment, and they're critical to I think  
18 our community.

19 I appreciate you letting me jump in there.

20 MAYOR HUBBARD: Sure, no problem.

21 TRUSTEE PHILLIPS: And I just had one other  
22 thing which I thought, is the pyramid law. I  
23 included in my report that we started discussing  
24 that years ago. I think it's time for that also  
25 to be included in any of our discussions of

1 development and within the code changes. So, as I  
2 said, I included it in the report. I gave up the  
3 back -- I included the backup paperwork, and I  
4 just would like to see us kind of get back into  
5 discussing some of that stuff. So I apologize,  
6 that's the one thing last on my report, so.

7 MAYOR HUBBARD: Okay. Just the pyramid law,  
8 in my opinion, if we're going to do accessory  
9 apartments, and somebody put an apartment above  
10 their garage and all, which means going up,  
11 because, like you said, downtown going up,  
12 properties are so small in the Village, there's  
13 not much room to go up with a pyramid law.

14 TRUSTEE PHILLIPS: Well, as --

15 MAYOR HUBBARD: That's just, you know --

16 TRUSTEE PHILLIPS: No, I --

17 MAYOR HUBBARD: If it comes out this way,  
18 you know, you have to be 20 feet from your property  
19 line to be able go up and do it, and properties  
20 just are not that big, so.

21 TRUSTEE PHILLIPS: Well, you know, as I said  
22 it's been brought up before and I think we just  
23 need to discuss it. I'm not advocating one way or  
24 the other for it. I just think that we need to  
25 discuss it when we're discussing some of the other

1 things, that's all.

2 MAYOR HUBBARD: Okay, that's fine. Okay  
3 Trustee Robins.

4 TRUSTEE ROBINS: Okay. So my thinking --  
5 I've thought for a number of months, or longer,  
6 about affordable housing, so I've been putting a  
7 great deal of thought and research into possible  
8 ways to create some affordable housing in our  
9 community.

10 One option that I think we should look at  
11 creating is to create leased land home sites. In  
12 this scenario, the Village would declare an area  
13 in Moore's Woods and develop a site to lease home  
14 sites. Sites would be offered based on specific  
15 income and residency guidelines. The lessee would  
16 purchase and install a manufactured or tiny house  
17 on the -- on the land. They would be offered a  
18 water/sewer hookup as part of their lease. The  
19 land that I have in mind, by the way, is on the  
20 east side of Moore's Lane, not on the side where  
21 the Mini Railroad is going to go.

22 I'm not the only affordable housing advocate  
23 to come up with this idea. The following excerpt  
24 I included in my report from the Community Land  
25 Trust was recently published in the Shelter Island

1       Reporter. The Community Land Trust, a nonprofit  
2 corporation set up by the Housing Partnership,  
3 acquires multiple parcels of land throughout a  
4 geographic area with the intention of retaining  
5 ownership of these parcels forever. The new  
6 homeowner owns the home on a parcel and the land  
7 remains in the Community Land Trust, thereby  
8 making the home more affordable. The Trust  
9 retains the land for the community and never sells  
10 it, and provides a very long-term lease of land,  
11 typically 99 years, for the exclusive use by  
12 individual homeowners.

13       I went to the Zoning Code to check the rules  
14 for the park district, and the permitted uses in  
15 the park district include nature trails, sports  
16 playing fields, firematic events, utility  
17 facilities, including appurtenances, but not  
18 limited to water towers, sewage treatment plants,  
19 electrical plants, municipally -- municipally  
20 operated campsites, municipally operated trailer  
21 parks, and watershed maintenance.

22       And I went to Wikipedia to look up the  
23 definition of a trailer park, and a trailer park  
24 is synonymous with a mobile home park. So that I  
25 think the language, I'm not going to read the

1 whole definition of it, but I think that this is  
2 something that would offer an opportunity for  
3 people to obtain home sites and bring in a  
4 manufactured home. This is -- they're doing it on  
5 private camp -- mobile home sites a lot up in  
6 Riverhead now.

7 New manufactured homes are not your trailer  
8 anymore. And it would be an opportunity for  
9 people to get a site, and they would own a home  
10 there, but they wouldn't own the land that it's  
11 on. The Village, like I said, could lease out the  
12 management of the site, you know, so we wouldn't  
13 be responsible for it, but we would collect lease  
14 revenue from the people who would have the homes,  
15 okay?

16 It's an idea I'm putting out there, and,  
17 you know, I've asked before that maybe we create a  
18 Housing Task Force to come up with -- you know,  
19 and, I mean, I came up with this idea because I've  
20 been looking into it a lot. But the other, the  
21 other possibility is that we use some of that land  
22 to, you know, create an apartment complex similar  
23 to Vineyard View.

24 But I think that we do have land here in the  
25 Village, you know, and water/sewer. So I think

1       that it's time that we had that conversation. I  
2       know some people were going to be flipping out  
3       that I'm talking about using any of that parkland,  
4       but I believe that in the code that is a  
5       conditional use of the land over there, so I think  
6       it's something that we should have a conversation  
7       about.

8                   MAYOR HUBBARD: Okay. Which -- I'm just  
9       curious, which piece of land, and how much land  
10      are you talking about?

11                  TRUSTEE ROBINS: I'm thinking of the land  
12      just behind the school fields, okay, that goes all  
13      the way down to our trailer park, in that area  
14      there. And I believe there is a fast land in  
15      there. I've looked at it only on the maps  
16      overhead. Obviously, I'm not going in there to  
17      walk around on my own, you know, but I need to see  
18      surveys, obviously, but that's the area that I'm  
19      thinking about.

20                  MAYOR HUBBARD: The east side of Moore's  
21      Lane between --

22                  TRUSTEE ROBINS: The east side of Moore's  
23      Lane.

24                  MAYOR HUBBARD: -- Monsell Trail and the  
25      campground that we have now?

1                   TRUSTEE ROBINS: And the campground, yes.

2                   MAYOR HUBBARD: Okay. And how many --

3                   TRUSTEE ROBINS: How many lots? I don't  
4 know. I --

5                   MAYOR HUBBARD: Five acres, 10 acres?

6                   TRUSTEE ROBINS: Well, I mean, you don't  
7 need a lot of land for these home sites, but, you  
8 know, obviously, I'd have to have some kind of a  
9 survey or better idea of what we're looking -- at  
10 what we're talking about in there, you know.

11                  MAYOR HUBBARD: Okay. I know people are  
12 going to ask, you know, you're talking five acres,  
13 10 acres, you know.

14                  TRUSTEE ROBINS: This is very preliminary,  
15 okay, and, you know -- but you don't need a large  
16 site. You know, I mean, you know, similar to what  
17 our little Village lots are, what, about .04./.05,  
18 you know, an acre. I think you could probably get  
19 quite a few, you know, manufactured homes on a  
20 site. There are ways of doing these, you know,  
21 where you have a circle kind of -- you know, you  
22 don't have -- just have to do a straight row of  
23 mobile houses. You know, there are ideas of  
24 creating little -- they call them cottage  
25 communities, where, you know, the houses are kind

1       of circled around a common area, or something like  
2       that. So, you know, I'm throwing it out only as a  
3       concept right now and a consideration that it's  
4       something that maybe we should start looking into.

5           MAYOR HUBBARD: Okay.

6           TRUSTEE ROBINS: I really think that we need  
7       to do something for our community, and, you know,  
8       circling back to the overdevelopment and  
9       everything like that, which I think is happening  
10      at the -- at the time.

11       You know, my concern about the -- you know,  
12      why I brought up the moratorium, or, you know, the  
13      ideas from the other Trustees, which we all seem  
14      to be concerned and coming from the same place, is  
15      that I think we're putting a tremendous amount of  
16      wear and tear on our infrastructure, which I don't  
17      think that we have the ability to keep up with  
18      right now, to be honest with you, and that's  
19      concerning.

