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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

November 25, 2019
7:00 P.M.

B E F O R E:

GEORGE HUBBARD, JR. - MAYOR

JACK MARTILOTTA - DEPUTY MAYOR

PETER CLARKE - TRUSTEE

MARY BESS PHILLIPS - TRUSTEE

JULIA ROBINS - TRUSTEE

JOSEPH PROKOP - VILLAGE ATTORNEY

SYLVIA PIRILLO - VILLAGE CLERK

PAUL PALLAS - VILLAGE ADMINISTRATOR

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

2 MAYOR HUBBARD: Call the meeting to order
3 with the Pledge to the Flag.

4 (All Stood for the Pledge of Allegiance)

5 MAYOR HUBBARD: Please remain standing for
6 a moment of silence for Barbara Anne Armstrong-Gleason,
7 Robert Burns, Arthur S. Gibbons, Raymond R. Huntington,
8 Mary Wheeler Doroski McCafferty, Joseph Cherepowich,
9 and William Francis Claudio.

10 (All Remained Standing for a Moment of Silence)

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

13 Okay. I've got quite a few announcements.
14 The Village Offices will be closed on
15 November 28th, 2019 and November 29th, 2019 in
16 celebration of Thanksgiving.

17 The annual Parade of Lights has been
18 scheduled for December 7th, 2019, beginning at
19 5 p.m.

20 The annual Menorah Lighting has been
21 scheduled for December 22nd, 2019, beginning at
22 5 p.m.

23 The Village Offices will be closed at
24 12 noon on December 24th, 2019, and will be
25 closed for the entire day on December 25th, 2019

1 in celebration of Christmas.

2 A thank you to Frank and Phyllis Musto and
3 their Family for the donation of this year's
4 Christmas tree in Mitchell Park. It's a
5 beautiful tree that's set up. The rest of the
6 decorations will be getting put up going on this
7 week and next week, so it will be all set to go.
8 And it's a very beautiful tree, and I want to
9 thank them especially for that.

10 All right. At this point, we have a
11 presentation of the Wastewater Treatment System
12 Asset Management Program. We have Tim Taber
13 here. Come on up to the podium with Paul Pallas.

14 And this is a program that with the upgrade
15 to the sewer treatment plant, they've start
16 collecting data and doing work on that. That's
17 my brief description of what it is, and I'll let
18 the experts take over from there.

19 MR. PALLAS: Thank you, Mayor. As the
20 Mayor said, this is -- and I had mentioned at
21 last, last week's meeting, that this is an Asset
22 Management Program, a fully computerized system
23 for the wastewater treatment system as a whole,
24 not just the plant, but the pipes and manholes
25 and all of that.

1 It's a grant project that was funded by the
2 DEC, and it's -- I had mentioned last week I'm
3 very impressed with the system and very -- I
4 think it's a good, a good program for us to be
5 involved in.

6 Tim Taber is here from Barton and
7 Loguidice, who's been instrumental in this whole,
8 in this whole process in -- you know, I thank the
9 Mayor for his support on this project.

10 Additionally, myself, that have worked on
11 it, staff-wise, our Engineering Aide, Matt
12 Lasorsa, who has provided engineering support for
13 the program, our Chief Operator, Adam Hubbard,
14 our Operator, Dan King, the Treasurer, Robert
15 Brandt, and the Deputy Treasurer, who were
16 involved from the financial aspect of it and the
17 rate-making aspect of the, of the process.

18 And with that, I will turn it over to Tim.

19 MR. TABER: Thank you, Paul. So I'm just
20 going to briefly go through a presentation, which
21 is in the packet you have there. The packet you
22 have there I'll explain the contents.

23 The first part is an executive summary of
24 your asset management plan, so I encourage you to
25 read that. It really covers really good

1 information about your wastewater infrastructure
2 here in the Village, and all the data and
3 information we collected about -- as part of the
4 project. There is some guidance documents from
5 EPA and DEC in there. And then the very back of
6 that packet is this presentation that I'm going
7 to cover right now, a few of the slides in.

8 So the presentation, the agenda, I'm going
9 to just give a brief overview of the pilot
10 program, why asset management is important. So
11 Paul and I will cover some of that, the state of
12 the assets, the wastewater infrastructure assets
13 here in the Village, talking about the critical
14 infrastructure and managing that, and maintaining
15 the levels of service.

16 So a little overview of the pilot program.
17 The pilot program started a few years ago. The
18 New York State DEC, in conjunction with the EFC,
19 decided that they really think municipalities
20 should be doing a little bit more in managing
21 wastewater infrastructure assets here in New York
22 State, so they put out information about this
23 program. Eighty-six municipalities across the
24 state applied to participate in this program, 10
25 were selected. So the Village of Greenport was

1 lucky that it was selected to participate. The
2 DEC was looking to incorporate municipalities,
3 all different types, sizes and regions across the
4 state. So this is the only municipality on Long
5 Island that's part of the program.

6 It's a multi-year, a four-year project.
7 We're in year 2 1/2. And as part of that, we've
8 implemented asset management practices for all 10
9 municipalities across the state.

10 So there's been no cost to the Village of
11 Greenport to participate in this program. The
12 State has provided all of the services or all of
13 the consulting team services. Included with
14 those services is we conducted a comprehensive
15 inventory of all of the wastewater assets here
16 for the Village. That included mapping all of
17 the collection system assets. So every pipe in
18 the ground and every manhole, we went out and
19 GPS-located it. The State also provided software
20 that we used as the backbone as the data --
21 database for the project.

22 So the software selected by the State is a
23 product called IBM Maximo. We also provided
24 training to the Village Staff on how to use that
25 program, and that is used to keep an inventory of

1 the assets, preventive maintenance schedules,
2 manage the condition of assets, and do all of the
3 reporting and analysis.

4 Also, as part of the work we did, we did a
5 criticality assessment where we looked at each
6 asset, and the Village has over 1,000 assets,
7 wastewater infrastructure assets, and we
8 determined the criticality of each one.

9 We also did a sewer rate study, looking at
10 the sewer rates that are charged for sewer
11 services, wastewater services, compared that with
12 all the municipalities in the state, and looked
13 at a long-term model to see if the appropriate
14 revenue was being collected to sustain the levels
15 of service and keep the infrastructure in good
16 condition. And then all of that's summarized in
17 the Asset Management Plan document, which Paul
18 has over there, and the executive summary, which
19 you guys all have.

20 The approach and asset management model we
21 used is an EPA and international model that's
22 focused on what's called the five core questions
23 of asset management, and, essentially, this model
24 poses five questions to any organization. And if
25 your organization could adequately answer these

1 questions, it demonstrates that you have good
2 asset management practices in place.
3 So the five questions are what's the current
4 state of your assets? Which assets are critical
5 to providing the services? What's your required
6 sustainable levels of service? What's your best
7 operation and maintenance and capital improvement
8 strategies? And what's your long -- best
9 long-term funding strategy? So all of the work
10 we did through State with the Village was in an
11 effort to be able to answer these questions, and
12 how the Village can adequately and confidently
13 answer all these questions.

14 MR. PALLAS: So one of the -- one of things
15 when this was first brought to us is I was asking
16 myself why would I want to be involved in this,
17 and I've always believed that you should be
18 proactive instead of reactive. It saves you a
19 tremendous amount of money and heartache, and I
20 wanted to bring that, that here. You can better
21 manage lifestyle -- life cycle costs, and it can
22 apply to other Village Departments.

23 When we first started this, when I started
24 seeing some of the programs that they offer, I
25 asked a very simple question, "Can I use this for

1 any infrastructure?" And they said, "Of course.
2 You just have to change a title here and there."
3 So we can expand this into other, other
4 departments. The system will provide all the
5 tools necessary to do that, and to be, as I said,
6 proactive instead of reactive.

7 MR. TABER: So just a little bit of a
8 summary of what some of the results are. We
9 looked at the total count of assets and we kind
10 of organized it into three main types of assets.
11 So we have the collection system, which was all
12 of the pipes and manholes, which are pretty much
13 your buried infrastructure here in the Village.
14 There is 507 collection system assets. We have
15 the assets in the pumping stations, which are
16 remote around the Village, and used to pump the
17 wastewater to the treatment plant. There's 176
18 components of the various eight pump stations.
19 And then we looked at the treatment plant itself,
20 and there is 300 assets over at the treatment
21 plant, and that makes up the buildings, the
22 pumps, the motors, the screens, the tanks, and
23 all of those components.

24 If we looked at replacement costs for all
25 of that infrastructure that the Village owns,

1 just in the collection system, it's close to
2 \$34 million in 2017 dollars if you had to replace
3 all of your sewers and manholes. The pump
4 station is about 1.2 million, and the treatment
5 plant, close to \$16 million in replacement costs
6 that --

7 TRUSTEE ROBINS: Excuse me. Did you say 15
8 or 50? She was opening the door.

9 MR. TABER: At the -- at the treatment
10 plant?

11 TRUSTEE ROBINS: Yeah, yes.

12 MR. TABER: It's 15.8 million.

13 TRUSTEE ROBINS: Okay. Thank you.

14 MR. TABER: Yeah. So Paul's going to talk
15 a little bit about your assets.

16 MR. PALLAS: Before I go into some of just
17 the highlights of the major components, I did
18 want to introduce Adam Hubbard, who I mentioned
19 is the Chief Operator of the Wastewater Treatment
20 Plant. I just want to point him out to
21 everybody.

22 MR. HUBBARD: Good evening.

23 TRUSTEE CLARKE: Welcome.

24 MR. PALLAS: So if there's a problem, see
25 him.

1 (Laughter)

2 MR. TABER: And I guess while we're
3 introducing people, Alyssa from the DEC just
4 joined us as well, so she has been part of this
5 program as well.

6 MR. PALLAS: In the slides, on the ten
7 things -- the tenth slide is a simplified process
8 system diagram. It lists some of the major
9 components in this system, from the headworks
10 through the BNR basins, what they call a
11 secondary treatment area, the solids handling and
12 disinfection components.

13 The first picture in the slide set is of
14 the BNR basins. The BNR basins are the first
15 component after the headworks, the first major
16 component that wastewater hits before it
17 continues on its way.

18 And just again, another close-up of the BNR
19 basin. And, basically, it's a -- these are
20 rotating drums that, I guess, aerate is the right
21 way to describe it, to keep the process moving.

22 The next set of slides is two large -- that
23 look like fuel oil tanks, is what they look like,
24 but they're what's known as clarifiers. In the
25 clarifiers is where the solids settle out, and

1 the liquid that's on the top then heads on its
2 way to the UV disinfection part of the system
3 before it heads out into the Sound. And, again,
4 just another picture of the clarifiers.

5 Our pump stations, we have eight
6 Village-owned pump stations. In this slide, in
7 each pump station it lists the number of assets,
8 specific singular assets at each pump station.
9 Every pump station is slightly different,
10 depending on what happens there and what the
11 needs are in any particular pump station. For
12 example, the one at the hospital has the most
13 components, because it has things like gas
14 detection, blowers, and what's called a
15 comminutor, if I could say that correctly.

16 (Laughter)

17 ADMINISTRATOR PALLAS: In the collection
18 system, the system total consists of a little
19 over 17 miles of pipe, both pressure main and
20 gravity main. A large majority of that pipe
21 dates back to the 1920s and 1930s.

22 MR. TABER: So that buried infrastructure,
23 the buried pipe in the ground, dating back to the
24 '20s and '30s, is one of the biggest challenges
25 with any municipality that owns wastewater

1 infrastructure, because it's out of site, out of
2 mind. You're not sure what condition it's in.
3 You're not sure how much life might be remaining
4 in those pipes. They might last another 50 years
5 without any headaches, or tomorrow you might
6 start seeing some failures to your pipes. So
7 it's one of the largest challenges and one of the
8 big reasons why New York State wanted this
9 program and is continuing to support this
10 program.

11 So here in Greenport we looked at the pipes
12 by diameter and the different materials. Most of
13 the pipes you have in your system are a vitrified
14 clay tile pipe, which was very common material
15 that was installed in that time period. More
16 common, the newer materials being used for pipes
17 being installed today is PVC, and you don't have
18 any PVC pipes in your system, I don't think,
19 except for some new ones.

20 MR. HUBBARD: Repairs would be.

21 MR. TABER: Yeah, just some of the repairs.
22 You do have a little bit of cast iron pipe in
23 some of the larger diameter. And then the
24 pressure pipes, which are the force mains, most
25 of that is cast iron, and then there is a little

1 bit of PVC pipe in the system.

2 If we were to look at this chart that says
3 "Managing Our Critical Assets, Percent Life
4 Consumed," just the chart, one of the things we
5 did is we looked at all of the assets that the
6 Village owns, and tried to figure out how much
7 life might be remaining in them, so you know when
8 they need to be invested in, either rehabilitated
9 or replaced. You could see that at the treatment
10 plant, a large percent or a large value of assets
11 actually only has 5% of life consumed, relatively
12 new. That's a result of the 2011 major upgrade
13 there. That means most of the assets at the
14 treatment plant have 95% of their life remaining.
15 So you shouldn't need to make any major
16 investments in the treatment plant.

17 But if you look at the collection system, a
18 lot of the assets show about 85 to 95% of their
19 life consumed. That's because those pipes in the
20 ground were put in in the '20s and '30s. The
21 expected life of vitrified clay is about 100
22 years. That doesn't mean it's going to fail
23 right at 100 years. Some of those pipes might
24 last 140 years without any headaches, 150 years.
25 Some of them already failed. So there's no set

1 number that each pipe is going to fail, but it
2 just shows you that they're getting old and
3 you're probably going to need to start
4 investigating your collection system, which I
5 know you have some projects going on now doing
6 some investigation, and then rehabilitation and
7 replacements necessary.

8 Going on to the next slide, where it says,
9 "Managing Our Critical Assets", one of the things
10 we did is we did a criticality analysis of every
11 asset that the Village owns, wastewater asset,
12 and the way we did that is we looked at what the
13 consequence would be if a particular asset
14 failed. So consequences would be disruption for
15 the community, violation of regulatory permits,
16 cost, other types of consequences. And then we
17 looked at how likely that is to happen for each
18 asset, and that likelihood is really driven by
19 the condition and age of the asset. So assets
20 that are highly likely to fail, so they're old,
21 they're in poor condition, and have a big
22 consequence if they do fail, are the ones that
23 pose the Village the most risk. So, fortunately,
24 our analysis show that you only actually have one
25 asset in the most critical high risk scenario.

1 The one asset is just an electric panel at one of
2 your major pump stations, which is actually
3 scheduled for replacement, so that's being done.

