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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

December 28, 2017
7:00 P.M.

B E F O R E:

GEORGE HUBBARD, JR. - MAYOR

JACK MARTILOTTA - DEPUTY MAYOR

MARY BESS PHILLIPS - TRUSTEE

DOUGLAS W. ROBERTS - TRUSTEE

JULIA ROBINS - TRUSTEE

JOSEPH PROKOP - VILLAGE ATTORNEY

PAUL PALLAS - VILLAGE ADMINISTRATOR

SYLVIA PIRILLO - VILLAGE CLERK

1 (The Meeting was Called to Order at 7:00 p.m.)

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

4 (All stood for the Pledge of Allegiance)

5 MAYOR HUBBARD: Please remain standing
6 for a moment of silence for Stella Bertolini,
7 Elizabeth "Betty" Blasko, Kathryn Joan Kart and
8 Danielle Marie Meraz.

9 (All stood for a Moment of Silence)

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

12 Okay. I just have a couple of
13 announcements. Village Offices will be closed
14 on January 1st in celebration of New Years Day.
15 And the Village Offices will be closed on
16 January 15th in honor of Martin Luther King,
17 Jr. Birthday.

18 That's all I have under announcements.
19 We've got a couple of public hearings. The
20 first public hearing is on the Community
21 Development Block Grant. Looking for input
22 from the public and ideas of stuff that we
23 could try to apply for grants for. So if
24 anybody would like to put in any suggestions,
25 come on up and state your name and address for

1 the record and we'll take down your ideas, and
2 this will be discussed at our regular meeting
3 next month, or at our work session next month.
4 Go ahead.

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

7 Years ago, in the '70s, '80s and early
8 '90s, we actually got money for road end
9 projects, in other words, like on the end of
10 Bay Avenue and -- I forget what other streets.
11 You might want to consider asking for some
12 money on like Fourth Street, you know, the ends
13 of those side streets there. It's a good --
14 you know, if you get half a million, you could
15 do quite a bit of good. So you might want to
16 throw that in there, because people like the
17 environment.

18 MAYOR HUBBARD: Uh-huh. Thank you.
19 Anybody else have anything on the Community
20 Development Block Grant?

21 TRUSTEE ROBERTS: Mayor, I've got an
22 email I'd like to read.

23 MAYOR HUBBARD: Okay.

24 TRUSTEE ROBERTS: For the public hearing,
25 from a resident.

1 MAYOR HUBBARD: Okay.

2 TRUSTEE ROBERTS: Raymond -- this is an
3 email to me for this hearing from Raymond
4 Chute, 254 Sixth Avenue.

5 "Mayor Hubbard, Village Board Members,
6 Raymond Chute, Village resident, homeowner,
7 senior citizen.

8 Applying for this money to convert single
9 family homes into two-family homes could be
10 beneficial for seniors. Most of them have no
11 mortgage. It would help them keep their homes.
12 If mortgage companies could use the confirmed
13 rental, it could help getting the mortgage.
14 Regardless, the rentals would have to be
15 inspected on a regular basis. If the Code
16 Enforcement Officer finds something that might
17 raise a red flag, report and make another
18 announced visit to see if everything's going
19 the way it's supposed to. Rental applications
20 would have to be thoroughly screened.
21 Landlords could not be put into a dangerous
22 situation.

23 I'd also like to state that the landlord
24 should be inspected routinely. If infractions
25 were found, they must be fixed immediately or

1 close it down.

2 So my vote would be yes, but do this
3 wisely, please. Thank you. Respectively,
4 Raymond Chute."

5 MAYOR HUBBARD: Okay. Thank you.
6 Anybody else have anything else for -- good?
7 All right. I'll offer a motion to close the
8 public hearing on it, and we will discuss this
9 at our work session.

10 TRUSTEE PHILLIPS: I'll second that.

11 MAYOR HUBBARD: All in favor?

12 TRUSTEE MARTILOTTA: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 TRUSTEE ROBERTS: Aye.

15 TRUSTEE ROBINS: Aye.

16 MAYOR HUBBARD: Aye.

17 Opposed?

18 (No Response)

19 MAYOR HUBBARD: Motion carried.

20 Okay. The second public hearing is a
21 Proposed amendment to Chapter 132 (Vehicles and
22 Traffic), Schedule (Section) 54 (Schedule XVI -
23 Limited time Parking) of the Village of
24 Greenport Code. This public hearing has been
25 noticed. It's to actually add 11 30-minute

1 parking spots in the IGA parking lot, on the
2 west side of the parking lot. So I'll open
3 this up to the public. Anybody like to speak
4 and address this topic?

5 MR. PORTINO: Okay. Good evening. My
6 name is Dino Portino. I'm the Store Manager of
7 the Greenport IGA Supermarket.

8 I've been -- as the Store Manager, I
9 receive numerous complaints during our peak
10 season from many local residents frustrated
11 with the availability of parking in and around
12 the IGA market. Many cars park for two or more
13 hours, sometimes all day during the peak season
14 of the summer months.

15 Our store is pretty much different than
16 most businesses in town. Many customers
17 require their vehicle to be in close proximity
18 to the building for loading groceries after
19 shopping. Just like all Village businesses,
20 the IGA depends on the summer seasonal business
21 to help carry us through the off-season months
22 during the winter months.

23 I would like to thank the Mayor and the
24 Village for their consideration in this matter.
25 Thank you.

1 MAYOR HUBBARD: Okay. Thank you.

2 Anybody else wish to address the Board on the
3 topic of the parking?

4 MR. HARRIS: Pete Harris, 212 Knapp
5 Place.

6 Quite honestly, I don't think 30 minutes
7 is the right allotted time. During the heavy
8 peaks, peak time shopping, there's no way that
9 you can get into IGA and be out of there in 30
10 minutes. So I would say an hour, because on
11 those heavy critical days, you can -- you can
12 be in line 20 minutes just to get checked out.
13 So to go in to do your shopping and then to get
14 -- then go through the cashier, to get out in
15 30 minutes, and then have one of the Code
16 Enforcement Officers come through and give you
17 a ticket when you were in there legitimately
18 shopping, I think you need to go an hour.

19 MAYOR HUBBARD: Okay. Thank you.
20 Anybody else wish to address the Board on this
21 topic?

22 TRUSTEE ROBINS: Mr. Mayor, may I make a
23 comment on the proposed legislation?

24 MAYOR HUBBARD: Sure.

25 TRUSTEE ROBINS: I can do it at the work

1 session, if you'd prefer.

2 AUDIENCE MEMBER: Can't hear you.

3 TRUSTEE ROBINS: Okay. I tend to agree
4 with Mr. Harris, that 30 minutes is too short a
5 time. I happen to have the opportunity -- this
6 summer, our office moved right across the
7 street from the parking lot, so I had a good
8 opportunity to observe people.

9 I just think that the time should be
10 extended to 45 minutes to an hour. Once people
11 get in there and they get a spot and they get
12 into the store, they may want to run across to
13 the Colonial or another spot. The chances of
14 finding yet another spot and moving your car to
15 go find something is very limited. So I just
16 think that people need a little more time,
17 that's all. Thank you.

18 MAYOR HUBBARD: Okay. All right.
19 Anybody -- any other comments?

20 (No Response)

21 MAYOR HUBBARD: All right. I'll offer a
22 motion to close the public hearing. We'll
23 discuss that at the work session.

24 TRUSTEE PHILLIPS: Second.

25 MAYOR HUBBARD: All in favor?

1 TRUSTEE MARTILOTTA: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 TRUSTEE ROBERTS: Aye.

4 TRUSTEE ROBINS: Aye.

5 MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response)

8 MAYOR HUBBARD: Motion carried. Thank you.

9 TRUSTEE ROBERTS: May I ask a procedural
10 question? So if we -- if we were to take that
11 suggestion, then we'd have to change the code
12 for the existing 30-minute spots. Can we -- I
13 think it's a question for the Attorney. Can we
14 do that based on this public hearing next
15 month, or do we need to host another public
16 hearing?

17 MR. PROKOP: No, you don't have to have
18 another public hearing. The only requirement
19 is that the law has to be in its final form at
20 least eight days prior to its adoption. So you
21 can make -- you can make changes from any --
22 any time from tonight until the -- at least
23 eight days before the adoption of the Local
24 Law.

25 TRUSTEE ROBERTS: Our work session is

1 seven days before, right?

2 MAYOR HUBBARD: Uh-huh.

3 TRUSTEE ROBERTS: So we'd have to do it
4 by email.

5 MAYOR HUBBARD: Yup.

6 TRUSTEE ROBERTS: If --

7 MAYOR HUBBARD: Okay.

8 TRUSTEE ROBERTS: If I may, as the guy
9 who proposed this, that doesn't seem like such
10 a bad idea. So, you know, if you want to ask
11 us that over email, I think I'd be supportive.

12 MAYOR HUBBARD: Okay. Thank you.

13 All right. The last public hearing we
14 have is Proposed amendment to Chapter 88
15 (Noise) of the Village of Greenport Code. This
16 was in response to a petition that was handed
17 to us a couple of months ago with over 100
18 signatures asking for the banning of leaf
19 blowers.

20 There was several different versions that
21 were posted on the website and taken off the
22 website and switched around. The final version
23 has been posted there I believe for the past
24 three days with what we're actually talking
25 about. So we'll open this up.

1 When we scheduled the public hearing, it
2 was an open-ended public hearing just saying
3 we'll have a discussion on it. The proposed
4 law was really just to have something for
5 people to say yes and no to. There's nothing
6 that's written in stone yet of what we're
7 doing. Really, we want to just get public
8 comment on the petition that we got and see
9 where we go from there.

10 All right. So I'll open it up to anybody
11 who would like to address the Board. Go ahead.
12 Just name and address for the record, please.

13 MR. LUDACER: Ken Ludacer, 133B Sixth
14 Street.

15 And I have a letter that was given to me
16 that I want to read that the person was not
17 able to be here, but she had some comments.
18 Okay. This is from Ruth Wieseahn, 320
19 Carpenter Street.

20 "I will be unable to attend the meeting.
21 However, I would like to add that I am
22 seriously against the leaf blowers. They are
23 extremely noisy for all, including the people
24 using them. Many do not even wear ear
25 protectors.

1 As a believer in organic gardening, I
2 know the importance of leaf mulch. When I took
3 the Masters Gardening course, we were told the
4 best mulch is a mixture of ground leaves and
5 grass clippings. I find this to be very true.
6 I collect from the street when they are left,
7 and wonder why people waste this valuable
8 resource.

9 Also, I think the blowers should not be
10 allowed in October and November." That last
11 sentence punctuated with four exclamation
12 points.

13 Yeah. I submitted the petition, and I
14 get when some people here get gas-powered leaf
15 blowers. They think, you know, trivial,
16 unimportant, maybe even elitist. And I wasn't
17 sure if the Board was going to, you know, think
18 likewise, which is why I included or we
19 included some literature highlighting the
20 environmental and the safety hazards of the
21 gas-powered leaf blowers. I mean, they're
22 really animals, I mean, unto themselves.
23 They're not like lawnmowers, they're not like
24 other lawn equipment.

25 I would hope that each Board Member had

1 had an opportunity to read the accompanying
2 material.