20       And the other thing, infrastructure is the  
21      physical part of the Village, but the community,  
22      the people, the -- like Mary Bess said, you know,  
23      our First Responders and our young people, and the  
24      people that make this community and not just a  
25      destination. Because if we are just going to be a

1 destination, I think, you know, it kind of -- I  
2 don't think that's what this Board is about, and I  
3 really don't think this is what Greenport is about  
4 either. I think we value what we are. People  
5 came here because they like what we are, but we're  
6 in danger of losing it right now.

7 So I'm trying to come up with ideas, but the  
8 housing thing is -- it's my background. I mean,  
9 you know, I come from a building background to  
10 begin with. So I think we need to look at the  
11 Moore's Lane situation. And any help I can get,  
12 as I said, if we can -- if you'd like to make a  
13 housing committee of people, there are people out  
14 there that are willing to serve. I know that I've  
15 spoken to a number of people, we can get some  
16 ideas from them, but -- so that's -- that's my  
17 main thing today.

18 I won't go into my BID stuff, I don't have  
19 anything really to tell you that's new, you know,  
20 on BID. You know, moving along with Halloween,  
21 and, you know, Christmas plans and stuff like  
22 that, which they've been coordinating very nicely  
23 with the Village on that with Sylvia, and,  
24 hopefully, the -- work with the Fire Department to  
25 help make a nice Christmas this year, too.

1                   So, anyhow, that's my report. Thank you.

2                   MAYOR HUBBARD: Okay. Thank you. Okay. I  
3                   only had a couple of things I want to just try to  
4                   clarify.

5                   You know, we've talked about the -- doing  
6                   away with the grandfathering of the parking spots  
7                   downtown. Last month we threw numbers out of --  
8                   right now, it's 2500, but it's not enforced, we  
9                   don't do anything with it. Numbers were as high  
10                  as 20,000 per parking spot. I want to try to get  
11                  a consensus of how the Board feels of if we're  
12                  going to do away with that and require them paying  
13                  for parking in place of exemption and enforcing  
14                  it, what number are we really looking at?

15                  To me, \$20,000, if you need 10 parking  
16                  spots, it's going to be \$200,000 for somebody to  
17                  open up a business downtown. They're going to say  
18                  forget it and they're going to go elsewhere. It's  
19                  going to hurt the businesses, I think, by doing  
20                  that.

21                  Right now, it says 2500. You know, we could  
22                  up it to 5,000 and enforce it, though, because  
23                  right now, there's no real mechanism for the  
24                  Planning Board trying to do that to enforce it as  
25                  people work through the process because of what it

1       says. But I'd like to get something in writing so  
2       we could start discussing it and have a public  
3       hearing and get the public involvement in it, but  
4       we need to have some kind of dollar amount. Any  
5       suggestions? We're just trying to keep the 2500,  
6       but enforcing it, and do away with that you don't  
7       need any?

8                     TRUSTEE ROBINS: What if we prorated that  
9       and looked at the size of the business? I mean,  
10      you know, because a small business, and mom and --  
11      you know, one owner type of shop is going to be  
12      one thing versus, you know, a big restaurant  
13      complex, which is going to create a lot more  
14      traffic, even if, you know --

15                  MAYOR HUBBARD: But a regular retail store,  
16      I don't believe anything is required on that.

17                  ATTORNEY PROKOP: That --

18                  MAYOR HUBBARD: That's -- go ahead.

19                  MR. PROKOP: It would only be -- minimal  
20      retail store might be one parking space. It would  
21      be a minimal amount, or it might not be any, it  
22      depends on --

23                  MAYOR HUBBARD: Okay. But what's happened  
24      is like the retail stores that are being converted  
25      over to a 20-seat restaurant --

1                   TRUSTEE ROBINS: Right.

2                   MAYOR HUBBARD: -- which is what's doing it.

3                   So, you know, retail people are just walking  
4                   around. You have, you know, two people working  
5                   inside, or whatever, but they're not people coming  
6                   in and parking and being there for a long time.  
7                   With the idea I thought we were talking about was  
8                   stopping the conversion of all the retail stores  
9                   into restaurants, because there's no exemption  
10                  to it.

11                  TRUSTEE PHILLIPS: Well, then maybe perhaps  
12                  a suggestion -- a suggestion would be that instead  
13                  of trying it, and as Trustee Robins just said, if  
14                  it's -- if it goes before the Planning Board and  
15                  we word the code in ways as to the number of seats  
16                  that need to be created, you know, if a commercial  
17                  retail is only two seats and a restaurant is going  
18                  to create 20, you know, 20 seats, maybe that's how  
19                  we need to change the wording in the code to go  
20                  with -- and I'm only talking off the top of my  
21                  head, because I'm really concerned about the  
22                  investment part. Maybe it needs to go on the  
23                  basis of what type of business is going into  
24                  the -- into the building.

25                  MAYOR HUBBARD: Okay.

1                   ATTORNEY PROKOP: The other impact -- that's  
2 a good idea. And the other impact is, you know,  
3 there's different types of parking. So one of  
4 the -- and, unfortunately, we see -- I see this in  
5 the Court. But there's employee parking, you know  
6 which is one thing. So some of the -- part of the  
7 parking code is based on -- parking requirement is  
8 based on employees, which is basically a  
9 long-term, a long-term parking situation. The  
10 other is, you know, two types of customers. So  
11 there might be a store customer who would just run  
12 in, run in and pick something up and run out, and  
13 then a restaurant customer, which is a longer --  
14 you know, maybe a two-hour version of that.

15                   So one of the things to do is to maybe  
16 look -- instead of just straight parking, you  
17 know, look at, look at the allocation of the  
18 parking requirements based on the type of business  
19 or the parking that's required.

20                   MAYOR HUBBARD: Okay. Because, basically,  
21 what we need to do is take out where it says,  
22 "Buildings before 1991 are exempt from parking  
23 requirements." I want to take out the "exempt",  
24 but we need to have -- if we take out the  
25 "exempt", what are we going to do --

1                   TRUSTEE ROBINS: Right.

2                   MAYOR HUBBARD: -- is what we need to have  
3                   them write into the law. So take out the  
4                   "exempt". In lieu of parking spaces, the fee will  
5                   be \$2,500 per Planning review of how many spots  
6                   are required. If they're going to, you know,  
7                   supply a couple of them, they pay the difference  
8                   on it. But do we want to stick with the \$2,500  
9                   that's in there now and just take out the "exempt"  
10                  and give the Planning Board a means to actually  
11                  enforce it and put a dollar figure on it, and  
12                  that's part of the building permit or building  
13                  review?

14                  TRUSTEE PHILLIPS: I think that that's a  
15                  good start. I mean, if we find that it's -- I  
16                  mean, we'll be watching it. If we find it's not  
17                  working, we can always come back and up the fee in  
18                  the -- in the code.

19                  MAYOR HUBBARD: Uh-huh.

20                  TRUSTEE PHILLIPS: But I think you need the  
21                  mechanism to start the change from getting rid of  
22                  the exemption to the type of business that's going  
23                  to go into a commercial retail building that is  
24                  going to go from an activity of just customers  
25                  going in two, three, four at a time to some who

1       are sitting down for an hour of a table of 10, you  
2       know what I'm saying? So it's an idea, I kind of  
3       just threw it out, so.

4           MAYOR HUBBARD: Okay. Well, I'll get  
5       together with Paul and Joe and we'll try to word  
6       something. So we're going to leave the \$2500 in  
7       there at this point, or should we make -- start  
8       with 5,000 and then have the public hearing?

