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

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Third Street Firehouse
Greenport, New York

October 22, 2015
7:00 P.M.

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

1 (Whereupon, the meeting was called to order at
2 7:00 p.m.)

3 MAYOR HUBBARD: Okay. I'll call this meeting
4 to order at 7:00 with a pledge to the flag.

5 (Whereupon, all stood for the Pledge of
6 Allegiance.)

7 Please remain standing for a moment of silence.
8 I would like to remember Bessie LaFreniere, Trustee
9 Phillips' mother, who passed away recently.

10 (Whereupon, all remain standing for a moment of
11 silence.)

12 Thank you. You may be seated.

13 TRUSTEE PHILLIPS: Mayor Hubbard, thank you
14 very much for remembering my mother. She used to
15 enjoy critiquing every Village Board meeting that she
16 used to watch on Channel 22, and I will miss that.
17 Thank you very much for acknowledging.

18 MAYOR HUBBARD: Thank you. Okay. I have a few
19 announcements.

20 The annual Fire Department hydrant testing will
21 take place on this Sunday, October 25th, beginning at
22 9 a.m. Please refrain from doing laundry, or doing
23 your sheets, or your delicates on Sunday morning.

24 (Laughter)

25 Usually, discolored water usually lasts about

1 two hours. By noontime, it should be cleared up.
2 But refrain from using water, if possible, just so
3 you don't have problems with that.

4 All right. The Village, in conjunction with
5 the PTA and the Library, will be sponsoring a
6 Halloween event, with the Halloween Parade beginning
7 at the Carousel at 9:45 a.m. on October 31st.

8 Village Hall will be closed on November 11th in
9 observance of Veterans' Day.

10 We've got several liquor license applications.

11 We have a new application for Claudio's Clam
12 Bar, 111 Main Street; a new application for Claudio's
13 Tavern, 111 Main Street; a new application for
14 "entity to be formed". Is that in parentheses, then?
15 At 111 Main Street.

16 All right. Public Hearings:

17 Chapter 150 of the Bed & Breakfast Regulations.
18 We've noticed the Public Hearing, the information has
19 been out there. Basically, what they were doing was
20 they want to change our Village Code from three --
21 three-room bed and breakfast to five-room. You'd
22 have to back -- anybody who wants to do that would
23 have to go back for a new site plan. If they have
24 enough parking and space for enough bedrooms, they'd
25 be allowed to expand from three to five rooms.

1 That's basically it. We'll take public comment
2 on the Chapter 150, Bed and Breakfast Regulations.
3 Name and address for the record, please.

4 MR. SAWYER: Clayton Sawyer, 104 Bay Avenue,
5 Greenport, New York, 11944.

6 Okay. This is probably -- you've heard this
7 before. There are currently seven B&Bs in Greenport
8 Village. I'm speaking for us, the Greenport members
9 of bbnofa, the area B&B group, bbnofa.com. We are
10 trying to make our livings running a B&B in Greenport
11 Village. We are not in this to get rich, obviously.
12 But Donna pointed out that it's not so obvious. And
13 I do have to stress, that with three rooms, it is
14 just about getting by with expenses, insurance, all
15 the different things we have to do, guests opening
16 air -- you know, air conditioners, windows open, you
17 know, things that you don't really think about. We
18 just kind of scrape by with three rooms.

19 But, obviously, we do this because we love what
20 we do. It's a primary source of income. It's not a
21 way to supplement our second, or vacation home, or
22 investment property. If I lose my job, I lose my
23 house.

24 I've run my inn for over 15 years. The B&Bs
25 and innkeepers are people that love this area. They

1 know Greenport, its history. Am I going too fast?

2 We've helped support the town over the years
3 before it was a tourist destination it is today,
4 endlessly donating to various charities and causes,
5 volunteering on various boards, such as Chamber of
6 Commerce and the Greenport Merchants Association. We
7 live here and our bed and breakfasts are
8 owner-occupied.

9 It's basically impossible to turn a profit, as
10 we are limited to three rooms right now. We are
11 simply asking that we are put into -- onto a level
12 playing field as far as the other B&Bs in the area,
13 that's all.

14 Southold is all around us with a five-room max.
15 When guests call us for reservations and we cannot
16 accommodate them here, we have to refer the business
17 out of Greenport. I'm all for competition, as long
18 as it's fair. And with the onslaught of online
19 booking-type transient and nightly rentals running
20 rampant, resort condominiums rented by the night, and
21 places a few blocks away renting out nightly with a
22 revoked C of O, it makes it virtually impossible to
23 operate.

24 We recognize your time is valuable and you're
25 busy. We would appreciate your changing the room max

1 of Greenport's B&Bs regulation to five. We
2 understand we would have to apply on a case-by-case
3 basis. Five is below the New York State average,
4 which is seven, but we'd be thrilled with five. This
5 will make it a bit more fair, and we'd be able to
6 compete in the current environment.

7 And as a side note, the American Disabilities
8 Act recognizes that five is the magic number for
9 B&Bs, excluding owner-occupied lodgings with rooms of
10 five or less from having to follow ADA requirements.
11 And by this logic, all lodgings that are
12 non-owner-occupied five rooms or less are in
13 violation of ADA, just so you know.

14 The B&Bs in the Village have to charge sales
15 tax, hospitality tax, which is used for grants that
16 benefit the North Fork and Greenport Village. We are
17 owner-occupied. We pay B&B insurance and adhere to
18 the local variance -- Village requirements, and we
19 should not be the only ones to have to adhere to
20 those laws.

21 We urge you to help and to help Greenport
22 business by upping us to a five-room max, and we'll
23 be able to compete with Southold Township B&Bs by
24 being on a more level playing field. Thank you very
25 much.

1 MAYOR HUBBARD: Thank you. Okay. Anybody else
2 wish to address the Board?

3 MS. POLLACK: Hello, everybody. I'm Karen
4 Pollack, 630 First Street.

5 I do have an opinion about this. New York
6 State may allow five or more bedrooms be rented out
7 in a B&B, but that doesn't mean that we're required
8 to allow this here. Most places in New York State,
9 in wine country, in the Finger Lakes region, in the
10 Catskills and the Adirondacks, we're talking about
11 much bigger plots of land that larger B&Bs operate.
12 In those areas, the extra guests don't present any
13 problem to anybody.

14 Now I feel that our existing B&B law with three
15 bedrooms is already very generous. It allows the
16 operation of hotel-type businesses in residential
17 districts. Renting out three bedrooms can easily
18 bring in \$750 per night. Isn't this enough?

19 It may come as a surprise, but for some of us
20 who are year-round residents, summer is our favorite
21 season, too. Please bear this in mind before
22 creating even more crowding and further reducing the
23 parking to be found in our business district.

24 Now, the gentleman that just spoke made some
25 very good arguments, but what he is talking about is

1 running a business. We're allowing it in residential
2 areas. They are de facto hotels, and on lots -- most
3 of our lots here in Greenport are 50 feet wide, a
4 third of an acre, a quarter of an acre, less. We're
5 not talking about the size of the lots that are
6 average in the Township of Southold. So just -- I
7 just hope you'll bear that in mind. We're crowded
8 enough as it is. Thanks a lot.

9 MAYOR HUBBARD: Okay. Thank you.

10 MR. SWISKEY: William Swiskey, 184 Fifth
11 Street. I've spoken in favor of this law before.
12 It's logical in this day and age. These people have
13 to make a living, they have to compete with the
14 Airbnbs and these other things that are going on.
15 And the only thing I -- comment I would make is we
16 got restaurants in this town with no parking, we got
17 other things with no parking. They're allowed to use
18 off-site parking, including the bank.

19 Granted, these Airbnbs should have a parking
20 space for each room, but maybe you could allow -- say
21 it is impossible in this spot. You could say this
22 spot on the street we could designate it, because I
23 think you got to be a little be liberal with this.
24 Thank you.

25 MAYOR HUBBARD: Thank you.

1 MS. WILLIAMS: Hi. My name is Jane Williams,
2 229 Fifth Street. I have a question about -- in the
3 code, it says under 2-1, this shall -- "This chapter
4 shall apply to all rental dwelling units located
5 within the Village of Greenport, whether or not the
6 use and occupancy thereof shall be permitted under
7 the applicable use regulations for the zoning
8 district in which such rental dwellings are located."
9 How do we find out the regulations for the different
10 zoning districts?

11 MAYOR HUBBARD: Okay. We'll refer that. Joe,
12 do you have an answer on that part?

13 ATTORNEY PROKOP: What section? I'm sorry to
14 ask this.

15 MS. WILLIAMS: It's 2-1, the second --

16 ATTORNEY PROKOP: Oh, yeah.

17 MS. WILLIAMS: The first paragraph.

18 TRUSTEE ROBERTS: Of the B&B Law?

19 MS. WILLIAMS: Yes.

20 ATTORNEY PROKOP: Of the actual code?

21 MS. WILLIAMS: Of the Local Law.

22 TRUSTEE PHILLIPS: The actual code.

23 ATTORNEY PROKOP: I don't have a comment about
24 that. I'm sorry. I would -- it's because --

25 MS. WILLIAMS: Well, that's fine. But if

1 someone could get back to me on it, that would be
2 fine as well.

3 ATTORNEY PROKOP: Yeah. I think it's because
4 the B&B was meant to supersede the -- you know,
5 supersede the use regulations of the code once it was
6 established. But I'll take a look at that and get
7 back to you.

8 MS. WILLIAMS: Thank you, I'd appreciate it.

9 ATTORNEY PROKOP: Okay.

10 MS. WILLIAMS: I'd also like to make a
11 suggestion. I do approve of the HomeAway, the
12 Airbnbs within restrictions. I think that there
13 should be definitely a substantial permit fee for us,
14 as well as an inspection.

15 And I highly recommend that maybe the Code
16 Enforcers have alternating or staggered hours.
17 Someone could be on an earlier shift, someone could
18 be on a later one. This way dwellings could be
19 checked in the evening hours, in the early morning
20 hours, you know, as opposed to appointed times, where
21 people can prep their rental properties and have it,
22 you know, up to code.

23 You know, I highly approve of this. I think
24 these places bring in a lot of guests to the Village,
25 and I think with strict regulations, though, it would

1 benefit us all. Thank you.

2 MAYOR HUBBARD: Thank you.

3 MR. SALADINO: John Saladino, Sixth Street. I
4 have no opinion about the -- about the amount of
5 rooms, but I do have an opinion about the code.
6 I'm a B&B guy, I'm a hotel guy.

7 I would recommend to the Board, I would suggest
8 to the Board that the B&B code was passed in 1989,
9 and the Village Board at that time -- New York State
10 Law was in effect in 1989 and so was Southold Town's.
11 And the Village Board of Greenport chose to deviate
12 from five rooms to three rooms, for whatever reason.
13 I don't know the reason. I'm saying maybe there's
14 something that they saw that right now we don't, you
15 know, the motivation for them. They had New York
16 State Law in front of them, they had Southold Town
17 law in front of them, they chose this code.

18 B&B is a conditional use, they're allowed only
19 in R-1. They took it into account. They thought it
20 out, is what I'm saying. They restricted B&Bs from
21 waterfront commercial, from commercial retail,
22 restricted it to the residential zones, so they gave
23 it some thought. They decided what the proper lot
24 size was, 10,000 square feet. They decided what size
25 the -- the minimum size the house should be, 2,000

1 square feet. They decided room size. So they took
2 time and effort to think about this.

3 We should -- we should at least inquire from
4 the people that were around then what their
5 motivation was, what their reasoning was.

6 Just -- and also, I got this today from
7 somebody. The Village of Patchogue in 2009 enacted a
8 B&B code and they used Greenport's code as a model,
9 three rooms. I'm not sure what that means, but, you
10 know, Patchogue decided that Greenport -- they went
11 with Greenport's rule, as opposed to New York State
12 or -- I'm not sure where Patchogue is, Brookhaven, or
13 whatever.

14 And as a reminder, if you do pass it and one of
15 the caveats is, is that lot size, 10,000 square feet,
16 and parking would have to conform, so B&Bs would have
17 to have a 10,000 square foot lot. They would have to
18 provide parking for five rooms.

19 The code also says -- again, I'm a code horse.
20 The code also says that you need off-street parking
21 for every room. You need parking in a designated
22 area, and five feet back from the property line, from
23 the boundary. So, you know, cars that are parked
24 with the rear bumper touching the sidewalk, that's --
25 that doesn't conform to the code.

1 It also says that parking must be screened from
2 the neighbors by a fence or plantings at a minimum of
3 five feet high. So, if you go from three cars to
4 five cars, you're going to have to screen it from the
5 neighbors. The minimum height is going to be -- has
6 to be, according to the code, five feet.

7 So it's not just -- there's more to -- all I'm
8 saying is there's more to consider than just let's
9 add two rooms to the code, let's find parking for two
10 additional cars. There's a whole lot more in the
11 code that has to be considered than just upping the
12 ante a little bit.

13 I would also like to remind the Board that
14 there was two public meetings well attended, like
15 this one, in 2011. I understand the dynamic at those
16 two meetings. It was a little -- the issue was a
17 little different, it was about something -- it was
18 about raising the rooms to five, but also there were
19 certain personalities involved and stuff like that,
20 but they were well attended. Two of the members from
21 that Board are here tonight. You chose not to do it.
22 Tonight perhaps you'll -- I don't know if you're
23 going to vote tonight, but --

24 MAYOR HUBBARD: No. We're just having the
25 public hearing, and then it would be -- a vote would

1 be next month, if we do it.

2 MR. SALADINO: But these are the other things
3 that I would ask you to consider as far as the code.
4 Do they need the money? Yeah, probably. Everybody
5 needs a little extra money. If -- but there's other
6 things in involved. There's other portions of the
7 code that you have to consider aside from two
8 additional parking spaces and two additional rooms.
9 And without going into the code, there's a whole lot
10 more.

11 MAYOR HUBBARD: Yeah.

12 MR. SALADINO: I mean, window size and stuff
13 like that. So thank you for listening.

14 MAYOR HUBBARD: Thank you.

15 MR. REED: Mike Reed, 430 Front Street. I'm
16 going back to the years, you've been going, you know,
17 have, have not. Most of these people are, you know,
18 pretty hardworking people, like this gentleman here,
19 put his livelihood, correct, into it. Mostly, people
20 who have bed and breakfasts are pretty nice people.

21 I live right across from the Bartlett House.
22 It just got bought out a couple of months ago. Nice
23 people, put a lot of money into it. And the nice
24 thing about having these people here is that if you
25 have a problem, you can knock on the door and go to

1 them. It's better than the absentee landlord issues
2 that were having these problems, that we have a place
3 we're having a problem with. You know, it's good for
4 -- you know, good for the town, you know? They're
5 just trying to make, you know, an honest living.
6 They try to take care of their property. Most of the
7 bed and breakfasts are beautiful. You know, they put
8 a lot of time and take a lot of pride in it, more
9 than some of the -- I won't call them slumlords, but
10 you see around here, you know. It's pretty good, you
11 know. Thank you.

12 MAYOR HUBBARD: Thank you.

13 MS. GORDON: Good evening. Dinni Gordon, 152
14 Sixth Street. I just want for a minute to put this
15 in a larger perspective.

16 It seems to me that with this and the
17 short-term rental issue, and the general rent
18 regulation law, we are in the process of really
19 trying to regulate the tourist economy that is the
20 basis of Greenport now. That's a very complicated,
21 very complicated set of issues and really important
22 for all of us. I think balance is what's really
23 important. And I'm pleased that there's some real
24 effort to find balance in the short-term rental
25 situation, but I think this is linked to the

1 short-term rental questions.

2 If we are reducing short-term rentals in one
3 context, the Airbnb type of thing, I think we also
4 need to be thinking about the expansion of a
5 short-term -- what is essentially a short-term
6 rental, but is much more -- much more regulated, much
7 more supervised, with a kind of control that we don't
8 -- haven't had over the Airbnb type of short-term
9 rental. We're talking about something that would be
10 a maximum -- in particular, a maximum additional 21
11 rooms. If you have seven B&Bs and they all expand by
12 two rooms, which is probably unlikely, you're talking
13 about another 21 rooms.

14 MR. SAWYER: Fourteen.

15 MS. GORDON: I'm sorry. Yes, two times seven
16 is 14. I didn't go to the Greenport School.

17 (Laughter)

18 Maybe I should have. But I think we're not
19 talking about a very large expansion, and we are
20 talking about an expansion which would be under the
21 control -- under a kind of control of Greenporters,
22 the owners of the B&Bs, that I think is probably a
23 part of achieving this balance that we're all
24 concerned with.

25 One final thing is just I have a stepson who is

1 32. He comes occasionally to visit. We don't have
2 room for him always, so he stays in either a B&B or a
3 motel, or sometimes an Airbnb kind of place. And he
4 and I had a kind of lively argument about the Airbnb
5 situation in which he said -- and I realize that from
6 his perspective, Airbnb is absolutely wonderful, you
7 know. You can come and have this beautiful
8 environment for a couple of days and go home, and you
9 haven't broken the bank to do that. And he said,
10 finally, "Well, why aren't there more B&B rooms," and
11 which would solve the kinds of problems that I was
12 bringing up.

13 And I think, you know, there -- this is a very
14 hard kind of comment to -- it's a very hard argument
15 to answer intelligently. But I think if we had a
16 little more B&B space, we would be better equipped to
17 respond to the B&B -- the Airbnb issue. And I think
18 they have to be considered together. And I have the
19 feeling that the Board is considering them together
20 with its proposal, which we will deal with in future
21 times. So thanks.

22 MAYOR HUBBARD: Thank you. Anybody else wish
23 to address the Board?

24 TRUSTEE ROBERTS: Mr. Mayor?

25 MAYOR HUBBARD: Yes.

1 TRUSTEE ROBERTS: Can I read a constituent
2 email into the record?

3 MAYOR HUBBARD: Sure

4 TRUSTEE ROBERTS: Doug Moore, I promised him.
5 This is from Douglas Moore. He's not writing in his
6 capacity as Chair of the ZBA, but as a Greenport
7 citizen.

8 "I support increasing the allowable rooms for
9 B&Bs from three to five. As the parking requirement
10 for a five-bedroom B&B would total seven parking
11 spaces, five could be for guests and two for
12 residents. The required 10,000 minimum lot size
13 might be insufficient. This might result in more
14 straining in the parking lots! I suggest the minimum
15 lot size for a -- excuse me -- the minimum lot size
16 for a four or five guest room B&B be increased to
17 12,500 square feet. Additionally, I suggest the
18 minimum lot sides for B&B registered for one or two
19 guest rooms be allowed on a standard minimum lot size
20 of 7500 square feet in the R-2 District. This would
21 promote the availability of smaller capacity B&Bs in
22 the Village. Respectfully, Douglas M. Moore, 145
23 Sterling Street." Thank you.

24 MAYOR HUBBARD: Is that the only one you had?

25 TRUSTEE ROBERTS: Yes, sir.

1 MAYOR HUBBARD: Yes, okay. Okay. I'd like to
2 entertain a motion to adjourn the public hearing.

3 TRUSTEE MARTILOTTA: Second.

4 MAYOR HUBBARD: Okay. Any discussion?

5 (No Response)

6 All right. We'll discuss this. We'll put it
7 on the agenda for our work session. All in favor?

8 TRUSTEE MARTILOTTA: Aye.

9 TRUSTEE PHILLIPS: Aye.

10 TRUSTEE ROBERTS: Aye.

11 TRUSTEE ROBINS: Aye.

12 MAYOR HUBBARD: Aye.

13 Opposed?

14 (No Response)

15 Motion carried.

16 Okay. The second public hearing we have is
17 Chapter 132, Vehicles and Traffic. The overall gist
18 of this is, basically, to create a taxi spot, one
19 taxi spot on First Street between the exit of Adams
20 Street parking lot and the entrance to Preston's
21 property, where Latham Farm Stand is. There will be
22 one spot there that will be designated as a taxi
23 stand. So in the evenings, or whatever, it would be
24 open. I believe we set the date -- time from six at
25 night until six in the morning, or six at night until

1 midnight --

2 CLERK PIRILLO: Until four, four in the
3 morning.

4 MAYOR HUBBARD: Four in the morning. Okay.
5 Six at night until four in the morning. Just so
6 people know that there's a designated spot. If they
7 need a ride home or if they need something, there's a
8 place they can go to catch a taxi. That's --
9 basically, there's a lot of words and everything else
10 in the whole law. That's really all we're doing, is
11 just creating one parking spot as a taxi stop right
12 in front of where the buses stop on First Street.

13 All right. At this point, I'll open it up to
14 the public, if anybody wants to address the public
15 hearing.

16 MS. WILLIAMS: Jane Williams, 229 Fifth Street.
17 Just one quick question. If they're in this -- in
18 this proposal, is there -- what does a second cab do?
19 What happens if there's a second cab? Is there a
20 penalty if a second cab is also parking in this -- in
21 this area, or is there a special place the second cab
22 can wait? I think that has to be considered, because
23 it's going to be a hot spot for one cab, and I think
24 that has to be taken into consideration. Thank you.