3 Now the proposed law I think is a start.
4 I know probably most people that signed the
5 petition were looking for a -- you know, a
6 complete ban on the gas-powered leaf blowers.
7 I mean, they're kind of redundant. The job can
8 get done without the noise, or the
9 environmental or safety hazards that are -- you
10 know, that come with the gas-powered leaf
11 blowers.

12 You know, changing the times that they
13 can be used, you know, certainly would probably
14 mitigate some of the noise factors. But,
15 ultimately, it's just sort of putting off --
16 you know, it doesn't really answer, I don't
17 think, the -- well, it certainly doesn't answer
18 the environmental impact they have, nor does
19 it, you know, address the safety, you know, the
20 air quality safety issues that are -- that come
21 along with them. I mean, if it's -- if it's
22 the time regulations or nothing, I would -- you
23 know, I would certainly like some kind of
24 restrictions. But, I mean, it's a start.

25 But I do think that the Board, you know,

1 has sort of failed to recognize, you know, both
2 the environmental and the safety impacts with
3 leaf blowers by -- you know, by not coming up
4 with some, you know, more restrictive
5 regulations for it. Thanks.

6 MAYOR HUBBARD: Thank you.

7 MS. WADE: Randy Wade, Sixth Street,
8 Greenport.

9 Thank you so much for taking this
10 seriously. And I fully support the proposed
11 regulation. The reason that I'm comfortable
12 with not banning them in the Fall and in
13 certain months with snow is I know that some
14 people use them to blow snow off sidewalks, and
15 that they're -- with leaves, they're a big part
16 of Fall cleanup.

17 And the other -- the reason why it's not
18 as bad as in the summer, when they're used to
19 blow blades of grass, is that people have their
20 windows closed and they're not, you know, out
21 in their yards gardening and enjoying their
22 family time. So the noise, when we all have
23 our windows open, and where the dust can blow
24 in is a critical issue.

25 Southold Town has at the beginning of its

1 noise code, it's just -- they said it better
2 than I could say it, that's why I just want to
3 read it. Okay. Wait, wait, wait. "Every
4 person is entitled to noise levels that are not
5 detrimental to life, health and enjoyment of
6 his or her property."

7 I think when we present the petition -- I
8 already told you about the Center for Disease
9 Control report that shows that spreading of
10 airborne particles, which can provoke asthma
11 and other respiratory diseases, and potential
12 pollutants like ozone, carbon monoxide,
13 nitrogen oxides, and hydrocarbons, hearing
14 damage from the engine noise, and eye injuries
15 from pebbles and twigs propelled by blowers are
16 also cited.

17 And that when they do the noise tests on
18 blowers for -- it's expected that a gardener
19 using it would have ear protective devices,
20 because it's so damaging to hearing. When they
21 measure the sound away, it's at 50 feet. And I
22 think, if you look around the Village at the
23 number of lots that are 50 feet, it's going to
24 be very hard to get the leaf blowers away from
25 the ears of the people who are on the

1 neighboring properties.

2 So thank you again for taking this
3 seriously.

4 MAYOR HUBBARD: Thanks. Anybody else
5 wish to address the Board on this topic?

6 MS. BYRNE: I took a different approach
7 in --

8 MAYOR HUBBARD: Okay.

9 MS. BYRNE: Oh, my name is Catharine
10 Byrne. I live at 134 Sixth Street in
11 Greenport.

12 I am opposed to the proposition you have
13 put forth, although it sounds very logical and
14 reasonable, because I'm talking about the
15 quality of life in Greenport. It's a quality
16 that is a treasure and it's very special, and
17 you are the ones who have to support it and
18 promote it.

19 And I think by allowing these very open,
20 open-ended dates and times, you're not really
21 doing anything about leaf blowers at all.
22 Perhaps they should be outlawed entirely. We
23 didn't have them 20 years ago, that I know of.
24 I think we can get along without them. But if
25 we have them, then why do they have to be those

1 powered by gasoline? Why couldn't people clip
2 their hedges the way the rest of us do?

3 I find it offensive that we take it for
4 granted that this piece of equipment is just a
5 part of our society now and part of our life,
6 part of the way we handle our homes. And I
7 think that it's -- we're overstepping the kind
8 of life that -- lifestyle that Greenport really
9 has offered all of us for years. So I am
10 against all of this. I am against it
11 completely. I would like it to be a quiet
12 community, the same peaceful community and
13 healthy community that it was when most of us
14 moved here. Thank you very much.

15 MAYOR HUBBARD: Okay. Thank you.

16 MS. BYRNE: I find it interesting that on
17 the coldest day of the year we're discussing --

18 TRUSTEE ROBERTS: Right.

19 MS. BYRNE: -- grass.

20 (Laughter)

21 MAYOR HUBBARD: Yes, I agree with you.

22 MS. ALLEN: Chatty Allen, Third Street.
23 When this first came up and I spoke out against
24 it, this ban, and I'm looking at it from every
25 aspect. I understand the environmental, the

1 breathing issues. I am allergic to everything
2 under the sun. Anything blowing will set me
3 off. Where I live, I deal with it on a daily
4 basis. It's where I live.

5 Like I stated the first time, I'm not
6 going stand here and say, "Okay, well, now if
7 you're going to ban gas-powered leaf blowers,
8 well, then you better do something about all
9 the diesel trucks and everything," because my
10 sill is black every day, because I live right
11 at the light.

12 I could say I want a code now that states
13 when you're stopped at the light, you have to
14 turn your radio down, so when my windows are
15 closed, I'm hearing music blaring. There's a
16 lot that I could get up and demand. It's part
17 of where you live.

18 And by banning -- I understand the health
19 issues, but it's not something that's 24/7. I
20 am all for setting certain hours, you cannot
21 use any of the equipment before a certain time.
22 I would even say not holidays, you know, to set
23 regulations when the equipment can be used.

24 What I don't think people are looking at
25 is, and I wish the people that were speaking

1 out were here in this room this evening, people
2 that do this for a living, gas power is what
3 they need to use in order to keep their
4 business going. The electric is not reliable.
5 You have, you know, a homeowner, that's a --
6 you know, that's different, they can run the
7 electric right from their own house.

8 I don't feel -- by banning this, where do
9 we stop? Does the Village use gas-power
10 blowers that are used for things other than
11 just blowing leaves, you know? So now are we
12 going to make a ban that is now going to hurt
13 our Village in the long run as far as money
14 goes? Because if you take away their
15 equipment, you're going to have to hire more
16 people to get the same job done.

17 I don't agree with this ban. There
18 should be a different way to go about this. I
19 understand, you know, but we have a lot of
20 environmental issues that we have no control
21 over. If you hear someone starting up, close
22 your window. I mean, I've done that where I
23 have my windows closed, and in the summer I ran
24 an AC a lot more than I normally would for that
25 reason. But I'm not saying, you know, oh,

1 well, you know, it's all these trucks that
2 go by and their fumes when they're idling and
3 it's all flying in through my windows.

4 Yes, this is a nice little place we have
5 here, I've lived here my entire life, and I
6 don't want to see a ban that's going to hurt a
7 lot of people that I know, and a lot of
8 businesses and the Village along with it. So I
9 think you need to think on the full circle, not
10 just one or two issues. Thank you.

11 TRUSTEE ROBERTS: Mayor, I have another
12 email from Mr. Chute. Maybe after him, if
13 you'd like.

14 MAYOR HUBBARD: Sure.

15 TRUSTEE PHILLIPS: And, Mayor, I have --

16 MR. SWISKEY: You can do it right now, if
17 you wanted, Trustee Robert.

18 TRUSTEE PHILLIPS: And, Mayor, I have one
19 also that I was given.

20 MR. SWISKEY: All right. William
21 Swiskey, 184 Fifth Street.

22 I'm not in favor of a leaf blower ban, to
23 tell you the truth. But this ban you've got,
24 this is no ban at all anyway. And the only
25 people you're stopping from using leaf blowers

1 is the poor guy that works until 6 o'clock,
2 comes home at night, cuts his lawn, and gets
3 out his own leaf blower. Anybody that hires
4 somebody, they're not affected, it's just the
5 common working homeowner. And so that's what
6 you ban, is -- that's the only person your ban
7 is affecting, you realize that.

8 MAYOR HUBBARD: Okay. Go ahead, Trustee
9 Roberts.

10 TRUSTEE ROBERTS: Sure. Thank you.

11 "Good evening. My name is Raymond Chute.
12 My wife, Victoria, and I own a home at 254
13 Sixth Avenue. We've owned our home since 1979.
14 We have lived in the Village all our lives.
15 Greenport is a Village of hardworking people.
16 Some have to work six days a week. When they
17 get home, they eat, maybe they'll relax, maybe
18 they want to blow leaves out of their gutters
19 or their gardens. Some of us can't do our own
20 lawn care, we have to hire legal maintenance
21 companies. These people probably cut 200 or
22 more lawns a week. Weather plays a role here.
23 If it rains just one day, they must work longer
24 hours so their customers are happy. Some might
25 be having a backyard wedding or a graduation

1 party.

2 If you, as our elected officials, our
3 government, you can't interfere. If you pass
4 this petition, you are opening a Pandora's box.

5 This is a noise complaint about a leaf
6 blower, an internal combustion two-cycle
7 engine. The crew that does my lawn and three
8 others, a leaf blower is running less than 10
9 minutes. I hope you and the Board realize this
10 will be just the beginning of what's to come.
11 Noise is not a problem. If you say yes, it is,
12 then ban motorcycles, and the list will go on
13 and on, including loud music from the downtown
14 area. With my windows open late at night, it
15 can be annoying, but it's a business. It's not
16 all day and all night, it's bearable, so are
17 leaf blowers.

18 Disregard this petition and move on to
19 important issues. Thank you. Respectfully,
20 Raymond Chute.

21 MAYOR HUBBARD: Okay. Trustee Phillips,
22 you said you had one?

23 TRUSTEE PHILLIPS: Yes, I do. I have one
24 from Dan and Tina Finne of 120 Center Street.
25 They asked me to read it into the record. They

1 weren't able to be here this evening.

2 "To Mayor Hubbard and the Village Board
3 Members: As residents of this Village, we are
4 taking this time to let you know of our
5 opposition to the proposed leaf blower ban law.

6 First off, it has been our experience
7 that the residents of this Village are mostly
8 considerate of each other already. To add
9 another law and more rules to bind our citizens
10 with trying to please the actions of taxpayers
11 to be able to maintain their properties would
12 be another "gotcha" scheme to turn neighbors
13 against each other. In the end, the purpose of
14 this proposed law would be lost in the damage
15 it would cause to our community and our sense
16 of community.

17 We as residents bear the burden of
18 Greenport's new found popularity and all that
19 goes with it. Whether it be the traffic or
20 parking, God forbid your tire is on a line,
21 with the intentions of making life better, the
22 end result of some of these rules only make
23 life for the full-time residents trying, to say
24 the least.

25 Many of us feel like we are losing more

1 and more of the Village we grew up in, and to
2 some, this proposed law adds insult to injury.
3 This is still a working community. We hear the
4 catchphrase whenever housing is mentioned. It
5 needs to also be applied when proposing laws
6 that restrict the time working people have to
7 do things. There is a fine line between making
8 laws for the safety of our community and making
9 burdensome laws to entrap them.

10 Last of all -- last of all, if we want to
11 propose laws or even enforce ones we have
12 already on the books, we might consider
13 enforcing the public drinking laws and ban on
14 smoking downtown.