9           TRUSTEE CLARKE: I need to think about that  
10      some more, I'm sorry to say.

11          MAYOR HUBBARD: Okay.

12          TRUSTEE PHILLIPS: Yeah.

13          TRUSTEE CLARKE: The additional complexity  
14       in the ideas come out in the conversation that I  
15       think is beneficial, and then took me to the  
16       thought of, you know, is there -- much like with  
17       our Zoning Code, there's an opportunity to  
18       appeal it?

19          TRUSTEE PHILLIPS: Yeah, that's --

20          TRUSTEE CLARKE: Is there a way to structure  
21       it so that the Planning Board has a tool and  
22       guideline, but could also hear an appeal to that  
23       as well, and leaving some jurisdiction within  
24       their committee or their board? And then if that  
25       were the case, my gut would be to maybe make the

1 amount higher to start with, to start the process  
2 for a public hearing, but to add the other  
3 dimensions in terms of type of business, size of  
4 business, number of employees, what kind of strain  
5 that business might have on the infrastructure of  
6 the Village in terms of water, sewage, environmental.  
7 I don't -- I'm not trying to make it more complex.

8 MAYOR HUBBARD: No. No, I understand,  
9 because we did change the code a while back. So  
10 instead of everybody going to the Planning Board,  
11 it's being done administratively by the Building  
12 Department.

13 TRUSTEE PHILLIPS: Right.

14 MAYOR HUBBARD: So they don't have to go  
15 back to the Planning Board. If I'm selling  
16 clothes now and I want to become a book store,  
17 they can just go ahead and take care of that and  
18 do that without going through Planning Board,  
19 okay? So -- but if it's a major change, then it  
20 has to go to Planning Board.

21 So I just want to make sure that we're  
22 wording this and we're doing it in the proper way  
23 so that it's enforceable, and it also can -- if we  
24 start charging that, which should have been done a  
25 long time ago, but it hasn't been, we could have

1       the money to go and re -- and pave a parking  
2       lot --

3           TRUSTEE CLARKE: Sure.

4           MAYOR HUBBARD: -- on Moore's Lane, which  
5       I've talked about that.

6           TRUSTEE CLARKE: I understand.

7           MAYOR HUBBARD: So that comes up with the  
8       revenue for that, that we -- now we can go and put  
9       in a wider parking area there, so you can park on  
10      both sides of it and everything else, and pave it  
11      and do the improvements on it.

12          TRUSTEE CLARKE: When did that code change  
13       go in place?

14          TRUSTEE PHILLIPS: 1991.

15          TRUSTEE ROBINS: 1991.

16          MAYOR HUBBARD: '91.

17          TRUSTEE CLARKE: No, the one that you just  
18       mentioned about the --

19          TRUSTEE PHILLIPS: Oh, that was three years  
20       ago?

21          MAYOR HUBBARD: That --

22          TRUSTEE CLARKE: Yeah. I'm not -- I'm not  
23       really crazy about that one. We've discussed it  
24       here, and I know it's been a frustrating topic,  
25       because it was something that was changed recently

1 at the Board's request. But I think that -- I  
2 think that you don't want to bog down the Planning  
3 Board, and you certainly don't want to bog down  
4 landlords or business applicants either. But, at  
5 the same time, there has to be a review.  
6 Otherwise, sometimes some properties might not  
7 come up for, you know, decades for any opportunity  
8 to revisit any --

9 MAYOR HUBBARD: Uh-huh.

10 TRUSTEE CLARKE: -- capital improvements  
11 that should be made. I threw out the idea of  
12 tying the change of ownership or the change of  
13 business to making sure their sidewalk's in good  
14 repair, making sure that their sewer line is in  
15 good repair, that their water lines and electric  
16 feeds are in good repair, rather than just  
17 allowing all the businesses to transfer with  
18 really no jurisdiction or opportunity to extract  
19 some fee or some sort of capital to help improve  
20 the district in the process for residents, as well  
21 as the businesses that are there.

22 TRUSTEE PHILLIPS: Mayor, can I make a  
23 suggestion? I would like to see the wording that  
24 they would come up with, and I think for me, that  
25 would kind of guide me as to how much more above

1           the 2500 --

2           MAYOR HUBBARD: Well, we can work on it.

3           We'll just keep the dollar amount the same. We'll  
4           work on taking out "exempt", and re -- just write  
5           it that way for us to review next month.

6           TRUSTEE PHILLIPS: Right.

7           MAYOR HUBBARD: Just I want to stay on this  
8           so we can get going with it before we get to  
9           another summer season and things change. There's  
10          a couple of empty stores downtown right now,  
11          another one going out of business. So if the  
12          candy store becomes a restaurant, or whatever, and  
13          they have four parking spots in the back, I want  
14          to try to get things in place before --

15          TRUSTEE PHILLIPS: No, no, no, I understand.

16          MAYOR HUBBARD: -- things change.

17          TRUSTEE PHILLIPS: I understand that.

18          That's why I --

19          MAYOR HUBBARD: So we'll work on wording for  
20          that for next month, and we'll get it back out to  
21          everybody before, a week before the work session.

22          TRUSTEE PHILLIPS: Yeah.

23          TRUSTEE MARTILOTTA: All right.

24          TRUSTEE ROBINS: Yeah, it's just --

25          MAYOR HUBBARD: Jack's going to be running

1 the work session next month.

2 TRUSTEE ROBINS: Okay.

3 MAYOR HUBBARD: My daughter is getting  
4 married the next day and I'm busy.

5 TRUSTEE CLARKE: Oh, wonderful.

6 TRUSTEE PHILLIPS: Congratulations.

7 MAYOR HUBBARD: So --

8 (Laughter)

9 MAYOR HUBBARD: So I'm bringing it up, and  
10 we'll have the wording and, you know, that can be  
11 discussed.

12 TRUSTEE PHILLIPS: Okay.

13 TRUSTEE ROBINS: Okay.

14 MAYOR HUBBARD: Okay?

15 TRUSTEE ROBINS: And I'll wait to see that.  
16 I agree, I think that we need to provide, just for  
17 the comment, to provide pretty clear guidance to  
18 the Planning Board, so they're not, you know,  
19 having to interpret a lot. You know, I think  
20 that's very important.

21 MAYOR HUBBARD: Okay. We'll work on that  
22 and get that ready for next month.

23 All right. That's all I had. So we'll open  
24 it up to the public to address the Board on any  
25 topic. Just name and address for the record so

1 Lucia knows who's here.

2 PAUL PAWLOWSKI: Paul Pawlowski, owner of  
3 123 Sterling. I also have to get home to the  
4 babysitter as well.

5 So I just wanted to say, while still  
6 honoring the stipulation, I agree with the  
7 comments tonight on first-time homebuyer, only  
8 residential asset, and the transparency with the  
9 paperwork. So we'll work on that language and get  
10 that in the draft.

11 And I also want to say the resident  
12 restriction, the size of the apartment, the  
13 first-time homebuyer, and the only asset is a big  
14 contributing factor to an income restriction.

15 It's funny -- not funny, but in 2007, the New York  
16 Times posted an article specifically on this  
17 project, and it said, "The residency requirement  
18 would apply to all future sales, and the units  
19 could not be combined into bigger ones. So, in  
20 theory, they would always be too small for the  
21 lofty appetites of hedge fund managers, but right  
22 for the young teachers, firefighters, or  
23 retirees." And I always have seen this article,  
24 I've always seen the criteria. We're fully  
25 committed to the intent of the criteria, and the

1 recommendations tonight we're in agreement with.  
2 And I think by default, it has that income  
3 protection.

4 I know, just speaking firsthand, you know,  
5 it's -- the size of the apartment caters to either  
6 that retiree or that first-time homebuyer,  
7 regardless of even that language.