25 MAYOR HUBBARD: Okay.

1 MR. DAPARMA: How are you doing?

2 MAYOR HUBBARD: Hello.

3 MR. DAPARMA: Brian DaParma, Hometown Taxi,
4 1560 Youngs Avenue, Southold, New York.

5 I love the idea that the Board is looking to do
6 something with taxicabs. You have a few things, just
7 logistically, I wanted you guys to be aware of, is
8 during the night hours, where you're looking to put
9 this taxi stand, it's kind of in the middle of
10 nowhere, in the dark. Just for safety reasons,
11 somebody's walking from Claudio's, they're going to
12 have to walk halfway across the town, probably
13 inebriated, through the back alleys, through the
14 parking lots. If it was my 21-year-old daughter, I'd
15 tell her not to.

16 As for all the locals, I'm one of the
17 largest -- basically, the only game in town, you
18 know, as one of the -- a smaller company. All locals
19 know us, they know our phone number. They call us,
20 we pull up in front of the bar. As for all the
21 tourists, where the taxi stand is, they'll never find
22 us there. If I could urge the Board to maybe look at
23 relocating.

24 Parking is not -- parking is not a premium at
25 night around the Village, there's always open spots.

1 If they could designate several spots around the
2 Village, Brix and Rye, Claudio's, Blue Canoe, maybe
3 one spot, 8 p.m. to 4 a.m., taxis only right in
4 front, so we could pull up and drop off without
5 having to double-park in the street, which makes it
6 really dangerous when we unload.

7 And, also, I was instrumental in creating the
8 Southampton Town, East Hampton Town taxi laws, and I
9 was appointed to the board of the Suffolk County Taxi
10 and Limousine Commission. And if the Village here
11 would like to create a committee or a work session to
12 look at possibly regulating the taxis, or doing
13 something to quiet down the congestion of all the
14 out-of-town cabs that are coming in town, myself,
15 like everybody else, we need to make money during the
16 summer, and especially the B&Bs that I hear everybody
17 saying they're renting out 750 a night. It would be
18 all well and good if they rent them out every night,
19 seven days a week, 365 days a year. Same with me, if
20 I'm busy all the time, I wouldn't really need it, but
21 we need to make money during the summertime to leave
22 the doors open in the winter. Thank you for your
23 time.

24 MAYOR HUBBARD: Okay. Thank you.

25 MR. SALADINO: John Saladino, Sixth Street.

1 Would it be appropriate for me to ask a question? I
2 had asked this question -- I'll add, I had asked this
3 question at the work session about the RFP for the
4 taxi that's going to go to the taxi stand, and I had
5 asked the Attorney. Nobody seems to know, or that
6 particular night, nobody seemed to know what the deal
7 with the taxi, with the RFP was. Do we pay them, do
8 they pay us? Do they have -- do we know the name of
9 the company? Is it just --

10 MAYOR HUBBARD: Right. They would be paying
11 the taxi themselves. It was just to see if there was
12 interest in somebody doing it. That's why the RFP
13 was done.

14 MR. SALADINO: So we got an RFP back and
15 someone was interested in doing it?

16 MAYOR HUBBARD: Yes.

17 MR. SALADINO: And do we know how many taxis?

18 TRUSTEE ROBERTS: He's sitting right there.

19 MR. SALADINO: I'm sorry?

20 TRUSTEE ROBERTS: He's sitting right there.

21 MR. DAPARMA: That was --

22 MR. SALADINO: That was you?

23 MR. DAPARMA: That was me. You could ask any
24 questions you want

25 MR. SALADINO: Well, I can't ask you, I have to

1 ask you through the Board.

2 MAYOR HUBBARD: No, that's okay.

3 MR. SALADINO: So for a taxi to stay at the
4 taxi stand and have one taxi, or I don't know how
5 many taxis are involved, but if there's one or two
6 taxis and they both have fares, and the fares are
7 someplace other than the dynamic envelope of
8 Greenport Village, so now there's a space that's open
9 that somebody can't park in for 45, or 50, or one
10 hour from what time?

11 MR. DAPARMA: Six p.m. to 4 a.m.

12 MR. SALADINO: Six p.m.

13 TRUSTEE ROBERTS: Unless he's got a second --
14 if I may, unless has a second car sitting out on
15 Moore's Lane, so when one car goes to Riverhead, the
16 next --

17 MR. SALADINO: Does he have a second car
18 sitting on Moore's Lane?

19 TRUSTEE ROBERTS: I'm assuming he does have
20 more than one car. He's nodding yes.

21 MR. DAPARMA: Yes.

22 MR. SALADINO: It seems like an elaborate
23 solution to a nonexistent problem. Even the taxi guy
24 doesn't think it's a great place to have a taxi
25 stand. And I think I heard you say everybody has

1 your phone number, right? I would ask the Board to
2 take that into consideration.

3 MAYOR HUBBARD: Okay. No, we will. I think
4 the intention, John, was to make a designated spot,
5 so people in town knew where there might be a taxi to
6 be able to get one. I think that was the intention
7 of putting the -- having the public hearing and doing
8 the law to say the taxi should be available after
9 6 o'clock at night in this area, right in front of
10 where the buses go. People, everybody knows to go
11 there to get the bus. Right in front of that,
12 there's a place to get a taxi. And it was just for
13 public knowledge and say, "If you need a taxi, that's
14 the spot you should be able to catch one." That was
15 the intention of the whole thing.

16 MR. SALADINO: I understand, and the road to
17 hell is paved with good intentions. But the reality
18 is -- I mean, if we talk in the abstract, it's a
19 great idea. But the reality is, is that if you're in
20 a saloon and you need a taxicab, you're going to tell
21 the bartender to call you a taxicab.

22 MAYOR HUBBARD: Sure.

23 MR. SALADINO: If you're at Claudio's or you're
24 at a hotel, you're not going to -- even the taxi
25 owner guy said nobody's walking from Claudio's to

1 that spot.

2 MR. DAPARMA: It's a great start. It's a great
3 start.

4 MR. SALADINO: Perhaps. Perhaps a different
5 place.

6 MAYOR HUBBARD: Okay.

7 MR. SALADINO: Perhaps. Thank you. Thank you
8 for listening.

9 MAYOR HUBBARD: Thank you. Anyone else wish to
10 address the Board on this topic?

11 MR. PELTON: Good evening. Brent Pelton, 300
12 Main Street. I'm just happy that the Board is
13 addressing this. Anything that we can do to get
14 people home safely at night is obviously important to
15 everyone. We've had a couple of tragedies on the
16 North Fork over the past years. And I really thank
17 the Board for looking into this issue and I think
18 it's important. I don't know what the exact location
19 is or what, but I just think that it's important to
20 be addressing this.

21 We also talked about the B&Bs earlier, and
22 Greenport has terrific B&B owners, proprietors. And
23 I just want to give my full support to raising the
24 number of rooms from three to five. I think it makes
25 a lot of sense. They're great people who are working

1 really hard and do a good job to showcase our area.
2 So thank you.

3 MAYOR HUBBARD: Thank you. Anybody else wish
4 to address the Board on this topic?

5 (No Response)

6 Okay.

7 TRUSTEE ROBERTS: Mayor, may I read --

8 MAYOR HUBBARD: Oh, yes. Yeah, go ahead.
9 Sorry.

10 TRUSTEE ROBERTS: "Douglas M. Moore, 145
11 Sterling Street. I support the plans to establish a
12 taxi stand in the Village. The proposed location of
13 the taxi stand seemed removed from the concentration
14 of restaurants serving alcohol. I would suggest the
15 stand be located closer to the intersection of First
16 and Front Streets, perhaps at the east or west side
17 of First Street at Front Street. As the stand is set
18 for nighttime hours, this location would not
19 interfere with daytime shopping/parking needs.
20 Respectfully, Doug Moore."

21 MAYOR HUBBARD: Okay. All right. I'll
22 entertain a motion to close the public hearing on the
23 Vehicle and Traffic Law.

24 TRUSTEE PHILLIPS: Second.

25 MAYOR HUBBARD: All in favor?

1 TRUSTEE MARTILOTTA: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 TRUSTEE ROBERTS: Aye.

4 TRUSTEE ROBINS: Aye.

5 MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response)

8 Motion carried. We'll discuss that at the work
9 session and come up with comments from ourselves.

10 TRUSTEE MARTILOTTA: Sure.

11 MAYOR HUBBARD: Okay. The next topic is public
12 to address the Board. At this time, I'll open up the
13 meeting to anybody who wants to address the Board.

14 MR. SWISKEY: All right. This is going to be
15 one of the topics I'm talking about tonight.

16 William Swiskey, 184 Fifth Street. I have
17 several things I want to ask. First of all, is there
18 going to be an Executive Session tonight?

19 MAYOR HUBBARD: I do not believe so.

20 MR. SWISKEY: All right. Are there any walk-on
21 resolutions, resolutions other than on the agenda
22 that are going to come up?

23 MAYOR HUBBARD: Not that I have.

24 MR. SWISKEY: Okay. Any of the other Trustees
25 going to bring one up?

1 TRUSTEE ROBERTS: (Shook head no.)

2 MR. SWISKEY: All right. Well, first of all, I
3 just want to ask one thing. I said it at the work
4 session and I'm asking tonight about is the report
5 ready on what went wrong at the light plant that you
6 directed Village Administrator Pallas to prepare, I
7 guess, a month or two ago; is that ready?

8 MAYOR HUBBARD: The report on the last outage?

9 MR. SWISKEY: No, no. On the whole situation
10 of what went wrong, I believe what went wrong over
11 the last two or three years at the light plant with
12 the --

13 MAYOR HUBBARD: Right, the overall Phase I
14 project.

15 MR. PALLAS: No.

16 MAYOR HUBBARD: That's going to be part of what
17 they're doing if we go through with Resolution 22.
18 They'll be working on that and putting everything
19 together

20 MR. SWISKEY: But I thought he was supposed to
21 put together before we even started to -- that was my
22 understanding, right, Mary Bess, you asked for it?

23 TRUSTEE PHILLIPS: My request had been to give
24 us, between the Village Administrator and the Village
25 Attorney, an outline of what -- what we would be

1 looking for in -- before spending any money for
2 litigation. In other words, taking a look at the
3 contract to make sure that there -- what clauses were
4 in there, if there were any, that would cause some
5 issues. There was some question as to what actually
6 was wrong with the outline -- I mean, with the --
7 with the drafting or the schematic that was created
8 for the Phase I. That's what I was asking for,
9 because I can't -- I really -- before spending any
10 money on legal fees, I would like to have an idea if
11 we even are at a point where we would be successful
12 in it.

13 MR. SWISKEY: So that's still not ready,
14 although I thought it was more comprehensive. It was
15 supposed to be, all right, this was supposed to
16 happen and it didn't happen and this --

17 TRUSTEE PHILLIPS: Well, that's what I'm
18 talking about, Bill.

19 MR. SWISKEY: And we, in other words -- and why
20 isn't it ready? It's been more than sufficient time,
21 I can tell you that.

22 TRUSTEE PHILLIPS: That, sir, I have asked, and
23 that's a question for the Mayor and the Village
24 Administrator.

25 MR. SWISKEY: Well, maybe somebody should ask

1 them a little bit harder, because I can tell you that
2 you should be able to put that together in a week or
3 less, from experience.

4 TRUSTEE PHILLIPS: I do know, Bill, that I
5 passed on information from my back files when the
6 Director of Utilities was involved in it, the
7 previous Director of Utilities, and even some
8 information that I gathered from files from back in
9 19 -- 1989, was it, or 1990. There was some
10 information dealing with Genesys and the Village,
11 which I have given to Village Administrator. So he
12 must be working on it. He's asked for information,
13 I've given it to him. I don't know what more I can
14 do, other than keep pushing forward, which I've been
15 doing.

16 MR. SWISKEY: Basically, what I've learned is
17 if you're in charge and somebody's not doing it, you
18 tell them to get off their butt and get it done.
19 That's the way it usually works.

20 TRUSTEE PHILLIPS: Bill, as I said, I've
21 discussed it with the Mayor and the Village
22 Administrator, and that's my focus at the moment.
23 Your questions need to be directed to them.

24 MR. SWISKEY: Well, in my opinion, the Board
25 should direct -- put a resolution on tonight

1 directing that it be ready in like, and I'm going to
2 be very liberal, in three weeks. Set a hard
3 deadline, three weeks or a month, but there should be
4 a hard deadline and it should be available to the
5 public.

6 MAYOR HUBBARD: Yes.

7 MR. SWISKEY: All right. Now --

8 TRUSTEE ROBERTS: If I could, Mr. Swiskey. In
9 Mr. Pallas' defense, he's had to spend many hours
10 reviewing Building Department files in the last
11 month, so there hasn't been much work maybe on the
12 power plant or the Managing Director.

13 MR. SWISKEY: When you take the job, Doug,
14 because I used to have basically almost the same job,
15 you had to be able to multitask. This thing about
16 time, it doesn't -- it didn't cut the mustard with
17 Dave Kapell, it shouldn't cut the mustard with this
18 Board, is what I'm saying. We're paying a lot of
19 money, get the work done.

20 Now, this appeared on a -- now, Trustee
21 Phillips, you have a Facebook page, "Let's Talk
22 Greenport," right? I'm --

23 TRUSTEE PHILLIPS: That's my own Facebook page,
24 yes.

25 MR. SWISKEY: All right. But, basically, since

1 it's your page and you're a Trustee, people relate to
2 what goes on that page as coming from the Village.

3 Now, since -- are we going to investigate the
4 head of the Department of Public Works, the Road
5 Department? I mean, there's some pretty strong
6 accusations on there that are public now.

7 MAYOR HUBBARD: Are we going to investigate him
8 for what, Bill?

9 MR. SWISKEY: Read the paper, George. It's
10 like unbelievable what went up on that page.

11 TRUSTEE PHILLIPS: Mr. Swiskey, to answer you,
12 I've already had a discussion with the Village
13 Administrator, I've had a discussion with the
14 Department -- with the Supervisor of the Road
15 Department. I will be discussing some of the issues
16 that I found with the Mayor in the next day or two.
17 I will be answering Scott Corwin directly.

18 I will tell you that the -- some of the issues
19 as for the bid process will be corrected tonight on
20 the agenda. I'm sure you've noticed that we have
21 annual bids going out. There are some misconceptions
22 and some visual misconceptions, and that I will be
23 directing with the Mayor first before I answer
24 Mr. Corwin.

25 MR. SWISKEY: Well, I'm going to tell you

1 there, this pissed me off. Did you read that last
2 paragraph? What is that saying there, George?
3 You're a logical --

4 MAYOR HUBBARD: It says most of the work is
5 done as an emergency. I didn't read the whole thing,
6 Bill, so I'm just --

7 MR. SWISKEY: But, I mean, the last paragraph,
8 and I think it's -- where is it? Yeah.

9 MAYOR HUBBARD: That they're using the old bid
10 for two men and a machine, because the yearly bids
11 did not go out for the past two years and we're
12 rectifying that.

13 MR. SWISKEY: I realize.

14 MAYOR HUBBARD: And they're ready to go out
15 now.

16 MR. SWISKEY: Well, what I'm saying is -- I'll
17 read it, then.

18 MAYOR HUBBARD: Sure.

19 MR. SWISKEY: "They seem to bid everything out
20 but this work. If you ask, they would tell you this
21 is a current bid also, but, upon close examination,
22 is an old bid. They say this followed when the work
23 is billed for; not true. They also deemed most of
24 this work is emergency status, which means all bets
25 are off and they can do whatever they want."

1 And this is the part that pisses me off. This
2 was implemented and perfected many years ago by yours
3 truly as a clever away to circumvent and get -- and
4 get what you want. That's bullshit.

5 MAYOR HUBBARD: Okay. Well --

6 MR. SWISKEY: And I resent this being on a
7 Trustee's -- I'm sorry for the language, but I resent
8 that being on what's basically a semi-official site.
9 She's a Trustee. It's a closed site, she only
10 discusses with certain people. I'm lucky that
11 somebody gave this to me. This -- you know, this is
12 basically telling these people I'm a crook and
13 they're passing this on.

14 TRUSTEE PHILLIPS: Bill, did you bother to
15 print, or did they bother to print off the rest of
16 that particular site?

17 MR. SWISKEY: I don't know. I was handed this
18 and I find this a disgrace. I think -- I think
19 that -- I think the Village Board needs to look into
20 this. No, accusations have been made now, so I want
21 an investigation.

22 TRUSTEE PHILLIPS: That's what --

23 MAYOR HUBBARD: Bill, you just handed that to
24 me. I didn't read the whole thing. I was trying to
25 skim it.

1 MR. SWISKEY: Yeah, I understand that.

2 MAYOR HUBBARD: I didn't see Bill S. at the
3 bottom.

4 MR. SWISKEY: Yeah.

5 MAYOR HUBBARD: Okay? So I will -- I'll go to
6 this page and I will read it and --

7 MR. SWISKEY: But I find it -- you know, for a
8 Trustee to be involved -- well, now, now it's a site,
9 now you have to do something. And I'm not afraid of
10 an investigation.

11 TRUSTEE PHILLIPS: Bill, Bill.

12 MR. SWISKEY: Mary Bess, I'm speaking, please.
13 This is bad enough. In other words, it's -- I can
14 tell you that these bids went out every year.
15 Mr. Corwin had a chance to bid. He bid a couple of
16 times, he was high bid. After that, he didn't bid.
17 Well, he had the same opportunity for -- I think this
18 went into effect in the late 1990s, for those eight
19 to nine years, all right?

20 I realize when David Nyce became Mayor, somehow
21 this bid process fell through. In fact, how can --
22 how could the Clerk -- all right. And this is the
23 Clerk's job, basically, because these are yearly
24 bids. She's part of the department, ask,
25 "Are the bids ready?" How can these things not be

1 ready every June? That I don't get. Did we even put
2 them out last year?

3 MAYOR HUBBARD: No, they were not put out last
4 year, Bill.

5 MR. SWISKEY: Well, then I think you have to
6 speak to some of your staff in the office, because --

7 MAYOR HUBBARD: Yeah, I can -- I could explain
8 briefly what happened with it. I mean, we had -- a
9 new Treasurer came in, that was part of an
10 organization that said you didn't need to do yearly
11 bids, and they were going with blanket POs. And the
12 Village switched over to doing blanket POs under our
13 previous Treasurer, and that's how most of this stuff
14 was done, and said, "You don't need to do these
15 yearly bids," per the organization that they were
16 coming down with, and that was the procedure, besides
17 fuel oil, and sludge hauling and gasoline; were the
18 only yearly bids that were done for several years
19 when that person was Treasurer. They said we didn't
20 need them per the procurement policy. That's where
21 it happened.

22 We've changed that, we're going back to doing
23 it, plus we've increased the list of stuff we're
24 going to do for yearly bids. And we're trying to get
25 back to the practice of doing what we all feel is a

1 proper way of doing it.

2 MR. SWISKEY: Well, it was the proper way to do
3 it to begin with. And this former Treasurer and this
4 current Treasurer you've got, they do some very weird
5 things, George, because I was in government for a
6 long time. And I look at some of these -- some of
7 these change orders that are coming out, and here's
8 one where we're spending -- oh, what is it?
9 Basically, you're transferring \$88,000 to sidewalks
10 and curb repair. If you look at the total
11 transactions that he's going through just to transfer
12 money from appropriated fund balance to road
13 construction, it's \$354,000 worth. I don't know of
14 any other organization that does it this way, and
15 I've been in this business a fair amount of time.
16 You know, and this is the guy that can't even get the
17 -- they can't even get the bids out on time, and then
18 we got this? You know, I'm really pissed, okay?

19 MAYOR HUBBARD: Okay.

20 MR. SWISKEY: I would like -- we have an Ethics
21 Code in this Village, right?

22 MAYOR HUBBARD: Yes, we do.

23 MR. SWISKEY: Because I was thinking, why was
24 the Village Clerk offering \$50-a-head tickets to the
25 Land and Sea Gala? I mean, Village Trustees, you

1 can't do that. Do you know what your ethics --

2 MAYOR HUBBARD: She wasn't offering them, Bill.
3 Somebody said, "Can you give" -- "Pass this
4 information along to the Trustees." Somebody made an
5 offer. She had our email addresses, so she just
6 passed the offer along.

7 MR. SWISKEY: Well, what she should have said
8 is, "No." This is in violation -- does she even know
9 what the Ethics Code says?

10 MAYOR HUBBARD: We know what Ethics Code -- she
11 was doing the person a favor from the BID, who said,
12 "I'm passing this along. Can you send it around to
13 the Trustees and the Mayor?" Nobody took her up on
14 it, but that's -- it wasn't her offer.

15 MR. SWISKEY: But she shouldn't have done it.

16 TRUSTEE ROBERTS: Who else was offered tickets?

17 MAYOR HUBBARD: What's that?

18 MR. SWISKEY: She shouldn't have even done it.

19 TRUSTEE ROBERTS: Who else was offered tickets?
20 Was anyone else offered tickets?

21 TRUSTEE PHILLIPS: What do you mean?

22 MAYOR HUBBARD: The Village Board was offered
23 tickets.

24 TRUSTEE ROBERTS: Okay. I just got another one
25 in my mailbox for a cruise or something. So no one

1 else was offered tickets to this Land and Sea Gala?