15 Thank you for your you your time. Dan
16 and Tina Finne." Thank you, Mayor.

17 MAYOR HUBBARD: Okay. Thank you. Anyone
18 else?

19 MS. ZEMSKY: Dena Zemsky, Sixth Street.
20 I just want to contest, from my personal
21 experience in my home, how long the blowers go.
22 I mean, many of you are maybe lucky enough to
23 say it's 10 minutes, but next door to me is a
24 corner lot and they have their lawns mowed
25 every Thursday or Friday night, and the people

1 come at 6 o'clock. And between the mowing and
2 the blowers, it goes on until -- until your
3 limit, which is I believe 8:30 in the Village,
4 right, for noise; is that correct, 8:30?

5 MAYOR HUBBARD: Eight o'clock.

6 MS. ZEMSKY: Eight o'clock. Well, it
7 goes on way beyond 8 o'clock. This is every
8 week. And then last week -- and I have a
9 screen porch that I eat dinner on every night,
10 so those nights I can't be outside. Okay. I
11 can live with that, but the smell and the
12 noise, I just want to contest that it's 10
13 minutes, it's not 10 minutes.

14 Last week, maybe 10 days ago, they were
15 blowing on a double lot across the street from
16 me. Instead of raking leaves, they blow
17 leaves. The leaf blowers were going like three
18 hours. I went downtown, I did errands. I said
19 it has to be done by the time I get back, and
20 it's still going.

21 So I think what's happened is, is people
22 who would rake don't rake anymore, they blow,
23 and it goes on for hours and hours and hours,
24 and the fumes are horrendous. I mean, many of
25 you may be lucky enough to not, you know,

1 experience that, but I experience that all the
2 time. And it's really a pollutant, noise-wise
3 and chemical-wise.

4 I think the other thing that I would like
5 to know or propose is that possibly in the
6 summer months, when people do live outside,
7 that the noise ban is until 7 o'clock or 7:30,
8 because if it's 8 o'clock, people always go
9 until 8:30. And even if we called our Code
10 Enforcement Officer, by then, it would be --
11 the noise would be over.

12 But in the summer it does go very late.
13 And I have called a few times, but they say,
14 "Oh, they can work until 8 o'clock." But, you
15 know, in the summer, when you're out, 8 o'clock
16 at night with machinery going is late, you
17 know, to enjoy your life.

18 MAYOR HUBBARD: Okay. Anybody else?

19 MS. TRUELOVE: Hi. Selina Truelove, 338
20 Second Street, and I am in support of the ban.
21 A complete ban would be very nice, I think.

22 I'm a year-round resident who works from
23 home, and so like many people that spoke here,
24 the noise is definitely objectionable to me.
25 But, really, my greatest concern is the dust

1 that the blowers spread.

2 As we all know, throughout Greenport,
3 there are many, many renovation projects
4 happening, lots of repainting, lots of
5 restoration. Many contractors are careful,
6 follow abatement for lead and asbestos, but
7 many others are in a hurry to get the jobs done
8 and are not as careful. And to me, I walk
9 around with my son all the time, and I see
10 these projects quickly finish, and then, before
11 you know it, the landscapers are there blowing
12 the property. And, you know, on dusty summer
13 days, it will create quite a cloud. And, quite
14 frankly, I'm very scared of what is blown
15 around with the leaves, with the grass
16 clippings. I know there are lead paint chips
17 very often, because I've seen it just a couple
18 of seasons before.

19 So that is -- that's my greatest concern,
20 and I feel compelled to share it with you. And
21 I just hope you'll consider the danger to the
22 youngest residents in the Village as you
23 consider all of the others. Thanks so much.

24 MAYOR HUBBARD: Thank you. You had your
25 hand up.

1 MR. GREENFIELD: Good evening. I'm Jim
2 Greenfield, 222 Fourth Street.

3 I want to thank the Board for bringing
4 this to everybody's attention, or really more
5 Ken for passing the petition, which I was a
6 signatory of.

7 I think it's -- if nothing else comes of
8 this -- by the way, I agree with almost
9 everything everybody said on both sides of the
10 issue. I think it's not that simple a thing.
11 The idea of a total ban, which is not in the
12 proposal here, is not necessarily a very
13 practical one, and probably needs to be studied
14 further. Maybe we're going to head in that
15 direction.

16 And one thing that's good that's going to
17 come of this, I think, is that, all right, so
18 we're going to limit maybe the amount of time,
19 so that people can have their evenings. That's
20 a step in the right direction. But just the
21 awareness, that I had no idea how much
22 pollution these machines cause, it's -- it's
23 unbelievable, but I had no idea about it. So
24 it's great that this has come to our attention.
25 I think it's come to everybody's attention.

1 So we all have choices here individually,
2 apart from anything that's written into the
3 code. Those choices are you can choose not to
4 use leaf blowers, you can choose to switch to
5 electric leaf blowers. You could also choose
6 to not hire a contractor who's going to use a
7 leaf blower on your property. You can also
8 suggest to neighbors, as good neighbors, that
9 there's a problem with having leaf blowers
10 right next to your property; Thursday on one
11 side, Friday on the other side, Saturday across
12 the street.

13 So there are all things that we can do as
14 individuals, but I think the conversation
15 should probably go on beyond this. And I just
16 want to applaud everybody for the civility that
17 they brought to the conversation, I think it's
18 a positive thing.

19 MAYOR HUBBARD: Okay. Thank you.

20 MR. DELUCA: Rob DeLuca, 175 The Cross Way.

21 Good evening, Mayor Hubbard and the
22 Board. My name is Rob DeLuca and I'm a senior
23 at Greenport High School. I have been tasked
24 with a work study program at Group for the East
25 End involving researching the effects of the

1 exhaust, as well as the mental and other
2 effects of leaf blowers, especially
3 gas-powered.

4 Throughout my research I have found a
5 significant amount of dramatic effects caused
6 primarily by the use of two-stroke leaf
7 blowers. Two-stroke leaf blowers emit
8 significantly more detrimental emissions than
9 almost any other type of device. In fact, a
10 two-stroke leaf blower running for 30 minutes
11 of yard work would be comparable to driving a
12 Ford Raptor from northern Texas to Anchorage,
13 Alaska. The emissions are beyond tremendous.
14 Beyond this, there's a significant amount of
15 health effects attributed to the loud noises
16 caused by the exhaust of these devices.

17 Hearing loss, immune system suppression,
18 cardiovascular effects, tinnitus, stress
19 hormone release, sleep disturbance, impaired
20 childhood development, impaired cognition,
21 reduced school and work productivity, and
22 reduced quality of life, with children and
23 elderly being the most vulnerable, are
24 tremendously prevalent throughout the use of
25 sustained loud noises and exhaust.

1 There are many alternative technologies
2 that are not being used by the industry. Many,
3 many companies, including Ego, Ryobi and tens
4 of others are all producing electric safe
5 alternatives. These alternatives have minimal
6 cost of ownership, meaning that it would not
7 cost more to own one of these than a
8 gas-powered device, and these devices have
9 almost no emissions. Well, no emissions, and
10 almost no noise.

11 This -- as a result of my research, I am
12 now certain that gas-powered leaf blowers,
13 while popular, do have a significant impact on
14 the local environment, and as well as the local
15 population.

16 In closing, I would like to thank the
17 Board for taking time to listen to my comments,
18 and let you know that I feel your efforts to
19 consider reducing the use of these machines
20 will serve the best interest of your residents
21 and the local environment. As a result, I
22 support the proposed restrictions on use, and I
23 have been authorized by the Group for the East
24 End to lend their support in these efforts.
25 Thank you.

1 be able to clean all of these properties in
2 this very finite period of time if we didn't
3 have the leaf blowers. Costs of all of the
4 maintenance, lawn care, weekly, weekly
5 maintenance would increase exponentially,
6 because if you're taking away the leaf blowers
7 and you're going to a manual raking of the
8 leaves, I guess, you would incur probably
9 double to three times the amount of time that
10 it would take to clean these properties.

11 So I think that at least you should
12 reconsider these times. I mean, if you're
13 doing it from March 15th to April 30th,
14 sometimes we still have snow. In an October
15 15th start date, sometimes the leaves haven't
16 even fallen. So it makes it very difficult for
17 us to do the jobs that we've been tasked to do
18 to make everybody happy with their properties,
19 and making everybody -- every property look
20 beautiful.

21 Also, these small businesses rely very
22 heavily on volume. So when we have to incur
23 more employees to do this, to do a job that
24 would take half the amount of time, there's
25 just -- you're shrinking the amount of time for

1 us to get everything done, and it's just --
2 it's not going to work. So I think that that
3 should be revisited.

4 Also, as far as the health issues are
5 concerned, we live in a coastal area where
6 there's heavy winds all the time, so I don't
7 necessarily think that this is as much of a
8 health issue as it's being led to be. I mean,
9 we have wind all the time. When we were
10 driving here tonight from Cutchogue, you
11 couldn't even see the other lane, because there
12 was so much wind picking up the dust all over
13 the place.

14 So I just think that we should take a
15 little consideration into the people that work
16 really hard to clean up the lawns.

17 Sorry, I'm not a very good speaker, but,
18 anyway, thanks for listening.

19 MAYOR HUBBARD: That's fine. Thank you.

20 AUDIENCE MEMBER: Can I ask you a
21 question? This is the business that you're in?

22 MAYOR HUBBARD: What's that?

23 AUDIENCE MEMBER: Can I ask a question of
24 the --

25 MAYOR HUBBARD: No.

1 TRUSTEE PHILLIPS: No.

2 MAYOR HUBBARD: No. We're just taking
3 comments up here. That's --

4 AUDIENCE MEMBER: Okay.

5 MAYOR HUBBARD: Is there anybody else who
6 wishes to address -- yeah.

7 MS. BOSWORTH: Hi. Rachel Bosworth, 417
8 Main Street.

9 I have a letter that was sent from
10 American Green Zone Alliance about the leaf
11 blower ban, as well as a fact sheet from Quiet
12 Communities, which is a nonprofit organization
13 that also works with AGZA. Both of these
14 organizations were involved recently on the
15 South Fork with a similar ban. So I'm just
16 going to read the letter and then I'll leave
17 that with you, as well as the fact sheet.

18 So, "To whom it may concern: The
19 American Green Zone Alliance is dedicated to
20 sustainable grounds maintenance, and quieter,
21 healthier operations for workers', the
22 communities', local air quality and the global
23 climate. To that end we have spent years
24 researching, testing, approving and lobbying
25 for equipment and commonsense practices that

1 are quieter and safer, with zero emissions,
2 zero gas, zero oil, and far smaller waste
3 streams, all while allowing groundskeepers to
4 perform their daily workload at commercial
5 production rates, with pleasing aesthetics, and
6 at reasonable price points.

7 AGZA is intimately familiar with the many
8 leaf blower debates that have been raised
9 across the country over the last decade. In
10 fact, this issue is part of the reason our
11 company was founded. We recognize that there
12 are very legitimate concerns about the noise,
13 emissions, and airborne dust and particulate
14 matter inseparable from gas leaf blowers, but
15 it is understandable that some communities
16 would want to ban blowers outright. But it is
17 important to consider the entire groundskeeping
18 picture when deciding how to react to leaf
19 blower debates.