8 So I appreciate all the comments. I look  
9 forward to moving this on. I have a ton of  
10 respect for Mary, members of the SBNA. I've been  
11 at this almost three years, I could only imagine.  
12 So I'm going to get home, and we've full -- we're  
13 taking all this into consideration. We'll get  
14 back the covenant draft with everything we spoke  
15 about tonight, and I appreciate your time.

16 MAYOR HUBBARD: Okay.

17 TRUSTEE CLARKE: Thank you.

18 MAYOR HUBBARD: Thank you

19 DAVID GILMARTIN: I'm going with Paul.

20 MAYOR HUBBARD: Okay. I was making sure --

21 DAVID GILMARTIN: I'm going with Paul.

22 MAYOR HUBBARD: -- if you were leaving or if  
23 you wanted to speak, that's all. Good night.

24 PAT MUNDUS: Good night. Pat Mundus, 182  
25 Sterling Street.

1           Thank you very much for putting so much  
2 thought and everything into giving people a leg  
3 up, because it's not just residency restricted.  
4 Throughout the stipulation and in the description  
5 of uses, which is dated February 7th, 2007, it  
6 calls it Affordable Housing Residency Restricted  
7 residential units, AHRR. So for anybody to say  
8 that these are not affordable housing units, it's  
9 crazy. It's -- the language is interspersed back  
10 and forth between the stipulation and this  
11 description of uses between residential  
12 restriction and affordable housing.

13           Thank you for talking about vision, because  
14 the other thing the stipulation says specifically  
15 is that the Board of Trustees is the Board that's  
16 mandated to work through all these details,  
17 because this was the kind of agreement that was  
18 sort of put together as a committee with three  
19 separate parties negotiating and bargaining. The  
20 language was -- after going through it many, many  
21 times, it seems like it's purposely written so  
22 that when it was executed, it would be worked out.  
23 And it tells you right on Page 11 in the last part  
24 that the Board of Trustees is the one who is  
25 tasked with working through all of these

1 affordable housing details.

2 So even though it has been two years,  
3 Mr. Martilotta, I appreciate your -- you know,  
4 your sentiment, that you just want to move on and  
5 get it over with, but because it's been two years,  
6 that's two years of opportunity. It's right here  
7 in the stipulation, it could have been worked out  
8 all the way through the whole process, so that's  
9 where the vision comes in.

10 And it's really important for you guys at  
11 this point now to champion this idea and to be  
12 proactive for the future, because this is a model  
13 for the rest of where Greenport is going. So  
14 thank you very much for really putting a lot of  
15 thought into it.

16 The thing that I -- that I didn't hear  
17 anybody talk about was the flip tax, which is --  
18 for anybody in the public who may not have these  
19 documents, the flip tax, basically, if a buyer  
20 buys the property and they sell it right away, the  
21 day after they close on it, for \$175,000, they're  
22 allowed to turn it over and sell it for, make it  
23 up, 500, which is not unreasonable with the way  
24 the market prices are right now.

25 So I did the math. So they buy it for

1       \$175,000, that's a \$325,000 profit in less than 24  
2       hours. A 25% flip tax is \$81,250. Half of that  
3       goes to the developer, the other half goes to the  
4       Housing Authority, which is the other thing that I  
5       didn't hear anybody talk about at all in any of  
6       these discussions, the Housing Authority, because  
7       they are also mandated in this stipulation  
8       agreement to be managing some of these things.

9       Okay. So you subtract that \$81,000 from the  
10      \$325,000 profit, that still comes out to be a  
11      \$244,000 profit in 24 hours. Now, if they hold  
12      onto the property for two years, the way it's  
13      listed in the stipulation agreement, they don't  
14      have to pay any flip tax.

15       So I would hope that as you're working  
16      through all these details -- and it's not just  
17      stuff around the edges, because this is really  
18      important detail on how this deal goes down for  
19      the following people, okay? It's -- the  
20      affordable housing, it's great that somebody could  
21      make \$243,000 on a profit to use as seed money for  
22      their next house, which is a lot bigger than,  
23      hopefully, 650 square feet, but what about the  
24      people down the line? I mean, you know, there  
25      should be a vision for an overall policy down the

1       line for everybody, and these five units, this is  
2       a very good example and a good place to start  
3       with.

4           The other thing is I really loved hearing  
5       about transparency and checks and double checks on  
6       who gets a shot at it, but to guarantee fairness  
7       and to avoid favoritism, I would like to see the  
8       Board of Trustees put into the people who have  
9       been approved, their names go into a lottery, so  
10      that there's no opportunity for favoritism,  
11      there's no opportunity for anybody to name the  
12      people who get five opportunities for a \$175,000  
13      dwelling. That's a pretty amazing opportunity.  
14      So I would hope that it would involve the lottery.

15           And thank you very much for spending so much  
16      time on this whole project. Thank you.

17           MAYOR HUBBARD: Thank you.

18           ELLEN SCHNEPEL: Ellen Schnepel, 165  
19      Sterling Street.

20           I'd just like to follow up a few things that  
21      Pat said. And I was really happy that Trustees  
22      Clarke, and Phillips, and Robins spoke about the  
23      eligibility for the Affordable Housing Resident  
24      Restricted. But there is one issue that wasn't  
25      discussed, and I think Pat Mundus touched on it,

1 and that was about the selection and the selection  
2 process. And I know in a letter that Paul  
3 Pawlowski, with his lawyer, wrote to you recently,  
4 he spoke about transparency in the selection  
5 process. I do not think there's transparency if  
6 the sponsor/developer is the one who is selecting  
7 the five people who are going to be in the  
8 affordable housing.

9 I think this process needs to be fair, it  
10 needs to be equitable, and it also needs to be  
11 something that's manageable, that cannot be taken  
12 advantage of or mishandled.

13 And so I think I would reiterate what Pat  
14 says, is that if there is a lottery system, such  
15 as what -- which was done down Route 48, but  
16 incorrectly, I think Greenport can do a whole lot  
17 better than that lottery. I think it would create  
18 a system where let's say 100 people applied for  
19 the apartments, 50 really were not -- were  
20 eligible. How do you pick five out of the 50? I  
21 think it's rife for being mishandled.

22 And so I would hope that there would be put  
23 in place a selection process that's fair,  
24 equitable, and I vote for the lottery system. I  
25 think our association is behind that as well.

1       Thank you.

2           TRUSTEE CLARKE: Thank you.

3           MAYOR HUBBARD: Anybody else wish to address  
4       the Board?

5           NANCY POPE: Good evening. Nancy Pope,  
6       8 Sandy Beach Road, Greenport.

7           Last month we came before you and we were  
8       present or watched the video when you accepted to  
9       apply for the grant, the feasibility grant for the  
10      sewer that goes down Sandy Beach Road. I'm just  
11      curious, I just want to know, if that grant was  
12      applied for, what's the status of that at this  
13      point?

14          MAYOR HUBBARD: Okay, Paul.

15          ADMINISTRATOR PALLAS: Yeah. The Board  
16      voted to accept the grant, so, you know, the  
17      paperwork is on its way to, you know, or will be  
18      very shortly on its way to the State. There's no  
19      issue with the grant at all at this stage.

20          NANCY POPE: Okay. All right. And then  
21      does the -- does the Village hear back from the  
22      State that it's accepted, is that the process, or  
23      is this a fete accompli, once you put in for it,  
24      it's accepted?

25          ADMINISTRATOR PALLAS: The process, as I

1 understand it, they will then send a contract to  
2 us for the Board to sign. It's essential the  
3 Mayor to sign, that's essentially the next step.