2 CLERK PIRILLO: No.

3 MAYOR HUBBARD: No.

4 TRUSTEE ROBERTS: Did anybody up here accept
5 the \$150 tickets?

6 MAYOR HUBBARD: No.

7 TRUSTEE PHILLIPS: No.

8 CLERK PIRILLO: No.

9 TRUSTEE PHILLIPS: To be honest with you, my
10 email, Doug, said that I wouldn't accept it, because
11 we're not supposed to accept any --

12 TRUSTEE ROBERTS: Right.

13 TRUSTEE PHILLIPS: -- according to the Ethic
14 Code, and you saw my email.

15 TRUSTEE ROBERTS: Yeah. And I want to say I
16 wrote a check to support this cause and was there.

17 MAYOR HUBBARD: Right.

18 CLERK PIRILLO: It wasn't my job to make the
19 decision for you. I just passed -- I simply passed
20 along the information.

21 TRUSTEE ROBERTS: And no other staff were
22 offered tickets?

23 (No Response)

24 Okay. Just a simple question, I'm just asking.

25 MR. SWISKEY: Because, you know, it's -- and

1 these -- I don't know. I'm just not even going to
2 address it, because I'm pissed. Thank you.

3 MAYOR HUBBARD: Okay. You're welcome. Anybody
4 else want to address the -- go ahead, Mike.

5 MR. REED: Mike Reed, 430 Front Street.

6 Looking at Resolution 10-2015-8, I've got a
7 problem with this, George. I'm going to go back. No
8 disrespect to all the other people, George
9 understands. We had Al Herzog, Bob Pierce and
10 Wendell (phonetic). They were working foreman,
11 remember?

12 MAYOR HUBBARD: Uh-huh.

13 MR. REED: They did sidewalks, they did tree
14 work. Why are you doing this? You have a Road
15 Department. Are they not inept -- are they inept
16 enough to do it -- inept not to do it? Why are you
17 bidding it out? I don't understand. Can you explain
18 that?

19 MAYOR HUBBARD: Okay. A lot of that stuff,
20 Mike, we've always bid that stuff out.

21 MR. REED: No. Come on, George. Herzog?
22 Bobby? Bobby Pierson, Bobby did it, he did sidewalks
23 and stuff.

24 MAYOR HUBBARD: If you look at the project
25 that's going on downtown right now, they've got 12

1 guys down there working, doing curbs and sidewalks
2 and everything else. Our guys wouldn't be able to
3 handle that. They could do one slab here or there,
4 but that's --

5 MR. REED: What are they -- all right. Give me
6 the description of what the job for them to do at the
7 Village Road Department, can you?

8 MAYOR HUBBARD: A job description?

9 MR. REED: Of the Village Road Department.

10 MAYOR HUBBARD: To take care of everything that
11 needs to be done, mowing lawns, the marina, setting
12 up the ice rink.

13 MR. REED: Case in point. You got sidewalks
14 with trees. You have to hire tree people to do the
15 tree work. They can't do tree work? You have a
16 bucket truck, yes or no?

17 MAYOR HUBBARD: Yeah. Over the past three
18 weeks, Mike --

19 MR. REED: Yes or no?

20 MAYOR HUBBARD: Yes, we do.

21 MR. REED: Thank you.

22 MAYOR HUBBARD: We have several of them.

23 MR. REED: All right. You know, why can't we
24 use that?

25 MAYOR HUBBARD: Would you like an answer?

1 MR. REED: Yeah, give me an answer.

2 MAYOR HUBBARD: Okay. If you look around the
3 Village over the past three weeks, they've cut down
4 over 40 trees, the electric crew, along with the
5 Highway Department. Instead of going out to bid --
6 the Tree Committee suggested we go out to bid. I
7 said, "No, we're going to do this inhouse," and they
8 did.

9 If you look around, all the trees that were on
10 both lists, I believe it's 46 trees, don't hold me to
11 the exact number, the Electric Department took the
12 tops off, the Road Crew cut up the bottom part and
13 carted it away. Fourth Avenue, Manor Place,
14 Atlantic, in front of the synagogue, all around the
15 whole Village. The two lists that are out there,
16 I'll give you the exact locations.

17 MR. REED: All right.

18 MAYOR HUBBARD: Our guys did all that.

19 MR. REED: You still have trees and a lot of
20 rotten stuff. You know, I don't understand the
21 process of this. You've had trees for years.

22 MAYOR HUBBARD: Okay.

23 MR. REED: You know, I know we're "Tree City
24 USA", but, you know, you got a lot of -- God forbid a
25 nor'easter comes, you'll have more problems.

1 MAYOR HUBBARD: Okay.

2 MR. REED: You know, my -- you know, my Dad,
3 God rest his soul, was tree a man, they did the right
4 thing. You guys v-notch and then you create more
5 problems, where you get water and stuff freezing, you
6 crack the tree. Now you go around -- I can name a
7 lot of trees. And, you know, you have some ribbons,
8 others you don't go by.

9 Another thing -- I lost my train of thought.
10 With snow removal, why do -- why do you have to bid
11 the snow removal out? We don't have enough trucks?

12 MAYOR HUBBARD: If you look at what went on
13 downtown last winter, no. We had other people with
14 bigger trucks to do it to make the job go faster.
15 And so we're looking to get a price of a 10-wheeler,
16 instead of using our small dump trucks, to do the job
17 twice as fast and get it cleaned up.

18 MR. REED: Yeah, but you have more people
19 working now than you did when Bobby, and Al Herzog
20 and Windell (phonetic) worked as road foreman. He
21 wasn't supervisor, he was working road foreman.

22 MAYOR HUBBARD: Yes. And there's a lot more
23 stuff that they're doing. And we didn't have a
24 marina then, we didn't have an ice rink, we didn't
25 have the other stuff, and the road crew takes care of

1 all those things

2 MR. REED: You got some people that really do
3 their due diligence. You got other people, they hide
4 in the woods, you know, slack off. I've seen them at
5 IGA.

6 MAYOR HUBBARD: Well, if you see them hiding in
7 the woods, let me know that see them hiding, Mike.

8 MR. REED: I've seen them at BJs on the Village
9 truck.

10 You've got another thing. When was the last
11 time you checked any of the maintenance logs? Do
12 they have maintenance logs? No, they don't.

13 You got a Cat, because I redid that before I
14 left. I put a new windshield in. That same
15 windshield is cracked. You've got a bracket brace
16 underneath it that's been there for months. You know
17 what, everything comes out of taxes. You guys got a
18 free check, you know, for them do it right on the
19 taxpayers' dime. It should be done. You're a
20 mechanic.

21 MAYOR HUBBARD: A lot of the repairs they do.
22 If you look at their monthly reports, they had the
23 repairs of what vehicles they did.

24 MR. REED: Do you have -- have they ever gave
25 you maintenance logs? Have you ever asked for

1 maintenance logs?

2 MAYOR HUBBARD: No, I have not.

3 MR. REED: Why not? You're the Mayor.

4 MAYOR HUBBARD: I don't feel that's my
5 responsibility. Everything is up and running.

6 MR. REED: You're the Mayor.

7 MAYOR HUBBARD: It's being worked.

8 MR. REED: The buck stops with you, George.

9 MAYOR HUBBARD: Exactly, Mike.

10 MR. REED: Then you should be responsible
11 enough to say, "Hey, where's the maintenance logs?"
12 Am I -- am I out of place?

13 MAYOR HUBBARD: I believe you are, yes.

14 MR. REED: Well, you're delusional, then.
15 Thank you.

16 MAYOR HUBBARD: Thank you very much.

17 MR. REED: Yup.

18 MAYOR HUBBARD: Anybody else wish to address
19 the Board? Oh, somebody else before you.

20 MR. PELTON: Hi. Brent Pelton, 300 Main.
21 Street.

22 I am a member of Mary Bess's "Let's Talk
23 Village of Greenport," and on that same post, they
24 were talking about how people are working on the
25 Village streets and not getting paid prevailing

1 wages. And prevailing wages are a part of the New
2 York State Constitution, and it sure seems to me as
3 though prevailing wages would be required to be paid
4 for the sidewalk and roadwork being done.

5 And I don't know if we're going to be
6 addressing the short-term rental law that was posted
7 on the Village website later tonight or --

8 MAYOR HUBBARD: No, we're not going to be
9 discussing that. The Village Board will be
10 discussing that at their work session.

11 MR. PELTON: Okay.

12 MAYOR HUBBARD: Next month.

13 MR. PELTON: I had a chance to review the draft
14 as posted on the website, and I was concerned that we
15 were completely prohibiting any sort of short-term
16 rental usage in the commercial zone and shifting that
17 activity into the residential zone.

18 From what I've heard from individuals, there's
19 a lot of people who are concerned about people
20 running businesses within the residential area. My
21 understanding was that commercial -- the commercial
22 zone was put in place very much for commercial use.

23 Greenport has a long history of being a
24 seasonal recreational area, and we have long hosted
25 transient renters. The apartments in Sterling Square

1 were cold water flats, from what I hear, and they had
2 been rented out back in the days of Greenport fishing
3 village. And, yes, there is a new mechanism in which
4 people are renting online, but Greenport has a long
5 history of allowing short-term rental. And I don't
6 understand why it would be specifically excluded
7 within the commercial zone. So I'd ask the Board
8 reconsider that.

9 And I'd be happy to speak with anyone in
10 anymore detail to discuss this concern. Thank you.

11 MAYOR HUBBARD: Okay. Thank you.

12 MR. LUDACER: Kenneth Ludacer, 133 1/2 Sixth
13 Street.

14 Yeah. I understand that at the last Board
15 meeting, both mine and Mr. Roberts' properties have
16 come under, you know, some extraordinary --

17 AUDIENCE MEMBER: Scrutiny.

18 MR. LUDACER: Scrutiny, exactly. And, you
19 know -- and I just want an investigation. It has
20 been started, you know, based on certain allegations
21 from Mr. Corwin and Ms. Pollack. I was just
22 wondering if you could give me an update on where --
23 what exactly this investigation is all about, where
24 it's going, and what -- you know, what is, you know,
25 probable to come.

1 MAYOR HUBBARD: Okay. Well, technically it's
2 not an investigation. The Village Administrator is
3 reviewing the files. He took all the files that were
4 listed in that piece of paper that we had gotten last
5 month, they were put away off to the side, and he's
6 reviewing the files to see if there's any basis to
7 what was said, and that's where he's at. I don't how
8 far he's gotten through it. He's in the process of
9 working on it now. We will have some kind of update
10 next month, because it's also questioning a union
11 worker and the union worker has rights and stuff like
12 that. So we're trying to do -- he's looking at it
13 right now. We'll see what his answer is. And then
14 if we need to do technically an investigation, it
15 will be done by an outside person.

16 MR. LUDACER: Okay. When you say what was
17 said, I really don't know exactly what the
18 allegations were.

19 MAYOR HUBBARD: We were handed, I think, six
20 pages of properties. They didn't have names on it,
21 it just had tax map numbers of stuff that was done
22 improperly on those six -- I don't know how many
23 pieces of property it was on those six pages. So the
24 six pages went to the Village Administrator. He took
25 the files for those pieces of property. He has them

1 and he's reviewing them to see if -- what's actually
2 written on those pieces of paper, if it's actually
3 truthful or not.

4 MR. LUDACER: Okay. And the Village
5 Administrator is reviewing those by himself, or is he
6 reviewing them alongside Mr. Corwin and Ms. Pollack,
7 do you know?

8 MAYOR HUBBARD: No. He's reviewing that
9 himself. He's doing that, he's looking at that.
10 He's not doing it with anybody, no Trustees, myself.
11 He's looking at that to tell us if there's any basis
12 of what we should be doing appropriately after that.

13 MR. LUDACER: Okay. I mean, you know, it's
14 just sort of a -- you know, like a curtain's been
15 drawn around this. In a way, I'm just sort of
16 guessing what -- you know, what I might need to be
17 responding to.

18 It was suggested that -- I should explain to
19 the Board that I don't have an abundance of free
20 time. So, in terms of my property, I think the
21 suggestion had been that, oh, it's being occupied. I
22 don't have a lot of free time. I steal a few hours
23 in the morning when I can to work on the site, and in
24 the evening. I leave the lights on, and when I have
25 access to a spare vehicle, you know, I'll leave it

1 parked there, and, you know, walk to my shop and get
2 my other vehicle before going to Orient.

3 If the property appears to be occupied, that's
4 because that's how I want it to appear. There's been
5 a string of robberies in Greenport, and this is
6 something I really wasn't -- I was hoping not to have
7 to disclose in such a public forum. But in as much
8 as that seemed to be a -- you know, something that
9 was being suggested as a code violation on my part, I
10 guess, you know, here I am. And my next call
11 tomorrow, I guess, will be to, you know, some home
12 security outfit, an expense I was hoping to avoid.
13 And I guess that's all I have to say.

14 MAYOR HUBBARD: Okay. Thank you. I could just
15 tell you, we're trying to get this wrapped up and him
16 review the files as fast as possible to get a
17 conclusion for everybody, property owners, everybody
18 that's involved in it to come to a conclusion on
19 this. So he is working on it fastly.

20 MR. LUDACER: Okay.

21 TRUSTEE PHILLIPS: Ken, can I just ask you a
22 question real quick?

23 MAYOR HUBBARD: Yes.

24 TRUSTEE PHILLIPS: Do you have an actual copy
25 of the document that was presented to the Village

1 Board by Mr. Corwin and Ms. Pollack?

2 MR. LUDACER: No, I don't.

3 TRUSTEE PHILLIPS: Perhaps we could get a copy
4 of it for him, for the packet from the Village
5 Clerk's Office.

6 CLERK PIRILLO: (Nodded yes.)

7 TRUSTEE PHILLIPS: That might give you some
8 guidance as to what was said.

9 MR. LUDACER: Okay. Thank you.

10 MAYOR HUBBARD: Thank you.

11 MR. KEHL: Bob Kehl, 242 Fifth Avenue,
12 Greenport. This is in reference to the short-term
13 housing rentals.

14 After reading the proposed law, it looks very
15 much to me like a few people decided they don't want
16 short-term rentals in Greenport, and are trying very
17 hard to do away with them, or make it so
18 nonprofitable for them that they're going to give up,
19 with no regard for the amount of money and time that
20 has been spent to set up most of them and are -- set
21 up most of them. Most of these houses are far nicer
22 than our own homes.

23 A few other questions. Why is there a \$500 fee
24 for short-term rentals when there's only a \$200 fee
25 for a year-round rental? What's good for one is good

1 for all.

2 Why are there short -- why are short-term
3 rentals only allowed one rental per property with
4 owners -- owner occupies, while our two-family homes
5 don't have to be owner-occupied?

6 Why won't the people with existing short-term
7 rentals be grandfathered in to run as they've been,
8 as long as they meet all the requirements? If you
9 did it -- did away with R-2 zoning today, I would bet
10 that -- I would guarantee that you would -- and went
11 back to R-1, that you grandfathered every one of the
12 two-family houses in Greenport, the rentals.

13 I mean, what would someone like Mr. Olinkiewicz
14 do with his 20-some houses if you could only be one
15 family per house, and he had to be owner-occupied in
16 everyone in his house? You're pretty much telling
17 him to get the hell out, and it's kind of what you're
18 doing with these people.

19 If grandfathered in, you would still preserve
20 the availability of residential housing in the
21 Village of Greenport and maintain the essential --
22 essentially residential character of the Village, at
23 the same time, not going backwards in time. In doing
24 this, you would protect homeowners that have worked
25 hard to fix up and maintain the short-term rentals

1 over the years, and this has been going for quite a
2 few years.

3 As far as I know, free enterprise is still
4 allowed in this country, and there was no previous
5 laws on the books against short-term rentals.

6 Why don't the Board and Code Committee sit down
7 with the short-term rental owners in a group
8 discussion? I don't mean at 3 o'clock in the
9 afternoon where no one can say anything.

10 I applaud Doug Roberts for reaching out to the
11 community to get the discussion going. Where was the
12 rest of the Board?

13 Many local people are employed by the
14 short-term rentals. You've got cleaning staffs,
15 you've got people doing the yard maintenance, you've
16 got painters, you've got carpenters. This isn't the
17 case with most of the two-family rentals in this
18 Village. Maybe you think rundown houses with eight
19 or ten cars parked in the yard and on the road
20 year-round is better for Greenport. I don't think
21 most Village homeowners agree.

22 And as for the cars, each house is supposed to
23 have enough parking for the people at the house. And
24 now I see -- because on the rental agreement is
25 starting to push this, that you have to -- you're

1 only allowed -- they're going by three for one
2 family, three cars for one family, so that means six
3 cars if you have a two-family. Well, cars at the
4 houses that we've been seeing around the Village had
5 eight or ten cars, they got smart, they put six cars
6 in the property and they parked the rest of them on
7 the street, so you don't know what's going on, or
8 they think you don't.

9 You should make it so there's no parking on the
10 road after 10 o'clock on residential streets
11 year-round. Give one permit, register one permit per
12 house for a guest or one extra car to park on that
13 road during the day or night. That way you can tell
14 that people aren't switching permits around for
15 different houses. And if you -- and unless you don't
16 have -- if you don't have the permit, you get
17 ticketed and towed. And maybe we could actually get
18 the streets swept, because they can't even get down
19 the damn road. They come down, the cars are parked
20 all over the place. The streets are never clean
21 around here.

22 And then absolutely no parking on the streets
23 during snowstorms, and actually take it and tow the
24 people.

25 MAYOR HUBBARD: Okay.

1 MR. KEHL: All right? I mean, I don't know if
2 you have any other -- any questions for me, but, you
3 know --

4 MAYOR HUBBARD: No. I mean, the Village did
5 have three months worth of public hearings.

6 MR. KEHL: Yeah, I know, but then the thing,
7 there's was nothing after that. It was just like you
8 picked and took stuff out of that and no one
9 actually, you know, came back to talk to the people.
10 I mean, if you just talked to people that have
11 Airbnbs, I mean, how many people here have actually
12 been into anyone's Airbnbs?

13 MAYOR HUBBARD: I haven't.

14 MR. KEHL: I mean, people, they put a lot of
15 money into these, and it's not cheap to set them up.
16 I mean, you got to figure -- you got to figure the
17 knives and forks, all the way through the whole thing
18 to set up a house. You know, if you have two
19 apartments in the house and you're setting it up, you
20 could spend 50 to \$100,000 to set these houses up.
21 And now to kind of say, "No, you can't, you have to
22 live in one of them and you can't rent out the
23 other," but, yet, you've got other people doing
24 two-family houses, that are buying house after house
25 in the Village and renting them out? They're not

1 owner-occupied

2 MAYOR HUBBARD: They're long-term rentals
3 instead of short-term, that was the difference,
4 but --

5 MR. KEHL: Well --

6 MAYOR HUBBARD: Okay. Well, it's a draft,
7 that's why it is a draft.

8 MR. KEHL: Okay.

9 MAYOR HUBBARD: We will have a public hearing
10 on it and we will go aboard, we'll take comment from
11 them.

12 MR. KEHL: Okay. I thought they were supposed
13 to have a public hearing tonight on it.

14 MAYOR HUBBARD: No. Actually, we tabled it at
15 the work session, because Trustee Roberts was not at
16 the work session. And the process is Code Committee
17 sends it to the Village Board, the Village Board
18 discuss it, and then we schedule a public hearing.

19 MR. KEHL: Okay.

20 MAYOR HUBBARD: He was not there, and he had
21 done some leg work on it. And as a courtesy, the
22 Board decided to table it for a month so we could
23 have the discussion together at our next work
24 session.

25 MR. KEHL: Fair enough.

1 MAYOR HUBBARD: Okay?

2 MR. KEHL: Okay. Thank you.

3 MAYOR HUBBARD: Thank you. Yup.

4 MS. MC ENTEE: Good evening. My name is Joanne
5 McEntee. I'm at 242 Fifth Avenue, Greenport.

6 I just have a few questions in reference to the
7 Building Department. Can someone please tell me what
8 the -- what Eileen Wingate's position was when she
9 was first hired, what was it called?

10 MAYOR HUBBARD: Back then, I do not know, I was
11 not on the Board. I don't know what her title was
12 when she was first hired.

13 MS. MC ENTEE: Can someone tell me what it is
14 currently today?

15 MAYOR HUBBARD: She's the Director of Community
16 Development, is that --

17 MR. PALLAS: Her title, yes.

18 MAYOR HUBBARD: Yes, Director of Community
19 Development is what the Civil Service title is.

20 MS. MC ENTEE: Okay. And so everything that
21 has been signed all these years for her as a Building
22 Inspector is what, null and void?

23 MAYOR HUBBARD: She is a certified Building
24 Inspector.

25 MS. MC ENTEE: She's a certified Building

1 Inspector?

2 MAYOR HUBBARD: Yes, she is.

3 MS. MC ENTEE: Regardless. Okay.

4 TRUSTEE PHILLIPS: Joanne, just to clarify, if
5 you look at her job description, it goes down and
6 explains the actual activity of being a Building
7 Inspector and some other things. And when she first
8 started working for the Village, she was on a
9 part-time basis.