20 First, understand that banning gas
21 blowers won't mitigate noise or gas pollution
22 from the gas mowers, hedgers, edgers and string
23 trimmers still in the groundskeeper's tool set.
24 Gas blowers may be the most egregious
25 offenders, but the others are not far behind.

1 Banning one gas engine will simply shift the
2 arguments to the next.

3 Second, commercial lawn and garden
4 operators will tell you in no uncertain terms
5 that rakes and brooms take far more time. So
6 imposing them will inevitably reduce work
7 production and significantly increase time and
8 the price for the same aesthetic. In fact, in
9 some circumstances, it is difficult or
10 impossible with rakes and brooms to achieve the
11 same results as with blowers, most notably in
12 complex landscaped yards and terraces, behind
13 bushes with indelicate planter beds, and
14 unsweepable surfaces like gravel or wood chips.

15 Third, all particulate matter are not the
16 same. Microscopic PM 2.5 includes the toxic
17 molecules of hydrocarbons in gas engine
18 emissions. In this regard, the notorious
19 two-stroke engines of leaf blowers, string
20 trimmers and hedgers are the worst offenders of
21 all. These poisonous fuel elements are so
22 small they are inhaled deep into the lungs and
23 can pass directly into the bloodstream.

24 Battery-powered leaf blowers and other electric
25 tools obviously create zero emissions, and,

1 therefore, zero toxic PM.

2 Last, in defense of your lawn and garden
3 worker, AGZA comes from the groundskeeping
4 industry, and our mission includes ensuring
5 that workers not only have tool choices that
6 create a safer, healthier work environment for
7 themselves, that communities recognize and
8 honor the important work they do every day to
9 make our green spaces beautiful and healthy.

10 Heavy-handed bans are even heavier to the
11 workers who typically labor for low wages, with
12 little or no benefits or leverage over their
13 own working conditions.

14 So what's the best answer? AGZA has
15 invested a great deal of time, thought and
16 effort into helping communities and grounds
17 maintenance operators strike the best balance,
18 and the solution that we've experienced
19 provides the most positive results for the
20 largest audience is a well trained operator
21 using quality battery electric equipment.

22 The new breed of commercial grade battery
23 electric leaf blowers give operators gas level
24 performance in terms of power, speed, torque,
25 weight and run times, while operating at about

1 half the noise level. Furthermore, their
2 electronic throttle controls and turbo modes
3 empower well trained operators to blow at lower
4 speeds, and rely only momentarily on power
5 boosts when necessary. Not only does this
6 further reduce the already lower sound levels,
7 it means less airborne dust and particulate
8 matter.

9 With all the promise of battery electrics
10 in mind, it's worth mentioning that AGZA always
11 recommends workers use the tool with the least
12 environmental and health impact that can
13 effectively and efficiently service the task at
14 hand, to collect small areas of light clippings
15 or to dislodge a heavy patch of wet leaves, or
16 to clean dry debris on smooth surfaces for
17 enthusiastic fans of rakes and brooms.

18 In conclusion, AGZA strongly encourages
19 communities debating outright leaf blower bans
20 to instead consider the latest commercial grade
21 lithium ion battery electric blowers, mowers,
22 trimmers, edgers, saws, etcetera. These
23 incredible machines need to be seen and heard
24 to be believed, and we enthusiastically endorse
25 them and manual tools as a cornerstone of

1 enlightened and sustainable lawn and garden
2 maintenance.

3 That's it. And they do work with local
4 municipalities as well as for anyone that is
5 interested in going green.

6 MAYOR HUBBARD: Thank you.

7 MS. BOSWORTH: I'll give this to you.
8 Thank you.

9 MAYOR HUBBARD: I will have the Clerk
10 distribute that to the Board so everybody can
11 have it.

12 Okay. Anybody else wish to address the
13 Board on the leaf blower public hearing?

14 (No Response)

15 MAYOR HUBBARD: Okay. I guess not. All
16 right. I'll offer a motion to close the public
17 hearing.

18 TRUSTEE PHILLIPS: Second.

19 MAYOR HUBBARD: All in favor?

20 TRUSTEE MARTILOTTA: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE ROBERTS: Aye.

23 TRUSTEE ROBINS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

1 (No Response).

2 MAYOR HUBBARD: Motion carried.

3 All right. We'll move on to public to
4 address the Board on any topic.

5 MS. RUDDER: Thank you, Mayor and Board.
6 I just want to give an update to the proposal
7 on the Free Little Pantry that I did at the
8 work session.

9 In talking with the Town Clerk, I think
10 we're going to adjust it down to one, and I do
11 have the funding for that. And in talking to
12 the cosponsor of the Community Pot Luck Dinner,
13 they're going to help me oversee it as well.
14 So I think we've got more eyes on it, and,
15 certainly, they are very, very enthusiastic.

16 So all I want to go over with you on the
17 proposal, the only help I need from you is just
18 helping as a team decide where the best
19 location for this might be.

20 And any permits, I'm not even going to go
21 near the permit issue, as we discussed.

22 (Laughter)

23 MS. RUDDER: But any permits that might
24 be necessary I'd love your help with. But just
25 deciding on the best location for this one

1 trial unit would be most helpful.

2 But thank you very much. And I sent that
3 this morning, so if you need me to resend it,
4 I'd be happy to do that.

5 CLERK PIRILLO: I circulated it.

6 MS. RUDDER: Excuse me?

7 CLERK PIRILLO: I did circulate it to
8 them.

9 MS. RUDDER: Okay, great.

10 TRUSTEE ROBINS: No, we saw it. Thank
11 you.

12 TRUSTEE ROBERTS: Thank you.

13 MS. RUDDER: Thank you so much for all
14 the interest and help with that.

15 MAYOR HUBBARD: Okay.

16 MS. RUDDER: And I can't wait to hear
17 back. Thank you.

18 MAYOR HUBBARD: All right. Thank you.
19 Okay. Anybody else have anything on any topic?
20 Yeah, Bill.

21 MR. SWISKEY: William Swiskey, 184 Fifth
22 Street.

23 On the agenda, you got resolutions here,
24 4 and 5, they speak of some funding. Do we
25 have this funding, or is this something we're

1 going for?

2 TRUSTEE ROBERTS: Microgrid.

3 TRUSTEE MARTILOTTA: This is the
4 microgrid.

5 TRUSTEE PHILLIPS: This is the microgrid.

6 MAYOR HUBBARD: Right. That's --

7 MR. PALLAS: This, Bill, is --

8 MAYOR HUBBARD: Go ahead, yeah.

9 MR. PALLAS: This is a grant that we are
10 -- have received from the Governor's Office of
11 Storm Recovery for engineering, for storm
12 hardening of the distribution system and a
13 renewable energy resource.

14 MR. SWISKEY: How much is it for?

15 MR. PALLAS: A million dollars.

16 MR. SWISKEY: We have a million dollar
17 grant we received?

18 MR. PALLAS: We did, yes.

19 MR. SWISKEY: We have to lay out the
20 money first?

21 MR. PALLAS: Yes, but it's reimbursable.

22 MR. SWISKEY: Yeah, but it's a million
23 dollars. It's a lot of money to borrow to get
24 something that you don't really need, in my
25 estimation. And there's always a chance you

1 may not get the money, because that's happened
2 with grants before.

3 MR. PALLAS: Well, we've got a commitment
4 from the Governor's Office of Storm Recovery
5 for this money, and this phase is just for the
6 engineering. A million is for the entire
7 project. Right now we're only looking to the
8 engineering and to see where that --

9 MR. SWISKEY: Because some of these
10 grants that they claim you get, the Village has
11 found out that you don't actually have them
12 until you have a letter that says this -- until
13 your million dollars is actually in the bank
14 someplace. So I would urge the Board to go
15 slow on this, because you could wind up with a
16 million dollars worth of debt and no
17 reimbursement. And we all know that's happened
18 before, right, George?

19 MAYOR HUBBARD: Uh-huh.

20 MR. SWISKEY: Thank you. All right. The
21 next one is the Carousel doors. Didn't we just
22 spend thousands and thousands of dollars to get
23 these doors fixed to get everything right?
24 What happened here?

25 MAYOR HUBBARD: Well, they had been

1 fixed, and now we're going with a different
2 design because of the recurring problems with
3 the mechanism and the electric working on it.
4 So they're being done manually now, the manual
5 sliders, so they can go and manually open them,
6 instead of relying on the tracks that kept
7 breaking.

8 MR. SWISKEY: Yeah, but didn't we fix
9 them, and have they broke again, is what I'm
10 saying.

11 MAYOR HUBBARD: Yes, they did. It's a
12 recurring problem. They get fixed and then
13 another one breaks, or whatever. They had
14 trouble one day down there. They couldn't get
15 any of them to open, because everything had
16 jammed up. So that's why they came with a
17 different design to make them open manually.

18 MR. SWISKEY: Maybe we should have a
19 competent structural engineer look at the doors
20 and make a recommendation before we spend any
21 money, because I don't see where opening them
22 manually is any different than opening them
23 electronically. The only thing is somebody's
24 got to turn the crank instead of the motor
25 doing the work. If the gears are jamming up,

1 they can jam up manually.

2 So maybe we had better really have
3 somebody with a little knowledge of a structure
4 like this Carousel, which is a spider-like
5 building, give us a recommendation before we
6 throw more money at this problem again, because
7 I don't see how turning a crank -- I mean, the
8 gear jams up with the electric motor, right?
9 Why isn't the gear going to jam up when I'm
10 doing this (demonstrating)? The motor is --

11 MAYOR HUBBARD: Because there's not a
12 gear on there now.

13 MR. PALLAS: Correct. The -- all of the
14 gear, when we go to turn -- convert it to
15 manual, the gears are all removed and it's
16 literally just on a wheel on the base of it and
17 the rails that are on the top. There's no
18 gears involved at all.

19 MR. SWISKEY: That's a pretty heavy door
20 to pull open and push closed. You're talking a
21 door like this (demonstrating). That's the
22 only -- somebody's got to actually push these
23 things open and closed?

24 MR. PALLAS: We did it for part of the
25 summer with one door with no problems.

1 MR. SWISKEY: Because that's -- I think
2 you're -- all right. But I would have an
3 engineer look at it, because that's -- that
4 door has got to weigh tons and tons and tons.
5 And if it sags a little, you'll never push it
6 closed manually.

7 And all right. Oh, I see the Building
8 Inspector, I guess she retired?

9 MAYOR HUBBARD: Yes, she did.

10 MR. SWISKEY: Who's signing building
11 permits in the Village right now? Because you
12 actually have to be certified by the State to
13 sign them. Do we have anybody who can sign
14 them?

15 MR. PALLAS: Our -- if I may.

16 MAYOR HUBBARD: Go ahead.

17 MR. PALLAS: Our Fire Marshal is
18 certified to sign building permits, and he's
19 doing plan review for us and signing off on
20 building permits.