4 NANCY POPE: Okay. So it's in process of  
5 being sent to --

6 ADMINISTRATOR PALLAS: Correct.

7 NANCY POPE: Further.

8 ADMINISTRATOR PALLAS: Yes.

9 NANCY POPE: Okay. Not yet, but in the  
10 process.

11 ADMINISTRATOR PALLAS: Correct, yes.

12 NANCY POPE: Okay. Thank you very much, I  
13 appreciate it.

14 MAYOR HUBBARD: Okay.

15 STEPHEN BULL: Steve Bull, 24 Sandy Beach.  
16 I'm here representing myself as a homeowner on  
17 Sandy Beach. And I would like to know a little  
18 bit more about the process once the grant is  
19 given. Is -- does the timeline for the finishing  
20 of the project end on the day, or begin at the  
21 date that this -- the grant is signed?

22 MAYOR HUBBARD: Okay, go ahead.

23 ADMINISTRATOR PALLAS: I'm sorry. Mr. Bull,  
24 what was specifically what you're looking for?

25 STEPHEN BULL: Well, specifically, I

1 understand there's a time limit on the  
2 implementation of the grant; is that true?

3 ADMINISTRATOR PALLAS: There's a completion  
4 date on the grant, I believe it's May of next  
5 year, but I've already had several conversations  
6 and the State has assured me that if I request an  
7 extension, that it's not unreasonable at this  
8 point.

9 STEPHEN BULL: Is the -- another question I  
10 had about the grant is the --

11 ADMINISTRATOR PALLAS: Mr. Bull, just please  
12 address the Board first, please.

13 STEPHEN BULL: Oh, excuse me.

14 MAYOR HUBBARD: Yes.

15 STEPHEN BULL: Another question I had about  
16 the grant was, is the Sandy Beach sewer extension  
17 dependent on a favorable signing of the agreement  
18 with Safe Harbor?

19 MAYOR HUBBARD: Yes.

20 STEPHEN BULL: And what's the status of  
21 that?

22 MAYOR HUBBARD: It's in process.

23 STEPHEN BULL: And the -- has any -- has  
24 there been any request of an estimate of the cost  
25 of the plan, of the shovel-ready plan made to

1 Cashin Engineering? I'm confused a little bit  
2 about the timeline and how this all could be  
3 completed so quickly.

4 MAYOR HUBBARD: Well, the process, I mean,  
5 we still have to go through the design and  
6 everything else on it. It all has to be all  
7 designed. That's being done through the Village  
8 Hall. Once it's designed and everything else, and  
9 then you're going to go and get prices and go and  
10 move the project forward. So I'm not sure what  
11 you're actually --

12 STEPHEN BULL: Well, I'm asking, so from the  
13 point where you have an approved design, how long  
14 does it take to actually lay the sewer pipe?

15 MAYOR HUBBARD: I have no idea how long it  
16 takes to put the pipe in.

17 STEPHEN BULL: But we can at least plan that  
18 if the project has begun with a favorable plan,  
19 that we'll be able to have this completed within  
20 the time period of the grant, so that the Village  
21 itself --

22 MAYOR HUBBARD: We already asked for an  
23 extension of the grant, Paul just told you that.

24 STEPHEN BULL: Okay. So that extension of  
25 the grant is towards the completion of the

1 project, isn't it?

2 TRUSTEE PHILLIPS: No.

3 MAYOR HUBBARD: Yes.

4 TRUSTEE PHILLIPS: Well, yes, but --

5 CLERK PIRILLO: Yes.

6 MAYOR HUBBARD: Yes. So the completion --

7 STEPHEN BULL: Oh, for the entire completion  
8 of the project.

9 CLERK PIRILLO: Yeah.

10 STEPHEN BULL: Okay. I just --

11 MAYOR HUBBARD: Yes. The extension -- yeah,  
12 that's what he just said. The extension is --  
13 right now, you have two years to get the project  
14 done. We're already halfway through the time  
15 frame on that from when the grant was approved  
16 until we accepted it, so he's asking for an  
17 extension of the time it needs to be completed by.

18 STEPHEN BULL: Okay. So two years is a  
19 reasonable time to complete the project, I think  
20 is what I'm hearing.

21 MAYOR HUBBARD: That's -- no, I didn't say  
22 that.

23 STEPHEN BULL: No, I understand that, but  
24 I'm trying to get an idea.

25 MAYOR HUBBARD: When the grant was approved

1 to us, when you got permission for the grant, they  
2 said you have two years to complete the project.

3 STEPHEN BULL: Uh-huh.

4 MAYOR HUBBARD: We already lost a year of  
5 that in paperwork and everything else trying to  
6 get everything done.

7 STEPHEN BULL: Understood.

8 MAYOR HUBBARD: So he's got an -- he's  
9 asking for an extension, it hasn't been approved  
10 yet, to extend the grant out. Once we find out  
11 that time frame, then we'll know when it's  
12 extended to.

13 STEPHEN BULL: And then -- and then -- okay.  
14 But it does -- okay. Thank you.

15 TRUSTEE PHILLIPS: But, Mayor, I think Steve  
16 is missing -- you're missing one point, is that it  
17 still has to be financed some way.

18 STEPHEN BULL: Yeah.

19 TRUSTEE PHILLIPS: So that's all in the  
20 discussion stages as well. So if that falls  
21 apart, then there's -- you know, the funding is  
22 still going to be a part of this overall project.  
23 I think what you're looking for is an end date,  
24 and I don't think that's going to come right at  
25 the moment.

1                   STEPHEN BULL: So the stipulation doesn't  
2 require an end date to the implementation?

3                   TRUSTEE PHILLIPS: No. Okay.

4                   TRUSTEE ROBINS: Stipulation?

5                   STEPHEN BULL: The -- okay. Let me approach  
6 this from another way. Has anybody approached  
7 Peconic Estuary, Dr. Joyce Novak, about doing  
8 matching funding possibilities?

9                   TRUSTEE PHILLIPS: Paul. Paul, just --

10                  ADMINISTRATOR PALLAS: If I may, Mr. Mayor.

11                  MAYOR HUBBARD: Go ahead, yes.

12                  ADMINISTRATOR PALLAS: Mr. Bull, we have  
13 worked with them. They were actually instrumental  
14 in getting this grant in the first place, and I  
15 continue to work with them on potential funding  
16 sources. In answer -- in an attempt to answer  
17 what you're asking, we don't -- we don't know how  
18 long a project is going to take at this stage.

19                  We -- once we get all these agreements signed with  
20 various parties, then we will start the process of  
21 hiring the engineer. The first task for the  
22 engineer is to come up with a cost estimate. Then  
23 we will know even if this is still feasible at  
24 this stage, because whatever, whatever has been  
25 committed so far, including the grant, whatever's

1       left over has to come from somewhere. We will be  
2       seeking other grants, and perhaps the Village will  
3       fund part of it. We just -- until we see what  
4       that cost is, we can't, we can't answer a lot of  
5       those questions.

6             STEPHEN BULL: Thank you for your time and  
7       attention.

8             MAYOR HUBBARD: Okay. Anybody else wish to  
9       address the Board? Okay. If there's nobody else  
10      that wishes to speak, we'll --

11            RANDY WADE: I thought you were going. Hi.  
12      Randy Wade, Sixth Street, Greenport.

13            You were talking about parking, and  
14      everywhere else in Southold Town, if a business  
15      wanted to open up, they would have to pay to buy  
16      land for parking, and that is a cost.

17           And what -- just stepping back a little, I  
18      was kind of surprised that Claudio's could double  
19      in size and get rid of some parking, and it was  
20      just like there was nothing, it was just nothing.  
21      And so if you charge, say, 10,000 a parking spot  
22      for somebody going in for a restaurant or a hotel,  
23      times 20, that's -- wait. Help me with the math.  
24      Is that 200,000?