4 A lot of the other risk that we determined
5 was related to the older sewer system, which,
6 again, we had to sort of assume the condition of
7 those pipes. There's no way for us to see them
8 and to know how much life is remaining. A more
9 thorough sewer system evaluation, which I know is
10 ongoing, will help you really fine tune where the
11 risks are. But, overall, your risk matrix
12 actually was one of the best of all the 10
13 municipalities here, you didn't show a lot of
14 risk. Probably a lot of that was due to the 2011
15 big upgrade at the treatment plant.

16 Looking at the next slide there, "Managing
17 Our Critical Assets", it shows in 2017 dollars,
18 when the Village had made significant investments
19 in wastewater infrastructure. So you could see
20 the first investments, the first sewer systems
21 were put in here in about 1925 to 1930. Between
22 1935 and 1940, there has been another big
23 investment made, and, again, that's mostly in the
24 collection system. And then you could see
25 various smaller investments made over years. And

1 then the 2011 big upgrade at the treatment plant
2 is the next big investment that shows. So that
3 just shows over time how much investment in 2017
4 dollars has been made.

5 Another critical aspect of the Asset
6 Management Program was to really identify the
7 levels of service that the Village is managing
8 its wastewater infrastructure to. So we worked
9 with a team, came up with the different
10 categories of service that's being provided,
11 system reliability, meeting regulatory
12 compliance, public and employee health and
13 safety, fiscal, and public confidence that the
14 Village is doing a good job managing its system.
15 And from those levels of service, that's the
16 criteria we use to establish the consequences of
17 each asset failing.

18 MR. PALLAS: As part of our commitment to
19 this process, we developed the statement, Level
20 of Service Statement. I'm just going to read it,
21 it's brief.

22 "The Village of Greenport strives to
23 provide excellent customer service through the
24 management and reduction of infiltration and
25 inflow, energy-efficient operations, and the

1 implementation of proven fiscal management
2 practices. The Village aims to increase
3 operational efficiencies and capital delivery
4 effectiveness while achieving a perfect track
5 record of compliance."

6 MR. TABER: So with that level of service
7 in mind, the whole Asset Management Plan was laid
8 out to help the Village manage to that. And,
9 again, as I mentioned earlier, one of the things
10 that was done was the comprehensive sewer rate
11 analysis, a sewer rate study, and that looked at
12 what you currently charge for sewer rates. It
13 compared to the affordability index from EPA, and
14 also to the other municipalities in the program,
15 and also compared that to forecasted capital
16 investments the Village needs to make.

17 So all that information was provided, and
18 it actually looked pretty good for the Village.
19 There was no major recommended increases in sewer
20 rates. But there is the goal of continuously
21 looking at that, and making sure that you're
22 bringing in enough revenue to maintain the
23 infrastructure to meet those levels of service.

24 In addition, a long-term capital
25 improvement program was put together, so we

1 looked at 25 years of all the assets to look when
2 investments need to be made, and, again, that was
3 used as an input to the sewer rate study.

4 So the goal, now that this program is in
5 place, is to not make it static, to keep it
6 evolving, to keep improving the information. All
7 of the data and tools that were used to develop
8 all of this have been turned over to the Village,
9 so that they can keep the asset inventories up to
10 date, the condition of the assets, and then also
11 make sure that the infrastructure is being
12 properly operated and maintained.

13 MR. PALLAS: That's the presentation. I'll
14 certainly entertain any questions that anybody
15 might have.

16 MAYOR HUBBARD: Any questions?

17 TRUSTEE ROBINS: I think it was a great
18 presentation, by the way, and I feel quite
19 reassured to hear this. I think it was
20 professionally prepared, and I'm going to
21 definitely read the -- review what was provided
22 to the Board, so thank you.

23 MR. TABER: Thank you. Thanks. Have a
24 great Thanksgiving, everybody.

25 MAYOR HUBBARD: Okay. All right. You,

1 too. Thank you very much.

2 MAYOR HUBBARD: Okay. Next, we have a
3 public hearing, Proposed amendment to Chapter 132
4 (Vehicles and Traffic) Section 54A, Schedule XVI
5 (Limited Time Parking) of the Village of
6 Greenport. There are maps available. This has
7 been posted on the website, I believe.

8 MR. PALLAS: The maps haven't been, but we
9 will --

10 MAYOR HUBBARD: The maps haven't, but --

11 ADMINISTRATOR PALLAS: We will do that. We
12 should be able to do that tomorrow.

13 I do just want to point out, there was one
14 error in the Local Law. It was my error, the --
15 for Adams Street, I noted it as the -- as the
16 north side, and it should have been the south
17 side. It's just a one-word change that we'll
18 implement.

19 MAYOR HUBBARD: Okay. All right. Well, if
20 the public hasn't really seen this, it's hard to
21 have a public hearing without everybody seeing it
22 ahead of time. I know --

23 MR. PALLAS: The law was posted.

24 CLERK PIRILLO: The law was posted.

25 ADMINISTRATOR PALLAS: The law was posted

1 on the website

2 MAYOR HUBBARD: The law was posted, okay.

3 ADMINISTRATOR PALLAS: I'm sorry.

4 MAYOR HUBBARD: All right. The only major
5 change on this is a lot of it is all changing the
6 timed parking spots. Instead of 8 a.m. to
7 6 p.m., it's changing it to 10 a.m. to 8 p.m.,
8 because, usually, first thing in the morning,
9 there is not a lot of congestion, and it
10 doesn't -- it doesn't really need to be checked
11 and enforced. But in the evenings, it's harder
12 for that. So we're trying to keep the people
13 moving and circulating until 8 p.m., which we
14 would be enforcing that code to that point.

15 The others, a couple of minor changes.
16 One's spots behind Front Street Station were
17 30-minute spots when it was a dry cleaner, but
18 it's no longer a dry cleaner, those are changed
19 to two-hour spots?

20 MR. PALLAS: Yes.

21 MAYOR HUBBARD: Two-hour spots there. So
22 if somebody is dining or doing whatever, gets to
23 park there and walk down to the Village and back,
24 thirty minutes didn't really leave enough time.
25 And the rest of it is really just kind of

1 coordinating. Instead of 30-minute, one-hour,
2 two-hour spots, coordinate everything and make
3 most -- a general area all 30-minute, or
4 one-hour, or two-hour, and eliminating the spots,
5 like there's two spots were 30-minute, and the
6 rest of them were one-hour.

7 The map is available, it will be posted
8 tomorrow.

9 If anybody would like to comment on the
10 changes that I just read, your name and address
11 for the record, and come on up and speak to it,
12 please.

13 MS. WADE: Hi. Randy Wade, Sixth Street.

14 Generally, I support high turnover, but I
15 was wondering why 8 o'clock around the grocery
16 store and the post office. I mean, ideally, it
17 would be different on Friday and Saturday nights,
18 but it just seems like, you know, then people
19 can't park for dinner on First Street there.

20 MAYOR HUBBARD: Well, the grocery store is
21 open until 7 o'clock. Before, we stopped at 6.
22 So I was trying to make it when more people are
23 down there, to keep the spots available for
24 people beyond the 6 o'clock time frame.

25 MS. WADE: So can it go until 7, rather 8?

1 TRUSTEE PHILLIPS: No, 8 --

2 MAYOR HUBBARD: It could be a suggestion.

3 It was suggested, you know, six months ago, when
4 this all started, instead of going from 6 in the
5 morning -- from 8 in the morning until 6 at
6 night, because the first two hours there is
7 really not a problem with parking. To make it go
8 on later in the evening --

9 MS. WADE: No. It makes -- everything
10 makes really a lot sense, yeah.

11 MAYOR HUBBARD: -- to make stuff still
12 available.

13 MS. WADE: It's just that one little thing
14 about the grocery store and the drug store. It
15 seems like it doesn't need to be a half hour
16 after the grocery store closes is all. But thank
17 you for that.

18 MAYOR HUBBARD: Well, if they close --
19 yeah, if they close at 7, it's one-hour parking.
20 8 o'clock we stop enforcement, so they'd be able
21 to park there for an hour and go and eat.

22 MS. WADE: Okay. Ah, now I understand. So
23 it's really after 7, 7:01.

24 MAYOR HUBBARD: Right. The drug store and
25 the IGA closed, so if somebody parked there at

1 7:05 --

2 MS. WADE: Ahh.

3 MAYOR HUBBARD: -- we stop enforcing at 8
4 o'clock, but just trying to keep things
5 circulating, and moving the time frame more when
6 you need the enforcement to get spots moving is
7 later in the evening.

8 MS. WADE: Thank you for explaining.

9 MAYOR HUBBARD: Okay. Any other
10 questions?

11 (No Response)

12 MAYOR HUBBARD: Okay. I'll offer a motion
13 to close the public hearing on Chapter 132.

14 TRUSTEE PHILLIPS: Second.

15 MAYOR HUBBARD: All in favor?

16 TRUSTEE MARTILOTTA: Aye.

17 TRUSTEE CLARKE: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 TRUSTEE ROBINS: Aye.

20 MAYOR HUBBARD: Aye.

21 Opposed?

22 (No Response)

23 MAYOR HUBBARD: Motion carried.

24 Okay. We will discuss that at our work
25 session next month.

1 TRUSTEE MARTILOTTA: Yes, sir.

2 MAYOR HUBBARD: Okay. At this point,
3 public to address the Board. If anybody would
4 like to address the Board on any topic, name and
5 address for the record, and come on up.

6 MR. WEISS: Good evening. Weiss,
7 W-E-I-S-S, first name, Stephen, with a P-H.

8 Resolution 11-2019-20, wetlands permit. I
9 had some comments to make at the last meeting,
10 and I've thought about it a little bit more, and
11 I think possibly the Board shouldn't hold up on
12 making an approval or disapproval at this time.

13 It's a wetlands permit having to do with a
14 piece of property that may possibly be Waterfront
15 Commercial, it may not be Waterfront Commercial.
16 If it is Waterfront Commercial, the docks, the
17 bulkheads have a whole lot to do what happens
18 with the property.

19 I was also at a meeting last week, a work
20 session, where it was brought to the Board's
21 attention that possibly a boat, a large boat,
22 assuming it's a large boat, 15 feet of dredging,
23 should not be put on the east bulkhead. I heard
24 Mary Bess, who is as expert as anybody on the
25 Board on this, say that she didn't think that

1 should happen. She was overridden. I think
2 maybe you should rethink this.

3 You know, we all know that there's a
4 problem there. Maybe alleviated when it's
5 dredged, but it's going to have to be dredged
6 again. Dredging once doesn't solve the problem.

7 MAYOR HUBBARD: Uh-huh.

8 MR. WEISS: We all have seen close to
9 accidents. I've seen accidents. I live 200 feet
10 from the site. I've seen boats on Joe
11 Schoenstein's dock hit, I've seen boats on Bob
12 Burns' dock hit. So maybe you should rethink
13 doing this at the moment. And that's my answer
14 to that.

15 Resolution 19, SEQRA on this, I didn't know
16 this was happening. Now this might be my fault,
17 but I don't think I've seen any kind of public
18 information on this. Is that so?

19 MAYOR HUBBARD: No. We had a public
20 hearing. It was in the newspaper, on the
21 website. We had the public hearing last month
22 and this was all discussed.

23 MR. WEISS: On the SEQRA part? On the
24 SEQRA part?

25 MAYOR HUBBARD: SEQRA, that's part of the

1 overall operation when we do that.

2 MR. WEISS: All right. The SEQRA is --
3 then is for this dredging, not for the building
4 itself.

5 MAYOR HUBBARD: Not the dredging. This is
6 for the wetland -- this is for repairing the
7 dock.

8 MR. WEISS: This is for repairing the dock,
9 okay.

10 MAYOR HUBBARD: Dock, that's all.

11 MR. WEISS: Okay.

12 MAYOR HUBBARD: Not on dredging, that's
13 separate.

14 MR. WEISS: I have an item on
15 Resolution 32. That's the hiring of Holzmacher
16 to oversee the building and the project. I had
17 lots of questions on that, but I've just seen in
18 the agenda Holzmacher's contract, which answers
19 some of my questions, but then brings up others.
20 And if you'd just bear with me for a second,
21 because I've just seen this. And so I've just
22 made some really rough notes, and let me look at
23 them before I do anything here.

24 It says here Village Representative,
25 Holzmacher, will perform visual inspections of

1 subsurface conditions, verify subsurface
2 preparation when necessary, verification of
3 third-party compaction inspections and test
4 reports. How can they do that? They're not on
5 board yet and all this work has been done
6 already. All the subsurface work has been done.
7 The concrete's been poured, it's been backfilled,
8 the site has been raised. What are we going to
9 do about that? It's too late for Holzmacher to
10 look at it.

11 MAYOR HUBBARD: Okay.

12 MR. WEISS: So I ask the Village, what are
13 we going to do about that? Should we --

14 MAYOR HUBBARD: The stuff that --

15 MR. WEISS: Should we stop construction
16 until somebody looks at something and makes a
17 determination?

18 MAYOR HUBBARD: The stuff that was built
19 was already approved and they have a permit for
20 that. This was to get --

21 MR. WEISS: This has nothing to do with a
22 permit, George, it has to do with the
23 construction itself. Who looked at the
24 subsurface conditions? Who verified that they
25 were -- they were good? Look at the tons and

1 tons and tons of rebar and concrete that were put
2 in there.

3 MAYOR HUBBARD: Uh-huh.

4 MR. WEISS: Look at the backfilling. I
5 didn't see anybody doing any compaction in there,
6 except for the first two, the top two inches. I
7 didn't see one compactor in that site, and as I
8 said, I live 200 feet from there. So I need to
9 know what's going to be done with that.

10 Assistance to review and file materials
11 test reports. Has the Village tested the
12 concrete? I don't know.

13 MAYOR HUBBARD: No, the Village does not
14 test concrete.

15 MR. WEISS: Doesn't test concrete. That
16 concrete shouldn't be tested when it comes off
17 the transit mix trucks. Question.

18 TRUSTEE MARTILOTTA: Testing?

19 MAYOR HUBBARD: No.

20 MR. WEISS: I don't know the answer.

21 MAYOR HUBBARD: We do not have the
22 equipment and machinery to test concrete on that.

23 MR. WEISS: Oh, that's good. Then we're
24 going to put up a three-story building and we
25 haven't tested the concrete.

1 MAYOR HUBBARD: It's got to be -- Steve, it
2 has to comply to code. There's restrictions and
3 stuff that has to be built per code.