21 MR. SWISKEY: He has the certification
22 from the State?

23 MAYOR HUBBARD: Uh-huh.

24 TRUSTEE PHILLIPS: Uh-huh.

25 MR. PALLAS: Yes.

1 MR. SWISKEY: All right. Because, you
2 know, they could get -- be a real touchy
3 situation.

4 Let's see here. All right. That's that.
5 All right. Now the -- I live on Fifth Street,
6 all right? The telephone has been marked out,
7 the water main's been marked out, the sewer
8 main in the middle the street has been marked
9 out, the water service has been marked. What
10 ain't been marked out is the sewer laterals to
11 each house on the side of Fifth Street where
12 they're going to dig. They're going to dig in
13 the east -- east, about 4-foot off the east
14 gutter. Do you plan to get those sewer
15 laterals marked out?

16 MR. PALLAS: Bill, the first I'm hearing
17 of this. I'll follow up on it and verify it.

18 MR. SWISKEY: Because, you know, they're
19 all -- they're all either -- usually, the
20 lateral from the main to the curb line, when
21 the sewer was put in, was a piece of clay pipe.
22 Some of them have been changed to all plastic
23 and they're kind of touchy. I would make --
24 that's the most critical thing and it's not
25 marked out. So somebody's missing the mark

1 here. You know, even if you have to go to each
2 house and put the snake in and take your pipe
3 detector and locate exactly where that is,
4 because that little tooth on that big excavator
5 just touching that clay pipe could rip it
6 apart. And one thing that makes people very
7 unhappy is sewage backing up into this, I could
8 tell you that from experience. They want to
9 hit you.

10 All right. Now there's one other thing.
11 There's a rumor going around town. Is Genesys
12 Engineering countersuing the Village?

13 MR. PROKOP: Yes.

14 MR. SWISKEY: And that service, that
15 lawsuit has been serviced on the Village --
16 served on the Village?

17 MR. PROKOP: Yes.

18 MR. SWISKEY: So, therefore, it's a
19 FOILable document, since both sides know; am I
20 right, Mr. Prokop?

21 MR. PROKOP: Yes, it is.

22 MR. SWISKEY: All right. I'll come in
23 and FOIL it. Thank you.

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

1 MS. GREENBERG: Hello. My name is
2 Adrienne Greenberg from Greenport.

3 I actually read a newspaper, Newsday, and
4 it said here two things. One is that the
5 Greenport Village Board of Trustees will hold
6 -- this is today's -- will hold a public
7 hearing as part of the final meeting of 2017,
8 and residents can offer ideas and comment on a
9 variety of projects that would benefit low and
10 middle income families in the Village. I
11 mean --

12 MAYOR HUBBARD: Yes. We had that public
13 hearing at the beginning, at the start of our
14 meeting this evening.

15 TRUSTEE ROBINS: Yeah, you missed it.

16 MS. GREENBERG: Okay. Missed it, sorry.

17 MAYOR HUBBARD: Okay.

18 MS. GREENBERG: And, also, it also said
19 that the meeting was being held at Village Hall
20 in 236 Third Street. Just thought I would, you
21 know --

22 TRUSTEE ROBERTS: What paper is that?

23 TRUSTEE ROBINS: It's Newsday?

24 MS. GREENBERG: Newsday.

25 TRUSTEE ROBERTS: Oh.

1 MAYOR HUBBARD: Our legal notice was on
2 our website and then the Suffolk Times.

3 MS. GREENBERG: Well --

4 MAYOR HUBBARD: I'm just --

5 MS. GREENBERG: All right. I'm just --
6 this is in Newsday.

7 MAYOR HUBBARD: Okay. Well --

8 TRUSTEE ROBERTS: Can we hear comments
9 during this about -- the hearing is closed.

10 MAYOR HUBBARD: Yeah. If you want to
11 offer a comment. It's any topic now. If you
12 want to offer a comment on it, that's fine.

13 MS. GREENBERG: I was really here to do
14 more listening. But I just know that we are in
15 dire need of workforce housing, and I'm -- I
16 don't -- I'm not saying anything that is the
17 first time you're hearing this. We all go to
18 restaurants, we all hire people, we depend on
19 the hospitals to keep us alive, and they need
20 work -- they need workers, and they can't
21 afford to live here. And I think anything that
22 we could do to help improve workforce housing I
23 think would benefit all of us here.

24 So, personally, I was here really to
25 listen, and I just wanted to say I'm in favor

1 strongly of workforce housing.

2 MAYOR HUBBARD: Okay. Thank you.

3 MS. GREENBERG: But thank you for
4 listening. And here's the article.

5 MAYOR HUBBARD: Okay. Anybody else have
6 any discussion on any topic?

7 (No Response)

8 MAYOR HUBBARD: Okay. We'll move on to
9 our regular agenda.

10 I will offer RESOLUTION #12-2017-1,
11 RESOLUTION adopting the December 2017 agenda as
12 printed. So moved.

13 TRUSTEE ROBERTS: Second.

14 MAYOR HUBBARD: All in favor?

15 TRUSTEE MARTILOTTA: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBERTS: Aye.

18 TRUSTEE ROBINS: Aye.

19 MAYOR HUBBARD: Aye.

20 Opposed?

21 (No Response)

22 MAYOR HUBBARD: Motion carried.

23 Trustee Roberts.

24 TRUSTEE ROBERTS: Yeah. RESOLUTION

25 #12-2017-2, RESOLUTION accepting the monthly

1 reports of the Greenport Fire Department,
2 Village Administrator, Village Treasurer,
3 Village Clerk, Village Attorney, Mayor and
4 Board of Trustees. So moved.

5 TRUSTEE ROBINS: Second.

6 MAYOR HUBBARD: All in favor?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBERTS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 MAYOR HUBBARD: Motion carried.

15 TRUSTEE ROBINS: RESOLUTION #12-2017-3,
16 RESOLUTION ratifying the following resolutions
17 previously approved by the Board of Trustees at
18 the Trustees' work session meeting held on
19 December 21st, 2017: So moved -- oh, I'm
20 sorry.

21 RESOLUTION approving the Inter-Municipal
22 Agreement between the Village of Greenport and
23 the Greenport Union (Free) School District for
24 a joint program from 12-3 p.m. on December
25 26th, 2017 through December 29th, 2017 at the

1 Greenport School, and authorizing Mayor Hubbard
2 to sign the Inter-Municipal Agreement between
3 the Village of Greenport and the Greenport
4 Union Free School District; and

5 RESOLUTION approving the agreement
6 between the Village of Greenport and Haugland
7 Energy, LLC for the temporary use by Haugland
8 Energy, LLC of specific Village of Greenport
9 property, and authorizing Mayor Hubbard to
10 sign the agreement between Haugland Energy, LLC
11 and the Village of Greenport. So moved.

12 TRUSTEE MARTILOTTA: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 TRUSTEE MARTILOTTA: If I could just say
23 thank you for the Intermunicipal Agreement with
24 the School. We've had upwards of 50 kids each
25 day at the gym. It's just been a great turnout

1 and a great thing. I just want to make sure I
2 said thank you to everybody.

3 MAYOR HUBBARD: Very good.

4 TRUSTEE MARTILOTTA: RESOLUTION
5 #12-2017-4, RESOLUTION authorizing Village
6 Administrator Pallas to execute any amendments
7 and documents exclusive of funding and
8 finances, related to the proposed agreement
9 between the Village of Greenport and the
10 Governor's Office of Storm Recovery for the use
11 of CDBG-DR funding. So moved.

12 TRUSTEE PHILLIPS: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 TRUSTEE PHILLIPS: RESOLUTION #12-2017-5,
23 RESOLUTION accepting the attached proposal
24 submitted by Susan Stohr for the provision of
25 grant administration contract services related

1 to the proposed agreement between the Village
2 of Greenport and the Governor's Office of Storm
3 Recovery for the use of CDBG-DR funding. So
4 moved.

5 TRUSTEE ROBERTS: Second.

6 MAYOR HUBBARD: All in favor?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBERTS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 MAYOR HUBBARD: Motion carried.

15 TRUSTEE ROBERTS: RESOLUTION #12-2017-6,
16 RESOLUTION ratifying the hiring of Matthew
17 Trypaluk as a part-time, seasonal Ice
18 Rink/Carousel employee at a pay rate of \$10.00
19 per hour, effective November 30th, 2017. So
20 moved.

21 TRUSTEE ROBINS: Second.

22 MAYOR HUBBARD: All in favor?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBERTS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 MAYOR HUBBARD: Motion carried.

6 TRUSTEE ROBINS: RESOLUTION #12-2017-7,
7 RESOLUTION ratifying the hiring of William
8 Burns and Isaiah Johnson as part-time, seasonal
9 Ice Rink/Carousel employees at a pay rate of
10 \$10.00 per hour, effective December 13th, 2017.
11 So moved.

12 TRUSTEE MARTILOTTA: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 TRUSTEE MARTILOTTA: Resolution
23 #12-2017-8, RESOLUTION ratifying the hiring of
24 Janelle Phillips as a part-time, seasonal Ice
25 Rink/Carousel employee at a pay rate of \$10.00

1 per hour, effective December 16th, 2017. So
2 moved.

3 TRUSTEE PHILLIPS: Second.

4 MAYOR HUBBARD: All in favor?

5 TRUSTEE MARTILOTTA: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 TRUSTEE ROBERTS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR HUBBARD: Aye.

10 Opposed?

11 (No Response)

12 MAYOR HUBBARD: Motion carried.

13 TRUSTEE PHILLIPS: RESOLUTION #12-2017-9,

14 RESOLUTION authorizing the attendance of

15 Douglas Rocco at NEPPA's 2018 Apprentice

16 Program for Apprentice II Training at Northwest

17 Lineman College in Littleton, Massachusetts.

18 Training will be completed in five sessions to

19 be held on January 30th - February 2nd, March

20 27th - 30th, June 6th - 7th, September 11th -

21 Sept 14th, and October 30th - November 2nd, at

22 a cost of: \$3,200.00 for the training courses

23 (classes), a room rate of \$123.99 per night,

24 reimbursable meal expenses not to exceed \$35

25 per day, applicable transportation costs, and

1 standard mileage reimbursements; to be expensed
2 from account E. 0785.210 (Employee Training)
3 and E.0782.000 (Management Services). So
4 moved.

5 TRUSTEE ROBERTS: Second.

6 MAYOR HUBBARD: All in favor?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBERTS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 MAYOR HUBBARD: Motion carried.

15 TRUSTEE ROBERTS: RESOLUTION #12-2017-10,
16 RESOLUTION authorizing Treasurer Brandt to
17 perform attached Budget Amendment #3783, to
18 fund the purchase of a new postage machine, and
19 directing that Budget Transfer #3783 be
20 included as part of the formal meeting minutes
21 for the December 28th, 2017 regular meeting of
22 the Board of Trustees. So moved.

23 TRUSTEE ROBINS: Second.

24 MAYOR HUBBARD: All in favor?

25 TRUSTEE MARTILOTTA: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBERTS: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR HUBBARD: Aye.

5 Opposed?

6 (No Response)

7 MAYOR HUBBARD: Motion carried.

8 TRUSTEE ROBINS: RESOLUTION #12-2017-11,
9 RESOLUTION authorizing Treasurer Brandt to
10 perform attached Budget Amendment #3784, to
11 fund the repair of Carousel doors, and
12 directing that Budget Transfer #3784 be
13 included as a part of the formal meeting
14 minutes for the December 28th, 2017 regular
15 meeting of the Board of Trustees. So moved.