10 MS. MC ENTEE: I understand. My concern is we
11 are hiring someone now for Senior Building Inspector,
12 and I'm looking at the cost to have her position and
13 another person hired. And I personally don't feel
14 that Ms. Wingate has done her position, has served us
15 justice in our Village.

16 I complained about two years ago and
17 faithfully -- had been faithfully coming to this --
18 these meetings. And when Mr. Pallas came aboard and
19 we addressed several issues with him about the
20 shoddiness of the homes that were just thrown
21 together, and were not built -- not corrected to
22 code, yet families, two families and three families
23 were moving into these two-family homes, and then --
24 or these attached apartments on the -- on the lot
25 itself. So there were three in particular homes --

1 on certain lots, there were three families that
2 should have been -- there were there. They allow
3 this to happen. All these things happened.

4 When I addressed Mr. Pallas in reference to
5 these issues, it was null and void, he was not going
6 backwards. So now I'm hoping that all these issues
7 that we're having right now with Ms. Wingate, that
8 they are addressed, going back I think even further,
9 because when she has done us injustice in our Village
10 of what she's done with our building code is very
11 unfair.

12 I hate to see these young kids living in our
13 Village, living in these homes. There are -- there
14 are mold in these homes and no one cared about it.
15 She really knew about it. She just let it go or she
16 just simply didn't know. And I'm very sad to see her
17 stay here and stay on with our Village.

18 I understand the cost. I completely understand
19 the value of the money that it's going to cost this
20 Village, but to hire someone else and to keep her on
21 does not make dollar sense.

22 Thank you for listening to me tonight.

23 MAYOR HUBBARD: Thank you. Okay, go ahead.

24 MS. POLLACK: I hope I haven't warn out my
25 welcome. Karen Pollack, 630 First Street.

1 I'm here to talk about the Building Department.
2 Before I even start, this was never ever intended to
3 be focused on anyone's particular property. There
4 are so many issues that have come across, practically
5 every file I opened has deficiencies.

6 So that being said, some of you may assume that
7 conformance with State and local building law is the
8 responsibility of the Village, and in particular, the
9 Building Inspector, but you would be wrong. Obeying
10 all these complex laws falls to the property owner.
11 Ask Mr. Prokop, he'll tell you. You'll see on a CO,
12 you'll see on a permit, you'll see a disclaimer that
13 says all the State and local laws are the
14 responsibility of the property owner.

15 So what's the point of this Building Department
16 business, why do we need it? Why we have a Building
17 Department is for the purpose of seeing to it that
18 property owners conform with laws that the average
19 person may not understand or even be aware of. How
20 many of us know the intricacies of the New York State
21 Building Code? Very few, and nor should we be
22 expected to. It's a lifetime of study to understand
23 them. You know, if you work -- I don't know the
24 first thing about cars, that's why I go to a
25 mechanic. If you want to know about building, you go

1 to a builder.

2 Now the service of the Building Department,
3 this is something we pay for with our tax dollars.
4 They're there to serve us so that we're in
5 compliance, so that if something horrible happens,
6 we're protected. That's the whole point of it all.

7 So how is a Building Department supposed to be
8 managed? New York State Title 19, Chapter 32, Part
9 1203 tells us these are the minimum requirements for
10 a Building Department, and they are the
11 responsibility of local government. That would be
12 you, yes?

13 MAYOR HUBBARD: Uh-huh.

14 MS. POLLACK: Yes? How many of you know -- how
15 many of you know that law, show of hands? Even are
16 familiar with that law, the minimum requirements of
17 code enforcement, New York State? Not really, okay.

18 Well, I just want you know that's something
19 that you probably -- if you have some free time, look
20 it up, it's online. Again, New York State Title 19,
21 Chapter 32, Part 1203, it's written in plain
22 language. It's not this thick (indicating), it's a
23 few pages, and it's in layman's language, it tells
24 you what a Building Department is supposed to do. It
25 tells you that a building permit is supposed to be

1 issued with an expiration date. It tells you that an
2 application for a permit is not to be accepted unless
3 it has stamped plans and a survey when required, not
4 a sketch, not a drawing.

5 Our Village Code tells us that the fees for
6 these services are due upon application, not if you
7 get approved. That's in our code. These are laws
8 that are available for all of us to see and look at.
9 That's how a Building Department is supposed to be
10 run. This way, if something's required of you, it's
11 required of me, it's required of you. It doesn't
12 matter who you are or what you do, if something is
13 required, it should be for all of us. That's the
14 only way that this could be fair.

15 ATTORNEY PROKOP: Can I just comment for a
16 second? I'm sorry. So what you -- I just want to
17 point out to the Board that what you're referring to
18 is the administrative provisions of the Building
19 Code, right?

20 MS. POLLACK: Yes, correct.

21 ATTORNEY PROKOP: The 1200 provisions is the
22 administrative provisions of the Building Code.

23 MS. POLLACK: Correct.

24 ATTORNEY PROKOP: It's about 12 pages that are
25 at the beginning of the code.

1 MS. POLLACK: But it's a very important part
2 that anyone can understand, that really does spell
3 out this is how you run a Building Department.

4 Now, if you don't have a working knowledge of
5 this law, you, our local government, then how do you
6 even know if the job of the Building Inspector is
7 being done? Do you allow the Building Inspector to
8 tell you what the job is? That doesn't make sense to
9 me. She works for us, we don't work for her.

10 The law is important -- this law is important
11 enough that the Town of Southold has incorporated
12 sections of it right into their Town Code. But in
13 Greenport, apparently, this law doesn't even exist.
14 When you look at these files, you don't see evidence
15 that this -- the law is really being carefully
16 followed, diligently followed. And the law only
17 requires substantial -- what is the phrase?
18 Mr. Prokop will know the phrase. Substantial
19 compliance? But substantial compliance gives you a
20 little wiggle room, but it shouldn't mean we just
21 throw the whole thing out and do whatever you want.
22 You're supposed to be trying to do this right.

23 So, thusly, in a properly managed Building
24 Department, the issuance of a Certificate of
25 Occupancy actually means something. Property owners

1 depend on it. Banks and insurance companies rely on
2 them also. But a CO is only as good as the
3 documentation that supports it. And unless a CO is
4 issued properly, it's nothing more than a piece of
5 paper.

6 Now, with no offense to anyone, but this is
7 what I have found: In my opinion, the CO for the
8 pool at 133 Sixth Street isn't worth the paper it's
9 written on. You can read about it in the timeline
10 that I provided, which has one example after another
11 of how not to run a Building Department.

12 What I've learned is that in Greenport, unless
13 you're concerned about any potential lawsuit, you
14 don't need a permit. If you need a -- if you need a
15 CO, just go to Eileen Wingate and she'll give you
16 one, on the same day. Build something with no permit
17 and then walk in and say, "I need a CO," and she'll
18 give you one. That's what happened here. So this
19 way you can enjoy a luxury item, like an in-ground
20 gunite pool and pay no taxes on it.

21 This pool has existed since 2003, and, so far,
22 nobody has paid a penny. According to the Assessor,
23 over time, these taxes would have amounted to at
24 least \$5,000. How do you explain this to any of our
25 residents who are having trouble keeping up with

1 paying their taxes?

2 It's a Building -- Building Inspector's
3 responsibility to report building permits to the
4 Assessor's Office so that we pay our taxes equitably
5 in our Village; that if you add onto your house, if
6 you make an improvement, if you build a garage, you
7 pay your fair share of taxes. If we can't depend on
8 this to be done, some of us are going to be paying
9 more than we should and some of us are not paying
10 what they should.

11 The fact that this pool was never -- this pool
12 was never reported to the Assessor was made known to
13 Eileen Wingate in 2010. She didn't report it. She
14 wrote -- she wrote a permit in 2010, but she never
15 reported it. It was made clear to her during the ZBA
16 hearing in 2014, "Hey, how come this isn't on the
17 Assessor's card?" It's there in -- it's there in the
18 ZBA -- ZBA minutes that the comment -- remark was
19 made, "How come this is not on the Assessors card?"
20 Now that was in August of 2014, and now it's October
21 of 2015. I went to the Assessor's Office on Tuesday,
22 it's still not -- still not there, still not
23 reported.

24 I learned that it was actually the members of
25 the ZBA who noticed code violations that went

1 unnoticed by the Building Inspector. How is that
2 possible?

3 Now, on August 20th of 2014, with property
4 changing hands, a second variance was required. ZBA
5 came to inspect, and they noticed, well, gee, what do
6 you know, there's no fence on the south property line
7 to be a part of the pool enclosure, 43 feet. ZBA
8 members noticed it. The ZBA members noticed that a
9 five-by-five porch on the north side of the house
10 provided a place where anyone, and I quote, "Anyone
11 can climb over this into the pool." How is it the
12 Building Inspector didn't pick this up?

13 I built an attic -- an attic build-out in
14 Riverhead where the Building Inspector noticed a code
15 violation of a half an inch. I've built houses in
16 the Town of Islip where the Building Inspector
17 noticed that it was missing the cadding -- the
18 cladding for the garage door, that it was missing the
19 hurricane -- hurricane clips. But how do you miss 43
20 feet of missing fence? The fact that the fence was
21 continuous onto the next lot doesn't matter a bit. A
22 pool enclosure has to be on the subject property.

23 When I read the transcript, the ZBA transcript
24 from August 20th, I became aware that our Building
25 Inspector has made -- has made false and misleading

1 statements on the record. Is this what we're paying
2 for? You'll see -- you'll see it on the chart.
3 Those are quotes right -- if you need me to print
4 them out from the minutes, I will, but those are
5 quotes right from the minutes.

6 Now, I'd like to bring your attention to
7 another permit. Sorry. Sorry, Mr. Roberts. Sorry,
8 Mr. Ludacer.

9 I'd like to bring your attention to another
10 permit written for a pool on Sixth Avenue, this one
11 on Sixth Avenue. This project also required a
12 variance, and it was granted with conditions on June
13 17th of this year. One of the conditions was that a
14 covenant preventing subdivision of the lot was
15 required, yet a building permit was issued the day
16 after the ZBA decision. And four months later, there
17 is still no certified copy of a recorded deed with
18 required covenant. There's no mention of this
19 requirement on the permit. So where is it? Is it
20 going to be said, "Oh, well, don't worry about that,
21 there's plenty of time to get the covenant"? No, you
22 get the covenant before you get the permit, because
23 that's the only time you really have true leverage to
24 get that done. Once you give out the permit, people
25 build something, they don't even necessarily call to

1 get a CO, and in Greenport, apparently, that flies
2 just fine.

3 So what's going to happen -- what's going to
4 happen a year or two down the road when this owner or
5 a future owner says, "Okay, now I'd like a CO"? No
6 one's going to remember about the covenant and it's
7 going to be missed. I wouldn't bet money -- money
8 going the other way. And that was important.

9 Our ZBA members serve without compensation to
10 render decisions that affect the character and the
11 future of this Village, and if they said, "Sure,
12 we'll let you build this pool in this location, we're
13 going to let you do it, we're going to" -- "we're
14 going to bend our own laws to let you do this, but
15 what we need from you is a covenant on your deed,"
16 you know how easy that is to do? You call your
17 lawyer, he draws up a new deed with the covenant, you
18 run it down to the County Center, submit it for
19 recording with your little fee, and then put the
20 little things on it with the liber and page and you
21 bring it back. It's not -- it's not a big deal to do
22 it. So why isn't it done?

23 Now, on that particular pool also, a survey was
24 filed with a permit application clearly showing that
25 one side of the pool fence isn't actually on the

1 subject property. Now, it's not off by a lot, it's
2 maybe a foot, but did Eileen Wingate even look at the
3 survey?

4 We're supposed to care about property lines.
5 Here's an opportunity to correct a fence that's built
6 in the wrong place. It should have been required.
7 The use of professional judgment would have demanded
8 that the recorded deed be on file, and the fence be
9 moved before issuing a permit. Is this what we're
10 paying for? I mean, how many times do you hear -- I
11 mean, you do hear about property line disputes. You
12 hear about cases of adverse possession and legal
13 issues, and, you know, "Where's your fence?" "No,
14 that's my fence." "No, it's your fence." "Where is
15 your property line?"

16 Few of us really know for sure where our
17 property line is. It's not like there's some kind of
18 like, you know, chalk line, you know, on the grass.
19 You know, most of us think of a property line as,
20 well, you know, it's like a little past the lilac
21 bush. Only a surveyor tells us really where the
22 property line is.

23 Now, Ed Ward was hired to help with code
24 enforcement. Glynis Berry was hired to help with the
25 Planning Board application. Thusly, Eileen Wingate

1 has been rewarded for this unacceptable work by the
2 reduction of her workload.

3 Now, we've all heard about the work involved
4 with the enforcement of the rental law. Have any of
5 you actually looked at what has been done so far,
6 really, like let's see the file, let's see -- let's
7 see those applications that have come back? Has
8 anyone actually seen them?

9 TRUSTEE ROBERTS: Yes.

10 MAYOR HUBBARD: Yes. We had an accounting of
11 it last week.

12 MS. POLLACK: Okay. That's good to know. That
13 is good to know. And how is it working out so far
14 with -- you know, this rental law has been on the
15 books now for what, a couple of years?

16 MAYOR HUBBARD: Yes. There is a list, that you
17 could get a copy of the report. It was discussed at
18 the work session. I don't remember the numbers
19 offhand now, but it's in the minutes of the work
20 session, I gave out all the numbers.

21 MS. POLLACK: I'm just -- I'm not trying to
22 be -- I know, I know I am obnoxious, but I'm not
23 really trying to be extra obnoxious in asking these
24 questions.

25 (Laughter)

1 It just seems it's a long time to be waiting
2 for the implementation of a law when your Building
3 Department workload is only -- as I have said last
4 month, it's less than one permit a week. That's --
5 you can verify that up one side and down the other,
6 it's less than one permit a week.

7 TRUSTEE ROBERTS: Trustee Martilotta -- excuse
8 me. Trustee Martilotta and I have asked for a public
9 hearing to review the efficacy of this rental permit
10 law and we hope everyone will go along with that.

11 MS. POLLACK: Okay. All right. Now, you want
12 to give Eileen Wingate the ultimate reward by hiring
13 someone else to do her job, while her duties will be
14 reduced to next to nothing. This flies in the face
15 of common sense and common decency. When someone
16 doesn't do their job properly and in accordance with
17 law, as someone who is breaking the public trust,
18 they should be dismissed. You want to increase our
19 taxes for this?

20 I don't care if it's hard to dismiss a Civil
21 Service employee, I really don't care. Some things
22 have to be done. Sometimes things are hard. If you
23 need more documentation, I'll get it for you. The
24 only problem is that one of the batch of files that I
25 asked to look for by way of FOIL took six weeks to

1 get. The last -- the last batch of files that I
2 looked at and had set up very carefully for what I
3 needed to be copied, half of the copies I didn't
4 receive, and I -- but I did receive copies of stuff I
5 never asked for. I mean, it's really -- you know, it
6 could be -- make you want to pull your hair out.
7 I've spent hours and hours on this. And everything
8 that I've recorded, you can -- you'll see in those
9 files. These aren't allegations, these are facts.

10 You are our Trustees. The taxpayers of this
11 community are trusting you not to do what's easy, but
12 to do what's right. In the next couple of weeks,
13 I'll be compiling copies of all the documents that go
14 with the chart that I gave you last month, as well as
15 these issues I spoke of tonight. I hope this will
16 make the investigation easier. And I invite
17 Mr. Pallas to contact me to get copies that support
18 what I've -- you know, the issues that are on that
19 chart. I have them, it's just an awful lot of
20 photocopying at my own expense.

21 In closing, I've seen that at times the Village
22 does try to do things properly. The I's are dotted
23 and the T's are crossed with ZBA decision documents,
24 voting records, SEQRA requirements. The Village
25 protects itself against the potential for lawsuit.

1 So why is the Building Department being allowed to do
2 whatever it wants?

3 Some of you may conclude that none of this is
4 really very important. So what's all this fuss
5 about? But I guarantee you, I'll show you something,
6 if any of you, God forbid, were ever served with
7 something like this, you'd know why. Back when I was
8 in building, when I was a construction foreman, I was
9 sued for 10 million dollars. I didn't enjoy it one
10 little bit. I faced financial ruin and I had done
11 nothing wrong. You know what the first thing my
12 attorney wanted to know? Are your permits and
13 inspections in order? It's a damn good thing they
14 were.

15 This was in the Town of Islip. We were
16 building an 18-house development, and it's a good
17 thing Town of Islip Building Department knew what it
18 was doing, because every approval or permit that they
19 gave me was backed up by the required documentation.
20 I didn't have a thing to worry about. The case was
21 dismissed. But, nonetheless, do you think it's fun
22 thing to be sued? I still had to spend a great deal
23 of my own money, I was sued personally, to answer a
24 summons and complaint.

25 You think it can't happen to any of you? You

1 read about lawsuits all the time. Yeah, well, it
2 can. You know, a lawsuit can happen. That's why --
3 that's why we have a Building Department, so that all
4 our ducks are in a row, we've done everything right,
5 so that if something horrible happens, if there's an
6 injury or something like that, and you get a piece of
7 paper like served to you while you're walking down
8 your driveway, you can say, "It's a good thing I have
9 my permits."

10 Okay. Thank you. I'm sorry I'm a pain.

11 AUDIENCE MEMBER: Good job.

12 (Applause)

13 TRUSTEE ROBERTS: Mr. Hubbard, may I ask a
14 couple of questions of Ms. Pollack?

15 MS. POLLACK: You want me to come back up?

16 TRUSTEE ROBERTS: Is that all right?

17 MAYOR HUBBARD: Sure.

18 TRUSTEE ROBERTS: A bunch of information. So
19 what's your -- what is your -- what's your goal?

20 MS. POLLACK: Why am I doing this?

21 TRUSTEE ROBERTS: If you were up here with us,
22 what would you be asking us to do?

23 MS. POLLACK: What I'm asking you to do is to
24 -- is, just frankly, to find -- see your way clear to
25 dismiss this Building Inspector. I feel that she's

1 violated the public trust. I don't feel that she
2 does the job properly. And I can find you hundreds
3 of examples where she has not performed her duties in
4 an acceptable fashion. I would like her -- I would
5 like you to hire a Building Inspector who knows
6 something about Title 19, Chapter 32, Section 1302,
7 knows how to accept a proper building permit
8 application.

9 We have -- we have cases in front of the ZBA
10 where the ZBA is given a piece of paper with a sketch
11 on it. That's not supposed to happen. The process
12 is that it all starts with the building permit
13 application. The application is complete. If plans
14 are required, then plans are there. If a survey is
15 required, then a survey is there. And then when that
16 application is denied, then that denial is the legal
17 basis for appeal with the ZBA. So when the ZBA sits
18 down with these papers and they're making a decision,
19 do I approve or disapprove this, they know exactly
20 what they're approving, they know exactly where it's
21 to be located. And why? Because they have a survey
22 that's prepared by a surveyor, not by a pencil. You
23 know, I mean --

24 TRUSTEE ROBERTS: Fair enough, sure.

25 MS. POLLACK: And, I mean, that's my goal, is

1 to have someone that does this right. Other -- the
2 Town of Southold used to be -- you know, used to be
3 notoriously horrible, the Building Department, but
4 even they've gotten with the program.

5 TRUSTEE ROBERTS: They have 10 times the people
6 than us, but yeah.

7 MS. POLLACK: You know, and, I mean, New York
8 State Uniform Code was passed in 1984. Some places
9 were a little quicker than others to catch on. Up
10 the Island, we caught on a little faster, because
11 it's bigger, it's -- there's more resources.
12 Southold was slow, but Greenport's even slower.

13 TRUSTEE ROBERTS: So you want us to get this
14 information and act on it tonight?

15 MS. POLLACK: Yeah. Let's build --

16 TRUSTEE ROBERTS: So we don't get to ask to see
17 the reports in advance. And, in fact, tonight the
18 Clerk handed us all your report, which --

19 MS. POLLACK: Right.

20 TRUSTEE ROBERTS: -- how did that come to be?

21 MS. POLLACK: Well, because I just -- I had
22 just gotten another look at the 133 Sixth Street
23 file, so that I could put together how in the world
24 did this happen. How did we end up in front of the
25 ZBA for a second variance?

1 TRUSTEE ROBERTS: Okay.

2 MS. POLLACK: You know, a subdivision, pool
3 location, what happened, put together a timeline. I
4 only just finished the time line like yesterday.