4 MR. WEISS: Why do we --

5 MAYOR HUBBARD: They have --

6 MR. WEISS: Why do we have inspectors? If
7 everybody's going to apply and just have code in
8 front of them and say, "Well, we're going to
9 build according to code," why do we need
10 inspectors at all? Everybody's going to do the
11 right thing, we know that. Every contractor in
12 the world does the right thing, they never cut
13 corners.

14 MR. PALLAS: Mr. Mayor, if I may. As far
15 as things like concrete testing, the owner does
16 provide us with not just concrete testing, but
17 any other requirement in -- as per the building
18 permit to show us those test reports. We would
19 have that information.

20 MAYOR HUBBARD: Okay.

21 MR. WEISS: Are there test reports on the
22 concrete as they came off the transit mix?

23 MR. PALLAS: I have -- there should be.

24 MR. WEISS: All right.

25 ADMINISTRATOR PALLAS: If we don't, I will

1 certainly make sure that I get them.

2 MR. WEISS: Can they be made available?

3 ADMINISTRATOR PALLAS: I beg your pardon?

4 MR. WEISS: Can they be made available?

5 Because that's going to be my next question.

6 MR. PALLAS: You could FOIL the

7 information, sure.

8 MR. WEISS: Oh, we can FOIL it, okay.

9 MR. PALLAS: Yes.

10 MR. WEISS: Okay. And, again, you have to
11 bear with me, because I just saw this 15 minutes
12 ago.

13 I think at the last meeting, George, you
14 said something about Holzmacher looking at the
15 permits, the building permit, and the FEMA
16 requirements to make sure everything was
17 according to law.

18 MAYOR HUBBARD: When they are -- yes, it's
19 a --

20 MR. WEISS: Now, is that going to happen?
21 Is that going to happen?

22 MAYOR HUBBARD: When -- if the contract
23 gets signed and we bring them on board, they will
24 be looking at the overall project. They will be
25 overseeing it. It's an extra set of eyes to try

1 to make everybody feel at home, that -- you've
2 been questioning whether we were looking at
3 everything properly. We brought in a
4 professional engineer to assist in the process.

5 MR. WEISS: All right.

6 MAYOR HUBBARD: That's what this was for.

7 MR. WEISS: All right. My concern is a lot
8 of work has been done and that -- and that man
9 has not even been brought on board yet. We're
10 only -- we're only talking about bringing him on
11 board.

12 MAYOR HUBBARD: We're going to, if we -- if
13 this gets approved tonight, we'll be voting on
14 this tonight and I'll be signing a contract
15 tomorrow.

16 MR. WEISS: Well, okay. I'm going to ask
17 that the -- a Stop Work Order be issued until
18 Holzmacher is on board, has reviewed the plans,
19 made sure everything is up to snuff and inspected
20 what's already in the ground. I make that
21 request formally.

22 MAYOR HUBBARD: Okay.

23 MR. WEISS: Okay? And I also, once
24 Holzmacher is on board, I think somebody from the
25 neighborhood should be part of meetings, on

1 paperwork that's done, and I think there should
2 be a complete, complete thing of openness about
3 this, which there hasn't been so far.

4 MAYOR HUBBARD: Okay. That's not part of
5 the code, that's not something we've ever
6 enforced on another project. That --

7 MR. WEISS: But I'm asking you to do that.

8 MAYOR HUBBARD: You're asking for the
9 Homeowners Association to be part of this
10 gentleman's building project?

11 MR. WEISS: Yes.

12 MAYOR HUBBARD: I don't believe legally we
13 could do that.

14 MR. WEISS: Well, he can't -- we can't be
15 part of any meeting or any paperwork that
16 Holzmacher provides?

17 MAYOR HUBBARD: Anything that --

18 MR. WEISS: Is that a secret?

19 MAYOR HUBBARD: No. Anything that
20 Holzmacher supplies to the Village would be
21 available to anybody to review. You're asking
22 for somebody from the Neighborhood Association to
23 be on the gentleman's project, and that's not --

24 MR. WEISS: No, no, no.

25 MAYOR HUBBARD: Nobody's going to allow

1 that.

2 MR. WEISS: To sit next to a Village
3 employee who sits at the meeting.

4 MAYOR HUBBARD: They can come to Village
5 Hall and review anything that's at Village Hall.
6 Any paperwork that we're getting from this
7 engineering firm would be submitted to us,
8 written paperwork, and that would be available to
9 all the public, because that's who paying for the
10 bill.

11 MR. WEISS: That's fine. But I also ask,
12 I'll ask for a Stop Work Order, that somebody
13 from the Neighborhood Association sit with the
14 Village employees when they talk to Holzmacher.
15 You don't have to make that decision here.

16 TRUSTEE PHILLIPS: That's a precedent.
17 That's --

18 MAYOR HUBBARD: I don't see how we can
19 legally do that.

20 MR. WEISS: Well, let's see if the Lawyers
21 think we can legally do that. Let's see if your
22 Lawyer thinks we can do it and our Lawyer thinks
23 we can do it.

24 TRUSTEE PHILLIPS: That's setting a
25 precedence.

1 MAYOR HUBBARD: Right. I mean, people are
2 allowed to do stuff on their property. If
3 they're following code, the neighbors can't say,
4 "I want to see everything that goes on with this
5 neighbor's property." If it's following code and
6 they're doing things properly, and it's built
7 according to plans, neighbors can't say, "I want
8 you to go" -- "I want to go and look at
9 everything that goes on on their property."

10 MR. WEISS: The reason I ask that, George,
11 is we've heard the word "transparency" for months
12 and months and months and there hasn't been any.
13 People say one thing and then something else
14 happens.

15 MAYOR HUBBARD: That's rumors that you
16 you're hearing, Steve, that's not --

17 MR. WEISS: No, that's not rumors. That's
18 sitting across from the table from people and
19 having them say it to me, and then the next day
20 something else happens.

21 MAYOR HUBBARD: At this meeting, I've never
22 said that to you.

23 MR. WEISS: Not at this meeting.

24 MAYOR HUBBARD: Okay. Well, do you know
25 what meeting he's talking about? Do we have --

1 MR. PALLAS: No, I don't.

2 MR. WEISS: No, this is --

3 MAYOR HUBBARD: Okay.

4 MR. WEISS: This is meetings with the
5 developer.

6 MAYOR HUBBARD: But, again, that's --

7 MR. WEISS: Well, okay.

8 MAYOR HUBBARD: We don't have control over
9 what the developer --

10 MR. WEISS: Okay.

11 MAYOR HUBBARD: If he meets with you, I
12 don't have control over that.

13 MR. WEISS: I've asked for several things
14 and we'll just leave it at that, and you'll come
15 back to me and tell me whether we can do it or
16 not.

17 MAYOR HUBBARD: Okay.

18 MR. WEISS: I've asked for a Stop Work
19 Order until Holzmacher gets on board and looks at
20 what's already onsite.

21 MAYOR HUBBARD: We will discuss that. I
22 don't believe we can legally -- we don't have
23 grounds to issue a Stop Work Order. But I will
24 refer that to the Village Attorney and the
25 Village Administrator and we will discuss that.

1 MR. WEISS: Because you're hiring a guy to
2 do this work that's already been done. So maybe
3 you ought to cut his project costs a little bit
4 if he's not going to do the work.

5 MAYOR HUBBARD: He's there -- Steve, the
6 reason we went ahead to try to do this was to
7 make people feel better about it, not make people
8 feel worse.

9 MR. WEISS: And it's a step --

10 MAYOR HUBBARD: And we were trying to do a
11 step in the right direction to try to appease
12 your fears and stuff like that. If you're
13 against this, we don't have to hire him at all
14 and go the way we are.

15 MR. WEISS: It is a step in the right
16 direction.

17 MAYOR HUBBARD: Well, that's why we're --
18 that's why we're trying to do it.

19 MR. WEISS: Maybe we should take a bigger
20 step. You know what I'm asking, George.

21 MAYOR HUBBARD: I know what you're asking.
22 You want everything to stop down there until you
23 guys get what you want, but I can't legally say
24 that.

25 MR. WEISS: No, no. I want -- I want them

1 to stop down there until Holzmacher gets on board
2 and approves what's been done.

3 MAYOR HUBBARD: Okay. We will review, send
4 that to the Village Attorney and the Village
5 Administrator to answer that question if it can
6 legally be done.

7 MR. WEISS: Thank you.

8 MAYOR HUBBARD: You're welcome. Okay.

9 MS. MUNDUS: Hi there. Pat Mundus, 182
10 Sterling Street.

11 I -- first of all, George, I -- let's try
12 to like stop the elevating excitement level,
13 because when you said to Steve that, you know,
14 until us guys get what we want, that's not where
15 we're coming from. And I'm here to say thank you
16 very much, because I really appreciate the
17 resolution to hire Holtsman, and -- Holzbach --
18 macher?

19 TRUSTEE ROBINS: Holzmacher.

20 MAYOR HUBBARD: Holzmacher.

21 TRUSTEE PHILLIPS: Holzmacher.

22 MS. MUNDUS: Holzmacher.

23 MAYOR HUBBARD: Yes.

24 MS. MUNDUS: Sorry, it's a hard one for me.

25 And I think it's really a brilliant step in the

1 right direction.

2 And I think that in terms of what
3 Mr. Pallas was saying about being proactive
4 rather than reactive, this is a brilliant step in
5 the right direction. But I just wanted to read
6 what you said the other night at the work
7 session, if you don't mind.

8 MAYOR HUBBARD: Sure.

9 MS. MUNDUS: You said, "This is to
10 alleviate neighborhood concerns and anybody
11 else's concerns, and so there are no questions at
12 all about the building permit construction
13 designs, floodplains and everything else. Our
14 staff is more than qualified to do it, but we are
15 doing this also to put everyone's mind at ease by
16 taking the extra step to make sure everyone's
17 concerns are addressed and to eliminate any
18 second-guessing. This will require the owner to
19 make sure that everything is taken care of, so
20 that we can, hopefully, move forward with the
21 project, make any compromises, and do what needs
22 to be done, and to make sure that there is no
23 second-guessing, and that everyone" --
24 "everything is being done to code." That's
25 really great.

1 I then went back and looked at the scope of
2 the services for Holzmacher, and it doesn't
3 mention anything about review of the floodplain.
4 As you see, that is a big concern here,
5 especially if Mr. Pawlowski is going to return to
6 the Planning Board to ask for residential,
7 because the plans, the stipulation -- the site
8 plans attached to the stipulation 12 years ago
9 were for 7.2 feet for the ground floor elevation.
10 He's in a 6, which means it has to be 8.

11 So we could save a lot of time and a lot of
12 money for -- and especially time, because
13 FOILING, I feel like I'm the queen of FOIL. I
14 spend so much time with all these things, but I'm
15 not an expert either.

16 The flood elevation is going to be a major,
17 major point here if he comes back again for
18 residential use.

19 So I recommend that in scope of services
20 that you should include -- because it says review
21 of electrical, plumbing, mechanical, structural,
22 architectural, fire suppression, ADA compliance,
23 and means of egress and accessibility plans.
24 That's really great, but before you get to all
25 that, the present foundation that's going in --

1 Mr. Pawlowski was here when he did his
2 pre-submission before the Planning Board and he
3 said, "Oh, no, I'm not going to backfill," you
4 know, because we all looked at it. Steve said he
5 lives 200 feet away. We were watching it on an
6 hour-by-hour basis what's going on over there.
7 And, of course, found the footings are -- were
8 built on grade. The foundation went in, the
9 waterproofing went on. And he stood right here
10 in front of everyone and said that he was going
11 to put stone facade on there, and that's what was
12 going on, and, of course, now it's backfilled.

13 So I'm not an engineer either, but a 15,000
14 square foot hole, one foot deep, the fill that
15 was put in there inside, that's 556 yards, cubic
16 yards of dirt already. That's before anything is
17 even been built there. And I'm not -- I'm not an
18 engineer, but I don't know how to calculate the
19 amount of grade that's backfilled. But I have
20 done enough poured concrete projects in my own
21 experience that I know you have to backfill
22 outside to equal the pressure on the inside. So
23 that's already a lot of dirt that's been moved
24 around before it even has a wetlands permit in
25 hand.

1 So I think when Steve gets, you know,
2 emotionally involved with the amount of work
3 that's going on versus the amount of supervision,
4 you know, it is a valid point.

5 And I know that we have a Code Enforcement
6 Officer, and I know, as you said, he's qualified
7 to do the job. But it heartens me to see that
8 there is a seasoned, experienced group of
9 professional engineers who are going to be
10 helping the Building Inspector. And I am
11 assuming that he's going to be the point man for
12 this in the -- in how it's going to work with the
13 supervision of Holzmacher, and he's going to be
14 working with the Building Inspector, because that
15 explicitly says that in their contract, also.

16 MR. PALLAS: Yes. Yeah. I mean, I will, I
17 will, of course, be extremely involved in that
18 process as well.

19 MS. MUNDUS: Okay. But are you an
20 engineer, or, I mean, are you --

21 MR. PALLAS: Yes.

22 MS. MUNDUS: Are you qualified to deal with
23 projects of this construction, 45,000 square
24 feet?

25 MR. PALLAS: That's why we're hiring

1 Holzmacher.

2 MS. MUNDUS: Okay. So --

3 ADMINISTRATOR PALLAS: I will review with
4 a --

5 MS. MUNDUS: -- we're going to rely on
6 Holzmacher's engineering expertise primarily,
7 then, since the Village doesn't really have that
8 kind of expertise.

9 MR. PALLAS: Well, no. But, I mean, I am a
10 licensed engineer as well.

11 MS. MUNDUS: Okay.

12 ADMINISTRATOR PALLAS: So, I mean, I would
13 be certainly qualified to review their reports
14 for accuracy.

15 MS. MUNDUS: Okay.

16 ADMINISTRATOR PALLAS: So --

17 MS. MUNDUS: Okay. And I do, for the
18 record, want to point out one more time, I've
19 already been on record once before, my feelings
20 about the floodplain. The Stirling Basin
21 Neighborhood Association's experts have already
22 pointed out, and I've pointed out myself, that
23 the line of breaking waves passes right straight
24 through the parcel, right down the middle of the
25 parcel.

1 It's not really easy to figure out, because
2 it's not listed on the legend, but that little
3 thing that looks like a cold front, dash, little
4 flag, dash, little flash, dash, you see it goes
5 all the way around through the whole -- you can
6 go to the LWRP and look at that same map. It
7 goes right straight through the middle of the
8 property.

9 So mark my words, this floodplain issue is
10 going to come back and back and back, like
11 another building high tide over and over and over
12 again.

13 I also would like to comment on the other
14 resolution, which is 11-2019-20. That's the
15 wetlands permit itself. I wasn't here for the
16 work session, but I watched the videotape, and I
17 was fascinated that there was a lot of back and
18 forth about that face dock.