16 TRUSTEE MARTILOTTA: Second.

17 MAYOR HUBBARD: All in favor?

18 TRUSTEE MARTILOTTA: Aye.

19 TRUSTEE PHILLIPS: Aye.

20 TRUSTEE ROBERTS: Aye.

21 TRUSTEE ROBINS: Aye.

22 MAYOR HUBBARD: Aye.

23 Opposed?

24 (No Response)

25 MAYOR HUBBARD: Motion carried.

1 TRUSTEE MARTILOTTA: RESOLUTION
2 #12-2017-12, RESOLUTION authorizing Treasurer
3 Brandt to perform the attached Budget Amendment
4 #3787, to fund the Village-wide paving project,
5 and directing the Budget Transfer #3787 to be
6 included as part of the formal meeting minutes
7 for the December 28th, 2017 regular meeting of
8 the Board of Trustees. So moved.

9 TRUSTEE PHILLIPS: Second.

10 MAYOR HUBBARD: All in favor?

11 TRUSTEE MARTILOTTA: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 TRUSTEE ROBERTS: Aye.

14 TRUSTEE ROBINS: Aye.

15 MAYOR HUBBARD: Aye.

16 Opposed?

17 (No Response)

18 MAYOR HUBBARD: Motion carried.

19 TRUSTEE PHILLIPS: RESOLUTION
20 #12-2017-13, RESOLUTION approving the attached
21 agreement between the Village of Greenport and
22 the Public Employer Risk Management
23 Association, Inc. for the purpose of providing
24 a risk management workers' compensation service
25 program and statutory workers' compensation

1 benefits for the employees of the Village of
2 Greenport. So moved.

3 TRUSTEE ROBERTS: Second.

4 MAYOR HUBBARD: All in favor?

5 TRUSTEE MARTILOTTA: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 TRUSTEE ROBERTS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR HUBBARD: Aye.

10 Opposed?

11 (No Response)

12 MAYOR HUBBARD: Motion carried.

13 TRUSTEE ROBERTS: RESOLUTION #12-2017-14,
14 RESOLUTION accepting the notification of
15 retirement, effective December 19th, 2017; and
16 dated December 4th, 2017 from Village Director
17 of Development Eileen Wingate. So moved.

18 TRUSTEE ROBINS: Second.

19 TRUSTEE ROBERTS: Discussion, briefly.

20 MAYOR HUBBARD: Sure.

21 TRUSTEE ROBERTS: I just want to thank
22 Eileen.

23 TRUSTEE MARTILOTTA: Yeah.

24 TRUSTEE ROBERTS: Twelve years of work
25 here in this Village. Was she a perfect

1 Building Inspector? No. Have you ever met a
2 perfect Building Inspector? I haven't met
3 anybody perfect. But she worked here a real
4 long time, predates my involvement with the
5 Village. And I just want to say thanks to her
6 for her years of service. And, you know, agree
7 or disagree or -- with how she did things or
8 why she did things, or whatever, one thing I
9 think we can all agree, she worked hard for the
10 Village and I think she gave it her all. So I
11 want to thank her.

12 MAYOR HUBBARD: I agree.

13 TRUSTEE MARTILOTTA: Absolutely.

14 MAYOR HUBBARD: Any other discussion?

15 (No Response)

16 MAYOR HUBBARD: Okay. All in favor?

17 TRUSTEE MARTILOTTA: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 TRUSTEE ROBERTS: Aye.

20 TRUSTEE ROBINS: Aye.

21 MAYOR HUBBARD: Aye.

22 Opposed?

23 (No Response)

24 MAYOR HUBBARD: Motion carried.

25 TRUSTEE ROBINS: RESOLUTION #12-2017-15,

1 RESOLUTION abolishing the Civil Service
2 title/position of Village Director of
3 Development for the Village of Greenport. So
4 moved.

5 TRUSTEE MARTILOTTA: Second.

6 MAYOR HUBBARD: All in favor?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBERTS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 MAYOR HUBBARD: Motion carried.

15 TRUSTEE MARTILOTTA: RESOLUTION
16 #12-2017-16, RESOLUTION approving the
17 attendance of Code Enforcement Officer Taglieri
18 at the New York State Department -- New York
19 State Department of Code -- geez, Louise.

20 (Laughter)

21 TRUSTEE MARTILOTTA: New York State
22 Department of State Code Enforcement Officer
23 classes 9A (Introduction to Code Enforcement
24 Practices, Part 1), 9B (Introduction to Code
25 Enforcement Practices, Part 2) and 9C

1 (Inspection Procedures for all Existing
2 Buildings) in Yaphank, New York. Class 9A will
3 be held from 8 a.m. through 4 p.m. on February
4 13th, 2018 through February 15th, 2018. Class
5 9B will be held from 8 a.m. through 4 p.m. from
6 April 10th, 2018 through April 12th, 2018.
7 Class 9C will be held from 8 a.m. through
8 4 p.m. from June 5th, 2018 through June 7th,
9 2018. There is no charge for these classes,
10 and the standard mileage reimbursement applies.
11 So moved.

12 TRUSTEE PHILLIPS: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 TRUSTEE PHILLIPS: RESOLUTION

23 #12-2017-17, RESOLUTION scheduling a public
24 hearing for 7:00 p.m. on January 25th, 2018 at
25 the Third Street Firehouse, Third and South

1 Streets, Greenport, New York, 11944; regarding
2 the Wetlands Permit Application submitted by
3 North Ferry Company, Inc. to connect and
4 stabilize two independent finger piers at the
5 ferry terminal by installing two new sections
6 of bulkhead and placing fill landward of new
7 bulkhead as landfill; and directing Clerk
8 Pirillo to notice the public hearing
9 accordingly. So moved.

10 TRUSTEE ROBERTS: Second.

11 MAYOR HUBBARD: All in favor?

12 MR. PALLAS: Mr. Mayor if I may, excuse
13 me. Mayor, we should also have directing the
14 CAC to provide a report as part of this
15 resolution.

16 MAYOR HUBBARD: Do you need it as part of
17 that? That's standard procedure. Do you need
18 it as part of the resolution?

19 MR. PALLAS: Typically, we've -- it's
20 been in resolutions prior.

21 TRUSTEE PHILLIPS: Do you want it set for
22 a date? Do you want it -- do you want the date
23 before a work session, is that --

24 MR. PALLAS: I don't -- you know, I'm
25 just pointing that the CA -- just in case

1 anybody's wondering. That's --

2 TRUSTEE ROBERTS: So --

3 MAYOR HUBBARD: Okay.

4 TRUSTEE ROBERTS: -- should I offer an
5 amendment?

6 MAYOR HUBBARD: Yes.

7 TRUSTEE ROBERTS: After the word
8 "accordingly", propose to amend and request a
9 CAC report per normal Village practice.

10 TRUSTEE ROBINS: Second.

11 MAYOR HUBBARD: Okay. All in favor of
12 the amendment?

13 TRUSTEE MARTILOTTA: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 TRUSTEE ROBERTS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR HUBBARD: Aye.

18 Opposed?

19 (No Response)

20 MAYOR HUBBARD: Amendment carried.

21 All in favor of the resolution as
22 amended?

23 TRUSTEE MARTILOTTA: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBERTS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR HUBBARD: Aye.

3 Opposed?

4 (No Response)

5 MAYOR HUBBARD: Motion carried.

6 TRUSTEE PHILLIPS: Doug.

7 TRUSTEE ROBERTS: Thank you. RESOLUTION
8 #12-2017-18, RESOLUTION authorizing the
9 issuance of a Request for Proposals for the
10 painting of fourteen (14) inner scenic panels
11 at the Village of Greenport Carousel, and
12 directing Clerk Pirillo to notice the Request
13 for Proposals accordingly. So moved.

14 TRUSTEE ROBINS: Second.

15 MAYOR HUBBARD: All in favor?

16 TRUSTEE MARTILOTTA: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE ROBERTS: Aye.

19 TRUSTEE ROBINS: Aye.

20 MAYOR HUBBARD: Aye.

21 Opposed?

22 (No Response)

23 MAYOR HUBBARD: Motion carried.

24 TRUSTEE ROBINS: RESOLUTION #12-2017-19,
25 RESOLUTION rescinding Resolution #02-2017-3 as

1 attached, from the February 23rd, 2017 regular
2 meeting of the Village of Greenport Board of
3 Trustees. So moved.

4 TRUSTEE MARTILOTTA: Second.

5 MAYOR HUBBARD: All in favor?

6 TRUSTEE MARTILOTTA: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBERTS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR HUBBARD: Aye.

11 Opposed?

12 (No Response)

13 MAYOR HUBBARD: Motion carried.

14 TRUSTEE MARTILOTTA: RESOLUTION

15 #12-2017-20, RESOLUTION accepting the bid as
16 submitted by Russell Reid Waste Hauling and
17 Disposal Service Co. Inc., for the provision of
18 liquid sludge hauling services, at a price of
19 \$196.00 per 1,000 gallons, per the bid opening
20 on December 18th, 2017; and authorizing Mayor
21 Hubbard to sign the contract between the
22 Village of Greenport and Russell Reid Waste
23 Hauling and Disposal Service, Inc. So moved.

24 TRUSTEE PHILLIPS: Second.

25 MAYOR HUBBARD: All in favor?

1 TRUSTEE MARTILOTTA: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 TRUSTEE ROBERTS: Aye.

4 TRUSTEE ROBINS: Aye.

5 MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response)

8 MAYOR HUBBARD: Motion carried.

9 TRUSTEE PHILLIPS: RESOLUTION

10 #12-2017-21, RESOLUTION rejecting all bids as
11 received on December 20th, 2017 for the removal
12 and/or pruning of specified trees and the
13 removal and grinding of tree stumps on Village
14 of Greenport streets, authorizing a re-bid for
15 the removals, and directing Clerk Pirillo to
16 notice the re-bid accordingly. So moved.

17 TRUSTEE ROBERTS: Second.

18 MAYOR HUBBARD: All in favor?

19 TRUSTEE MARTILOTTA: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 TRUSTEE ROBERTS: Aye.

22 TRUSTEE ROBINS: Aye.

23 MAYOR HUBBARD: Aye.

24 Opposed?

25 (No Response)

1 around the Village. We had a lot of productive
2 good things happen in the Village over the past
3 year. I think everything has come together,
4 Legion Hall, street repairs, the work that
5 everybody's done. I want to commend everybody
6 for doing a great job in this past year, and
7 wish everybody a happy new year in the year to
8 come. Thank you all for coming.

9 (Applause)

10 MAYOR HUBBARD: I offer a motion to
11 adjourn at 8:05.

12 TRUSTEE PHILLIPS: Second.

13 MAYOR HUBBARD: All in favor?

14 TRUSTEE MARTILOTTA: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBERTS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 Have a happy new year. Thank you.

23 (The Meeting was Adjourned at 8:05 p.m.)

24

25

#	1		7		
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VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2018 Period: 12 Trans Type: B2 - Amend Status: Balch
Trans No: 3784 Trans Date: 12/01/2017 User Ref: ROBERT
Requested: P. PALLAS Approved: Created by: ROBERT 12/01/2017
Description: TO APPROPRIATE RESERVES FOR THE FUNDING OF THE REPAIR OF CAROUSEL DOORS
Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.5990	APPROPRIATED FUND BALANCE	7,660.00
A.7312.401	CAROUSEL EXPENSE	7,660.00
Total Amount:		15,320.00



P E R M A

Public Employer Risk Management Association, Inc.