5 TRUSTEE ROBERTS: Okay. I'm just curious. The
6 Clerk handed us the report, so how did that come to be?

7 MS. POLLACK: Because I made copies of it at
8 home and brought them in and gave them to Sylvia.
9 Does Sylvia --

10 TRUSTEE ROBERTS: To the Village Clerk?

11 MS. POLLACK: Yes.

12 TRUSTEE ROBERTS: Okay. Who then gave them to us?

13 MS. POLLACK: And then I guess -- I guess
14 Sylvia -- Sylvia passed them out.

15 TRUSTEE ROBERTS: Okay.

16 CLERK PIRILLO: I think the answer to the
17 question is it happened tonight before the meeting.
18 Trustee Roberts is asking --

19 TRUSTEE ROBERTS: And the last one.

20 CLERK PIRILLO: -- when did that happen.

21 TRUSTEE ROBERTS: Two minutes before the
22 meeting, the Clerk handed us a report --

23 MS. POLLACK: Oh, yeah, that's -- yeah.

24 TRUSTEE ROBERTS: -- with no name on it. So I
25 don't know, I thought it was from the Clerk.

1 MS. POLLACK: Oh, no. I'm sorry, I know.

2 TRUSTEE ROBERTS: She gives us documents --

3 MS. POLLACK: Now I realize that this last --
4 this last timeline that I gave didn't have my name on
5 it. But the last report, at the end of the report,
6 it said, "Prepared by Karen Pollack," and it has my
7 phone number and email on it, in case anyone --

8 TRUSTEE ROBERTS: So this is -- this is only
9 your own work?

10 MS. POLLACK: Yeah.

11 TRUSTEE ROBERTS: Okay. And do you have an
12 email account?

13 MS. POLLACK: Yeah. It's on -- it's on the
14 first --

15 TRUSTEE ROBERTS: Okay.

16 MS. POLLACK: That chart, the first chart I
17 gave you last month.

18 TRUSTEE ROBERTS: If you could email the report
19 to us, that would help, because we were sort of
20 getting it right away.

21 MS. POLLACK: Yeah, and I don't expect any
22 answers on it today either. I just -- I'm just
23 giving it to you so that you can look it over and see
24 what happened. As I said, it was a comedy -- I mean,
25 on your pool, it was a comedy of errors.

1 TRUSTEE ROBERTS: And how did you get access to
2 these files?

3 MS. POLLACK: FOIL.

4 TRUSTEE ROBERTS: And how long was the process
5 from -- what was the process of you FOILING for the
6 files?

7 MS. POLLACK: Well, for some of them -- for
8 some of them, what I -- how I even got the
9 information about what to look for was I went to the
10 -- I went to the ZBA agendas and said, well, that is
11 something that -- where I can get an address of
12 something that's going on and that I will look into.
13 So no one's telling me, "Oh, look at this and look at
14 that." You know, I looked for new houses. I looked
15 for swimming pools, because I saw -- why did I look
16 for swimming pools, is because I saw that, oh, my
17 God, almost all swimming pools in Greenport need a
18 variance.

19 TRUSTEE ROBERTS: And what search tool do you
20 use -- yeah, it's a 20-foot setback. What search
21 tool -- so I've had trouble searching through these
22 PDFs we post online. There's no universal search
23 tool. We don't put our documents online the way the
24 Town does. So I was curious what sort of Google
25 magic you worked to go find a report from 2014 about

1 133 Sixth Street? In other words, I don't know how
2 to search our files to find this information.

3 MS. POLLACK: I didn't --

4 TRUSTEE ROBERTS: I couldn't go -- I'm sorry.
5 I couldn't go tell you the last 20 pools that got
6 C of O's, there's no way for me to do that on my own.

7 MS. POLLACK: Me either. Me either.

8 TRUSTEE ROBERTS: So how did you come up
9 with --

10 MS. POLLACK: How did I come -- so how did I
11 come up with yours?

12 TRUSTEE ROBERTS: Right.

13 MS. POLLACK: Well, when I looked at -- I
14 looked painstakingly, the old fashioned way, month by
15 month, with a piece of paper next to me with my
16 computer, looked at ZBA agendas and jotted down
17 addresses for things that needed variances, because I
18 saw a lot of -- a trend of a lot of problems with
19 things that needed variances.

20 TRUSTEE ROBERTS: I see.

21 MS. POLLACK: So that's -- that was like, okay,
22 that's what I want to look at, because there's no
23 master list of building permits.

24 TRUSTEE ROBERTS: Right.

25 MS. POLLACK: On Ms. Wingate's reports, you

1 won't see any addresses.

2 TRUSTEE ROBERTS: Well, as a Village, we don't
3 store documents.

4 MS. POLLACK: And then I would FOIL for those,
5 for those files.

6 TRUSTEE ROBERTS: And you'd walk in and fill
7 out the form?

8 MS. POLLACK: And I would walk in to the Clerk,
9 fill out the form requesting Building Department
10 files for this address --

11 TRUSTEE ROBERTS: And how long --

12 MS. POLLACK: -- this tax map number.

13 TRUSTEE ROBERTS: How long did it take you to
14 get access to the files?

15 MS. POLLACK: Sometimes -- sometimes in as
16 little as I week. But, as I said, one group of files
17 took six -- between six and seven weeks to even -- to
18 even be able to look at the files.

19 TRUSTEE ROBERTS: You never -- it's never the
20 case that you walked in and filled out a FOIL form
21 and handed a file right away?

22 MS. POLLACK: No.

23 TRUSTEE ROBERTS: Never?

24 MS. POLLACK: Not once.

25 TRUSTEE ROBERTS: And it always took a week?

1 MS. POLLACK: At least.

2 TRUSTEE ROBERTS: Okay. And the -- where -- do
3 you have any sense of where these files were? Were
4 they in the Building Department, were they somewhere
5 else?

6 MS. POLLACK: Well, as far as -- I can't answer
7 that. As far as I know, they were in the Building
8 Department.

9 TRUSTEE ROBERTS: Who brought them to you?

10 MS. POLLACK: Sylvia.

11 TRUSTEE ROBERTS: The Clerk went and got the
12 Building Department file and brought it to you?

13 CLERK PIRILLO: No.

14 MS. POLLACK: No.

15 CLERK PIRILLO: The Clerk did not go get a
16 Building Department file. The Clerk or someone on
17 the Clerk's staff requests the files from the
18 Building Department, and then they are brought, as a
19 subject of FOIL, to the person that's requesting the
20 FOIL.

21 MS. POLLACK: Sylvia would give me a phone
22 call --

23 TRUSTEE ROBERTS: Okay.

24 MS. POLLACK: -- to arrange an appointment for
25 me to come in to examine files, at which point they

1 would be brought to me by Sylvia.

2 TRUSTEE ROBERTS: In which room do you sit to
3 review them?

4 MS. POLLACK: More often than not, right in
5 front, behind the counter on the desk, on the desk to
6 the right

7 TRUSTEE ROBERTS: Are there other papers on
8 that desk?

9 MS. POLLACK: I guess there must be, but I
10 couldn't say that I actually looked at any.

11 TRUSTEE ROBERTS: Did you have a pen out?

12 MS. POLLACK: Do I have a pen?

13 TRUSTEE ROBERTS: Yeah.

14 MS. POLLACK: Of course.

15 TRUSTEE ROBERTS: Is anybody sort of observing
16 this process?

17 MS. POLLACK: Always being observed by someone.

18 TRUSTEE ROBERTS: By whom?

19 MS. POLLACK: Well, the last time, it was a
20 Village employee named Joe. I don't know his last
21 name.

22 TRUSTEE ROBERTS: Joe is a temporary employee
23 with us. Is that part of his job description? The
24 answer is no.

25 MS. POLLACK: Sometimes Sylvia herself, that --

1 TRUSTEE ROBERTS: So the Clerk would sit with
2 you with the Building file?

3 MS. POLLACK: The Clerk would be with me when I
4 reviewed the files.

5 TRUSTEE ROBERTS: Never the direct supervisor
6 of the Building Department, the Village
7 Administrator?

8 MS. POLLACK: No.

9 TRUSTEE ROBERTS: Did you ever FOIL for a file
10 and find things missing or find things additional
11 that you didn't FOIL for?

12 MS. POLLACK: I found a lot of things missing
13 in the Building Department files.

14 TRUSTEE ROBERTS: Sorry, something you were
15 specifically requesting, you know.

16 MS. POLLACK: Well, like I'll just give you a
17 little example. I mean, the first time I looked at
18 133 Sixth Street, there was no CO whatsoever for a
19 swimming pool of any kind.

20 TRUSTEE ROBERTS: And the fact --

21 MS. POLLACK: The second time I FOILED --

22 TRUSTEE ROBERTS: And a copy of a hearing
23 posted on a Facebook didn't move you at all?

24 MS. POLLACK: Well, second time I-- second time
25 I looked at the file, there it was. But the first

1 time --

2 TRUSTEE ROBERTS: So missing in the file -- I
3 have it. Somehow the file doesn't, I guess.

4 MS. POLLACK: Well, yeah, there's -- you know,
5 I -- you know, my issue with this Building Inspector
6 is not poor recordkeeping, it's not misfiling,
7 although those are issues. It's not improperly
8 filled out documents, which is also an issue. My
9 issue with the Building Inspector is that she's not
10 performing inspections properly, she's not requiring
11 the documentation that's mandated by law in order to
12 issue permits and CO's.

13 TRUSTEE ROBERTS: So I FOILed for my own, for
14 133 Sixth Street today.

15 MS. POLLACK: Oh, did you?

16 TRUSTEE ROBERTS: I did. I was told I had to
17 FOIL for it. And I, like you, reviewed it out in the
18 open in the office there. I also had Ken's 133 1/2
19 Sixth Street file and it was sandwiched in, so I got
20 more than I FOILed for.

21 MS. POLLACK: Yeah.

22 TRUSTEE ROBERTS: I'm not sure who's watching
23 these files, is my point.

24 And did you notice that there was a record of
25 inspection of a fence in 133 Sixth Street this time?

1 MS. POLLACK: The only -- the only record of
2 inspection associated with that swimming pool or
3 enclosure occurred on --

4 TRUSTEE ROBERTS: 9/21/14.

5 MS. POLLACK: No.

6 TRUSTEE ROBERTS: I'll show it to you, I have
7 the date.

8 MS. POLLACK: 2010.

9 TRUSTEE ROBERTS: I'll show you what I have.

10 MS. POLLACK: 2010.

11 TRUSTEE ROBERTS: And, again, I'm no expert in
12 this. I could be wrong. I just read the document
13 and I just took a picture of it today.

14 Are you a Building Inspector by trade?

15 MS. POLLACK: No.

16 TRUSTEE ROBERTS: Do you have a background in
17 building engineering?

18 MS. POLLACK: I'm not an engineer, but I was a
19 builder.

20 TRUSTEE ROBERTS: You were a builder, okay. Do
21 you have a background in law?

22 MS. POLLACK: No.

23 TRUSTEE ROBERTS: But you're --

24 MS. POLLACK: Other than for all the legal work
25 that had to be done in subdividing --

1 TRUSTEE ROBERTS: Okay.

2 MS. POLLACK: -- these big subdivisions and
3 working with lawyers a lot, closings, contracts.

4 TRUSTEE ROBERTS: And one of these reports
5 mentioned a couple of legalese words that took me for
6 a spin, malfeasance. Have you been working with a
7 lawyer?

8 MS. POLLACK: No.

9 TRUSTEE ROBERTS: Not working with a lawyer?

10 MS. POLLACK: No. But I did look up the
11 meaning of the word malfeasance.

12 TRUSTEE ROBERTS: I see, okay.

13 MS. POLLACK: I looked it up in the dictionary
14 on my telephone.

15 (Laughter)

16 TRUSTEE ROBERTS: Okay.

17 MS. POLLACK: Because I didn't want to misuse
18 the word. I wanted to be sure what -- that I was
19 using the word properly. And it is a wrongdoing most
20 often by a public official. I am not assuming any
21 kind of corruption, other than the corruption of our
22 laws.

23 I've brought these matters up in conversation
24 to many people, and the first thing out of their
25 mouths is, "Someone's getting paid off." Now, if --

1 that's not the kind of impression we want for our
2 Village. I don't believe it's the case.

3 TRUSTEE ROBERTS: Got it.

4 MS. POLLACK: But that's common, a common
5 perception. One Building Inspector that I knew in
6 the Town of Islip, that, you know, I knew him quite
7 well, I knew him personally -- personally, he came
8 and did inspections all the time. I mean, our
9 development was his -- part of his territory. And
10 one time I offered to take him out to lunch. Can't
11 do that. Can't do that. "I can't accept even" -- I
12 was going to buy him a slice and a coke, and he said
13 he couldn't do it, you know, just because it wouldn't
14 -- it wouldn't look right. It wouldn't look right.

15 TRUSTEE ROBERTS: Just a couple of more
16 questions, if you don't mind.

17 MS. POLLACK: No.

18 TRUSTEE ROBERTS: Did you make photocopies?

19 MS. POLLACK: I got photocopies of most
20 everything that I needed. That last batch, I --

21 TRUSTEE ROBERTS: Did you make them? Did you
22 walk over to the copier and make copies?

23 MS. POLLACK: No.

24 TRUSTEE ROBERTS: Who did it?

25 MS. POLLACK: No. I requested them. Most of

1 the time it was Jeanmarie that assisted me with
2 copies, because --

3 TRUSTEE ROBERTS: The Deputy Clerk would pick
4 up the paper, go to the copier and bring it back?

5 CLERK PIRILLO: No. The process is that -- the
6 process is that Post-it Notes were provided so that
7 they could be placed on the documents that were
8 requested to be copied. And you did not tell me that
9 there was a problem with the last set of copies, so I
10 apologize for that. If we knew that --

11 MS. POLLACK: No, it wasn't you.

12 CLERK PIRILLO: If we knew that, we could have
13 corrected it. And that was only with the last set,
14 correct?

15 MS. POLLACK: Correct.

16 CLERK PIRILLO: Correct, okay.

17 MS. POLLACK: Correct, yeah.

18 CLERK PIRILLO: Okay. Thank you.

19 MS. POLLACK: No, it was a problem -- you know,
20 I think that there was some miscommunication, and
21 when I -- when I got my pile of copies, it was \$11
22 worth of copies. I was like, "What's this?" It
23 missed -- it was missing a lot, but these things do
24 happen. I'm not, you know --

25 CLERK PIRILLO: I appreciate that. Thank you.

1 MS. POLLACK: I'm not sweating the small stuff,
2 you know.

3 CLERK PIRILLO: Thank you.

4 MS. POLLACK: Like, as I said, we're supposed
5 to have confidence in the Building Department. We're
6 supposed to know that we're -- you know, if you build
7 something, you build it right.

8 Now, I mean, Southold, as I said, we used --
9 that used to be like, you know, not getting it for a
10 long time, bad reputation. Even they, when you build
11 something that requires a foundation of any kind,
12 they want their foundations plotted on a survey
13 before you continue. You know, I think that's pretty
14 forward-thinking, because this way, this way, when --
15 if someone blows a dimension, builds something bigger
16 than what they were supposed to, or smaller than what
17 they were supposed to, or whatever the case might be,
18 it's caught right at the point of foundation, rather
19 than the finished product, and then tell the people,
20 "Oh, look, now you blew the setback and you need a
21 variance." I mean --

22 TRUSTEE ROBERTS: In your review of the ZBA
23 minutes, did you note that the Village Attorney was
24 in attendance?

25 MS. POLLACK: Yes.

1 TRUSTEE ROBERTS: And did you note that all of
2 these proceedings, the Village Attorney was in
3 attendance?

4 MS. POLLACK: I can't -- I can't swear to all
5 of them, but I would say --

6 TRUSTEE ROBERTS: Almost all, yeah.

7 MS. POLLACK: I would say, sure, it was typical
8 that the Village Attorney was there.

9 TRUSTEE ROBERTS: I'm just curious. You
10 brought up the section of law, which I clearly need
11 to go and get familiar with, so thanks for bringing
12 it up. We rely on the Village Attorney to make sure
13 we're following the law. So this is curious to me
14 that all of this focused on the nonlawyer in the mix
15 and not the Village Attorney. Just sort of curious
16 to me.

17 Did you also note the vote on the 133 Sixth
18 Street pool CO of the ZBA members?

19 MS. POLLACK: No. It wasn't -- that wasn't
20 even important to me.

21 TRUSTEE ROBERTS: Okay. It was five to
22 nothing. Did you note this piece? By Chairman
23 Moore: "So there was a mistake." Referring to the
24 pool being in the wrong place, which we didn't do it.

25 MS. POLLACK: No. Right, right.

1 TRUSTEE ROBERTS: So there was a mistake. And
2 it was noticed not -- "It was not noticed during any
3 of the construction" -- I'm reading from the minutes
4 of 8/20/14 ZBA.

5 MS. POLLACK: Oh, okay.

6 TRUSTEE ROBERTS: "And it was not noticed
7 during any of the construction, or any inspections,
8 or what may have been done subsequent to that. So
9 that we have now sort of a dilemma that you have a
10 pool, which isn't likely to move again, and we
11 have a request to make this correct by issuing a
12 second variance. And it's unfortunate, because,
13 usually, when you issue a variance for an exception,
14 that's what's done, you get the exception and
15 everybody's happy, but now we're back again.

16 You know, I could point out that the pool has
17 survived without complaint, but, of course" -- not
18 until now. "But, of course, the property owner of
19 both properties are the Ludacers who built the pool,
20 so they obviously aren't unhappy to have a pool.

21 I'm looking ahead now to the future." This is
22 still Doug Moore, Chairman of the ZBA. "The vacant
23 lot, we understand, is to be built on by the Ludacers
24 for their residence, and so, again, I doubt they will
25 complain about the position of the pool, its

1 proximity to the property line. But we have to look
2 forward to the future property owners of that
3 property, and they may not be happy. So that one of
4 the thoughts I had was that in condition, if we
5 should approve a second variance, that a proper and a
6 high-as-permissible fence be included in the process,
7 should a variance be granted, along that property
8 line."

9 Mr. Kapell, who was our real estate agent,
10 spoke on our behalf.

11 "It's the Roberts' intention," that's me, "to
12 install a six-and-a-half-foot privacy fence along
13 that line. So, if you want to make that a condition
14 of the variance, that's fine."

15 So those of you driving by my house and slowing
16 down, first of all, I'll ask you not to do it when my
17 wife and I are playing with our daughter. Any of you
18 who are parents will know how incredibly unsettling
19 that is when you're playing with a two-year-old girl
20 in your front yard. But, listen, if you want to --
21 if you really want to take a look, maybe do the
22 polite and neighborly thing. Pull up and say, "Hey,
23 how are you doing?" Maybe I'll invite you in if I
24 like the cut of your jib.

25 The point is the fence is there. The ZBA told

1 us to put it there, we did. And the piece you
2 mentioned from Mr. Benjamin, I mean, any of you who
3 have children know how important this is. He told
4 us -- so Eileen came and told us we had to put a
5 picket fence at the end of that five-by-five deck,
6 which was a condition of this -- of this CO. So I
7 have -- it really looks pretty ugly. I have a picket
8 fence against a very lovely white rail -- railing
9 that my kid could easily crawl through, and that's
10 what I do for safety. I've got pool locks. The pool
11 doesn't connect to the fence.

12 So, again, you know, I hope people will respect
13 our privacy. Thanks for your research. Thanks for
14 bringing these concerns to us. Obviously, if there
15 is -- if there is, in fact, malfeasance, whatever
16 that means, in our Building Department, I think we
17 all share your concerns. Thank you.

18 MS. POLLACK: Okay. Before --

19 TRUSTEE MARTILOTTA: Could I ask a question?
20 Oh, I'm sorry.

21 MAYOR HUBBARD: No, go ahead.

22 TRUSTEE MARTILOTTA: Would that be right? Just
23 because I'm not -- I'm not -- I ask a couple of quick
24 things. I'm not a -- I have no background in
25 building, so my -- as I'm looking through this

1 quickly, it said that there was -- there was no
2 permit found for the original structure.

3 MS. POLLACK: No.

4 TRUSTEE MARTILOTTA: Yet, as we're talking, and
5 I'm sure that right now we have like a great FOIL
6 system, and things are well recorded and kept track
7 of. But, I mean, this is an honest question. Is it
8 possible that in the past it was moved, it was
9 someplace else?

10 MS. POLLACK: Highly unlikely, and I'll tell
11 you exactly why.

12 TRUSTEE MARTILOTTA: Okay. Well, please.
13 Thank you.

14 MS. POLLACK: Okay. Because, naturally, you
15 know, that's something that certainly would be -- you
16 know, you'd think, well, maybe it was just misplaced,
17 you know --

18 TRUSTEE MARTILOTTA: Okay.

19 MS. POLLACK: -- misfiled, you know, lost in
20 time.

21 TRUSTEE MARTILOTTA: Sure.

22 MS. POLLACK: But there a number of pieces of
23 evidence to support the fact that there was never a
24 building permit. One of them is that on the
25 Underwriters Certificate, which the electricians

1 provided, there is a spot for a permit number. And
2 every electrical inspector always asks you what's the
3 permit number, but that spot is left blank.

4 There's Eileen's inspection ticket from when
5 the temporary CO was written, and her inspection
6 ticket says, "No permit." There are -- I had a whole
7 list of --

8 TRUSTEE MARTILOTTA: Okay.

9 MS. POLLACK: -- other factors that indicate
10 that there never -- there never was a permit.

11 TRUSTEE MARTILOTTA: This is just for me like
12 trying to learn a little bit here as we're going
13 through this.

14 MS. POLLACK: And that's also how -- how it can
15 be that a pool can be built not where it was supposed
16 to have been located, because no one was there to
17 look at it. That's a gunite pool and that should
18 have had stamped plans from a licensed engineer.
19 There's a lot of engineering for a gunite pool, more
20 so than a vinyl pool, and there should have been
21 plans.