19 TRUSTEE CLARKE: About that what?

20 MS. MUNDUS: The face dock, the dock that
21 is -- runs right along parallel to the channel.

22 TRUSTEE CLARKE: The east bulkhead.

23 TRUSTEE ROBINS: Bulkhead.

24 MS. MUNDUS: Yes, yeah. It's my
25 professional opinion, and I come and go from that

1 inlet two, three, sometimes four times a day in
2 the summertime, that a boat there with a beam of
3 15 feet or less is probably okay. I mean, month
4 by month that thing keeps getting narrower and
5 narrower and narrower. But I don't think, in all
6 fairness to the owner of a piece of prime real
7 estate, I really don't think that it's fair to
8 put anything in the wetlands permit about what he
9 can tie up there or what it is. But you might
10 want to restrict temporarily or on a review basis
11 the beam of the vessel, because if that channel
12 is supposed to be 100 feet wide and you put
13 150-foot motor yacht there with a 30-foot beam,
14 that's three-quarters of the existing channel
15 now. Somebody -- and as Steve pointed out,
16 people do routinely run aground there. I mean,
17 granted, it could be because they're not very
18 experienced boaters. But when a 60-foot motor
19 yacht runs aground on that sandbar, nobody comes
20 or goes.

21 MAYOR HUBBARD: Uh-huh.

22 MS. MUNDUS: And it holds everybody up for
23 the entire afternoon. And I'm not the only one
24 who uses that harbor to make a living. So I'm
25 just using my experience to share with you the

1 impact it has on everybody else that does use it.
2 But I don't think that you should restrict it to
3 the size of the boat.

4 That said, what's going to happen in the
5 future? That, you know -- where are we at with
6 this dredging permit? And I would like to
7 volunteer. Is there anything that I can do as a
8 citizen, or to help maybe the CAC? Or who's in
9 charge of riding herd on the permit process?

10 MAYOR HUBBARD: Right now we're waiting --
11 go ahead.

12 MR. PALLAS: Yeah. We are awaiting permits
13 at the moment. We've -- I've been in
14 communication with all the agencies and we're
15 just waiting for responses on permit
16 applications.

17 MS. MUNDUS: What was the last action?

18 MR. PALLAS: There's several permit -- I
19 think it was Department of State was the -- I
20 believe was the one that I got.

21 MS. MUNDUS: Okay.

22 ADMINISTRATOR PALLAS: The last.

23 MS. MUNDUS: I do have experience with
24 this. I was one of the people in another
25 neighborhood group on the other side of the water

1 in East Hampton and we got Northwest Creek
2 dredged. That was same exact scenario. They had
3 a maintenance permit, it slipped between the
4 cracks, they lost it. They had to go back for a
5 new application with a maintenance permit built
6 in. And I'm happy, if there's anything that I
7 can do. And I can tell you that it took a lot of
8 personal riding herd. And you've got a thousand
9 other projects that you also have to ride herd
10 on, and I'd like to volunteer. If there's
11 anything I could do, I'd like to help with that,
12 because with 200 floating docks over there,
13 there's a lot of people whose livelihood depends
14 on this. Thank you.

15 MAYOR HUBBARD: Thank you.

16 MS. WADE: I also think it was -- Randy
17 Wade, again, Sixth Street -- brilliant that you
18 are hiring Holzmacher. I just was wondering, is
19 he an engineer on call? Why did you choose that
20 firm rather than H2M?

21 MR. PALLAS: I'm sorry, I didn't hear that
22 question.

23 MS. WADE: Why did you choose Holzmacher?

24 I --

25 MR. PALLAS: We've worked with them in the

1 past. They're doing similar work in another
2 municipality.

3 MS. WADE: I went to the website and it
4 seems that they came out of the one that became
5 H2M, that the children took over, and that there
6 were a lot of engineers, and that it's one of the
7 more senior ones who seemed to be the only
8 engineer with the company. Do you know if they
9 have more?

10 MR. PALLAS: They have several engineers --

11 MS. WADE: Oh, great.

12 ADMINISTRATOR PALLAS: -- and an architect
13 on staff.

14 MS. WADE: Excellent, excellent. Then,
15 yeah, as long as the wetlands part is put in
16 there, because remember when you said that it
17 wasn't a wetlands? But, really, we think it is a
18 wetlands.

19 MR. PALLAS: I didn't -- okay.

20 MS. WADE: Well, whatever, whatever. But
21 it's in the floodplain. It's not a wetlands,
22 it's in the floodplain. And so it -- since
23 wetlands permits cover floodplain issues, I would
24 certainly hope -- you don't have to tell him to
25 stop work at all, just, you know, he'll be liable

1 if there's a problem and he'll have to remediate.
2 But you do need Holzmacher to review before you
3 sign off on a wetlands permit. That's a critical
4 step. Thanks very much.

5 TRUSTEE PHILLIPS: Mr. Mayor.

6 MAYOR HUBBARD: Yes.

7 TRUSTEE PHILLIPS: May I just point out,
8 and I just brought this to the Village Attorney's
9 attention, on Page 4 of this contract with
10 Holzmacher, it says, "Interpretation of
11 subsurface conditions." So maybe, Joe, you could
12 explain a little bit. Does that mention the
13 floodplains?

14 MR. PROKOP: The floodplain -- floodplain
15 and FEMA regulations are incorporated in two
16 parts of the contract. One is with regard to
17 subsurface conditions and surface conditions, and
18 also with regard to compliance with the Building
19 Code, International Building Code, because the
20 International Building Code requires conformance
21 with FEMA regulations. So the engineer, I would
22 expect that the engineer would also be reviewing
23 compliance with FEMA where necessary --

24 TRUSTEE PHILLIPS: Does that answer every --

25 ATTORNEY PROKOP: -- what we call -- what

1 was discussed as floodplain.

2 TRUSTEE PHILLIPS: I just wanted to point
3 that out, that that's in here.

4 MAYOR HUBBARD: Uh-huh.

5 TRUSTEE PHILLIPS: Okay.

6 MAYOR HUBBARD: And the reviews we've done
7 already have -- is the elevation proper with
8 what's been reviewed already?

9 MR. PALLAS: From everything, and I've
10 mentioned this before, from everything that I've
11 reviewed, the building itself is in AE-6,
12 requires a one-foot elevation, one foot above
13 Base Flood Elevation. It's designed as a
14 7.2 feet, so it does comply.

15 MAYOR HUBBARD: Okay.

16 MS. MUNDUS: Pat Mundus, 182 Sterling
17 Street. That information, from what I
18 understand, is correct for the present permit,
19 which is for 15,000 square feet of commercial
20 space, not residential.

21 Mr. Pawlowski is on the fence right now.
22 He says he wants to come before the Planning
23 Board and put residential on the first floor. If
24 it's residential on the first floor, it has to be
25 8 feet; is that correct?

1 MR. PALLAS: I believe that's correct. And
2 we would -- we would certainly require that.

3 MS. MUNDUS: Okay.

4 MR. PALLAS: Whatever mitigation would be
5 needed.

6 MS. MUNDUS: So this is a little bit of
7 where the angst is coming from in the
8 neighborhood, that there's a foundation going in,
9 it's under construction, but he still hasn't
10 declared the exact use of the project. So --

11 MR. PALLAS: There are -- just to be clear,
12 there are methods, even if he changes it and gets
13 approval for residential, there are methods that
14 he could employ to mitigate that --

15 MS. MUNDUS: Okay.

16 ADMINISTRATOR PALLAS: -- in compliance
17 with FEMA regulations.

18 MS. MUNDUS: Okay. I just wanted to be
19 clear for the record. Thank you.

20 MAYOR HUBBARD: Okay. Anybody else wish
21 to --

22 MR. MACKEN: Hi. Frank Macken, 138
23 Sterling Avenue.

24 So this is -- so "transparency" is a word
25 we've been hearing a lot of and not having

1 enough of.

2 So there was a meeting here in April 15th
3 of 2018 with Mr. Raskin, the previous owner, and
4 he made a whole presentation. It was a joint
5 Village Board meeting with Mr. Raskin making a
6 presentation. And at that meeting,
7 Mr. DiGiovanni, who is also the current
8 architect, made a -- made -- at Mr. Raskin's
9 invitation, described the project. And he said,
10 and I quote, there'll be limited access to the --
11 the elevator would go up there, the stairs would
12 access it for legal means of egress. The height
13 of the building is limited to 30 feet from the
14 grade to the roof. And then what we've done, if
15 you look at this elevation, the stairs go up a
16 little bit higher and they slope down, basically
17 trying to keep the height as low as we can.

18 Also, he goes on, nautical type feel, tried
19 to -- New England type feel, using -- again,
20 trying to keep with the traditional look as far
21 as the facades to fit in with the -- with the
22 neighborhood.

23 And he says, natural materials, things that
24 would match in residential quality, clapboard,
25 stone, Wainscoting, whatever, keeping all

1 neutral colors, and so on.

2 So they -- it goes on and on, and
3 Mr. Raskin makes numerous comments about how
4 they're trying to work with the community, and
5 to -- obviously, he wants to -- he's proposing
6 changes to it. He states that the stipulated
7 building is no longer economically viable,
8 because the neighborhood has changed, business
9 has changed, a lot of things have changed since
10 then, and he says that it makes no sense. The
11 traffic issue with commercial would be too much
12 for the neighborhood, and what they're proposing
13 is much more in keeping with the neighborhood.

14 So, basically, he's saying that he's
15 applying for all of these things. He's admitted
16 that the building was on -- was -- that the site
17 with that approved -- with the approved
18 stipulated building was on the market for
19 12 years and nobody wanted to buy it, because
20 nobody could see it being in any way economical.
21 So, clearly, the only way that this thing could
22 work is if it -- if it changes.

23 So -- and then, Mr. Hubbard, you're saying
24 that you met -- you continue that nothing's been
25 approved, they haven't approved anything. And I

1 have it -- have you at a disadvantage here,
2 because I'm quoting, I've reviewed the minutes.
3 But you said, you know, that -- and Mr. Raskin
4 says that it was just -- basically, he said that
5 you said that it was just you and the
6 Administrator and the lawyers who met
7 occasionally with -- and one -- one or two
8 Trustees who met with the -- with Raskin and the
9 guys, and talking to them, and -- but nothing had
10 been decided, and so on, so everything was going
11 to have to be reviewed, any changes.

12 Mr. Raskin says, "This could be a
13 modification of the stipulation, but if it gets
14 too confrontational or too difficult or drawn
15 out, or we begin to have lawsuits, we'd probably
16 make an application for a whole new application
17 process." And that's where it sat, and then
18 everything else happened in total obscurity from
19 then on.

20 As far as we know, the next thing -- we
21 didn't know anything until some time. There was
22 a rumor the next spring that a permit had been
23 issued. So a permit was --

24 MAYOR HUBBARD: Okay. Well, let me just --
25 if I could just clarify.

1 MR. MACKEN: Sure.

2 MAYOR HUBBARD: Mr. Raskin no longer owns
3 the property, he sold the property.

4 MR. MACKEN: Yes, okay.

5 MAYOR HUBBARD: That was a meeting, that's
6 stuff that happened two years before he sold the
7 property.

8 MR. MACKEN: But it wasn't two years, it
9 was just actually six months. And in those six
10 months he got a permit approved. He submitted
11 these plans by the same architect, and the plans
12 were approved, the permit was issued, and then it
13 was transferred immediately to this other person,
14 Mr. Pawlowksi, who then came in in May and said
15 that he was going to -- he wanted to build
16 something completely different. He wanted to
17 work with the community, build townhouses,
18 cluster housing, this and that and that. But he
19 had this full set of plans, which nobody had
20 seen, nobody had seen, for a building which was
21 now four feet higher than the one the architect
22 had said he was going to build, he wanted to
23 build in May of the previous year.

24 So now, one year later, the building is
25 four feet higher, a lot bulkier. And the -- for

1 example, the ground floor ceilings are 12 feet
2 high. Now that building is not 30 feet, it's 34
3 feet. Measure it from the top of the foundation.
4 If you look at the plans, you'll see it's
5 measured from the top of the foundation, not from
6 grade. So grade is normally measured from the
7 crown of the road. If you look at the plan, and
8 if you look at what's actually happening down
9 there now, they poured this huge foundation,
10 which they were backfilling today, so
11 Mr. Holzmacher won't be able to investigate
12 anything, and they poured this whole thing. And
13 I said Mr. Pawlowski at the last time, he was
14 sitting over there, and I said, "You've got this
15 waterproofing, and, obviously, you're regrading
16 to that." He said, "No, we're putting face stone
17 on it." But what's happened, in fact, they've
18 graded it, so you can see it's all now two feet
19 higher.

20 He also said on the height, in turn -- and
21 coming back to the height thing again, so we
22 were -- you know, a building that's 30 feet high
23 they they're trying to work into the neighborhood,
24 and make work with the neighborhood, is now a
25 34-foot building that is totally remodeled to

1 look like something for the Brooklyn waterfront.
2 It's completely different, nothing to do with the
3 neighborhood.

4 Mr. Pawlowski -- I said it's way -- going
5 to be way higher than anything else in the
6 neighborhood, and as it stands, it's already 10
7 feet higher than any building on the street. So
8 that's from the top of the gable.

9 So Mr. Pawlowski said, "It's going to be no
10 higher than Sterling Street" -- "Stirling Cove
11 Condos." And I said that just is not credible,
12 because if you look at those, they're two story
13 with a pitched roof, a kind of a mansardy kind of
14 mish-mash of a roof up there, and that's 25 feet.
15 I talked to somebody who lives at the condo,
16 they're 25 feet. This thing starts at 34 feet
17 above a two-foot foundation, that's 36 feet.
18 Then there'd be parapets. He said there are
19 going to be no parapets. Well, you know, then he
20 said, "Oh, there won't be" -- "there won't be an
21 elevator," there won't -- I said, "What about the
22 elevator bulkheads?" Mr. DiGiovanni says, "Oh,
23 yes, there'll be access to the roof and the
24 elevator," and the bulkhead will go up, will go
25 up a bit higher, and the stair bulkheads and all

1 that. He admitted all of that, but that's
2 starting from 30 feet.

3 Mr. Pawlowski said, "We're going to have no
4 bulkheads at all. The elevator's not going up to
5 the roof." But you can't have an elevator
6 without motor room on top, and it's too close --
7 you know, they can't sink a hydraulic unit in a
8 pit, because they're too close to the water, the
9 water level. So it's just not feasible. So then
10 he says, "Oh, well, the stairs will go up there."
11 Well, the stairs have to go up there for legal
12 access. But all of the mechanical equipment,
13 they cannot be put in the ground floor because
14 it's flood-prone.