9 Cornell Road, Latham, NY 12110

Toll Free in US (888) 737-6269

www.perma.org

Managed by Northeast Association Management, Inc.

November 20, 2017

Re: Changes affecting your municipality and PERMA membership

Dear PERMA member,

PERMA, like New York State, has been implementing a lot of changes lately, and we are grateful to our members for your understanding and encouragement. This mailing includes very important information regarding:

- The NYS VFF Enhanced Cancer Disability Benefits Act;
- The NYS Paid Family Leave Act;
- A new program agreement, adopted by the PERMA Board of Directors at their meeting in October; and
- Risk management resources for a new Safety Coordinator requirement.

VFF Enhanced Cancer Disability Benefits Act / Paid Family Leave Act

Two new benefit acts have been signed into law this year and we wanted to provide our members with information as to how you can comply with the regulations. Please see the enclosed flyers at the back of the packet.

New PERMA program agreement

On October 25, the PERMA Board of Directors approved a revised Program Agreement that will unify all members under the same language. In addition to the elimination of the entry fee for both new and returning members, the changes are:

- *Section 4, Payroll Classification; Section 5, Contributions; and Section 6, PERMA Advance Discount* – Read together, these three sections clarify the PERMA underwriting process and how contributions are calculated.
- *Section 8, Limit of Liability* – Gives the NYS Workers' Compensation Board (WCB) the authority to determine PERMA's solvency and clearly states members' obligations to their own claims should insolvency occur.
- *Section 9, Safety Program* – Language has been added to detail requirements for members to have a named Safety Coordinator and a Safety Committee that meets quarterly, at minimum. Data has shown that, historically, organizations with an engaged safety culture have lower loss frequency and severity than comparable organizations without active risk management.

Excluding Section 9, which will be discussed further below, questions regarding the program agreement should be directed to Member Services – memberservices@neami.com or 518-220-0388. If you have no questions, **please sign the two enclosed agreements and return with the Safety Coordinator Questionnaire in the envelope provided by December 4, 2017.** We will then send a fully executed agreement back to you for your records.

New York's premier provider of workers' compensation for public entities

Safety Coordinator risk management resources

As stipulated in Section 9 of the new Program Agreement, PERMA members will now be required to have a named Safety Coordinator and form a Safety Committee that meets quarterly. Within this packet, the risk management department has provided a breakdown of these new requirements, as well as a questionnaire intended to assess PERMA members' current utilization of safety committees and coordinators. **Please complete the Questionnaire and return it with the program agreements in the envelope provided by December 4.** Contacts for questions are included in the enclosed letter from the risk management department.

Thank you for your attention to these very important matters. Member engagement with the PERMA program is our greatest strength.

Sincerely,
PERMA Member Services
memberservices@neami.com
518-220-0388

PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION

9 Cornell Road

Latham, New York 12110

**WORKERS' COMPENSATION & EMPLOYERS LIABILITY
PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by and between the Public Employer Risk Management Association, Inc., hereinafter referred to as "PERMA" and the

Village of Greenport

236 3rd Street

Greenport, NY 11944

referred to in this agreement as the "member", for the purpose of providing a risk management workers' compensation service program and statutory workers' compensation benefits for its employees.

The member desires to satisfy its statutory obligation to provide workers' compensation benefits through participation in PERMA, a workers' compensation group self-insurance program and risk management workers' compensation service program for local governments and other public employers and instrumentalities of the State of New York. PERMA is managed by Northeast Association Management, Inc. (NEAMI), a separate entity, which provides administrative, marketing and management services for PERMA, and manages all of its claims, pursuant to a contract with PERMA and subject to the direction of PERMA's Board of Directors. A copy of the contract between PERMA and NEAMI, including any attachments and revisions, will be provided to the member upon request.

The member and agrees to the following terms and conditions of membership:

1. **Term and Renewal.** The initial term of this Agreement will commence upon execution and will end on the expiration date of current coverage. The agreement will renew automatically for successive one year terms each year thereafter on the anniversary date of its commencement (the "Renewal Date"), unless (i) PERMA receives written notice from the member, at least 30 days prior to the Renewal Date, that it will not renew the Agreement, or (ii) PERMA receives written notice from the member, at least 30 days prior to the Renewal Date, that it reserves its right not to renew and PERMA receives written notice from the member, prior to the Renewal Date, that it will not renew the Agreement, or (iii) PERMA gives the member written notice at least 60 days prior to the Renewal Date that it will not renew the Agreement. An untimely notice that the member will not renew

will be deemed, to the extent otherwise valid, to be a notice of termination under paragraph 13.

2. Coverage During the term of this Agreement. PERMA agrees to provide the member with workers' compensation coverage as described in PERMA's certificate of coverage and coverage document as long as the member complies with the terms of this Agreement and the coverage document.

3. Statement of Policy. As a condition of membership, the member subscribes to the following statement of policy:

(a) Purpose. The policy of the member with respect to its exposure to workers' compensation loss shall be to minimize the financial impact upon it resulting from employee accidents covered by the New York Workers' Compensation Law. This will be accomplished by means of: (i) loss prevention and safety programs to minimize or eliminate risk of employee injury; (ii) PERMA's purchase of specific stop loss insurance; and (iii) PERMA's use of investment income from reserves and operating funds for the benefit of PERMA members.

(b) Loss Prevention. The policy of the member will be to emphasize the reduction, modification, or elimination of conditions and practices which may cause loss. Safety to personnel and the public shall have the highest priority. The member shall be responsible to see that its operations conform to applicable safety standards. "Safety activities shall be the responsibility of each supervisor and all loss prevention activities, including safety, shall be coordinated by a safety coordinator who shall be designated by and responsible to the Chief Executive Officer of the member."

(c) Reporting of Injuries. All injuries will be reported through appropriate channels to PERMA by a representative of the member so designated to PERMA.

4. Payroll Classification. (a) PERMA has the right to audit payroll records. PERMA will estimate the figures based upon a review of the expiring contract payrolls and/or the last payroll audit. It is understood that this is an estimate that will be adjustable at the end of each contract year to reflect the actual payroll of the member, in accordance with the terms of the coverage document. The member agrees to pay any additional contributions that are required as a result of this annual adjustment within 30 days of notice or invoice. Where appropriate, the member's contribution will be adjusted by refund to the member within 30 days of notice or invoice. This condition will not affect the contribution of any member participating in an alternative contribution plan or where otherwise agreed to by the member and PERMA.

(b) **Volunteer Exposures.** PERMA will use population served to calculate coverage cost for Volunteer Firefighter exposure, number of ambulances to calculate coverage cost for Volunteer Ambulance Coverage, and number of and duties of other

volunteers to calculate coverage cost for voluntary coverage. PERMA reserves the right to audit these exposures at its discretion. PERMA may apply credits if there is a dual exposure for paid firefighters and volunteer firefighters protecting the same areas.

5. **Contributions** . The member agrees to pay a deposit contribution which is computed by the PERMA Underwriting Department utilizing rules which are similar, but not identical, to those outlined in the New York Compensation Insurance Rating Board Rating Manual and guidelines approved by the PERMA Board of Directors. The member will pay the deposit contribution within 15 days of the date of commencement, unless a payment plan is approved by PERMA. The member understands that its contribution may be adjusted as a result of increased benefit levels mandated by amendments to the New York Workers' Compensation Law or by mandated increases in Workers' Compensation Board assessments. The member agrees to execute necessary authorization forms permitting PERMA and its designee to obtain information and data required in determining the experience rating modification of the member. For qualified members who elect an alternative contribution program, the required contribution will be modified to meet the terms and conditions of the specific program as enumerated in a separate contract with the member.

6. **PERMA Advance Discount.** The Board of Directors will annually determine the amount of the maximum discount to be offered by PERMA. The discount for each member is determined individually by the PERMA underwriting department within the range approved by the PERMA Board of Directors.

7. **Excess Insurance.** PERMA will place and maintain excess insurance coverage with a qualified underwriter for specific loss limits stop loss insurance.

8. **Limit of Liability.** The member is not liable to PERMA, to other members of PERMA, to any claimant against PERMA, or to any claimant against another member of PERMA, except for payment of (i) the contributions required by this Agreement; and (ii) any fees or other amounts due as may be provided in a separate contract between the member and PERMA. PERMA, not the member, is liable to pay workers' compensation claims that are covered under the coverage agreement. The member agrees that the only assets from which a judgment against PERMA may be satisfied are the assets and property of PERMA. No member, officer or director of PERMA will be personally liable for any claim against PERMA.

If, in the determination of the Chair of the Workers' Compensation Board, or his or her designee, and based upon the available evidence, PERMA becomes insolvent, the member will be responsible for any outstanding compensation and medical benefits due, and penalties or assessments imposed, with respect to any of its employees' or beneficiaries' workers' compensation claims until those claims are closed and the obligations are satisfied, but the member will not be responsible for any additional contribution in order to pay the claims of any other member of PERMA, past, present or

future. For purposes of this provision, "insolvent" means that the sum of PERMA's cash, deposits in a bank or trust company insured under the provisions of the Federal Deposit Insurance Act and investments permitted pursuant to section 12 NYCRR § 317.8(c) is less than the total cost of all of its anticipated workers' compensation liabilities, as defined by section 12 NYCRR § 317.2(o), that will accrue within the succeeding six months.

9. **Safety Program.** PERMA or its designee will provide safety services to the member, designed to assist it in following a plan of loss control intended to reduce losses. The member agrees that it will cooperate in instituting any and all reasonable safety regulations that may be recommended by PERMA or its designee for the purposes of eliminating or minimizing hazards that would contribute to injuries.

The member must identify a named safety coordinator who will be required to complete training PERMA provides, including safety coordinator training, advanced safety coordinator training and accident investigation training. If the member does not already have a safety coordinator, the member will appoint a safety coordinator within six months of the date of commencement and the safety coordinator must complete the required training within 18 months of the date of commencement. If the member fails to satisfy these requirements, the PERMA Board of Directors may terminate its membership.

The member must comply with OSHA/PESH standards and regulations. The member must notify PERMA within 10 days of its receipt of a PESH violation. If the member is not in compliance with OSHA/PESH standards it is subject to a mandatory underwriting review.

The member must have an active safety committee of which the member's safety coordinator is a member. The safety committee must meet at least quarterly and must provide PERMA with an annual schedule of meetings, a list of participants and, upon request, minutes from the meetings which define the committee's safety improvements goals and efforts. The member's failure to comply with these requirements will result in a risk management audit.

The member is required to complete a PERMA accident review with respect to every incident which may give rise to a claim and submit that review to PERMA's Risk Management Department within three days of the incident. The member's failure to complete and submit the incident review will give rise to a safety audit and may result in an underwriting review.

The member agrees that it will cooperate in instituting any and all reasonable safety regulations that PERMA or its designee recommends to eliminate or minimize hazards that can contribute to injuries. The member will allow PERMA or its designee access to the member's facilities, employees and safety committee to perform a risk assessment/safety audit. PERMA may terminate this agreement if the member fails to allow such access. The member's failure to institute suggested safety recommendations may result in an underwriting for review.