25           MAYOR HUBBARD: Yes.

1           RANDY WADE: Okay. That seems really  
2 reasonable, 20 spots, a lot you'd buy for  
3 \$200,000. You'd be hard pressed to find a lot in  
4 the Village even for \$200,000.

5           But then, if it was a public benefit company  
6 or a nonprofit, which talking about the Opera  
7 House and wanting to preserve that, you could make  
8 an exemption for that in the code. You could say  
9 retail, which we're trying to preserve, and not  
10 have it turn into nightclubs, you could say 2500  
11 for retail, or nothing, whatever you want to say.

12          But I know you want to move fast on it, and  
13 I really applaud you for wanting to move fast on  
14 it, but I think you should keep it 10,000. You  
15 know, get something actually realistic, so that --  
16 because we're talking mega millions of dollars  
17 when people come in now and are buying up  
18 businesses and operating businesses, and they  
19 could well afford that. I don't even think that's  
20 going to be a stumbling block to development.

21          And I'm really glad you're going to look at  
22 that LWRP and look at it more carefully, because  
23 you're right, there are opportunities to add more  
24 density in the hamlet, in the hamlet, not, please,  
25 in Moore's Woods. That's our greenbelt around the

1           Village.

2           And, however, it should -- just, please,  
3           have it come with transfer of development rights,  
4           because of some of the historic buildings that we  
5           want to preserve as one story, even, or two story,  
6           or whatever they are. They're mostly two story.  
7           So then they could -- you know, anybody wanting to  
8           go to three could buy the development rights.

9           I was wondering if there -- we were going to  
10          talk about actually Moore's Woods. They -- I'm --  
11          the endangered plants that they were going to  
12          relocate. I'd love to know where they relocated  
13          them to, because they completely went in with  
14          bulldozers and wiped the whole thing clear and  
15          then brought in fill. And I'd be really amazed  
16          if -- it seems like -- I don't know. I'd be very  
17          surprised if they saved those.

18          But we were going to talk about where the  
19          fence would go. Rich Israel had mentioned that he  
20          thought there would be room for a path. Right now  
21          for construction, the path is blocked. And so I'd  
22          like to ask when we could get together, maybe get  
23          together with Rich and talk about -- he said it  
24          could be modified. So when can we do that, I  
25          guess I'm asking.

1                   MAYOR HUBBARD: Okay, when we get to that  
2 point. They were waiting on the surveyor, because  
3 somebody went in there and took out all the  
4 surveyor stakes and ripped them out and moved them  
5 over, so they have to go and get somebody to  
6 survey it again.

7                   RANDY WADE: Well, they were -- when, when  
8 did they do this, before or after they wiped clear  
9 that 20-foot swath of --

10                  MAYOR HUBBARD: It's not that big a swath.

11                  RANDY WADE: Eighteen feet, it's 18 feet.

12                  MAYOR HUBBARD: Okay.

13                  RANDY WADE: Anyway, whatever. Okay. So  
14 you'll -- you will -- you have my email, you have  
15 my number.

16                  MAYOR HUBBARD: Yeah. We're not setting  
17 anything up at this point right now. I've got a  
18 lot going on this month, and so it won't be this  
19 month.

20                  RANDY WADE: You don't know when the --  
21 talking about, thinking about the fence and where  
22 the things are going to go?

23                  MAYOR HUBBARD: They're going to start --

24                  RANDY WADE: They're going to get a  
25 surveyor?

1           MAYOR HUBBARD: They're going to start  
2 working. The fence is the last thing that  
3 goes in.

4           RANDY WADE: Okay.

5           MAYOR HUBBARD: So the fence is not going  
6 in, I would say probably four or five months.

7           RANDY WADE: Oh, okay. Okay, thanks.

8           MAYOR HUBBARD: They have to do all the  
9 other work, bringing in the gravel, the stuff that  
10 the bed is going to go underneath the tracks and  
11 everything else, so that's being done first.

12          RANDY WADE: Okay.

13          MAYOR HUBBARD: Because if the fence is up,  
14 then you can't get in there to do the work.

15          RANDY WADE: Oh, good. Okay, thanks.

16          MAYOR HUBBARD: So the fence would be the  
17 last thing to go up.

18          RANDY WADE: All right, thanks. And I would  
19 like to second what they were saying about  
20 123 Sterling being a lottery. And you could also  
21 make the stipulation that because this person --  
22 that any of the five units would be owned by  
23 somebody living next to, you know, glamorous  
24 places, whatever, the developer should have the  
25 right to reject anybody and just go down the

1 lottery list. You know, maybe they find out that  
2 they were evicted, or that for some whatever  
3 reason they want to reject them. But I do think  
4 the lottery is the right way to go. And they  
5 could even, you know, do 10 or 20 numbers, so  
6 there would be multiple opportunities to go down  
7 the list vetting each one. With Vineyard View,  
8 that's what they did. They -- you know, if  
9 something didn't work out, they went to the next  
10 one, so.

11 And then what I brought up last time, that I  
12 never got a response about, was Planning Board  
13 stipulating that even if the condo association,  
14 which could certainly control who rents the  
15 commercial units downstairs, even if they approved  
16 what would be going on down below them, the owner  
17 of the condo who owned that space would not be  
18 allowed to rent it out to any other business, and  
19 that was ridiculous and overkill. And, you know,  
20 they can rent the parking spot back to the condo,  
21 but it just ensures that it could never really be  
22 commercial. We were promised that it was going to  
23 be, because, you're right, 123 got so many  
24 concessions. They got density, way bigger,  
25 more -- they got housing. You weren't allowed to

1 have housing there in waterfront commercial, you  
2 weren't allowed at all. And so a whole lot of  
3 things were given over, and it would not be too  
4 much to expect that, and also to expect in  
5 perpetuity.

6           If it's always been called affordable  
7 housing, what Pat read, that part about always  
8 affordable, affordable, then just having it end in  
9 three to five years seems kind of silly. It  
10 should be affordable, and it could be, yeah, just  
11 a little bit more that would live on in the -- in  
12 the easement or covenants, I guess you call them.

13           Anyway, thank you so much.

14           MAYOR HUBBARD: Okay. Thank you.

15           JOHN SALADINO: John Saladino, Sixth Street.  
16 I apologize, I know it's late. I'm only going to  
17 be a couple of minutes.

18           I would ask the -- I would ask Trustee  
19 Phillips, I couldn't read the proposed code change  
20 that you posted on the Village -- with your work  
21 report from 2015 --

22           TRUSTEE PHILLIPS: Oh.

23           JOHN SALADINO: Because it was highlighted.  
24 From what I could read, I'm familiar with -- I'm  
25 familiar with the pyramid law, pyramid law from

1 other municipalities. But from what I read in  
2 that code, proposed code change from the Code  
3 Committee in 2015, was, and you could correct me  
4 if I'm wrong, for every vertical foot that a  
5 property goes up, they would need a horizontal  
6 foot of side yard clearance?

7 MR. PROKOP: It depends on what the angle  
8 is. So I think what you just --

9 JOHN SALADINO: Well, excuse me, but there's  
10 no -- every other municipality has a sky plane, 45  
11 degree angle from the property line. If that's  
12 the code we're going with, I would just try to  
13 kind of remind the Board, on a 50-foot lot, you  
14 would be limited to one-story houses. On a  
15 60-foot lot, you would be limited to one-story  
16 houses, because the top floor of any -- of any  
17 proposed building would be outside the sky plane.