15 You know, all of that stuff, all of these
16 questions, and so we're looking at this. And
17 while it's very nice to have a professional
18 company, outside company, which we've been
19 calling for, finally you're talking about
20 putting -- about hiring this guy, it's a bit
21 late, because a lot of -- as Steve pointed out, a
22 lot of this stuff has been being done. There's
23 no way that he can investigate the subsurface.
24 He can review tests that were done in 2004 or
25 2005, or whatever those tests are that are on

1 the -- actually on the site plan, but he can't
2 review anything else. He can't review the
3 foundations other than from the plans, because
4 now it's all been backfilled. And the site is --
5 and Mr. Pawlowski said he wouldn't regrade, but,
6 in fact, he has regraded.

7 So, I mean, there are all of these things
8 that are just basically fete accompli. And when
9 he appeared before the Planning Board last week,
10 or at the Planning session, Mr. Foote, the
11 Chairman, said, "You want all these changes, and
12 you proposed" -- "you know, you came to this May
13 meeting in 2019 and you said you were going
14 to" -- "you wanted to build these townhouses and
15 clusters." He said, "Why didn't you build those,
16 Paul?" He said, "Oh, well, it was parking." He
17 said, "Paul, we could have worked out the
18 parking. What was your real reason?" He said,
19 "Oh, well, I talked to my investors," and this
20 and that. Yeah, okay, they made a dollar and
21 cents decision, or whatever, but that was after
22 coming to the neighborhood and saying -- and he
23 keeps saying how much he's talked to the
24 neighborhood. He came to the neighborhood and he
25 said he was going to do one thing, turned around

1 and did something else with a set of plans that
2 nobody had seen, a permit that was not posted
3 onsite for six months. It was all done in
4 complete secrecy. There were rumors of permits
5 and stuff, but like there was no -- there was no
6 transparency of any kind. And that's what
7 we're -- that's what has people annoyed, and
8 that's what has people concerned.

9 And the floodplain issue, that whole
10 floodplain, well, that floodway goes right
11 through there, the wave action and everything,
12 from the 2009 FEMA flood map that was done when
13 it was an empty site. And they said there should
14 be no encumbrances of this. Well, now there's an
15 encumbrance, there's a big, massive encumbrance
16 on that, so the water has to go around that.

17 So I've pointed before, he's building a
18 high island there. The water has to go around
19 that. It's going to go right up our street and
20 it's going to go into the houses up behind the
21 back of Sterling Avenue as well, and these are
22 what we're concerned about.

23 So what is Holzmacher going to do about
24 that? If he reviews that and he finds that there
25 actually -- the foundation has to be changed,

1 that it needs to be a wash-through, that they
2 need -- that the water needs to go through there,
3 what's going to happen? Are the Village Board
4 going to actually require him to change any of
5 this stuff?

6 I mean, Walter -- I forget his first name.
7 Is it Walter Foote? Mr. Foote from the Planning
8 Board, he said, "Why did you build this, Paul?
9 You're coming to make all these changes." You
10 know, so he's -- he's using the stipulation to
11 beat us and say, "I'm going to build this if
12 not," but he never intended to build to that
13 stipulation, because he knew and the previous
14 owner knew, and 12 years of the market have
15 proved that it was not viable. So he intended
16 all the time to just like put in this thing.

17 And he said -- and when Paul -- when
18 Mr. Foote said, "Why did you build that? Why
19 didn't you just come and work out all this stuff
20 and then before? Why did you go ahead and
21 build?" "Oh, I wanted to get it done before the
22 winter." He said, "Yeah, but, I mean, you know,
23 why" -- "there are all of these plans and all
24 these changes and you hadn't decided and
25 everything. Why did you go ahead and do that?"

1 "Oh, it's the best piece of property, it's the
2 waterfront property." And it's the Waterfront
3 Commercial property and it's part of the
4 property, it's not the residential, the huge
5 residential part of the back. Half the thing is
6 residential, but he didn't build there. He made
7 a claim, he basically like did a -- like the old
8 gold mining days, he staked his claim up on this
9 thing on the front and dares anybody to
10 change it.

11 So our simple question is what happens when
12 the floods come, when the next flood comes?
13 Because Sandy, that whole lot flooded. What
14 happens when the flood comes up higher than it's
15 ever come before and gets into our basements,
16 gets into our houses, and who's going to pay for
17 that? Is he going to post a bond to cover that?
18 And everybody's flood insurance rates are going
19 to go up.

20 When FEMA redrew that map, me and a lot of
21 our neighbors, we stopped paying flood insurance.
22 We didn't have to pay flood insurance, because
23 they figured it out exactly. And funny enough,
24 when you look at that map, the line of it is
25 where -- there are no houses on that, because the

1 people in the old days, they knew better than to
2 build on a place that was going to flood. So
3 they had boat charts and boat access and this and
4 that. But that line, if you follow it down
5 Sterling Street and all the way in through there,
6 none of that has a house on it, except for
7 something in the back end of Ludlam that was
8 added later on.

9 So, I mean, you know, it's a floodplain.
10 He's built on this thing now, he's staked his
11 claim, and what the hell are we going to do about
12 it, and who will be responsible? Those are the
13 questions that we have.

14 And the whole issue about these --
15 Holzmacher is going to come in. Is he going to
16 look at those plans to see -- at the approved
17 plans and say, "Why is it so high?" Is there --
18 who made the decision to allow that building to
19 go from 30 to 34 feet, which is a huge jump of
20 already a tall building. And there were no
21 height specifications in the stipulation, none,
22 there were none.

23 So, I mean, there -- and the -- and the
24 rendition of the -- of the industrial type
25 building, the schematic that Raskin talks about

1 at this meeting, that was very much lower. You
2 could tell it was lower, at like 10 feet. That
3 thing probably didn't even get above like 28
4 feet, 26, 28. Didn't need to, because, I mean,
5 you've got office space, 8-foot office space on
6 one -- on two levels, and you've got whatever,
7 you know, are residential, whatever. But it was
8 like it has like a low profile.

9 This thing is maxed out. And this -- so
10 the developer has been allowed to max out to the
11 last square inch and beyond, because he's
12 expecting to get a lot of variances and a lot of
13 allowances for things that aren't -- that aren't
14 on this plan. When you look at his plans, there
15 are no elevator bulkheads. There's no
16 elevation -- there are no -- none of that stuff
17 that's going to be on the roof, as we know from
18 The Menhaden, none of that what is actually
19 happens. You look at The Menhaden and you can
20 see that freakin' thing that's 12 or -- 10 or 12
21 feet high. You can see that from just back up
22 the street. You can't see it from directly
23 across the street, but you can see it right
24 anywhere, anywhere on Third Street.

25 And okay, you know, it's context. As Randy

1 said, you got the cinema there and stuff, you
2 know. But the context, where we are, is 25-foot
3 houses, 25-foot gables all the way around, maybe
4 30 where Mr. Kelly is on that last house that was
5 built, but, I mean, you know, to the very top of
6 the gable, to the ridge. And this thing is
7 bulking up. It's got no setbacks, it's got no
8 break, it's not -- it's just hard and square and
9 looks nothing like anything else.

10 So I -- but that's what I have to say.
11 Thank you.

12 MAYOR HUBBARD: Okay.

13 MS. WADE: I'm sorry, you just reminded me
14 of one little thing. Sorry. Me again, Wade,
15 Sixth Street. I'm so sorry. You're so patient
16 to listen to all this.

17 In looking at the code, only multi-family
18 specifies that it's 2 1/2 stories or 35 feet,
19 whichever is less. It's the only place in the
20 code that actually says that out loud.

21 And, Mr. Mayor, when you were saying that
22 anybody could do anything, as long as they follow
23 the code, this was a compromise, it was a court
24 settlement, and it doesn't follow the code in
25 about every which way you could imagine. Condos

1 aren't allowed. It should have been 2 1/2
2 stories, not three stories, because it's
3 obviously the only thing related to multi-family,
4 even though condos are not allowed. So just and
5 other things, but thank you.

6 MAYOR HUBBARD: Okay.

7 MS. MUNDUS: In case you forgot, I'm Pat
8 Mundus, 182 Sterling Street. I'm not -- I know
9 we're here for a wetlands permit and we're
10 getting way, way, way off the topic. But, for
11 the record, because I don't know if it's the
12 right protocol to comment on a comment, but it is
13 important that during the Planning Board
14 pre-submission, the Chairman, Walter Foote, who
15 is also a lawyer, mused out loud that he -- he
16 wondered whether actually not building anything
17 on that property in the 12 years since the
18 stipulation was de facto abandonment. That's an
19 interesting twist on this whole story.

20 So, you know, there's a lot of history, and
21 there is a lot of emotion, and I'm sorry that you
22 have to endure all of the churning, but, you
23 know, a two man double-check, whether it comes
24 from the public or from the neighbors, who have
25 seen it flood and who understand it, it is -- you

1 know, it's worth being patient through, and I
2 thank you for that.

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

5 (No Response)

6 MAYOR HUBBARD: Okay. We'll move on to our
7 regular agenda.

8 *RESOLUTION #11-2019-1, RESOLUTION adopting*
9 *the November, 2019 meeting agenda as printed. So*
10 *moved.*

11 TRUSTEE MARTILOTTA: Second.

12 MAYOR HUBBARD: All in favor?

13 TRUSTEE MARTILOTTA: Aye.

14 TRUSTEE CLARKE: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR HUBBARD: Aye.

18 Opposed?

19 (No Response)

20 MAYOR HUBBARD: Motion carried. Trustee
21 Clarke.

22 TRUSTEE CLARKE: *RESOLUTION #11-2019-2,*
23 *Accepting the monthly reports of the Greenport*
24 *Fire Department, Village Administrator, Village*
25 *Treasurer, Village Clerk, Village Attorney, Mayor*

1 *and Board of Trustees. So moved.*

2 TRUSTEE ROBINS: Second.

3 MAYOR HUBBARD: All in favor?

4 TRUSTEE MARTILOTTA: Aye.

5 TRUSTEE CLARKE: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 TRUSTEE ROBINS: Aye.

8 MAYOR HUBBARD: Aye.

9 Opposed?

10 (No Response)

11 MAYOR HUBBARD: Motion carried.

12 TRUSTEE ROBINS: *RESOLUTION #11-2019-3,*
13 *RESOLUTION ratifying the following resolution*
14 *previously approved by the Board of Trustees at*
15 *the Trustees' work session meeting held on*
16 *November 21st, 2019:*

17 *RESOLUTION authorizing withdrawal from the*
18 *negotiating class in the pending Opioid Crisis*
19 *Federal Court litigation, authorizing the*
20 *commencement of separate litigation, and*
21 *approving a legal services contract between the*
22 *Village of Greenport and Tate Grossman Kelly &*
23 *Iaccarino, LLP.*

24 *So moved.*

25 TRUSTEE MARTILOTTA: Second.

1 MAYOR HUBBARD: All in favor?

2 TRUSTEE MARTILOTTA: Aye.

3 TRUSTEE CLARKE: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 TRUSTEE ROBINS: Aye.

6 MAYOR HUBBARD: Aye.

7 Opposed?

8 (No Response)

9 MAYOR HUBBARD: Motion carried.

10 TRUSTEE MARTILOTTA: *RESOLUTION #11-2019-4,*
11 *RESOLUTION approving the application for*
12 *membership of Russell Wayne Harvey to the Eagle*
13 *Hose Company of the Greenport Fire Department, as*
14 *approved by the Greenport Fire Department Board*
15 *of Wardens on November 20th, 2019. So moved.*

16 TRUSTEE PHILLIPS: Second.

17 MAYOR HUBBARD: All in favor?

18 TRUSTEE MARTILOTTA: Aye.

19 TRUSTEE CLARKE: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 TRUSTEE ROBINS: Aye.

22 MAYOR HUBBARD: Aye.

23 Opposed?

24 (No Response)

25 MAYOR HUBBARD: Motion carried.

1 TRUSTEE PHILLIPS: *RESOLUTION #11-2019-5,*
2 *RESOLUTION approving the application for*
3 *membership of Joseph Verley, Jr. to the Standard*
4 *Hose Company of the Greenport Fire Department, as*
5 *approved by the Greenport Fire Department Board*
6 *of Wardens on November 20th, 2019. So moved.*

7 TRUSTEE CLARKE: Second.

8 MAYOR HUBBARD: All in favor?

9 TRUSTEE MARTILOTTA: Aye.

10 TRUSTEE CLARKE: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE ROBINS: Aye.

13 MAYOR HUBBARD: Aye.

14 Opposed?

15 (No Response)

16 MAYOR HUBBARD: Motion carried.

17 TRUSTEE CLARKE: *RESOLUTION #11-2019-6,*
18 *Awarding the contract for tree and stump removal*
19 *and stump grinding services on specified Village*
20 *of Greenport streets to Johnson Tree Company, for*
21 *a total contract price of \$16,850.00 per the bid*
22 *opening on October 31st, 2019; and authorizing*
23 *Mayor Hubbard to sign the contract between the*
24 *Village of Greenport and Johnson Tree Company.*
25 So moved.