22 TRUSTEE MARTILOTTA: Well, that's kind of what
23 I'm wondering, is -- and, again, I'm not a pool
24 person, but it seems like a lot of work went into it,
25 and I would think that someone who was going to do

1 all this work for -- you know, seems to be a fairly
2 expensive thing, a pool. I know I don't have one. I
3 would think that like they would try and get these --
4 what I'm not seeing is for someone to have made the
5 investments to go through all of this, I would think
6 that they would be looking for, like you said, to
7 cover themselves.

8 MS. POLLACK: Right.

9 TRUSTEE MARTILOTTA: But --

10 MS. POLLACK: But it could be -- again, I'm not
11 speculating as to why there was never a permit for
12 the pool, it could be any number of things.

13 TRUSTEE MARTILOTTA: It just seems so strange,
14 though, you know what I mean?

15 MS. POLLACK: It could be that the original
16 2003 ZBA variance, when that was granted, that may
17 have been taken as, "Okay, I can proceed." It could
18 be, not to be cynical, but it could be no permit, no
19 taxes. I don't know, I can't answer that.

20 MS. LUDACER: Yeah, I can answer that. I've
21 had just about enough. I'm going. I've had just
22 about enough of you.

23 MS. POLLACK: I'm sorry to offend anybody, but
24 I'm just -- I'm just -- I've looked into the file. I
25 know something about Building -- Building Department

1 processes, and, as I said, there was no permit for
2 this pool.

3 TRUSTEE PHILLIPS: Mayor.

4 MAYOR HUBBARD: Did you have anything else?

5 TRUSTEE PHILLIPS: No. I think it's time --

6 MAYOR HUBBARD: Well, yeah, we've got a lot of
7 people here, so just --

8 TRUSTEE MARTILOTTA: Okay.

9 MAYOR HUBBARD: No. If you've got something
10 else.

11 TRUSTEE MARTILOTTA: I don't know. No. But
12 the one thing you said that stuck with me, just so
13 you know, when you were saying how you were sued
14 personally, but you were glad that the permits were
15 there to back you up, like, right?

16 MS. POLLACK: You better believe it.

17 TRUSTEE MARTILOTTA: Well, it would seem -- I'm
18 just curious. As you say that, I was thinking to
19 myself, why would someone then risk the safety of
20 that permit?

21 MS. POLLACK: Easy, because it's a headache.
22 You know, an old expression in building from going
23 back to when I was in this -- in it, is that you can
24 do things the hard way or the easy way. The easy way
25 is actually to get the permits ahead of time and, you

1 know, properly. The hard way is usually when you
2 build something without a permit and then -- and then
3 the municipality will come down on you like a ton of
4 bricks. You know, then you really pay. And so why?
5 Because people will think it's easier if they don't.
6 It's maybe like what you call laziness, call it --
7 call it "I forgot," you know.

8 ATTORNEY PROKOP: I just want to point out,
9 your -- I was going to wait until you were finished,
10 but I think that there's --

11 MS. POLLACK: I'm done.

12 ATTORNEY PROKOP: There's an inference from
13 what you're saying now, which was not -- which I
14 believe is not fair --

15 MS. POLLACK: Go ahead.

16 ATTORNEY PROKOP: -- to the property owners,
17 where you're basically saying -- inferring that there
18 might have been -- you're drifting from procedural
19 issues and other issues that you feel that you've
20 determined in one of our departments to a discussion
21 about the property owners, which I don't think is --
22 first of all, I don't think it's fair. But I don't
23 think that in any case, that this -- what anything on
24 this sheet that I've seen or anything that you said,
25 other than what you're now going into, should in any

1 way be inferred or a justifiable comment about any of
2 these people.

3 MS. POLLACK: I apologize.

4 ATTORNEY PROKOP: I think that's grossly
5 unfair. I mean, the same way, I mean, you could have
6 asked me about my property tonight and I wouldn't be
7 prepared to say anything about it, and not that --
8 not that there's anything wrong with it. But just
9 it's -- I think it's unbelievable that anybody would
10 be able to -- as a property owner, would be in a
11 public forum be held accountable for that. And I
12 don't think that any inference about anything that
13 you say tonight or the last time that you spoke
14 should be deemed to be or even considered by anybody
15 a reflection of any of these property owners that are
16 involved in this.

17 MS. POLLACK: I couldn't agree with you more,
18 and I apologize if anything --

19 ATTORNEY PROKOP: The other thing I'd like to
20 say, if --

21 MS. POLLACK: -- if there's any remarks from me
22 that were -- that were out of line with regard to --
23 with regard to the property owners. The conversation
24 just drifted in that direction. I've tried to keep
25 -- to keep this --

1 ATTORNEY PROKOP: So can I just make a -- can I
2 finish up my comment and then you can finish?

3 MS. POLLACK: Go ahead.

4 ATTORNEY PROKOP: Because you may have
5 something to say after I say it.

6 MS. POLLACK: Okay.

7 ATTORNEY PROKOP: I'd just like to point out,
8 having been in the proceedings for both of these --
9 the two properties that you discussed tonight, I know
10 that one of them, and possibly the other one also,
11 were actually applications that were filed to correct
12 prior mistakes.

13 MS. POLLACK: Correct.

14 ATTORNEY PROKOP: They were not applications
15 that came out of anything, any malintent of either of
16 the property owners that were -- that were involved.

17 MS. POLLACK: I agree.

18 ATTORNEY PROKOP: They were -- basically, the
19 people came to -- as I understand it, the people came
20 to the Village to try to create a -- correct a
21 situation that neither of them had anything to do
22 with, if -- unless I'm mistaken, I believe that
23 that's the case. The other thing that I would
24 like to say, since we got into the FOIL process, is
25 the procedure for this is, is that there's two --

1 there's two things that have been going on when you
2 request a Building Department file or the Building
3 Department, meaning Planning or -- Planning
4 Department. The first is that if it's not your
5 property that's involved, it's going to go through
6 the normal FOIL process, and that's not
7 instantaneous. We have -- you know, we have to
8 protect the integrity of our files, and we also --
9 basically that's it.

10 However, if you are requesting your own file
11 for -- meaning the -- for your property, we do, as a
12 policy, try to help you instantaneously, you know, as
13 quickly as possible. And often you will be given --
14 provided the file to look at right away for your own
15 property.

16 Looking at the file means that somebody from
17 the Clerk's Office, the Clerk -- the Clerk, because
18 the Clerk is not somebody from the Building
19 Department, but the Clerk's Office is the Freedom of
20 Information Officer for the Village of Greenport.
21 Somebody from the Village of Greenport Village
22 Clerk's Office will be present when the file is
23 reviewed, and, more often than not, will be reviewed
24 at the counter, not in a private place, somewhere
25 back in the Village Hall.

1 If anybody believes that they requested a
2 record or a copy and have not been able to locate it,
3 then there's an appeals process, and you just have to
4 let us know that and we'll address it.

5 As far as the code, the New York State Code by
6 law is our -- is the Village Code. It's -- we're
7 required to enforce it. Mr. Ward is now a code
8 certified -- has some level of code certification.
9 Mr. Ward and I -- Mr. Ward and I are in Southold Town
10 Justice Court every Friday enforcing that code on a
11 number of properties, and it happens, it happens all
12 the time.

13 And if you have any other questions for me
14 about procedure, I'm willing to -- you know, I'm
15 happy to answer them, but I felt that those comments
16 needed to be made.

17 TRUSTEE ROBERTS: This is an exercise in why
18 the people of this Village, we owe it to them to
19 document these FOIL processes. So it would have
20 saved a lot of time tonight, a lot of questions that
21 have been asked. Let's write it down, I'd really
22 like to see us do that.

23 MS. POLLACK: And just as a last thing, I have
24 no problem with the FOIL process.

25 ATTORNEY PROKOP: It is a procedure that's

1 adopted.

2 MS. POLLACK: It take however long --

3 TRUSTEE ROBERTS: I've asked for it several
4 times, no one will email it to me. I mean, if you
5 don't respond to my email, I assume you don't have it.

6 ATTORNEY PROKOP: I'll get -- I've never been
7 asked, but I'll get it to you right away.

8 MAYOR HUBBARD: All right. Thank you.

9 MS. POLLACK: Thank you everybody for
10 listening. I'm sorry to take up so much time.

11 MAYOR HUBBARD: Okay. Well, we have other
12 people that are standing and waiting. Go ahead.

13 MR. HOLLID: Joe Hollid, 415 South Street in
14 Greenport here. And I have a fence company that I've
15 had for a number of years, I don't use it anymore.
16 But the code in Southold, where I lived for many
17 years, and I built a lot of fences in Southold, they
18 require four foot minimum height, and that's either
19 stockade, or vinyl, or chain link fence.

20 The requirement that I had when I worked there
21 through the Building Department was that the two inch
22 diameter chain link or vinyl link was a little too
23 wide. So the Building Inspector I had, which was
24 Victor Lessard, he told me it had to be lesser than
25 that, because most kids can not only can jump a

1 four-foot fence, no matter if it's stockade, or chain
2 link or vinyl link fence, it had to be lesser, so
3 they had a little bit lesser ability to jump over the
4 fence. There has to be checks and balances on that.
5 I think four foot is too -- too little, but I'm not
6 making any effort -- any issues with the fence right
7 now.

8 The reason I'm calling on the Board to -- just
9 to go over something that I've had done in my
10 neighborhood, and it goes according to Building
11 Department lines. And I live at 415 South Street.
12 Across from me is a lady that just bought that house
13 probably about three-and-a-half, four years ago.
14 She's renovated, she's made it look really nice to
15 the neighborhood. And next to her -- I've been
16 there, it will be three years in December, late
17 December. And before I bought it, I used to walk --
18 I still walk around the Village all the time.

19 So now I'm looking at this -- even before I
20 bought that house and I'm walking the street, and
21 there was a house next to her to the right, I don't
22 know the number, but it's a white house that was --
23 apparently, was really down in the dumps, as far as
24 what happened with the previous owner. So it was
25 State -- it was gotten to be State-owned somehow.

1 And the State had this big sign that was probably
2 about 10 feet across on the property in front of the
3 house that was being renovated.

4 Before I bought my house and before it even
5 started renovations, this sign had been up there
6 for -- I don't know how long before that. And even
7 after I had been there for two years, say, and after
8 the renovations were done, the sign was still kept up
9 there for a period of time. I'm not disputing that
10 property, per se, because from what I understand, the
11 State kind of goes over everything else, and they
12 recognize the fact that they can do pretty much
13 anything they want, because the house -- New York
14 Housing Alliance had that through, I don't know, HUD,
15 or whatever the case maybe.

16 Now, in back of this house, there was a little
17 shack, people called it a chicken coop, and people,
18 squatters were living there prior to whatever
19 happened in the interim. Now, all of a sudden, and
20 I'm not saying all of a sudden, but it took a little
21 time, but this house is a good size house, it's a
22 two-story, I think it has an attic, too. There was
23 nothing behind it, right, nothing at all. It was a
24 separate lot. Now I don't know if it was -- it must
25 have been divided somehow into a smaller -- two

1 smaller lots, but the house itself took up most of
2 that property in front, and the chicken coop behind
3 it picked up the other property, I guess, in the
4 back.

5 So it comes along that the State says, "Okay,
6 we can take that little thing down, and we can,"
7 other than -- unbeknownst to the Board, or the
8 Building Department, or whether it was and it just
9 got flown over, because it was State, run by the
10 Housing Alliance through HUD, whatever, they decided
11 they're going to put another house attached to that
12 house with a breezeway through it, and another house
13 attached to that breezeway behind this house.
14 Picture it. I don't know if anybody's been by that.

15 My neighbor next door is still coming out,
16 she's going to be moving in this coming month, she
17 lives across -- there was a six-foot stockade fence,
18 but there's a house there to her right. She has no
19 privacy. It's a two-story house with a -- it's just
20 as big as the one in the front. You know, I'm beside
21 myself with that. I don't understand that. I don't
22 get it. How does that happen in the Village? This
23 looks like crap to me. It's a nice looking house,
24 don't get me wrong, but it's two houses, like it's
25 bigger than this building, for Christ sake. Pardon

1 my French, but it just drives me crazy when I look at
2 this house.

3 So I don't get it why -- how did it go through
4 the Building Department? Doesn't -- didn't anybody
5 have a say in this in the block? None of the people
6 seem to have any say in what's going on. They just
7 allow it to happen. The sign goes up, it's okay to go.

8 Anybody got any ideas what the heck's going on,
9 what happened?

10 MAYOR HUBBARD: I really don't know what
11 happened there, but we can check on it.

12 MR. HOLLID: It's been there now for a couple
13 of -- probably --

14 TRUSTEE ROBERTS: Do you have the date?

15 MR. HOLLID: And there's only -- there's two
16 families that supposedly live -- one family in the
17 front and one family in the back. It's all
18 Section 8, I understand. I mean, that's what I
19 understand. So I'm not saying that the people don't
20 have a right to live there or anything like that, but
21 how it got through, that's what bothers me more than
22 anything --

23 TRUSTEE MARTILOTTA: Sir, when did they start
24 building it?

25 MR. HOLLID: -- is how that got through. It's

1 such a monstrosity looking thing. Down the block
2 from it are only single-family houses or -- pardon me
3 two-family -- two-story houses.

4 And then the house next door to it is a
5 derelict house that also is owned by the Housing
6 Alliance. And number one, there's a tank in kind of
7 the front part of the house on the right side, an oil
8 tank that's sitting there, a 275 gallon oil tank
9 that's leaking in the ground. Nobody sees this.

10 MAYOR HUBBARD: Okay. Well, I'm glad you told
11 us about that, and then we'll have it checked out
12 tomorrow.

13 MR. HOLLID: Nobody sees it.

14 MAYOR HUBBARD: Okay. Well, somebody will go
15 over and look at it tomorrow.

16 MR. HOLLID: But it's a code thing. I mean, I
17 know you have only one code guy, and I know this is
18 only a one-square-mile village, and why we need --
19 why don't we use the people that -- I think there
20 should be enough people involved in this, in this
21 department, in different departments that can control
22 the Village.

23 And the only other thing I have to ask is what
24 is a requirement contractor? I never heard of that
25 one?

1 MAYOR HUBBARD: What is a what?

2 MR. HOLLID: A requirement contractor, as
3 opposed -- in the resolution, authorizing the
4 solicitation of annual bids.

5 TRUSTEE PHILLIPS: Hold on. I have it. I have it.

6 TRUSTEE ROBERTS: Oh, great.

7 MAYOR HUBBARD: Okay. That's just a term that
8 was used for it. That's basically where we have two
9 men and a machine. It's a category that's written
10 that way. People that are doing excavating work for
11 us, digging down to sewer lines and other stuff like
12 that, that's a category, that's what it is. Why it
13 says "requirement contractor," I don't know.

14 MR. HOLLID: Well, that's a good question,
15 isn't it, then?

16 MAYOR HUBBARD: Yeah. Well, we have -- because
17 they put in bids for putting in cesspool rings,
18 drainage rings, and everything else, that's what that is.

19 MR. HOLLID: I think it should be notified that
20 this should be -- it shouldn't be just done as
21 requirement contractor like that.

22 And also removal and stump grinding of trees.
23 Now I have a neighbor across from me that's on the
24 corner of the north -- I don't know if it's north,
25 probably north. Anyway, it's on the corner of Fifth

1 -- Fifth Ave. and South Street, on the north side.
2 And he just had a tree removed, and I understand that
3 that tree had a yellow ribbon on it. But according
4 to him, he didn't want that tree removed. Now he
5 wasn't notified that the tree was removed or was
6 going to be removed, it was just removed. Now I
7 looked at the stump, I don't know what's going on
8 with the tree, and I don't know, you know, how this
9 works, if it's -- I know there are tree -- the tree
10 organization?

11 MAYOR HUBBARD: There's a Tree Committee, yes.

12 MR. HOLLID: And I'd just like to find out.
13 Now I had a situation where a guy came by my house
14 and there was one tree on one side of my property,
15 and he looked and he said, "Would you like a tree on
16 the other side?" I said, "Hey, if you're going to
17 put another tree on the other side, great." That was
18 two years ago. I don't know. You know, things are
19 strange. Some things just don't add up sometimes
20 and --

21 MAYOR HUBBARD: Okay. I mean, the trees --

22 MR. HOLLID: We're all trying to work together.
23 I love the Village, but a lot of things that I see
24 going on or not see going on are kind of perplexing
25 to me. It's just kind of bothering me, because our

1 street is a horror, not only south, south between
2 Third and Fourth is bumpy as hell, and nothing going
3 on there, and our street, between Fourth and Fifth
4 Ave. is a disaster.

5 MAYOR HUBBARD: Yes.

6 MR. HOLLID: And my neighbor, who has the house
7 now, that's moving in across the street from me,
8 questioned the Board probably six months ago, said,
9 "What's going on?" "Oh, it's going to take a
10 minimum" -- we have to get a -- some kind of review
11 board to look at it. "It's going to take a minimum
12 of a year-and-a-half." Now that the puddle on her
13 side gets crazy with water, and it's all broken up,
14 the street is broken up in a lot of places, but
15 nothing seems to be -- nothing is going on. I don't
16 see anything going on.

17 She tripped on the road between Third and
18 Fourth, coming back from one of these meetings. The
19 night that she was here, she tripped, because the
20 pavement was like up this high (indicating) from a
21 tree. I mean, there are so many places where the
22 tree, the surface roots just come up and they bring
23 the sidewalk up. And a lot of places don't have
24 markings on them. At least have the guys go around
25 and, hey, mark them with the yellow or orange paint

1 so people can see it. But at night, she didn't see
2 it, she tripped and fell. She didn't have anything
3 happen to her, luckily.

4 So, you know, these are things that everybody
5 sees, and it just seems like we don't seem to get
6 any --

7 MAYOR HUBBARD: Okay. Have you been downtown
8 over the past couple of days?

9 MR. HOLLID: I've been around town. Yeah, I've
10 been passing through --

11 MAYOR HUBBARD: Right. Well, down on --

12 MR. HOLLID: -- but I haven't seen any
13 activity.

14 MAYOR HUBBARD: There's a lot of work on Main
15 Street, South Street, curbs, sidewalks around --
16 almost \$90,000 worth of work that's being done with
17 that right now.

18 MR. HOLLID: On Front -- on Main, but I haven't
19 gone down Main too much, but Front --

20 MAYOR HUBBARD: Okay. Main, South, Bay, in the
21 area down there.

22 MR. HOLLID: Okay.

23 MAYOR HUBBARD: Coming up Fourth Avenue,
24 there's going to be curb and sidewalk done there.
25 And that section of South Street is going to be

1 repaved starting November 2nd --

2 MR. HOLLID: Okay.

3 MAYOR HUBBARD: -- between Fourth Avenue going
4 down to the First Street.

5 MR. HOLLID: Okay.

6 MAYOR HUBBARD: The section of your block has
7 to be -- we have to get an engineer to go in to put
8 drains in there, because if we just pave it, it's
9 going to be higher than the curbs that are there.

10 MR. HOLLID: Right.

11 MAYOR HUBBARD: And it's going to flood
12 everybody's front yard.

13 MR. HOLLID: Right.

14 MAYOR HUBBARD: So I don't know who told her
15 it's going to be a year-and-a-half where anything is
16 done. That is going to be looked at, and we should
17 be doing work on that block in the springtime.

18 MR. HOLLID: Excellent.

19 MAYOR HUBBARD: All right? So that's the work
20 that's going on now.

21 MR. HOLLID: Okay. I appreciate all of your
22 effort, I really do.

23 MAYOR HUBBARD: Okay. You're welcome. All
24 right.

25 MR. HOLLID: I hope it continues. Thank you.

1 MAYOR HUBBARD: All right. Thank you.

2 MR. LUDACER: Real quick.

3 MAYOR HUBBARD: We've got some other people
4 that haven't spoken yet, so just -- oh, okay. Go
5 ahead. All right. That's fine.

6 MR. SWISKEY: William Swiskey, 184 Fifth
7 Street. I noticed that Mrs. Pollack was up here and
8 she was making her complaints, and the Board was
9 listening, and they should accept -- but what should
10 have not happened is Mr. Roberts or your Lawyer spoke
11 back. This is an investigation. You have an
12 employee under investigation, there's the
13 investigator. This panel should not be answering
14 back in this forum. I don't care if it was your
15 swimming pool, or you felt that the FOIL -- that's a
16 no-no, believe me. And if I were the union rep for
17 the Village, I'd be all over you. You can't do that.
18 She can make her objections, she can hand you the
19 paperwork, he can conduct the investigation, but you
20 can't do that back and forth, and your Attorney
21 should know better.

22 TRUSTEE ROBERTS: Bill, didn't we question you
23 about -- you made a complaint tonight, right? We
24 asked you questions.