18 TRUSTEE PHILLIPS: As I said, I just brought  
19 it back up since we're going to be discussing  
20 other things.

21 JOHN SALADINO: I think -- I know there's a  
22 couple of people that are in favor of the sunshine  
23 law, the pyramid law. I think it's -- in this  
24 particular Village -- perhaps in other  
25 municipalities on bigger portions, perhaps in

1           Southold Town, that works. In this municipality,  
2       with 50-foot lots and 60-foot lots wide, I'm not  
3       talking deep, wide, it's kind of like an elaborate  
4       solution to a nonexistent problem. I just don't  
5       see it working. You guys are smart guys, maybe  
6       you could figure out a way that it might work.  
7       Like I said, I'm familiar with the law in other  
8       municipalities, I just don't see it working here.  
9       But, again, I'm sure.

10           I have a boatload to say about, about  
11       Moore's Woods, about a trailer park, but I'll just  
12       kind of -- if you look at the Legislative intent  
13       of the park district when the code was done -- the  
14       code was revised in '71. If you look at the  
15       Legislative intent, or if you look at the wording  
16       of the code, everything that was included as a  
17       permitted use in the park district was already  
18       there. They were -- they were accommodating the  
19       things that were already there, the water tower,  
20       the sewage treatment plant. Trailer park was  
21       already there.

22           Our code, if you look at our code, I think  
23       it's 150-22, house trailer, there's a definition  
24       for house trailer. House trailers were considered  
25       so egregious that they were -- they were sunsetted

1       out in 1971, or maybe it was '85, I'm not sure of  
2       the date.

3                     TRUSTEE PHILLIPS: '85.

4                     MR. SALADINO: It was sunsetted out, that  
5       they had three years. Any house trailer that was  
6       in the Incorporated Village, they had to be gone  
7       in three years.

8                     So previous Boards had looked at house  
9       trailers. I understand that was then and this is  
10      now, but I'm just not really sure if a trailer  
11      park is kind of like the look that we should be  
12      going for in Greenport. I know that sounds  
13      terrible, but I'm sure there's other ways.

14                  And you talked about building up. You could  
15      build -- every one-story building in the  
16      commercial retail business, you could go up  
17      as-of-right. You don't even need -- you go for a  
18      building permit and you build it up. I mean, it's  
19      as-of-right.

20                  The last thing I would mention, I have a  
21      princess problem, but it's late and I'm not going  
22      to bring it up. But the last thing I would  
23      mention is 150-12 or 150-16, the parking  
24      grandfather. If you eliminate that one sentence,  
25      buildings in existence prior to -- the law was

1           passed in 1990. If you -- if you eliminate that  
2       one sentence -- there is a schedule, a parking  
3       schedule of regulations, you don't have to  
4       reinvent the code. A restaurant, every four  
5       seats, every five seats, and every table of five  
6       people, you need a parking space. Retail, every,  
7       every retail store that has to provide parking for  
8       an employee. It's already there, you don't have  
9       to reinvent it. And I would encourage you not to  
10      raise the price.

11           If anything -- and everybody knows Saladino  
12      is all about money. I mean, if anything, I would  
13      lower the price. I would make it -- I would make  
14      it a little more reasonable to encourage -- you  
15      know, if you open a restaurant that has 20 people  
16      capacity, that's four tables, it's 10 grand. It  
17      doesn't sound like a lot, but when you're changing  
18      something from a candy store to a restaurant, you  
19      know, there's other things involved. But I would  
20      make it that -- that it would be a change of use,  
21      change of ownership, or an expansion of use. So  
22      if a restaurant wants to expand, they would have  
23      to pay for parking. If a retail store wants to  
24      become a restaurant or a restaurant wants to  
25      become a retail store, they would have to pay for

1           parking. It's not -- it's not like rocket  
2       science. I mean, prior to 1991, this was the law  
3       of the land, you know.

4           And the money, we know, goes to a fund  
5       that's supposed to provide parking, infrastructure  
6       and stuff, and whether you get it from buying a  
7       piece of property or eminent domain, or however  
8       you spend the money, I mean, it would be, it would  
9       be -- so I would encourage you to just don't  
10      make -- don't make it too complicated, because the  
11      code is already there to support what you want to  
12      do. You don't have to change the entire code,  
13      it's there. 150-12, 150-16, it's a schedule of  
14      how many parking spaces you need, how -- you know,  
15      who can park, who shouldn't park, who has to park,  
16      so I would encourage you to do that. Thank you.

17      Thanks for listening.

18           TRUSTEE CLARKE: Thank you.

19           MAYOR HUBBARD: Anyone?

20           MARGARET DE CRUZ: Margaret de Cruz,  
21      25 Washington Avenue. This is very brief. I want  
22      to thank Peter for the idea of vision for our  
23      town. And I like the idea of tiny houses.  
24      They're not -- they're not trailers, they're  
25      adorable. Yeah, I think we need to think of some

1 things.

2                   And I do have some ideas for the Arcade, but  
3                   I'm not going to talk about them right now, but  
4                   I'll bring them to you.

5                   And I would like to know, Consortium, who's  
6       the Consortium? So there's all this money, right,  
7       that we can do something with?

8                   MR. BRANDT: Suffolk County has spearheaded  
9        a bunch of towns and villages to come together to  
10      get a greater edge on funding from HUD for the  
11      Community Development Block Grant. So by being a  
12      bigger presence, they were able to make more  
13      impact with their request, and then they  
14      distribute the funding to the --

15 MARGARET DE CRUZ: And it can be any kind of  
16 thing?

17 MR. BRANDT: As long as it's related to  
18 community development.

19 MARGARET DE CRUZ: Great. Thank you.

20 MAYOR HUBBARD: Thank you.

21 MARGARET DE CRUZ: That's all. I like going  
22 to these Board meetings.

23 (Laughter)

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

1 (No Response)

2                   MAYOR HUBBARD: Okay. I'll offer a motion  
3        to adjourn to executive session for contract  
4        negotiation with our union employees at 9:19. So  
5        moved.

6 TRUSTEE MARTILOTTA: Second.

7                   MAYOR HUBBARD: Second. All in favor?

8 TRUSTEE CLARKE: Aye.

9 TRUSTEE ROBINS: Aye.

10 TRUSTEE MARTILOTTA: Aye.

11 TRUSTEE PHILLIPS: Aye.

12                           MAYOR HUBBARD: Aye.

13                              Opposed?

14 (No Response)

15 MAYOR HUBBARD: We're in executive session.

16 Thank you all for coming.

19

20

21

22

23

24

25

# C E R T I F I C A T I O N

2

3 STATE OF NEW YORK )

4

5 COUNTY OF SUFFOLK )

6

7 I, LUCIA BRAATEN, a Court Reporter and  
8 Notary Public for and within the State of New  
9 York, do hereby certify:

10 THAT, the above and foregoing contains a  
11 true and correct transcription of the proceedings  
12 taken on October 21, 2021.

13 I further certify that I am not related to  
14 any of the parties to this action by blood or  
15 marriage, and that I am in no way interested in  
16 the outcome of this matter.

17 IN WITNESS WHEREOF, I have hereunto set my  
18 hand this 3rd day of November, 2021.

19

20

21

22

22

24

25

Lucia Braaten

Lucia Braaten

To: Mayor George Hubbard  
Honorable Jack Martilotta, Deputy Mayor and Trustee  
Honorable Peter Clark, Trustee  
Honorable Mary Bess Phillips, Trustee  
Honorable Julia Robins, Trustee

October 4, 2020

123 Sterling Affordable Housing Units

Ladies and Gentlemen:

As I will be unable to attend the October work session for the Village Board, I wanted to provide a follow up to my public comments made at the September 23<sup>rd</sup> Village of Greenport Board of Trustees Regular Work Session in respect of the five Affordable Housing Residency Restricted (AHRR) residential units at 123 Sterling Avenue. Notwithstanding the statements made by David Gilmartin on behalf of the developer at the September 23<sup>rd</sup> meeting, the plain language of the Stipulation Agreement contemplates that these units are intended to be "affordable housing" and that the initial purchase of these units would be subject to "Village of Greenport Affordable Housing Residency Restrictions as described herein **and more particularly to be drawn by the Village with the developers input.**" This plain language empowers the Village Board to require that reasonable additional restrictions apply to the initial purchasers of these units in line with those that would otherwise customarily apply to "affordable housing" and requires that the developer negotiate any such restrictions in good faith. As a timing matter it is frustrating that the Village Board has not worked with the Housing Authority over the prior twelve-month period to develop this criteria but this does not mean that the Village Board should abdicate its fiduciary duty to the Village community and fail to ensure that the initial purchase of the AHRR units is subject to criteria and requirements that would commonly be applicable to affordable housing projects.