1 TRUSTEE ROBINS: Second.

2 MAYOR HUBBARD: All in favor?

3 TRUSTEE MARTILOTTA: Aye.

4 TRUSTEE CLARKE: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 TRUSTEE ROBINS: Aye.

7 MAYOR HUBBARD: Aye.

8 Opposed?

9 (No Response)

10 MAYOR HUBBARD: Motion carried.

11 TRUSTEE ROBINS: *RESOLUTION #11-2019-7,*

12 *RESOLUTION hiring Timothy McDonald as a*

13 *part-time, seasonal employee for the Village of*

14 *Greenport Ice Rink, at a pay rate of \$12.00 per*

15 *hour, effective November 26, 2019. So moved.*

16 TRUSTEE MARTILOTTA: Second.

17 MAYOR HUBBARD: All in favor?

18 TRUSTEE MARTILOTTA: Aye.

19 TRUSTEE CLARKE: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 TRUSTEE ROBINS: Aye.

22 MAYOR HUBBARD: Aye.

23 Opposed?

24 (No Response)

25 MAYOR HUBBARD: Motion carried.

1 TRUSTEE MARTILOTTA: *RESOLUTION #11-2019-8,*
2 *RESOLUTION hiring -- ratifying the hiring of*
3 *Georgia Neighley and Daelyn Healy as part-time,*
4 *seasonal Carousel and Ice Rink employees, at a*
5 *pay rate of \$13.00 per hour, effective*
6 *November 23rd, 2019. So moved.*

7 TRUSTEE PHILLIPS: Second.

8 MAYOR HUBBARD: All in favor?

9 TRUSTEE MARTILOTTA: Aye.

10 TRUSTEE CLARKE: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE ROBINS: Aye.

13 MAYOR HUBBARD: Aye.

14 Opposed?

15 (No Response)

16 MAYOR HUBBARD: Motion carried.

17 TRUSTEE PHILLIPS: *RESOLUTION #11-2019-9,*
18 *RESOLUTION ratifying the re-hiring of Stephen*
19 *Venuti as a part-time, seasonal Carousel and Ice*
20 *Rink employee, at a pay rate of \$16.00 per hour,*
21 *effective November 23rd, 2019. So moved.*

22 TRUSTEE CLARKE: Second.

23 MAYOR HUBBARD: All in favor?

24 TRUSTEE MARTILOTTA: Aye.

25 TRUSTEE CLARKE: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR HUBBARD: Aye.

4 Opposed?

5 (No Response)

6 MAYOR HUBBARD: Motion carried.

7 TRUSTEE CLARKE: RESOLUTION #11-2019-10,
8 *Authorizing the attendance of Ethan Holland at*
9 *NEPPA's 2020 Apprentice Program for Second-Year*
10 *Training at Northwest Lineman College in*
11 *Littleton, Massachusetts. Complete training is*
12 *scheduled as six sessions to be held on:*
13 *January 28th, 2020 - January 31st (make-up*
14 *class), February 4th - February 7th, (make-up*
15 *class), March 3rd - March 6th, 2020 (start of*
16 *second-year classes), March 17th, 2020 -*
17 *March 20th, 2020 (regular class), September 29th,*
18 *2020 - October 2nd, 2020 (regular class), and*
19 *November 3rd - November 6th, 2020 (regular class)*
20 *at a total cost of: \$3,200.00 for the training*
21 *classes, a lodging rate of \$2,073.12,*
22 *reimbursable meal expenses not to exceed \$35 per*
23 *day, applicable transportation costs, and*
24 *standard mileage reimbursements per the Village*
25 *of Greenport Travel Policy; to be expensed from*

1 *account E.0785.210 (Employee Training). So*
2 *moved.*

3 TRUSTEE ROBINS: *Second.*

4 MAYOR HUBBARD: *All in favor?*

5 TRUSTEE MARTILOTTA: *Aye.*

6 TRUSTEE CLARKE: *Aye.*

7 TRUSTEE PHILLIPS: *Aye.*

8 TRUSTEE ROBINS: *Aye.*

9 MAYOR HUBBARD: *Aye.*

10 *Opposed?*

11 *(No Response)*

12 MAYOR HUBBARD: *Motion carried.*

13 TRUSTEE ROBINS: *RESOLUTION #11-2019-11,*
14 *RESOLUTION authorizing the attendance of Douglas*
15 *Rocco at NEPPA's 2020 Apprentice Program for*
16 *Fourth-Year Training at Northwest Lineman College*
17 *in Littleton, Massachusetts. Complete training*
18 *is scheduled as five sessions to be held on*
19 *February 11th, 2020 - February 14th, 2020*
20 *(make-up class), February 25th, 2020 -*
21 *February 28th, 2020 (start of fourth-year regular*
22 *class), March 31st, 2020 - April 3rd, 2020*
23 *(regular class), April (sic) (October) 20th,*
24 *2020 - October 23rd, 2020 (regular class) and*
25 *December 7th, 2020 - December 10th, 2020 (regular*

1 *class) at a total cost of: \$3,200.00 for the*
2 *training classes, a lodging rate of \$2,073.12,*
3 *reimbursable meal expenses not to exceed \$35 per*
4 *day, applicable transportation costs, and*
5 *standard mileage reimbursements per the Village*
6 *of Greenport Travel Policy; to be expensed from*
7 *account E.0785.210 (Employee Training). So*
8 *moved.*

9 TRUSTEE MARTILOTTA: Second.

10 MAYOR HUBBARD: All in favor?

11 TRUSTEE MARTILOTTA: Aye.

12 TRUSTEE CLARKE: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 TRUSTEE ROBINS: Aye.

15 MAYOR HUBBARD: Aye.

16 Opposed?

17 (No Response)

18 MAYOR HUBBARD: Motion carried.

19 TRUSTEE MARTILOTTA: *RESOLUTION*

20 *#11-2019-12, RESOLUTION ratifying the attendance*
21 *of William Schulz at the New York State*
22 *Department of Health Backflow Device Tester*
23 *Certification Course, from October 1st, 2019*
24 *through October 4th, 2019 in Copiague, New York.*
25 *So moved*

1 TRUSTEE PHILLIPS: Second.

2 MAYOR HUBBARD: All in favor?

3 TRUSTEE MARTILOTTA: Aye.

4 TRUSTEE CLARKE: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 TRUSTEE ROBINS: Aye.

7 MAYOR HUBBARD: Aye.

8 Opposed?

9 (No Response)

10 MAYOR HUBBARD: Motion carried.

11 TRUSTEE PHILLIPS: *RESOLUTION #11-2019-13,*

12 *RESOLUTION approving an increase in the hourly*

13 *wage rate for William Schulz, from \$18.40 to*

14 *\$19.90 per hour, effective November 27th, 2019*

15 *owing to the assumption of additional duties, per*

16 *Article VII (Salaries and Compensation),*

17 *Section 9(a) - Merit Clause - of the collective*

18 *bargaining agreement currently in force between*

19 *the Village of Greenport and CSEA Local 1000. So*

20 *moved.*

21 TRUSTEE CLARKE: Second.

22 MAYOR HUBBARD: All in favor?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE CLARKE: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 MAYOR HUBBARD: Motion carried.

6 TRUSTEE CLARKE: *RESOLUTION #11-2019-14,*
7 *Approving an increase in the hourly wage rate for*
8 *Deborah McLoughlin, from \$20.98 to \$23.00 per*
9 *hour, effective November 27th, 2019 owing to the*
10 *assumption of additional duties, per Article VII*
11 *(Salaries and Compensation), Section 9 (a) -*
12 *Merit Clause - of the collective bargaining*
13 *agreement currently in force between the Village*
14 *of Greenport and CSEA Local 1000. So moved.*

15 TRUSTEE ROBINS: Second.

16 MAYOR HUBBARD: All in favor?

17 TRUSTEE MARTILOTTA: Aye.

18 TRUSTEE CLARKE: Aye.

19 TRUSTEE PHILLIPS: Aye.

20 TRUSTEE ROBINS: Aye.

21 MAYOR HUBBARD: Aye.

22 Opposed?

23 (No Response)

24 MAYOR HUBBARD: Motion carried.

25 TRUSTEE ROBINS: *RESOLUTION #11-2019-15,*

1 *RESOLUTION accepting the abandoned building at*
2 *the Water Tower site on Moore's Lane from*
3 *Verizon, per the lease abandonment by Verizon,*
4 *and authorizing Village Administrator Pallas to*
5 *execute any requisite corresponding documents*
6 *subject to Village Attorney approval - assuming*
7 *no financial impact to the Village of Greenport -*
8 *regarding the acceptance of the abandonment. So*
9 *moved.*

10 TRUSTEE MARTILOTTA: Second.

11 MAYOR HUBBARD: All in favor?

12 TRUSTEE MARTILOTTA: Aye.

13 TRUSTEE CLARKE: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 TRUSTEE ROBINS: Aye.

16 MAYOR HUBBARD: Aye.

17 Opposed?

18 (No Response)

19 MAYOR HUBBARD: Motion carried.

20 TRUSTEE MARTILOTTA: *RESOLUTION #11-2019-16,*
21 *RESOLUTION authorizing Treasurer Brandt to*
22 *perform attached Budget Amendment #4229, to fund*
23 *tree and stump removal services, and directing*
24 *that Budget Transfer #4229 be included as part of*
25 *the formal meeting minutes for the November 25th,*

1 *2019 regular meeting of the Board of Trustees.*

2 So moved.

3 TRUSTEE PHILLIPS: Second.

4 MAYOR HUBBARD: All in favor?

5 TRUSTEE MARTILOTTA: Aye.

6 TRUSTEE CLARKE: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR HUBBARD: Aye.

10 Opposed?

11 (No Response)

12 MAYOR HUBBARD: Motion carried.

13 TRUSTEE PHILLIPS: *RESOLUTION #11-2019-17,*

14 *RESOLUTION approving the Public Assembly Permit*

15 *Application submitted by Elizabeth Mandara on*

16 *behalf of the United States Power Squadron*

17 *District 3, for the use of a portion of Mitchell*

18 *Park from 9 a.m. through 11 p.m. from July 30th,*

19 *2020 through August 2nd, 2020 for the annual*

20 *Rendezvous for District 3. So moved.*

21 TRUSTEE CLARKE: Second

22 MAYOR HUBBARD: All in favor?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE CLARKE: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 MAYOR HUBBARD: Motion carried.

6 TRUSTEE CLARKE: *RESOLUTION #11-2019-18,*
7 *Scheduling a public hearing for 7:00 p.m. on*
8 *December 26, 2019 at the Third Street Fire*
9 *Station, Third and South Streets, Greenport, New*
10 *York, 11944 regarding the Wetlands Permit*
11 *Application submitted by Robert E. Hermann of*
12 *En-Consultants on behalf of Pipes Cove Management*
13 *Association for the property at 131 Sixth Street,*
14 *Greenport, New York, 11944 to perform work*
15 *concerning removals, replacements, constructions*
16 *and re-constructions, per the attached Project*
17 *Design (Description). So moved.*

18 TRUSTEE ROBINS: Second.

19 MAYOR HUBBARD: All in favor?

20 TRUSTEE MARTILOTTA: Aye.

21 TRUSTEE CLARKE: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBINS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

1 (No Response)

2 MAYOR HUBBARD: Motion carried.

3 TRUSTEE ROBINS: *RESOLUTION #11-2019-19,*
4 *RESOLUTION adopting the attached SEQRA resolution*
5 *regarding the approval of the Wetlands Permit*
6 *Application submitted by the applicant Paul*
7 *Pawlowski on behalf of 123 Sterling Avenue, LLC*
8 *for the property at 123 Sterling Avenue,*
9 *Greenport, New York, 11944; adopting lead agency*
10 *status, determining the approval of the*
11 *application is a Type II Action for purposes of*
12 *SEQRA, and adopting a Negative Declaration*
13 *determining that the approval of the Wetlands*
14 *Permit Application will not have a significant*
15 *negative impact on the environment. So moved.*

16 TRUSTEE MARTILOTTA: Second.

17 MAYOR HUBBARD: All in favor?

18 TRUSTEE MARTILOTTA: Aye.

19 TRUSTEE PHILLIPS: Aye.

20 TRUSTEE ROBINS: Aye.

21 MAYOR HUBBARD: Aye.

22 Opposed?

23 TRUSTEE CLARKE: Opposed

24 MAYOR HUBBARD: Motion carried. What's

25 that?

1 TRUSTEE CLARKE: I opposed it.

2 MAYOR HUBBARD: Oh, okay. Excuse me. That
3 was four in favor, one opposed.

4 TRUSTEE MARTILOTTA: *RESOLUTION #11-2019-20,*
5 *RESOLUTION approving the Wetlands Permit*
6 *Application submitted by the applicant Paul*
7 *Pawlowski on behalf of 123 Sterling Avenue, LLC*
8 *for the property at 123 Sterling Avenue,*
9 *Greenport, NY 11944 to install:*

10 - *a 4-foot-wide by 6-foot-long fixed*
11 *platform leading to a 3-foot-wide by 15-foot-long*
12 *ramp leading to a 4-foot-wide by 30-foot-long (sic)*
13 *(34-foot-long) float,*

14 - *a 4-foot-wide by 20-foot-long float,*
15 *three (3) 3-foot-wide by 20-foot-long finger*
16 *floats at the northern float and*

17 - *two (2) 3-foot-wide by 20-foot-long*
18 *finger floats on the western float; each secured*
19 *by one (1) 12-inch-diameter timber pile, four (4)*
20 *safety ladders and four (4) 12-inch diameter*
21 *timber piles.*

22 *Per the Village of Greenport Conservation*
23 *Advisory Council, the following conditions shall*
24 *also apply to the approval of this permit*
25 *application:*

1 • *The approved Wetlands Permit Application*
2 *will have an expiration date of two (2) years*
3 *from the date of approval.*

4 • *The applicant must install a pump-out*
5 *station on the premises that is accessible to the*
6 *public, and*

7 • *Any required fill material shall come*
8 *from site material previously removed and*
9 *currently stored onsite. So moved.*

10 TRUSTEE PHILLIPS: Second. And I have a
11 question.

12 MAYOR HUBBARD: Okay.

13 TRUSTEE PHILLIPS: Paul, in reference to
14 this, any required fill material, in getting back
15 to the question of the foundation that was raised
16 with some of the concerns of Holzmacher examining
17 some of the stuff, will this affect anything?
18 Will he have fill coming in from someplace for
19 this project, digging something?

20 MR. PALLAS: No. That's the -- no. It
21 says that it will come from site material
22 previously removed and stored onsite.

23 TRUSTEE PHILLIPS: But he's going to be
24 digging? But he's going to be -- he's going to
25 be digging someplace for this?

1 MR. PALLAS: To put the bulkhead in, I
2 believe there's minimal digging, if I
3 remember correctly. I'd have to look at the
4 plans, but I don't --

5 MAYOR HUBBARD: Well, this application is
6 just for the floating docks and everything else.

7 ADMINISTRATOR PALLAS: Yeah, it's not a
8 bulkhead replacement.

9 MAYOR HUBBARD: This has nothing to do with
10 the property or the building or anything, this
11 wetlands permit application.

12 TRUSTEE PHILLIPS: It has --

13 ADMINISTRATOR PALLAS: This is just for the
14 bulkhead.

15 TRUSTEE PHILLIPS: This is just for the
16 bulkhead?

17 ADMINISTRATOR PALLAS: Correct.

18 MAYOR HUBBARD: No, this is not for the
19 bulkhead.

20 TRUSTEE MARTILOTTA: This is not the
21 bulkhead.

22 TRUSTEE ROBINS: This is not the bulkhead,
23 this is floating docks.

24 TRUSTEE MARTILOTTA: This is the
25 floating --

1 MAYOR HUBBARD: This is the floating docks
2 and everything else.

3 TRUSTEE MARTILOTTA: Yep.

4 MR. PALLAS: I'm sorry, I apologize.

5 TRUSTEE PHILLIPS: Okay. That's why I'm
6 asking.

7 MAYOR HUBBARD: No, that's --

8 ADMINISTRATOR PALLAS: Yeah.

9 MAYOR HUBBARD: This is just the floating
10 docks, the pilings, the ramps and the other
11 stuff. This is not the bulkhead or the other
12 stuff.