25 MR. SWISKEY: Yeah, I made a complaint, but

1 there's no investigation on the complaint. You're
2 investigating the Building Department, there's the
3 investigator.

4 TRUSTEE ROBERTS: No. The Mayor said earlier
5 we're not doing an investigation. If you look in the
6 record, you'd see that.

7 MR. SWISKEY: Well, that's the -- I FOILED for
8 the name of the person investigating, and Sylvia --

9 MAYOR HUBBARD: Right. It's not being
10 classified technically an investigation, because
11 that's a legal term. He's reviewing the allegations
12 of what was submitted to us. That's what I said at
13 the beginning. At the beginning, I said it wasn't an
14 investigation. He's reviewing the allegations and
15 he'll have an answer for us next month.

16 MR. SWISKEY: But it's a form of investigation
17 and shouldn't be discussed.

18 MAYOR HUBBARD: Okay. Well, that's -- okay.
19 Yeah, just keep it brief, please.

20 MR. LUDACER: Yeah. Ken Ludacer, 133 Sixth
21 Street. I just had a quick observation and then a
22 comment to make after hearing Ms. Pollack speak.

23 She stated up here very clearly that her goal
24 or purpose was to get rid of Eileen Wingate as the
25 Building Inspector. And now our most damaging

1 evidence to date is this -- you know, the Roberts',
2 my former pool on Sixth Street, which, you know, was
3 built in 2003, seven years before Eileen Wingate
4 even, you know, began working for the Village. You
5 know, it seems like a lot of what's being, you know,
6 noted here is -- you know, it's really, you know,
7 something -- I mean, the building of it, the building
8 permit for it, you know, all predates Eileen Wingate
9 by, you know, seven years.

10 And it reminded me that it seems like every six
11 months or so, a couple of people or a handful of
12 people will come, you know, screaming for the head of
13 Eileen Wingate. And I think I would just want the
14 Board to realize that that can, you know, create like
15 a little echo chamber, where you think that, you
16 know, the whole Village is, you know, completely
17 dissatisfied with her, or thinks that, you know, she
18 should be run out of town. You know, I don't think
19 that's true.

20 I don't think you're ever going to have a
21 beloved building inspector. I just don't think it
22 comes with the job title.

23 MAYOR HUBBARD: No.

24 MR. LUDACER: Not if they're doing their job.
25 And I think to a good extent, probably a lot of the

1 discontent being voiced, you know, springs, you know,
2 more from her doing her job than not. And that's all
3 I have to say. Thank you.

4 MAYOR HUBBARD: Thank you. Okay. Anybody else
5 wish to address the Board?

6 (No Response)

7 Okay. We'll move on to our regular agenda.

8 All right RESOLUTION #10-2015-1, resolution
9 adopting the October 2015 agenda as printed. So
10 moved.

11 TRUSTEE MARTILOTTA: Second

12 MAYOR HUBBARD: All in favor?

13 TRUSTEE MARTILOTTA: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 TRUSTEE ROBERTS: Aye.

16 Trustee ROBINS: Aye.

17 MAYOR HUBBARD: Aye.

18 Opposed?

19 (No Response)

20 Motion carried.

21 I'll ask Trustee Roberts to read the --

22 TRUSTEE ROBERTS: RESOLUTION #10-2015-2,
23 RESOLUTION accepting the monthly reports of the
24 Greenport Fire Department, Village Administrator,
25 Village Treasurer, Village Clerk, Village Attorney,

1 Mayor and Board of Trustees. So moved.

2 Trustee ROBINS: Second.

3 MAYOR HUBBARD: All in favor?

4 TRUSTEE MARTILOTTA: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 TRUSTEE ROBERTS: Aye.

7 Trustee ROBINS: Aye.

8 MAYOR HUBBARD: Aye.

9 Opposed?

10 (No Response)

11 Motion carried.

12 TRUSTEE ROBERTS: RESOLUTION #10-2015-3,
13 RESOLUTION ratifying the attached resolution
14 authorizing the non-renewal of the agreement dated
15 October 28, 2013 between the Village of Greenport and
16 Adventure Treks, LTD; as approved at the October 15,
17 2015 Work Session meeting of the Board of Trustees of
18 the Village of Greenport. So moved.

19 TRUSTEE MARTILOTTA: Second.

20 MAYOR HUBBARD: All in favor?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBERTS: Aye.

24 Trustee ROBINS: Aye.

25 MAYOR HUBBARD: Aye.

1 Opposed?

2 (No Response)

3 Motion carried.

4 TRUSTEE MARTILOTTA: RESOLUTION #10-2015-4,
5 RESOLUTION awarding the contract for the purchase of
6 a Type II Emergency Vehicle for the Greenport Fire
7 Department to Hendrickson Fire Rescue Equipment, in
8 the amount of \$203,254.00 per the bid opening on
9 July 9th, 2015 and as previously approved by the
10 Village of Greenport Fire Department Board of Wardens
11 on October 20th, 2015 and determining that the bid of
12 Specialty Vehicles in the amount of \$185,754.00 is
13 rejected as non-compliant; and further authorizing
14 Mayor George Hubbard, Jr., to sign the contract for
15 the purchase of a Type II Emergency Vehicle from
16 Hendrickson Fire Rescue Equipment. This purchase is
17 to be expensed from account A.3410.200 (Fire
18 Department Equipment). So moved.

19 TRUSTEE PHILLIPS: Second.

20 MAYOR HUBBARD: Okay. I just want to clarify
21 that. When you're saying Fire Department equipment,
22 I believe we take that from the Apparatus Fund, don't
23 we? We don't have to 203,000. I didn't notice that
24 before.

25 CLERK PIRILLO: This is the number given to me

1 by the Treasurer, the account number.

2 MAYOR HUBBARD: By the Treasurer?

3 ATTORNEY PROKOP: I think it gets transferred.
4 I think the Apparatus Fund is a reserve fund. I
5 mean, I'm sorry, I'm not the Treasurer, obviously,
6 but I believe.

7 MAYOR HUBBARD: Okay. All right. We'll let it
8 go through with that. Then he's going to -- we'll
9 have to do a budget modification in the future to put
10 the money into that, because that's a normal --
11 that's an operating line item for the Fire
12 Department, and I believe it only starts at 80,000
13 for the year for the Department equipment.

14 TRUSTEE PHILLIPS: What, the 3410.20?

15 MAYOR HUBBARD: What's that?

16 TRUSTEE PHILLIPS: Isn't the --

17 MAYOR HUBBARD: The 3410.20 is their regular
18 operating equipment line item. That's not the
19 Apparatus Replacement Fund where we put the money
20 away to pay for it. The money will have to come out
21 of that line item to pay for it, but it should have
22 been listed that way, and I did not notice the number
23 before.

24 TRUSTEE PHILLIPS: Okay. I thought -- okay.

25 MAYOR HUBBARD: All right? So we'll go ahead

1 and do that, but he's going to have to do a budget
2 modification to fund that account before we go to pay
3 for it, because that is not the correct line item it
4 should be coming from.

5 TRUSTEE PHILLIPS: But we're not paying for it
6 yet, correct? We're just --

7 MAYOR HUBBARD: No. They're just ordering it.

8 TRUSTEE PHILLIPS: Oh, okay.

9 MAYOR HUBBARD: But, still, we should -- we
10 should state where the money is going to come from
11 when we go to buy it when we sign the contract.

12 TRUSTEE PHILLIPS: I'm not disagreeing, I'm
13 just checking it out for myself.

14 MAYOR HUBBARD: Yeah. Okay. Well, I just --
15 as he's reading it right now, I just noticed the
16 number, and I'm just -- okay, any other discussion?

17 (No Response)

18 All in favor?

19 TRUSTEE MARTILOTTA: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 TRUSTEE ROBERTS: Aye.

22 Trustee ROBINS: Aye.

23 MAYOR HUBBARD: Aye.

24 Opposed?

25 (No Response)

1 Motion carried.

2 TRUSTEE PHILLIPS: RESOLUTION #10-2015-5,
3 RESOLUTION approving the agreement between the
4 Village of Greenport and the Greenport Hockey Club as
5 attached with the following revisions:

6 The removal of Item #5, and the dates and times
7 for the re-scheduling of cancelled sessions will be
8 selected by the Village of Greenport; and further
9 authorizing Mayor George W. Hubbard, Jr. to sign the
10 agreement between the Village of Greenport and the
11 Greenport Hockey Club. So moved.

12 TRUSTEE ROBERTS: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 Trustee ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 Motion carried.

22 TRUSTEE ROBERTS: RESOLUTION #10-2015-6,
23 RESOLUTION approving the request of The Long Island
24 Divers Association to gain access to the
25 Village-owned portion of Clark's Beach, one weekend

1 per month, beginning in May of 2016 through October
2 of 2016, for a maximum of 50 divers per time. So
3 moved.

4 TRUSTEE ROBERTS: Second.

5 TRUSTEE PHILLIPS: I have a couple of
6 questions.

7 MAYOR HUBBARD: Sure.

8 TRUSTEE PHILLIPS: Are they going to be
9 providing us insurance coverage?

10 MAYOR HUBBARD: What's that?

11 TRUSTEE PHILLIPS: They're providing us
12 insurance coverage?

13 CLERK PIRILLO: Yes.

14 MR. PALLAS: Yes.

15 TRUSTEE PHILLIPS: I'm asking, because it's not
16 in here, and I didn't hear it discussed at work
17 session.

18 TRUSTEE ROBINS: I recall he did say that they
19 would be providing insurance at the work session.

20 TRUSTEE PHILLIPS: Okay.

21 Trustee ROBINS: And he gave us a --

22 MAYOR HUBBARD: Yes.

23 TRUSTEE ROBINS: -- presentation.

24 MAYOR HUBBARD: They're going to be doing
25 cleanup up there, and they're going to provide

1 insurance for the use of the property.

2 TRUSTEE PHILLIPS: Okay. Well, that's -- okay.
3 That's the agreement -- okay. It's just it's not
4 clear exactly what they're doing in this resolution.
5 I know we all discussed it at work session, but it's
6 just -- I just wish the resolution was a little
7 clearer, but that's okay.

8 TRUSTEE MARTILOTTA: If I may, one thing, I
9 think it's great. I think I'd love the divers to use
10 it. The thing that makes me uncomfortable is, is
11 that it's just not open to the -- for everyone to
12 use.

13 MAYOR HUBBARD: Correct. And we discussed that
14 at the work session, that when we -- when they're
15 going to have it open, we're going to know what
16 weekends they are, and we're going to try to open it
17 up and let the public know when it's going to be
18 there and be available to Village residents to use it.

19 TRUSTEE MARTILOTTA: Would it be possible for
20 us to craft this in such a way that that's all
21 together, you know what I mean? So we're allowing
22 them to use it, and Clark's Beach will be open on the
23 associated dates, or some way that we're allowing the
24 public to use it.

25 MAYOR HUBBARD: Right. I mean, we could do

1 that any time we want, because that's Village
2 property. We could open it up at any time we want.
3 You know, if we said, you know, that right now, we
4 wanted the month of August, we want to make the beach
5 available to everybody, we're allowed to do that at
6 any point.

7 TRUSTEE MARTILOTTA: Yeah. Just it makes me
8 uncomfortable that just --

9 MAYOR HUBBARD: Okay. That we're letting just
10 them use it and not regular Village residents?

11 TRUSTEE MARTILOTTA: Yes, sir. That's what I
12 was trying to say. Thank you.

13 MAYOR HUBBARD: Okay.

14 TRUSTEE ROBERTS: And I want to -- I'm sorry.
15 I want to echo Trustee Phillips' concern about lack
16 of documentation, and just point out that we have
17 until May. So is there a way for us to sort of call
18 the Divers Association and say, "Yes, we want to
19 support you," but let's get our ducks in a row and
20 follow Jack's suggestion and make a more
21 comprehensive plan for next spring and summer at
22 Clark's Beach.

23 MAYOR HUBBARD: Yeah. Well, you could table
24 the motion and we don't take action on it today. You
25 could table it if you want to put other wording into

1 it and try to do something else.

2 MR. PALLAS: The only thing I would ask is if
3 you could just let me know what information you need
4 and I'll contact them for you on this.

5 MAYOR HUBBARD: Yeah. Well, normally, when
6 somebody uses our property, we have a blanket
7 insurance policy. So it would just say that they're
8 going to be using our property, but they would have
9 their normal liability, as if they were using
10 Mitchell Park or whatever else.

11 MR. PALLAS: Yeah, I understood that. I
12 thought there was a part that -- it sounded like
13 there was more information than that.

14 TRUSTEE ROBINS: Could we add this?

15 ATTORNEY PROKOP: Well, there is a basic
16 agreement. It will be an indemnification and hold
17 harmless, and there's certain things that we need
18 from them. But that just flows out of this, it's
19 not -- it's normally in the resolution. It's up to
20 the Board.

21 TRUSTEE PHILLIPS: But the discussion when we
22 were at work session, and this brings up another
23 point, we did not -- if we're requiring -- we're
24 requiring them to have insurance coverage and then
25 we're opening it up to the public, is that something

1 they would agree to?

2 ATTORNEY PROKOP: The public would be covered
3 under our insurance. But we didn't discuss making
4 the public -- excuse me. We didn't decide to include
5 the public in this resolution for tonight. It's up
6 to the Board. It's up to the Board if they want to
7 amend it or table it to amend it.

8 MAYOR HUBBARD: Right. The reason we haven't
9 had it opened to the public in the past, because if
10 you're going to open it up for swimming and
11 everything else, you need facilities to have it as
12 that. We could open it up as being a walk area, or
13 whatever. We can't provide swimming and say there's
14 access to the water without bathrooms, running water
15 and the other stuff that we have down Sixth Street.
16 That's been -- that's been the biggest roadblock of
17 opening it up in the past. But if we open it up
18 as -- it's going to be open on this weekend and
19 you're -- it's available to go and do walks through
20 the area, or whatever. But to open it up and saying,
21 "You're allowed to use our beach up there," for
22 regular residents without facilities, we're not
23 allowed to do that.

24 TRUSTEE ROBERTS: Most of the town beaches
25 don't have facilities.

1 MAYOR HUBBARD: What's that?

2 TRUSTEE ROBERTS: Sixty-seven Steps has no
3 facilities and the Town seems to get by over there.
4 Just throwing it out there.

5 MAYOR HUBBARD: Yes. That's a typical road end
6 and everything else. This is was -- at the time they
7 wanted to make it so it was available for swimming
8 and everything else and we had push-back on it, so --

9 TRUSTEE ROBINS: Yeah. There's also not any
10 real parking there. I mean, it's right on the North
11 Road. People have to park their cars on the North
12 Road?

13 MAYOR HUBBARD: Oh, no. If it's open, you
14 drive inside. There's parking areas inside. If the
15 gate is open, you'd be going in there.

16 TRUSTEE ROBINS: And there is a sewage
17 discharge pipe going out there, too, correct?

18 MAYOR HUBBARD: That's a nonissue. That's out
19 in the water. It's 200 feet out, it's not an issue.

20 TRUSTEE ROBERTS: It's the cleanest effluent in
21 New York State, Julia.

22 TRUSTEE MARTILOTTA: Yes, it is.

23 MAYOR HUBBARD: Right.

24 TRUSTEE MARTILOTTA: I, personally, would be
25 more comfortable, Mr. Mayor, if we could craft this

1 in such a way that we're able to turn around to the
2 public and say, "Yes, we are supporting it," and I
3 think this is a great thing. But if we could then
4 say that it would open to the public as well on those
5 dates, that would make me much more comfortable.

6 MAYOR HUBBARD: Sure.

7 TRUSTEE MARTILOTTA: If that's something you're
8 comfortable with.

9 MAYOR HUBBARD: No, that's fine. I mean, that
10 was the intention. That's what we discussed, that we
11 say when it's going to be open, yes.

12 TRUSTEE MARTILOTTA: But I think -- you know,
13 what I mean? If we put this all together and put it
14 out there, I think the public would be much more
15 behind it.

16 MAYOR HUBBARD: That's fine.

17 TRUSTEE PHILLIPS: I'd be willing to --

18 MAYOR HUBBARD: Do you want to table this for
19 this evening and get --

20 TRUSTEE MARTILOTTA: Please.

21 MAYOR HUBBARD: Somebody give a motion table.

22 TRUSTEE PHILLIPS: I make a motion to table
23 RESOLUTION #10-2015-6.

24 TRUSTEE MARTILOTTA: Second.

25 MAYOR HUBBARD: All in favor on tabling

1 resolution -06 -- I mean -6?

2 TRUSTEE MARTILOTTA: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 TRUSTEE ROBERTS: Aye.

5 TRUSTEE ROBINS: Aye.

6 MAYOR HUBBARD: Aye.

7 Opposed?

8 (No Response)

9 That is tabled. Trustee Robins.

10 TRUSTEE ROBINS: Okay. RESOLUTION #10-2015-7,
11 RESOLUTION accepting the proposal as submitted by
12 LaserIndustries, Inc., for the replacement of
13 specified sidewalks and curbs in the Village of
14 Greenport, at a cost not to exceed \$88,600.00, per
15 the results of the formal bid opening on October 1st,
16 2015; and authorizing Mayor George W. Hubbard, Jr. to
17 sign the contract between the Village of Greenport
18 and Laser Industries, Inc. So moved.

19 TRUSTEE MARTILOTTA: Second.

20 MAYOR HUBBARD: All in favor?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBERTS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR HUBBARD: Aye.

1 that.

2 TRUSTEE ROBERTS: Second.

3 MAYOR HUBBARD: Okay. Discussion on the
4 amendment?

5 (No Response)

6 All right. All in favor of the amendment?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBERTS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 Motion carried.

15 Motion on the -- do I have a motion on the
16 resolution as a whole?

17 TRUSTEE PHILLIPS: So moved.

18 TRUSTEE ROBERTS: Second.

19 MAYOR HUBBARD: Second. All in favor of the
20 motion as a whole?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBERTS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR HUBBARD: Aye.

1 Opposed?

2 (No Response)

3 Motion carried.

4 TRUSTEE PHILLIPS: RESOLUTION #10-2015-9,
5 RESOLUTION authorizing the solicitation of the
6 following Requests for Proposals by the Village of
7 Greenport, and directing Clerk Pirillo to notice the
8 Requests for Proposals accordingly:

9 Financial auditing

10 Cleaning services

11 Information technology services, and

12 Insurance.

13 So moved.

14 TRUSTEE ROBERTS: Second.

15 MAYOR HUBBARD: All in favor?

16 TRUSTEE MARTILOTTA: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE ROBERTS: Aye.

19 TRUSTEE ROBINS: Aye.

20 MAYOR HUBBARD: Aye.

21 Opposed?

22 (No Response)

23 Motion carried.

24 TRUSTEE ROBERTS: RESOLUTION #10-2015-10,
25 RESOLUTION approving the request from the Railroad

1 Museum of Long Island to direct a letter from the
2 Village of Greenport to the Metropolitan Transit
3 Authority in support of the request of the Railroad
4 Museum of Long Island to include as part of the
5 Railroad Museum request to lease the property
6 directly north of the Railroad Museum building, which
7 is currently included in the lease agreement between
8 the Village of Greenport and Suffolk County, directly
9 from the Metropolitan Transit Authority. So moved.

10 TRUSTEE ROBINS: Second.

11 TRUSTEE ROBERTS: Brief discussion.

12 MAYOR HUBBARD: Go ahead.

13 TRUSTEE ROBERTS: Don, I support this. Get
14 your parking lot. Thanks for all the work you're
15 doing. I just have a concern about prioritization.

16 I sent an email a week ago asking that we send
17 a letter from the Mayor to Senator LaValle, so he
18 could help us find the \$5 million to connect Sandy
19 Beach on our sewer system. This is -- this is
20 important, but that's also important. So if I vote
21 for this, can we please send that letter tomorrow?

22 (Laughter)

23 MR. FISHER: Negotiations.

24 TRUSTEE ROBERTS: We just got to ask the guy
25 for help and go have a meeting, and it may work out

1 great for this Village.

2 MAYOR HUBBARD: Yeah, I got your demand for the
3 letter and everything else. I had not had time to
4 review it and go over it yet.

5 TRUSTEE ROBERTS: Fair enough.

6 MAYOR HUBBARD: We will get a letter sent to
7 Senator LaValle. I'll call him personally.

8 TRUSTEE ROBERTS: Thank you.

9 MAYOR HUBBARD: Any other discussion?

10 ATTORNEY PROKOP: Just I would like to see the
11 letter before it goes out, and to get your help in
12 the drafting of the letter. The only consideration
13 that I'd like to have with this, moving ahead with
14 it, is that the property is never -- I would like the
15 condition, if the property ceases to be used by the
16 Railroad Museum, that it reverts back to the Village,
17 so it stays within the Village control.

18 MAYOR HUBBARD: Okay. Well, work with the
19 Clerk on drafting a letter, then, and we'll review it
20 before it goes out. Any other discussion?

21 (No Response)

22 All in favor?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBERTS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 Motion carried.

6 TRUSTEE ROBINS: RESOLUTION #10-2015-11,
7 RESOLUTION accepting the resignation of James Fogarty
8 from the Village of Greenport Electric Department,
9 effective October 9, 2015. So moved.