I recognize that this is not an easy situation. It has been clear based on the position taken by the Village's Zoning Board of Appeals and given where we are in the timeline for development of 123 Sterling that the black letter provisions of the Stipulation Agreement cannot be amended. Therefore, the residency provisions, price point and flip tax structure cannot, unfortunately, be altered. This does not mean, however, that the Village cannot adopt additional guidelines that will ensure that these units are sold to individuals<sup>1</sup> that would otherwise be unable afford to purchase housing in the Village and surrounding area but are part of the Village/Greenport School District community. The goal of the Board of Trustees should be to adopt Affordable Housing Residency Restrictions that target the initial sale of these units to community members who would otherwise be unable to purchase housing in the Village and who would be first time homeowners.

Generally, it is customary that the costs payable by an owner/lessor with respect to affordable housing are capped at amounts that correspond to a percentage of HUD median income for an applicable area.

---

<sup>1</sup> I refer to "individual" for ease of reference, but the substance of this letter could also apply to a couple who might be the proposed purchaser of a unit. To the extent that the initial owner is intending to occupy the unit with a partner/spouse, the income/assets of that partner/spouse should be considered in determining whether the purchaser satisfies any applicable restrictions on income or assets (regardless of whether the partner/spouse is an actual purchaser/owner).

In addition, it is not unusual to have a limit on net income and net assets apply to potential purchasers/lessors of affordable housing. Finally, because of the strong public interest in affordable housing, applicants for these types of units are generally chosen through a blind lottery process once they have satisfied any applicable requirements (including providing evidence of committed financing).

The first question/issue which the Village Board should consider is how the fees/common charges for the condominium will work and what the relevant assessment is likely to be in respect of the affordable units. This question is relevant because it impacts on what income level is necessary for an individual to be able to "afford" a purchase of these units as the actual cost to any purchaser will include any required mortgage payment, common fees/charges, and utilities. A related question, which is a legal question, is whether the common fees/charges may be assessed on a less than ratable basis in respect of the affordable units, resulting in overall lower costs that might allow a lower income level to apply to potential original purchasers. Section 339-m of the New York State Condominium Law appears to specifically contemplate that the common fees/charges applicable to units that are subject to income limits can be subject to lower and non-proportional carrying charges. If this is indeed the case, the Board may which to consider requiring a limit on the amount of these charges in respect of the initial purchaser of the unit as part of its sign off on the overall certificate of occupancy and agreement on the final terms applicable to the affordable housing units. At a minimum, the Board should ensure that the allocation of common fees/charges are allocated (at least during the period in which the initial purchaser is the owner of the AHRR unit) in such a manner that the rate applicable to the "market rate" units includes the square footage attributable to the commercial waterfront units related to each such unit and cover all of the costs associated with the indoor parking space and marina area. The initial owners of the AHRR units should not bear the costs associated with the maintenance of the waterfront commercial units, the indoor parking area or the marina.

It would also be helpful for the Village Board to seek input from professionals (either community members that work in the financial sector or through banking relationships that the Village has) as to what might be appropriate income and asset limits. One possible approach would be to set the income limit at a level that would correspond to an amount that would result in not more than 30% of gross income being required to cover the owner's costs (including applicable fees) associated with owning the unit based on an assumption that the applicant has financed the purchase with a 30 year fixed rate mortgage at a market rate for 80% of the purchase price.

While Section 8 house does not generally include an asset limit test, it is not unprecedented for a potential purchaser's/lessor's assets to be considered in determining whether an individual is eligible to purchase/rent an affordable housing unit. New York City's HPD/HDC program is one example where net asset limits apply (See: <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/asset-and-property-limits.pdf>). An asset limit (taking into account an individual's savings accounts, checking accounts, investment accounts, trusts and other capital assets) around \$200,000-\$300,000 would seem reasonable. It would also seem prudent to ensure that the individual does not already own any real property and has not owned any real property in the recent past – the Board may which to consider requiring a certification that the individual has not owned real property in the prior five-year period.

I recognize that there is no easy solution to address these issues and how to ensure that these units are allocated in a manner that benefits individuals who might not otherwise be able to purchase property in the Village. But the Board needs to keep in mind that the development of 123 Sterling represented a

negotiated settlement where the public agreed to allow the development of a project otherwise prohibited by Village Code in exchange for certain benefits to the public. While public funds were not used to finance 123 Sterling, the development did take advantage of the public resource of waterfront property. Wherever, the Board ends up in respect of additional criteria that might apply to the initial purchasers of the affordable housing units, it is equally important that ALL eligible individuals have an opportunity to purchase these units. Ideally ,this would be accomplished using a lottery system once completed applications with appropriate committed financing were submitted. If this is not possible, at a minimum, the developer should be required to publicly advertise that these units are for sale through the local paper and provide a reasonable period in which all interested eligible persons can submit a completed application for consideration. The developer should also be required to ensure that the sale of the units is made in accordance with the Fair Housing Act as if it was applicable in all respects. If the developer is the ultimate arbiter of who gets to purchase these units, he should also be required to make the following certifications:

1. That the initial purchasers/proposed occupants of the AHRR units are not related to developer, any investor in the project or any family member thereof;
2. That neither the developer nor any of the investors are aware of any agreement (oral or in writing) with respect to the resale of the AHRR units in the future (other than those explicitly contemplated under the Stipulation Agreement; and
3. That none of the developer, any investor in the project or any family member thereof has received any compensation (other than payment of the purchase price) in respect of the sale of the AHRR units).

In addition, the initial purchasers of the AHRR units should be required to make similar certifications to the foregoing. As part of the covenants placed on these units or pursuant to a separate legal agreement, the developer and each initial purchaser of these units should agree that the penalty for a wilful breach of any applicable conditions relating to the purchase of the AHRR units will be an amount equal to not less than 50% of the then applicable market value of the relevant AHRR unit as determined by an independent appraisal, which amount will be payable to the Village for use by the Housing Authority.

Finally, as part of this process the Board needs to consider and provide guidance to the Housing Authority in respect of how funds that are received from any flip tax (or payment penalty) should be applied/utilized. It would be highly preferable to be proactive and forward thinking on this front rather than reactive at such a time as any payment is made.

These are just some initial thoughts that I hope are helpful as you consider how to address the AHRR units at 123 Sterling to ensure that the public's interest in these units is safeguarded and that the units are made available in line with what was originally intended when these units were set aside for affordable housing.

I respectfully request that this letter be entered into the public record as public comment for purposes of the Public Comment portion of the Work Session. Thank you for your consideration and diligence in attending to this critical issue.

Best regards

Tricia Hammes

603 Main Street  
Greenport, New York 11944  
[triciagrace@optonline.net](mailto:triciagrace@optonline.net)

cc:      Paul J. Pallas, P.E., Village Administrator  
          Sylvia Lazzari Pirillo, RMC, Village Clerk  
          Joe Prokop Esq., Village Attorney