13 MR. PALLAS: Correct. I'm sorry, I
14 apologize

15 TRUSTEE PHILLIPS: Okay. That's why I'm
16 asking.

17 MAYOR HUBBARD: That's why, I mean, we had
18 the public hearing. This was -- the other issues
19 are all part of the regular building permit.
20 This is just the floating docks and the ramps,
21 just what was read off, that's all we're
22 voting on.

23 TRUSTEE PHILLIPS: Right. That's what I
24 wanted to double-check and make sure everyone was
25 clear on that. That's why I'm asking the

1 question.

2 MAYOR HUBBARD: Right.

3 TRUSTEE PHILLIPS: Okay. All right. Okay.

4 MAYOR HUBBARD: Okay. Any other discussion
5 on --

6 AUDIENCE MEMBER: Can you read that again?

7 TRUSTEE MARTILOTTA: Read it again?

8 AUDIENCE MEMBER: You need to read this.

9 MS. ALLEN: We're not allowed to interrupt
10 them.

11 MAYOR HUBBARD: No.

12 MS. ALLEN: Be quiet.

13 MAYOR HUBBARD: It's right in the agenda.
14 If you read the agenda, Item 20 is just the
15 floating docks. There's no bulkhead listed on
16 there. We're not voting on a bulkhead.

17 MS. WADE: The wetlands permit goes to
18 the --

19 MAYOR HUBBARD: We're approving what is
20 listed in the agenda, that's all we're approving.
21 That's what he asked for. That's what's --

22 MR. WEISS: The public hearing had
23 bulkheads.

24 MAYOR HUBBARD: What's that?

25 MR. WEISS: The public hearing had

1 bulkheads.

2 MAYOR HUBBARD: The public hearing -- what
3 we have here is what we're voting. There is no
4 bulkhead on this.

5 TRUSTEE ROBINS: A 6-foot-long platform
6 leading to a 3-foot-wide ramp, a 20-foot-wide
7 float. There's no -- there's no mention of
8 bulkhead in this.

9 MR. WEISS: Well, the public hearing had
10 bulkheads and dredging.

11 TRUSTEE MARTILOTTA: Dredging?

12 MAYOR HUBBARD: I never heard about
13 dredging either.

14 MR. WEISS: It was 15-foot dredging.
15 Remember, we discussed that?

16 MS. WADE: But, George --

17 MAYOR HUBBARD: All right. Just give the
18 Village Administrator a moment to clarify what's
19 on the agenda. This is -- this is what we're
20 voting on is what's on here. People keep
21 bringing up all kinds of other things. We're
22 voting on this right here, that's all that's on
23 the agenda.

24 MR. PALLAS: My memory is that the bulkhead
25 work had been done previously, if I remember

1 correctly.

2 MR. SALADINO: The bulkhead work --

3 ADMINISTRATOR PALLAS: There's another
4 member of the CAC is here, if I may.

5 MR. SALADINO: When we made -- I'm sorry.
6 When we made the site inspection, only 135 feet
7 of the east end of the property required the
8 bulkhead. The other hundred and something feet
9 was previously done. When the CAC did the site
10 inspection, we looked at the 135 feet of the east
11 end of the bulkhead and that seemed fine.

12 And as far as the docks and the floating
13 docks, he had told us that was previously done.
14 We didn't consider that. And as far as the
15 floating dock, all he was doing was relocating a
16 pile, a piling at the end to straighten the dock
17 out. There was no new dock, there was no new
18 walkways. All the CAC -- all the CAC said --
19 took into consideration was 135 -- 134 feet of
20 bulkhead and the relocation of three pilings to
21 straighten the floating docks out, or four
22 pilings to straighten out the floating docks.

23 TRUSTEE MARTILOTTA: That's right.

24 MR. WEISS: The public notice reads, the
25 language of the public notice reflects that --

1 MAYOR HUBBARD: All right. Just we
2 can't -- everybody can't be hollering back and
3 forth. Just the Village Attorney wants to say
4 something on the application.

5 MR. PROKOP: The language of the public
6 notice -- the language of the public notice of
7 the public hearing reflects exactly the notice --
8 the language of the resolution and does not
9 mention bulkhead.

10 MAYOR HUBBARD: Correct.

11 MR. PROKOP: It mentions timber piles,
12 which are going to secure the floating dock --
13 the floats, excuse me, the floats, but it does
14 not mention bulkhead.

15 MR. WEISS: Doesn't talk about raising it
16 18 inches? Doesn't talk about putting the --

17 ATTORNEY PROKOP: No, it's exactly the
18 language.

19 MR. WEISS: -- in front of the steel?

20 ATTORNEY PROKOP: No.

21 MR. WEISS: Doesn't talk about 15 feet of
22 dredging?

23 MS. WADE: Was it part of 19 rather than
24 20?

25 MAYOR HUBBARD: Okay.

1 MR. PROKOP: So what's before the Board is
2 the language that's in the resolution.

3 MAYOR HUBBARD: Right. All we're voting on
4 is the work on the pilings and the floating
5 docks. That's all that's being approved at this
6 time, nothing else is being approved.

7 MS. WADE: Can I ask a question?

8 MAYOR HUBBARD: Correct?

9 MS. ALLEN: No.

10 MAYOR HUBBARD: That's --

11 MR. PALLAS: That's the resolution on
12 the -- the agenda item --

13 MAYOR HUBBARD: All right.

14 ADMINISTRATOR PALLAS: We'll review the
15 file in detail to see if -- if he was looking for
16 the rest of it, it would have to be a separate
17 hearing for that if there is.

18 TRUSTEE PHILLIPS: Was there not
19 correspondence from him that stated that he was
20 only doing the --

21 MR. PALLAS: Again, there's a tremendous
22 amount of documents there to review and I can't
23 do that in a minute.

24 TRUSTEE PHILLIPS: No. And I pulled it --
25 I pulled it out. Is he in a hurry to do this

1 work right now, or can we table this until we get
2 a clarification?

3 MR. PALLAS: If he -- that's up to you.

4 TRUSTEE PHILLIPS: Well, no.

5 ADMINISTRATOR PALLAS: I didn't -- I didn't
6 have any discussion with him about what his needs
7 are.

8 MAYOR HUBBARD: Okay. I mean, if it's the
9 feeling of the Board, if -- I mean, you can table
10 it, but this has got nothing to do with bulkhead
11 or any of the other stuff that's being mentioned
12 right now. This is what was in the application.

13 When we had the public hearing last month,
14 the conversation got waylaid into other things
15 right from the beginning from the first speaker
16 moving forward of talking about different things,
17 and I was trying to keep everybody focused just
18 on the public hearing on this part of the
19 wetlands permit application. That's what I was
20 trying to do when we had that and just to focus
21 on the one thing. The building and all the other
22 stuff is a different issue than what this is.
23 This application was just on the floating docks
24 and the pilings.

25 TRUSTEE ROBINS: That's my recollection of

1 that.

2 TRUSTEE CLARKE: I understand, but I do
3 recollect discussion of depth of dredging and
4 bulkhead heights, per Steve's memory. I can't
5 find it in my paperwork either, but that's my
6 recollection. And I can't now remember how -- if
7 that came up as a conversation point, because
8 this project has so much energy behind it --

9 MAYOR HUBBARD: Correct.

10 TRUSTEE CLARKE: -- from the public, or
11 whether it was in a document. So now I'm not
12 clear. I'm sorry.

13 MAYOR HUBBARD: Uh-huh.

14 TRUSTEE ROBINS: I recall the Mayor trying
15 to keep the conversation centered around the
16 floating docks.

17 TRUSTEE CLARKE: I do distinctly remember
18 that as well.

19 TRUSTEE ROBINS: Yes, so.

20 TRUSTEE CLARKE: But we discussed bulkhead,
21 bulkhead heights. I remember 18 inches, I
22 remember dredging depths for the floating docks.

23 MAYOR HUBBARD: Okay.

24 MR. PALLAS: My only -- my only suggestion,
25 if the Village Attorney concurs, is if additional

1 work was missed, for whatever reason, the docks
2 are definitely part of it. The bulkhead may or
3 may not be, we have to review it. It would need
4 a -- in any event, if you voted on the docks and
5 he did intend to do the bulkhead, that would just
6 have to be re-noticed as a separate hearing.

7 MAYOR HUBBARD: That would have to be a
8 separate hearing and everything else --

9 ADMINISTRATOR PALLAS: Correct.

10 MAYOR HUBBARD: -- if he's going to replace
11 part of the bulkhead.

12 ADMINISTRATOR PALLAS: Correct.

13 MAYOR HUBBARD: Because this is all that we
14 had the public -- we noticed the public hearing
15 last month, we discussed it at the work session,
16 and what we were talking about is just what's on
17 the agenda now.

18 MR. PALLAS: Correct.

19 MAYOR HUBBARD: That matches the public
20 hearing, it matches what we discussed at work
21 session, it matches what we're going to vote on
22 this evening.

23 ADMINISTRATOR PALLAS: Yes.

24 MAYOR HUBBARD: Is that correct, Joe?

25 MR. PROKOP: Yes, that's correct.

1 MAYOR HUBBARD: So if we vote and approve
2 the wetlands permit for the floating docks, the
3 ramps and that stuff, that's all we're approving
4 at this point.

5 MR. WEISS: I think you're cherry-picking.

6 MAYOR HUBBARD: Is everybody comfortable
7 with that?

8 TRUSTEE MARTILOTTA: I'm very comfortable
9 with it.

10 TRUSTEE PHILLIPS: Yeah.

11 TRUSTEE ROBINS: I'm comfortable with it.

12 TRUSTEE PHILLIPS: I'm comfortable.

13 MAYOR HUBBARD: Okay. All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR HUBBARD: Aye.

18 Opposed?

19 TRUSTEE CLARKE: Opposed.

20 MAYOR HUBBARD: Four in favor, one opposed.

21 Motion is carried for them to go ahead and do the
22 floats and ramps only.

23 TRUSTEE PHILLIPS: *RESOLUTION #11-2019-21,*
24 *RESOLUTION authorizing the annual solicitation of*
25 *bids for the delivery of unleaded (87 octane)*

1 *gasoline to various locations throughout the*
2 *Village of Greenport, and directing Clerk Pirillo*
3 *to notice the solicitation of bids accordingly.*

4 So moved.

5 TRUSTEE CLARKE: Second.

6 MAYOR HUBBARD: All in favor?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE CLARKE: Aye.

9 TRUSTEE PHILLIPS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 MAYOR HUBBARD: Motion carried.

15 TRUSTEE CLARKE: *RESOLUTION #11-2019-22,*
16 *Authorizing the annual solicitation of bids for*
17 *the delivery of No. 2 heating oil to various*
18 *locations throughout the Village of Greenport,*
19 *and directing Clerk Pirillo to notice the*
20 *solicitation of bids accordingly. So moved.*

21 TRUSTEE ROBINS: Second.

22 MAYOR HUBBARD: All in favor?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE CLARKE: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 MAYOR HUBBARD: Motion carried.

6 TRUSTEE ROBINS: *RESOLUTION #11-2019-23,*
7 *RESOLUTION authorizing the annual solicitation of*
8 *bids for the delivery of diesel fuel to various*
9 *locations throughout the Village of Greenport,*
10 *and directing Clerk Pirillo to notice the*
11 *solicitation of bids accordingly. So moved.*

12 TRUSTEE MARTILOTTA: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE CLARKE: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 TRUSTEE MARTILOTTA: *RESOLUTION #11-2019-24,*
23 *RESOLUTION authorizing the solicitation of quotes*
24 *for a 10-yard dump truck and driver to assist the*
25 *Village with the removal and disposal of snow as*

1 *needed, and directing Clerk Pirillo to notice the*
2 *Request for Quotations accordingly. So moved.*

3 TRUSTEE PHILLIPS: Second.

4 MAYOR HUBBARD: All in favor?

5 TRUSTEE MARTILOTTA: Aye.

6 TRUSTEE CLARKE: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR HUBBARD: Aye.

10 Opposed?

11 (No Response)

12 MAYOR HUBBARD: Motion carried.

13 TRUSTEE PHILLIPS: *RESOLUTION #11-2019-25,*
14 *RESOLUTION authorizing the solicitation of quotes*
15 *for a requirement contractor, with a unit price*
16 *schedule for hourly, half-day and daily rates for*
17 *one (1) worker, one (1) worker with a back hoe,*
18 *two (2) workers, and two (2) workers with a back*
19 *hoe, including regular time and overtime, and*
20 *directing Clerk Pirillo to notice the Request for*
21 *Quotations accordingly. So moved.*

22 TRUSTEE CLARKE: Second.

23 MAYOR HUBBARD: All in favor?

24 TRUSTEE MARTILOTTA: Aye.

25 TRUSTEE CLARKE: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR HUBBARD: Aye.

4 Opposed?

5 (No Response)

6 MAYOR HUBBARD: Motion carried.

7 TRUSTEE CLARKE: *RESOLUTION #11-2019-26,*
8 *Approving the attached contract between the*
9 *Village of Greenport and the Greenport Hockey*
10 *Club, Ltd. For the use of the Village of*
11 *Greenport Ice Rink and its associated equipment,*
12 *and authorizing Mayor Hubbard to sign the*
13 *contract between the Village of Greenport and the*
14 *Greenport Hockey Club, Ltd. So moved.*

15 TRUSTEE ROBINS: Second.

16 MAYOR HUBBARD: All in favor?

17 TRUSTEE MARTILOTTA: Aye.

18 TRUSTEE CLARKE: Aye.

19 TRUSTEE PHILLIPS: Aye.

20 TRUSTEE ROBINS: Aye.

21 MAYOR HUBBARD: Aye.

22 Opposed?

23 (No Response)

24 MAYOR HUBBARD: Motion carried.

25 TRUSTEE ROBINS: *RESOLUTION #11-2019-27,*

1 *RESOLUTION approving the attached contract*
2 *between the Village of Greenport and the*
3 *Greenport Open Hockey League for the use of the*
4 *Village of Greenport Ice Rink and associated*
5 *equipment, and authorizing Mayor Hubbard to sign*
6 *the contract between the Village of Greenport and*
7 *the Greenport Open Hockey League. So moved.*

8 TRUSTEE MARTILOTTA: Second.

9 MAYOR HUBBARD: All in favor?

10 TRUSTEE MARTILOTTA: Aye.

11 TRUSTEE CLARKE: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 TRUSTEE ROBINS: Aye.

14 MAYOR HUBBARD: Aye.

15 Opposed?

16 (No Response)