10 TRUSTEE MARTILOTTA: Second.

11 MAYOR HUBBARD: All in favor?

12 TRUSTEE MARTILOTTA: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 TRUSTEE ROBERTS: Aye.

15 TRUSTEE ROBINS: Aye.

16 MAYOR HUBBARD: Aye.

17 Opposed?

18 (No Response)

19 Motion carried.

20 TRUSTEE MARTILOTTA: RESOLUTION #10-2015-12,
21 RESOLUTION hiring George Pope as an After-Care
22 Aide/Counselor for the Village of Greenport
23 Recreation Center, at a pay rate of \$9.00 per hour,
24 effective September 19, 2015. So moved.

25 TRUSTEE PHILLIPS: Second.

1 TRUSTEE ROBERTS: Second. Sorry.

2 MAYOR HUBBARD: All in favor?

3 TRUSTEE MARTILOTTA: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 TRUSTEE ROBERTS: Aye.

6 TRUSTEE ROBINS: Aye.

7 MAYOR HUBBARD: Aye.

8 Opposed?

9 (No Response)

10 Motion carried.

11 TRUSTEE PHILLIPS: Resolution #10-2015-13,
12 RESOLUTION authorizing Treasurer Brandt to perform
13 attached Budget Amendment #2275, to fund the gravel
14 replacement of Mitchell Park pathways, and directing
15 that Budget Amendment #2275 be included as part of
16 the formal meeting minutes for the October 22nd, 2015
17 regular meeting of the Board of Trustees. So moved.

18 TRUSTEE ROBERTS: Second.

19 MAYOR HUBBARD: All in favor?

20 TRUSTEE MARTILOTTA: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE ROBERTS: Aye.

23 TRUSTEE ROBINS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

1 (No Response)

2 Motion carried

3 TRUSTEE ROBERTS: RESOLUTION #10-2015-14,
4 RESOLUTION authorizing Treasurer Brandt to perform
5 attached Budget Amendment #2276 to fund Village
6 sidewalk and curb repair projects at Fourth Street,
7 South and Main Streets, the Adams Street Gazebo, and
8 Bay and Main Streets, and directing that Budget
9 Amendment #2276 be included as part of the formal
10 meeting minutes for the October 22nd, 2015 regular
11 meeting of the Board of Trustees. So moved.

12 TRUSTEE ROBINS: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 Motion carried.

22 TRUSTEE ROBINS: RESOLUTION #10-2015-15,
23 RESOLUTION to restrict the use of the Tall Ships 2015
24 event profit of \$58,659 for the purpose of funding
25 repairs at Mitchell Park. So moved.

1 TRUSTEE ROBINS: Second.

2 TRUSTEE PHILLIPS: I have one question.

3 MAYOR HUBBARD: Sure.

4 TRUSTEE PHILLIPS: The funding of repairs, does
5 that -- do we have a list of exactly what we plan on
6 using with that money, or is this going to be
7 included in the overall amount and kind of for the
8 daily day-to-day operations? Are we going to be
9 specific as to what we're going to use it for?

10 MAYOR HUBBARD: What we plan on doing is paint
11 and repair the rest of the doors down there and
12 putting some benches in the park.

13 TRUSTEE PHILLIPS: Okay.

14 MAYOR HUBBARD: If you have any other
15 suggestions, you could do it, but I think that will
16 take care of most of the money, and we'll have -- all
17 the doors will be working for next year.

18 TRUSTEE PHILLIPS: No.

19 MAYOR HUBBARD: And we'll have some new
20 benches.

21 TRUSTEE PHILLIPS: Right. I just don't want
22 the money go for --

23 MAYOR HUBBARD: No, it's not for bulkheads or
24 anything else. It's to do stuff --

25 TRUSTEE PHILLIPS: Okay.

1 MAYOR HUBBARD: -- that needs to be done right
2 now.

3 TRUSTEE PHILLIPS: Okay. Because that's why
4 I'm asking, that's all.

5 TRUSTEE ROBERTS: Boardwalk lights. Boardwalk
6 lights would be great.

7 MAYOR HUBBARD: Any other discussion?

8 (No Response)

9 All in favor?

10 TRUSTEE MARTILOTTA: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE ROBERTS: Aye.

13 TRUSTEE ROBINS: Aye.

14 MAYOR HUBBARD: Aye.

15 Opposed?

16 (No Response)

17 Motion carried.

18 TRUSTEE MARTILOTTA: RESOLUTION 10-2015-16,
19 RESOLUTION to restrict the use of Carousel year-end
20 revenue, net of expenses, for Carousel repairs and
21 improvements. So moved.

22 TRUSTEE PHILLIPS: Second.

23 MAYOR HUBBARD: All in favor?

24 TRUSTEE MARTILOTTA: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE ROBERTS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR HUBBARD: Aye.

4 Opposed?

5 (No Response)

6 Motion carried.

7 TRUSTEE PHILLIPS: RESOLUTION #10-2015-17,
8 RESOLUTION to take the unspent balance of \$37,675 in
9 the Length of Service Award Program budget expense
10 line and contribute it into the Volunteer Firefighter
11 Length of Service Award Program. So moved.

12 TRUSTEE ROBERTS: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 Motion carried.

22 TRUSTEE ROBERTS: RESOLUTION #10-2015-18,
23 RESOLUTION appointing Marjory Stevens as a member of
24 the Village of Greenport Carousel Committee. So
25 moved.

1 TRUSTEE ROBINS: Second.

2 MAYOR HUBBARD: All in favor?

3 TRUSTEE MARTILOTTA: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 TRUSTEE ROBERTS: Aye.

6 TRUSTEE ROBINS: Aye.

7 MAYOR HUBBARD: Aye.

8 Opposed?

9 (No Response)

10 Motion carried.

11 TRUSTEE ROBINS: RESOLUTION #10-2015-19,
12 RESOLUTION directing Clerk Pirillo to schedule, and
13 notice accordingly, a public hearing for November
14 30th, 2015 at 7:00 p.m. at the Third Street
15 Firehouse, Greenport, New York, 11944 regarding the
16 Wetlands Permit Application submitted by Costello
17 Marine Contracting as applicant for Nathaniel and
18 Emily Ewing for the property at 230 Fourth Street,
19 Greenport, NY, 11944 to construct a dock consisting
20 of a 4' x 28' catwalk decked with open-grate decking
21 leading to a 3'x 16' seasonal ramp and 8' x 24'
22 seasonal floating dock with a 4' x 6' access
23 platform. So moved.

24 TRUSTEE MARTILOTTA: Second.

25 MAYOR HUBBARD: All in favor?

1 TRUSTEE MARTILOTTA: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 TRUSTEE ROBERTS: Aye.

4 TRUSTEE ROBINS: Aye.

5 MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response)

8 Motion carried.

9 TRUSTEE MARTILOTTA: RESOLUTION #10-2015-20,
10 RESOLUTION directing the Conservation Advisory
11 Council to review the Wetlands Permit Application
12 submitted by Costello Marine Contracting as applicant
13 for Nathaniel and Emily Ewing for the property at 230
14 Fourth Street, Greenport, NY, 11944 to construct a
15 dock consisting of a 4'x 28' catwalk decked with
16 open-grate decking leading to a 3'x 16' seasonal ramp
17 and 8'x 24' seasonal floating dock with a 4'x 6'
18 access platform, and directing the Conservation
19 Advisory Council to provide the corresponding report
20 to the Village of Greenport Board of Trustees by
21 November 12th, 2015. So moved.

22 TRUSTEE PHILLIPS: Second.

23 MAYOR HUBBARD: All in favor?

24 TRUSTEE MARTILOTTA: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE ROBERTS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR HUBBARD: Aye.

4 Opposed?

5 (No Response)

6 Motion carried.

7 TRUSTEE PHILLIPS: RESOLUTION #10-2015-21,
8 RESOLUTION amending Resolution #07-2015-23 from the
9 23rd -- July 23rd, 2015 regular meeting of the
10 Village of Greenport Board of Trustees, to amend the
11 start time of the annual Homecoming Parade to
12 4:30 p.m., instead of 5:30 p.m., as requested by the
13 Greenport High School, on October 8th, 2015. So
14 moved.

15 TRUSTEE ROBERTS: Second.

16 MAYOR HUBBARD: All in favor?

17 TRUSTEE MARTILOTTA: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 TRUSTEE ROBERTS: Aye.

20 TRUSTEE ROBINS: Aye.

21 MAYOR HUBBARD: Aye.

22 Opposed?

23 (No Response)

24 Motion carried.

25 TRUSTEE ROBERTS: RESOLUTION #10-2015-22,

1 RESOLUTION authorizing Village Attorney Prokop to
2 commence legal proceedings related to the engineering
3 and design portions of Upgrade I and Upgrade II of
4 the Village of Greenport Power Plant. So moved.

5 TRUSTEE ROBINS: I'm going to ask Joe Prokop --

6 MAYOR HUBBARD: Hang on, we need a second
7 first.

8 TRUSTEE ROBINS: Second.

9 MAYOR HUBBARD: Okay. Discussion?

10 TRUSTEE ROBINS: I was going to ask Attorney
11 Prokop to clarify that a little bit. I'm confused on
12 the Upgrade I and Upgrade II part of this.

13 ATTORNEY PROKOP: I have a suggestion that we
14 -- of the upgrade, that the language of the motion --
15 excuse me -- the language of the resolution is
16 changed to the engineering and design portions of the
17 upgrade of the Village of Greenport power plant so
18 it's not specific to I or II, because there is --
19 there has always been a question about what is I and
20 what is II, and how they're related. So it would be
21 my preference -- my recommendation that the reference
22 to I and II is taken out, if that answers your
23 question.

24 TRUSTEE ROBINS: Yeah.

25 TRUSTEE PHILLIPS: So you need to amend that

1 motion?

2 ATTORNEY PROKOP: So it would be an amendment
3 to the motion, yes, a motion to amend the resolution.

4 TRUSTEE PHILLIPS: I'll make a motion to amend
5 RESOLUTION #10-2015-22 to read the following:

6 RESOLUTION authorization Village Attorney
7 Prokop to commence legal proceeding related to the
8 engineering and design portions of the upgrade of the
9 Village of Greenport -- Village of Greenport Power
10 Plant.

11 TRUSTEE ROBINS: Upgrades.

12 TRUSTEE PHILLIPS: Is that how you want me to
13 read it?

14 TRUSTEE ROBINS: Upgrades of the Village.

15 TRUSTEE PHILLIPS: Upgrades?

16 ATTORNEY PROKOP: Upgrades.

17 TRUSTEE PHILLIPS: So moved.

18 MAYOR HUBBARD: Is there a second?

19 TRUSTEE ROBINS: Second

20 MAYOR HUBBARD: Second on the amendment -- I
21 mean, all in favor of the amendment?

22 TRUSTEE MARTILOTTA: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 TRUSTEE ROBERTS: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR HUBBARD: Aye.

2 Opposed?

3 (No Response)

4 The amendment carries.

5 Motion on the resolution as a whole.

6 TRUSTEE ROBERTS: I wanted to ask about the
7 budget here. I mean --

8 MAYOR HUBBARD: Is that the what?

9 TRUSTEE ROBERTS: I just wanted to ask about
10 the budget. You discussed this at the work session.
11 My apologies, but litigation could be very expensive.
12 So what are we voting on tonight? What action are we
13 voting on tonight? Is this everything, so
14 everything, you know, can go to trial?

15 ATTORNEY PROKOP: No. This is -- this is an
16 authorization -- I consider -- if you're asking me,
17 Trustee Roberts, I consider this to be an
18 authorization to start the work necessary
19 specifically to -- for litigation, without -- I don't
20 want to discuss the trial strategy in public, and I
21 don't want -- please don't ask me to do that, but
22 what we're doing is -- and I'm responding to
23 questions that were asked before. The -- I had -- I
24 have assembled all of the paperwork in forms of -- in
25 the form of the contracts and the scope of the work

1 that was to have been done.

2 We do have reported deficiencies, which came
3 from A & F Testing, which the Village has discussed
4 receipt and discussed previously. I'm working now on
5 assembling that, the information for those agreements
6 with Village Administrator Pallas to develop the
7 litigation. At that point, I will be able to develop
8 a -- what I consider a reasonable timeline and budget
9 for the Board.

10 TRUSTEE ROBERTS: Oh. So, in other words, this
11 is not a blank check, there would be another
12 resolution if we were to take further action?

13 MAYOR HUBBARD: This is basically just
14 answering what we told the Attorney to send letters
15 to the contractors, and he had a certain time frame
16 to respond back to us. He has not responded back to
17 us and this is taking the next step.

18 ATTORNEY PROKOP: Right, and --

19 MAYOR HUBBARD: I believe there's language in
20 there that the maximum he could be sued for was a
21 certain dollar amount, so we're not going to spend
22 that amount of money to get nothing back. But we're
23 just taking the next step, because he did not respond
24 back to our formal letters.

25 TRUSTEE ROBERTS: Okay. Thank you.

1 MAYOR HUBBARD: Any other discussion?

2 (No Response)

3 All in favor?

4 TRUSTEE MARTILOTTA: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 TRUSTEE ROBERTS: Aye.

7 TRUSTEE ROBINS: Aye.

8 MAYOR HUBBARD: Aye.

9 Opposed?

10 (No Response)

11 Motion as a whole carries.

12 TRUSTEE ROBINS: RESOLUTION #10-2015-23,
13 RESOLUTION accepting the donation of Engine 33 from
14 William James Mills, III to the Village of Greenport
15 Fire Department, with the condition that "in no event
16 shall the truck be disposed of without the unanimous
17 affirmative vote of the Board of Fire Wardens, as
18 well as the then Captains of each company," per the
19 written request by William James Mills, III. So
20 moved.

21 TRUSTEE MARTILOTTA: Second.

22 MAYOR HUBBARD: All in favor?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBERTS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 Motion carried.

6 TRUSTEE MARTILOTTA: RESOLUTION #10-2015-24,
7 RESOLUTION allowing the second Annual Greenport
8 Turkey Trot to begin in Mitchell Park on Thanksgiving
9 morning, November 26, 2015 at 7:30 a.m., with the 5KM
10 race course to proceed through the streets of the
11 Village of Greenport and to end in the Sterlington
12 Commons Shopping Plaza by 10:30 a.m. So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR HUBBARD: All in favor?

15 TRUSTEE MARTILOTTA: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBERTS: Aye.

18 TRUSTEE ROBINS: Aye.

19 MAYOR HUBBARD: Aye.

20 Opposed?

21 (No Response)

22 Motion carried.

23 TRUSTEE PHILLIPS: RESOLUTION #10-2015-25,
24 RESOLUTION accepting the resignation of Patrick
25 Lofthouse for the Village of Greenport Carousel

1 Committee, effective October 15th, 2015. So moved.

2 TRUSTEE ROBERTS: Second.

3 MAYOR HUBBARD: All in favor?

4 TRUSTEE MARTILOTTA: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 TRUSTEE ROBERTS: Aye.

7 TRUSTEE ROBINS: Aye.

8 MAYOR HUBBARD: Aye.

9 Opposed?

10 (No Response)

11 Motion carried.

12 TRUSTEE ROBERTS: RESOLUTION #10-2015-26,
13 RESOLUTION approving all checks per the Voucher
14 Summary Report dated October 16, 2015; in the total
15 amount of \$1,322,091.96 consisting of:

- 16 o All regular checks in the amount of
- 17 \$532,111.00, and
- 18 o All prepaid checks (including wire
- 19 transfers) in the amount of \$789,980.96.

20 So moved.

21 TRUSTEE ROBINS: Second.

22 MAYOR HUBBARD: All in favor?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBERTS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 Motion carried.

6 I'll offer a motion to adjourn at 9:39.

7 TRUSTEE ROBINS: Second.

8 TRUSTEE MARTILOTTA: Second.

9 MAYOR HUBBARD: All in favor?

10 TRUSTEE ROBERTS: I vote to make a brief
11 statement, if I may.

12 Citizens of Greenport Village, at last month's
13 Village Board meeting, Trustee Martilotta and I
14 proposed a resolution removing the free health care
15 compensation worth \$22,000 offered to the Mayor and
16 Trustees of this Village. As you know, the
17 resolution was voted down 3-2. The dialogue in
18 advance of the vote indicated that some of my
19 colleagues on this Board agree with the spirit of the
20 resolution, but decided to vote against it, in part
21 because of my posts -- posts on Facebook. We, and
22 myself included, need to find a more productive way
23 to cooperate and effect real change for our Village,
24 and I'm committed to it.

25 Look, I'm not a politician. I'm a dad who

1 cares about the community where I'm raising my child.
2 I ran for the Board to try to make a difference. I
3 know it's going to be a tough road. I was elected
4 because my campaign pushed for a change in how things
5 are done at Village Hall, to increase the public's
6 asset -- access to information about its government,
7 and to root out cronyism and corruption. I never
8 thought this would be easy, and I expected to have to
9 ruffle some feathers and take some licks.

10 I'm disappointed that my wife and young
11 daughter were used as pawns in a political issue, but
12 I'm prepared to take my licks from the establishment
13 as I work hard to carry out my commitments to you
14 folks, to the people who put me in office here.

15 I want to say thank you to everybody who came
16 up to me in the park, at the IGA, or elsewhere around
17 town to offer words of support. The "Attaboys" were
18 nice to hear. But I also had a few people ask, "Are
19 you going to give up?" And here's what I want to say
20 to everybody in Greenport watching tonight at home
21 and here. I will not stop asking tough questions. I
22 will not stop fighting to end the cronyism. I will
23 not give up. I've got 3 1/2 years left in this
24 office. I will keep the heat on until we see --
25 until we see real change in how this Village does

1 business.

2 My response to the events that unfolded at the
3 last meeting is, I've got nothing to hide, got no
4 skeletons in the closet. I didn't run for this
5 office for any personal gain. And I'm optimistic
6 that rational -- rational, reasonable positions on
7 the issues and solid ethical behavior, not personal
8 attacks or political maneuvering, will eventually
9 carry the day.

10 This Board is currently on the road to
11 perpetual discord unless we figure out how to work
12 together. I mean, we had a four-to-one vote on
13 Monday Night Dances. Some voted against it because,
14 I don't know, maybe because I was the liaison, I'm
15 not sure. I think we owe it to the people of this
16 Village to engage in real dialogue on how we can meet
17 in the middle, and I am committed to trying to figure
18 that out with all of you.

19 You don't have to like me or my style, but if
20 we agree on something, let's find the common ground
21 and let's get good things done for the people of this
22 Village, they're asking us for it, they're desperate
23 for it. Let's keep our families out of it. Let's
24 rise above the personal attacks.

25 Thank you for listening. Thank you, the people

1 of this great Village, for the privilege of being
2 your Trustee. Thank you.

3 TRUSTEE MARTILOTTA: Actually, can I say just
4 30 seconds or less?

5 MAYOR HUBBARD: Go right ahead.

6 TRUSTEE MARTILOTTA: I did want to say -- last
7 week it came up. I should have spoken to it last
8 week, I couldn't. I've been in a pretty big car
9 accident. I wanted to let everybody know that we get
10 health care in my family, we get it through my wife's
11 plan -- it had come up and I just didn't respond to
12 it last week -- to which we pay into. That's part of
13 my wife's compensation.

14 Additionally, I do also want to make sure to
15 let everybody know I also get it through the VA,
16 again, part of the contract I signed up for. So when
17 Mr. Hubbard said, and it was a fair statement, that I
18 do get subsidized health care, I do, but I just
19 wanted to make sure that I said where it did come
20 from. And that was it. That's it.

21 TRUSTEE ROBERTS: After what you did for us,
22 for this country, dodging bullets over there, you
23 deserve every ounce of health care you get from the
24 taxpayers.

25 TRUSTEE MARTILOTTA: Well, be that as it may, I

1 just wanted to make -- you know, I wanted to make
2 sure I got it out there. So that was it. I'm good.
3 Thank you, sir.

4 MAYOR HUBBARD: Okay. I hope you take your own
5 advice, Doug.

6 Motion to adjourn. All in favor?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBERTS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 Motion carried.

15 (Whereupon, the meeting was adjourned at 9:41 p.m.)
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VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2016 Period: 10 Trans Type: B2 - Amend Status: Batch
 Trans No: 2276 Trans Date: 10/07/2015 User Ref: ROBERT
 Requested: P. PALLAS Approved: Created by: ROBERT 10/07/2015
 Description: TO APPROPRIATE CAPITAL RESERVE FOR VILLAGE SIDEWALK AND CURB
 REPAIRS AT FOURTH STREET, SOUTH AND MAIN STREET, ADAM STREET
 GAZEBO, AND BAY AND MAIN STREET. Account # Order: No
 Print Parent Account: No

Account No.	Account Description	Amount
A.5990	APPROPRIATED FUND BALANCE	88,600.00
A.8843.900	TRANSFER TO CAPITAL..	88,600.00
H.2816.500	TRANSFER FROM GENERAL..	88,600.00
H.5110.200	ROAD CONSTRUCTION..	88,600.00
Total Amount:		354,400.00