17 MAYOR HUBBARD: Motion carried.

18 TRUSTEE MARTILOTTA: *RESOLUTION #11-2019-28,*
19 *RESOLUTION approving the proposed Inter-Municipal*
20 *Agreement between the Village of Greenport and*
21 *the Greenport Union Free School District for a*
22 *joint program from 12:30 p.m. through 3:00 p.m.*
23 *on: December 26th, 27th / January 2nd, 2020 /*
24 *January 3rd, 2020 / February 18th, 2020 through*
25 *February 21st, 2020 and April 6th, 2020 through*

1 *April 9th, 2020 at the Greenport School, and*
2 *authorizing Mayor Hubbard to sign the Inter-*
3 *Municipal Agreement between the Village of*
4 *Greenport and the Greenport Union Free School*
5 *District. So moved.*

6 TRUSTEE PHILLIPS: Second.

7 MAYOR HUBBARD: All in favor?

8 TRUSTEE MARTILOTTA: Aye.

9 TRUSTEE CLARKE: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 TRUSTEE ROBINS: Aye.

12 MAYOR HUBBARD: Aye.

13 Opposed?

14 (No Response)

15 MAYOR HUBBARD: Motion carried.

16 TRUSTEE PHILLIPS: *RESOLUTION #11-2019-29,*
17 *RESOLUTION authorizing the issuance of a check*
18 *made payable to Paul Pallas as Village*
19 *Administrator, in the amount of \$1,000.00, to be*
20 *used to set up the required cash drawer / banks*
21 *for the operation of the Village of Greenport*
22 *ice skating rink. So moved.*

23 TRUSTEE CLARKE: Second.

24 MAYOR HUBBARD: All in favor?

25 TRUSTEE MARTILOTTA: Aye.

1 TRUSTEE CLARKE: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR HUBBARD: Aye.

5 Opposed?

6 (No Response)

7 MAYOR HUBBARD: Motion carried.

8 TRUSTEE CLARKE: *RESOLUTION #11-2019-30,*
9 *Ratifying the attendance of Clerk Pirillo at the*
10 *Long Island Village Clerks and Treasurers*
11 *Association meeting on November 14th, 2019 in*
12 *Riverhead, New York with the \$35.00 registration*
13 *fee and all applicable travel costs in accordance*
14 *with the official Village of Greenport Travel*
15 *Policy to be reimbursed from account A.1410.400*
16 *(Clerk Contractual Expense). So moved.*

17 TRUSTEE ROBINS: Second.

18 MAYOR HUBBARD: All in favor?

19 TRUSTEE MARTILOTTA: Aye.

20 TRUSTEE CLARKE: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE ROBINS: Aye.

23 MAYOR HUBBARD: Aye.

24 Opposed?

25 (No Response)

1 *Building and Fire Prevention Codes, for the*
2 *property located at 123 Sterling Avenue,*
3 *Greenport, New York. Applicant Paul Pawlowski*
4 *agrees to reimburse the Village for all costs*
5 *incurred by the Village with respect to the*
6 *Holzmacher services for this project, with the*
7 *Village to be reimbursed by payments from an*
8 *escrow account controlled by the Village that*
9 *will be established for that purpose and which*
10 *will be funded by 123 Sterling Avenue, LLC. So*
11 *moved.*

12 TRUSTEE PHILLIPS: Second. And I have a
13 procedure question. The contact point for the
14 community and anybody within the Village having
15 questions about what's going on will be directed
16 to Village Hall and not contacting Holzmacher,
17 correct?

18 MAYOR HUBBARD: They should be going to the
19 Village Administrator and the Building
20 Department.

21 TRUSTEE PHILLIPS: Okay. All right.
22 That's -- I just wanted to make that clear. I
23 just want --

24 MAYOR HUBBARD: Yeah, the point person
25 would be the Village Administrator. Paul Pallas

1 would be the person, because he's going to be the
2 one that authorizes what to review, what not to
3 review, and what they're supposed to be doing.

4 TRUSTEE PHILLIPS: Yes.

5 MAYOR HUBBARD: Just because, you know,
6 somebody just says, "I want you to go look at
7 that," they can't contact them and tell them to
8 do it, it has to be run through the Village
9 Administrator's Office.

10 TRUSTEE PHILLIPS: Okay. I just wanted to
11 make the public aware of that.

12 MAYOR HUBBARD: Yes.

13 TRUSTEE PHILLIPS: That's --

14 MAYOR HUBBARD: So any questions, comments
15 will all be directed to Paul, and Mr. Pallas will
16 make sure they get forwarded and gets answers on
17 them.

18 TRUSTEE PHILLIPS: Okay. All right. Okay.
19 All right. Thank you.

20 MAYOR HUBBARD: Any other discussion?

21 TRUSTEE CLARKE: I did have a question from
22 tonight's conversation of whether the scope of
23 this contract should be modified and any
24 consideration to additional points that were
25 brought up, or is, in our Board's opinion, the

1 scope of prior construction issues, prior
2 construction, inspection and other notes of
3 compaction, concrete, and backfilling, and
4 heights of -- I forgot the word, I beg your
5 pardon.

6 MAYOR HUBBARD: The height and the
7 floodplain, the elevation and the floodplain.

8 TRUSTEE CLARKE: Elevations, the change of
9 elevations, if any of that should be added into
10 the contract as a check and balance for
11 additional confidence and additional security
12 that everything heretofore has been to all
13 specifications and site plans and agreements
14 previously noted.

15 MAYOR HUBBARD: Right. Well, my feeling on
16 this is that we're hiring them to assist the
17 Building Department, so it's an application
18 before the Planning Board. If they're going to
19 be the ones that are dealing with the elevation
20 issue, then these people would be consulted to
21 deal with that issue before the Planning Board
22 when they request it, when the application is
23 there. And then if they're going to change the
24 height, it has to go to the Zoning Board, they
25 would also work with the Zoning Board to give

1 them interpretations. So all our statutory
2 Boards would have use of their services.

3 TRUSTEE PHILLIPS: So, Mayor, can I ask a
4 question? Perhaps Village Administrator Pallas
5 can answer this one. If the property owner
6 decides to go through the process of the Planning
7 Board and the ZBA, will there be -- the work will
8 stop down on the site?

9 MR. PALLAS: I mean, it's not an easy -- it
10 depends. I mean, if he's keeping the frame the
11 same and as the building permit, and it's just
12 interior changes to convert the first floor
13 commercial to residential, it would be whether or
14 not the existing plans would accommodate that.
15 If they do, then there would be no need to stop,
16 because he has a valid building permit.

17 TRUSTEE PHILLIPS: I understand he has a
18 valid building permit, okay, but he's -- I'm
19 sorry, he's playing both sides of the field. And
20 either he's going to finish going through with
21 the process of the Planning Board, or he's going
22 to finish doing his building, one or the other.

23 He has -- he's got -- he has got not only
24 the neighborhood in limbo, he's got us in limbo.
25 I'm sorry, that's how I see it. And if he's

1 going to be changing to residential use, I'm
2 assuming that that change is some of what he's
3 done with the foundation with some type of
4 changes for breakaway.

5 I mean, the floodplain that they were
6 speaking about, in all honesty, Stirling Condos
7 down there are going to be all underwater anyway.
8 They're in the same position that he's in.

9 So that's why I'm asking, is we all want
10 this to go forward, we want the public to be --
11 have faith in us and we have faith in the
12 applicant, so that's why I'm asking the
13 questions.

14 If he's -- if for some reason Holzmacher
15 finds something, we are going to stop him and
16 make him correct it, correct, on some points?

17 MR. PALLAS: Of course. If there's
18 something that doesn't meet code, he would be
19 required to mitigate it, yes.

20 TRUSTEE PHILLIPS: Right. But if -- you
21 know, if he goes to the Planning Board and
22 decides to change things, is that going to stop
23 the construction for a moment until he gets
24 permission?

25 MR. PALLAS: Again --

1 MR. PROKOP: No. If the -- if he has an
2 existing building permit, then he could continue
3 to construct, as long as he's within -- in
4 compliance with that permit and the code. It's
5 at his -- that's what we discussed.

6 And then I wanted to say two things. I
7 wanted to make a comment that the Building
8 Inspector operate -- the Building Department
9 operates independently. As an official, he can
10 take advice, but he'll be making the decision.

11 And then the other thing is with regard to
12 this proposal, the Board is accepting the
13 proposal tonight -- excuse me. The Board will
14 vote on the proposal tonight. We have a standard
15 contract form that the Village uses that the
16 proposal will get attached to. And if you'd like
17 other -- there's a line or two of conformance
18 language that you would like in it, I can put
19 that language in the contract, if you -- if the
20 Board wants.

21 But I don't see anything that's been
22 mentioned tonight that I wouldn't consider to all
23 be within the scope of his duties, as far as
24 making sure that the existing building, the
25 existing building permit, and the -- any future

1 work is in compliance with all relevant codes. I
2 believe that that's covered by the scope as
3 it is.

4 TRUSTEE ROBINS: Joe, that's the way I read
5 this, too. I mean, it basically states to assist
6 the Greenport Building Department with plan
7 review and inspection services for any
8 application and approved development per the
9 Village of Greenport Code and the Uniform
10 Building and Fire Prevention Codes for the
11 property located at 123 Sterling Avenue,
12 Greenport, New York. I think that's kind of all
13 encompassing, it includes everything. That's the
14 way I'm reading it.

15 TRUSTEE CLARKE: Thank you.

16 MAYOR HUBBARD: Okay. Any other
17 discussion?

18 (No Response)

19 MAYOR HUBBARD: All in favor?

20 TRUSTEE MARTILOTTA: Aye.

21 TRUSTEE CLARKE: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBINS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

1 (No Response)

2 MAYOR HUBBARD: Motion carried.

3 TRUSTEE PHILLIPS: RESOLUTION #11-2019-33,
4 RESOLUTION approving all checks per the Voucher
5 Summary Report dated November 22nd, 2019, in the
6 total amount of \$826,271.51 consisting of:

7 o All regular checks in the amount of
8 \$702,606.60, and

9 o All prepaid checks (including wire
10 transfers) in the amount of \$123,664.91.

11 So moved.

12 TRUSTEE CLARKE: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE CLARKE: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 All right. I just want to wish everybody a
23 Happy Thanksgiving. Enjoy your family and
24 friends. Enjoy the holiday.

25 And I will offer a motion to adjourn at

1 8:40. So moved.

2 TRUSTEE ROBINS: Second.

3 MAYOR HUBBARD: All in favor?

4 TRUSTEE MARTILOTTA: Aye.

5 TRUSTEE CLARKE: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 TRUSTEE ROBINS: Aye.

8 MAYOR HUBBARD: Aye.

9 Opposed?

10 (No Response)

11 MAYOR HUBBARD: Motion carried. We're
12 adjourned. Thank you.

13 (Time Noted: 8:40 p.m.)

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#	<p>\$16 [1] - 10:5 \$16,850.00 [1] - 70:21 \$16.00 [1] - 72:20 \$18.40 [1] - 76:13 \$19.90 [1] - 76:14 \$2,073.12 [2] - 73:21, 75:2 \$20.98 [1] - 77:8 \$23.00 [1] - 77:8 \$3,200.00 [2] - 73:20, 75:1 \$34 [1] - 10:2 \$35 [2] - 73:22, 75:3 \$35.00 [1] - 101:12 \$702,606.60 [1] - 110:8 \$826,271.51 [1] - 110:6</p>	<p>11th [1] - 74:19 12 [8] - 2:24, 40:8, 53:19, 56:1, 61:14, 64:20, 66:17 12-inch [1] - 82:20 12-inch-diameter [1] - 82:19 123 [7] - 81:7, 81:8, 82:7, 82:8, 103:2, 103:10, 109:11 12:30 [1] - 99:22 12th [1] - 112:18 131 [1] - 80:13 132 [2] - 20:3, 24:13 134 [1] - 88:19 135 [3] - 88:6, 88:10, 88:19 138 [1] - 51:22 140 [1] - 14:24 14th [2] - 74:19, 101:11 15 [5] - 10:7, 25:22, 31:11, 45:3, 89:21 15,000 [2] - 41:13, 50:19 15-foot [1] - 87:14 15-foot-long [1] - 82:11 15.8 [1] - 10:12 150 [1] - 14:24 150-foot [1] - 45:13 15th [1] - 52:2 17 [1] - 12:19 176 [1] - 9:17 17th [1] - 73:16 18 [2] - 89:16, 92:21 182 [3] - 38:9, 50:16, 66:8 18th [1] - 99:24 19 [2] - 26:15, 89:23 1920s [1] - 12:21 1925 [1] - 16:21 1930 [1] - 16:21 1930s [1] - 12:21 1935 [1] - 16:22 1940 [1] - 16:22 1st [1] - 75:23</p>	<p>20 [2] - 86:14, 89:24 20-foot-long [3] - 82:14, 82:15, 82:17 20-foot-wide [1] - 87:6 200 [4] - 26:9, 29:8, 41:5, 47:12 2004 [1] - 58:24 2005 [1] - 58:25 2009 [1] - 60:12 2011 [3] - 14:12, 16:14, 17:1 2017 [3] - 10:2, 16:17, 17:3 2018 [1] - 52:3 2019 [26] - 1:9, 2:15, 2:18, 2:21, 2:24, 2:25, 59:13, 67:9, 68:16, 69:15, 70:6, 70:22, 71:15, 72:6, 72:21, 75:23, 75:24, 76:14, 77:9, 79:1, 80:8, 101:11, 110:5, 112:12, 112:18 2020 [27] - 73:9, 73:13, 73:15, 73:16, 73:17, 73:18, 73:19, 74:15, 74:19, 74:20, 74:21, 74:22, 74:24, 74:25, 79:19, 99:23, 99:24, 99:25, 100:1 20th [4] - 69:15, 70:6, 73:17, 74:23 21st [2] - 68:16, 99:25 22nd [2] - 2:21, 110:5 23rd [3] - 72:6, 72:21, 74:24 24th [1] - 2:24 25 [5] - 1:9, 19:1, 57:14, 57:16, 112:12 25-foot [2] - 65:2, 65:3 25th [3] - 2:25, 74:20, 78:25 26 [3] - 64:4, 71:15, 80:8 26th [1] - 99:23 27th [3] - 76:14, 77:9, 99:23 28 [2] - 64:3, 64:4 28th [3] - 2:15, 73:13, 74:21 29th [2] - 2:15, 73:17 2nd [3] - 73:18, 79:19, 99:23</p>	3
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