10. Claims. PERMA, through its designated third-party administrator, will administer, service, settle, and pay any and all workers' compensation claims, as are defined in a certificate of coverage issued to the member, after the member provides notice of the injury in sufficient detail to prepare all required forms. PERMA will provide a defense if required, will contact injured employees as appropriate and will appear at necessary compensation hearings. PERMA will retain and supervise legal counsel at its expense, as may be necessary for the defense of any claim. The member will cooperate fully by supplying any information needed or helpful to defend such action. PERMA agrees to provide the member with a statement of claim, claims status and activities report within 10 days of the member's request for such information.

11. By-laws, Rules and Regulations of PERMA. The member agrees to abide by and is bound by the rules, regulations and bylaws which are adopted by the Board of Directors or members of PERMA. The member further agrees to abide by the terms and conditions of the coverage document which will be provided to the member annually upon renewal.

12. Termination of Coverage and Membership. This Agreement, including the member's workers' compensation coverage and membership in the program, may be terminated (a) by PERMA either (i) on 10 days' written notice for the member's failure or refusal to make any required payment, unless the member makes the required payment within 10 days of notice; or (ii) on 60 days' written notice for other cause, including but not limited to the member's failure to comply with the terms of this Agreement (other than the terms requiring the member to make payments), or the terms of the member's workers' compensation and/or employer's liability coverage agreement with PERMA, or the rules, regulations or by-laws of PERMA; or (b) by the member, 30 days after PERMA's receipt of written notice of cancellation. If the Agreement is terminated by PERMA for non-payment or is cancelled by the member, the member will be required to pay a short rate penalty upon termination. The short rate penalty will be computed using the New York Compensation Insurance Rating Board Short Rate Cancellation Table, including the procedure accompanying that table, unless amended by an alternative contribution contract. The final contribution will not be less than the minimum contribution set forth in the member's Workers' Compensation/Employer's Liability Agreement. Upon any termination of this Agreement other than a termination on the Renewal date, the terminating member will be required to pay the contributions earned, on a pro rata basis, through the date on which the termination is effective. The member's final contribution will not be less than the pro rata share of the minimum contribution under this Agreement.

13. Notice to the Parties. Notice by either party, as the case may be, shall be given by certified mail to PERMA at its address, 9 Cornell Road, Latham, New York 12212, and to the member at its address as set forth above.

14. Reporting and Retention Obligations. Notwithstanding any other provision of

this Agreement, the member does not by this Agreement transfer to PERMA and PERMA does not assume any reporting or records retention obligations imposed upon the member by the New York State Workers' Compensation Law.

Village of Greenport

By: _____

Title: _____

ATTEST:

PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION

By: _____

Stephen Altieri

Chairman, PERMA Board of Directors

By: _____

Jeff Van Dyk

Executive Director, PERMA

Sylvia Pirillo

From: Mary Wade <vision4me@me.com>
Sent: Monday, November 20, 2017 10:12 PM
To: George Hubbard; Jack Martilotta; Mary Bess Phillips; Douglas Roberts; Julia Robins
Cc: Paul Pallas; Sylvia Pirillo; kenneth ludacer
Subject: Sample Leaf Blower Legislation to Propose for Public Hearing
Attachments: Leaf Blower Legislation.pdf

Hi, Can someone please forward this to Joseph Prokop Esq.? His email is not on the Village website. Thanks very much for agreeing to hold a public hearing on a proposed ordinance. Randy <https://ecode360.com/8780318> § 68-15 **Purpose and intent.**

The Village of Pelham hereby finds that unlimited use of lawn maintenance equipment powered by internal-combustion engines, particularly so called "leaf blowers," impairs the economic and social welfare, health, peace and quality of life of persons residing in Pelham. The purpose of this Article is to minimize the adverse impact of such equipment and yet permit its use within the Village. The provisions of this article shall be liberally construed for the accomplishment of that purpose.

§ 68-16 **Hours of use.**

Lawn maintenance equipment powered by internal-combustion engines, including, but not limited to, lawn mowers and leaf blowers, shall not be operated in the Village of Pelham, except at the following times:

A.

On weekdays between 8:00 a.m. and 5:30 p.m., except grass may be cut with an internal-combustion engine lawn mower by an occupant of the premises where it is being cut on weekdays between the hours of 5:30 p.m. and 8:00 p.m.

B.

On Saturdays between 10:00 a.m. and 5:00 p.m.

C.

On Sundays and holidays between 12:00 p.m. and 4:00 p.m.

§ 68-17 **Further limitation on seasonal use of leaf blowers.**

The operation of leaf blowers shall be limited to the time period between March 15 and April 30, inclusive, and October 15 and December 15, inclusive, of each calendar year.

§ 68-18 **Muffler required.**

It shall be a violation hereof to operate any lawn maintenance equipment powered by an internal-combustion engine in the Village of Pelham without a properly functioning muffler.

§ 68-19**Enforcement.**

This article shall be enforced against the owner, as defined in § **54-8** of Chapter **54** of the Code of the Village of Pelham, of the premises upon which such violation occurs.

§ 68-20**Emergency situations.**

The Mayor or the Village Administrator is authorized to suspend any one or more of the provisions of this Article **V** for a period of 24 hours whenever the Mayor or the Village Administrator determines that an emergency situation exists in the Village. Such suspension may be renewed each day during the continuance of such emergency.

NOTE: A flier they send out...

Sylvia Pirillo

From: Mary Wade <vision4me@icloud.com>
Sent: Wednesday, December 20, 2017 12:41 PM
To: George Hubbard; Jack Martilotta; Mary Bess Phillips; Douglas Roberts; Julia Robins
Cc: Paul Pallas; Sylvia Pirillo; kenneth ludacer
Subject: Re: Sample Leaf Blower Legislation to Propose for Public Hearing

I am so sorry. I created the confusion by providing Pelham's code that had the lawn mower restrictions. I'm so sorry. It was completely my fault. The first paragraph I wrote still holds and I should have sent an example that simply prohibits gas powered leaf blowers those months. I'm very sorry, Randy

On Dec 20, 2017, at 12:35 PM, Mary Wade <vision4me@icloud.com> wrote:

Hi All,

There was some confusion why we proposed the summer months for prohibition of gas powered leaf blowers on the petition from 100 residents. It was to except the gathering leaves in the fall and light snow blowing. Those months are really mid-October to mid-April. The most wasteful impact comes from blowing blades of grass. We were not requesting changes to lawn mower regulations. There is already a noise code on Southold that the Southold police can enforce and that might be interesting to review.

Thanks for moving on this and will someone please read the above aloud on Thursday?

Mary Bess,

You can quote me on the first paragraph on your Facebook page. I don't have my own page.

Thanks, Randy

On Nov 20, 2017, at 10:12 PM, Mary Wade <vision4me@me.com> wrote:

Hi, Can someone please forward this to Joseph Prokop Esq.? His email is not on the Village website. Thanks very much for agreeing to hold a public hearing on a proposed

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This article shall be enforced against the owner, as defined in § 54-8 of Chapter 54 of the Code of the Village of Pelham, of the premises upon which such violation occurs.

§ 68-20 Emergency situations.

The Mayor or the Village Administrator is authorized to suspend any one or more of the provisions of this Article V for a period of 24 hours whenever the Mayor or the Village Administrator determines that an emergency situation exists in the Village. Such suspension may be renewed each day during the continuance of such emergency.

NOTE: A flier they send out...

Sylvia Pirillo

From: Mary Bess Phillips
Sent: Thursday, December 28, 2017 3:18 PM
To: Sylvia Pirillo; Paul Pallas
Cc: George Hubbard; Jack Martilotta; Julia Robins; Douglas Roberts; jwpgreenport@aol.com
Subject: FW: Leaf blower ban

Sylvia,

I am forwarding Tina and Dan Finne's comment letter to be entered into the record for the public hearing on leaf blowers. They are unable to attend the meeting and wish it to be read into the record.

MB

-----Original Message-----

From: Tina Finne [mailto:tfinne1430@aol.com]
Sent: Thursday, December 28, 2017 2:20 PM
To: Mary Bess Phillips
Subject: Leaf blower ban

December 28, 2017

To Mayor Hubbard and the Village Board Members,

As residents of this Village we are taking this time to let you know of our opposition to the proposed leaf blower ban law.

First off, it has been our experience that the residents of this Village are mostly considerate of each other already. To add another law and more rules to bind our citizens with, trying to police the actions of taxpayers to be able to maintain their properties would be another gotcha scheme to turn neighbors against each other. In the end the purpose of this proposed law would be lost to the damage it would cause to our community and our sense of community.

We as residents bear the burden of Greenport's new found popularity and all that goes with it. Whether it be the traffic, or the parking (God forbid your tire is on a line). With the intentions of making life better the end result of some these rules only make life for the full time residents, trying, to say the least. Many of us feel like we are losing more and more of the Village we grew up in, and to some this proposed law adds insult to injury. This is still a working community, we hear this catch phrase whenever housing is mentioned, it needs to also be applied when proposing laws that restrict the time working people have to do things. There is fine line between making laws for the safety of our community and making burdensome laws to entrap them.

Last of all, if we want to propose laws or even enforce ones we have already on the books, we might consider enforcing the the public drinking laws and a ban on smoking downtown.

Thank you for time,
Dan and Tina Finne
120 Center Street
Greenport

December 1, 2017

**Mayor George W. Hubbard, JR
and
Trustees
Greenport Village, NY**

RE: <http://suffolktimes.timesreview.com/2017/10/78169/leaf-blower-ban-greenport-village/>

Mayor Hubbard:

I see that Greenport is being asked to consider regulating leaf blowers, based on the referenced article above. Clearly there are some people that want them to go away. Many negative things are being said about the blower, however, not everything is the truth. I can provide you with facts that you should have before making any decision regarding leaf blower legislation.

I am a retired Vice President of Engineering for ECHO Inc., a leading manufacturer of gasoline powered lawn care products. As an expert on the subject of leaf blowers, I have disseminated 'up to date' information to more than 160 cities throughout the United States. More information on my qualifications can be found at: <http://leafblownoise.com/about%20the%20author.pdf>

Let me start by saying that a reasonable solution can be found. Opposing stakeholders on this issue are highly polarized and are generally intolerant of each other's point of view, often making the issue quite controversial. Regardless what you may hear about gas leaf blowers, the one and only true issue with them is noise. Since sound is not a viable reason to ban blowers, Mr. Ken Ludacer and his supporters, have asked that you "ban, restrict or curb" the use of gasoline powered leaf blowers for reasons other than sound. His arguments are based on opinion, anecdotal assertions and outdated or unsubstantiated quotations. Don't believe everything he tells you.

An example of an unrealistic claim, is that hydrocarbon emissions from a two-stroke leaf blower running 30 minutes is the same as a Ford pickup running from Texas to Alaska (3900 miles), per a website called edmonds.com. Even if you take into consideration that the blower they tested was 11 years old at the time and did not meet current emission standards, this is an unbelievable statement and quite frankly, ridiculous. In 30 minutes a leaf blower will burn less than a half-gallon of fuel. At 18 miles per gallon, a pickup will burn 217 gallons. Edmonds' remarks cannot be justified because it is impossible to compare these two vastly different engines using the equipment available in their test lab. Check it out at: <http://leafblownoise.com/edmonds%20test%20response2.pdf>.

The comment that blowers "blasted" particles of mold, feces, fertilizers and heavy metals into the air is exaggerated. Perhaps he is confused with the lawn mower. The air flow from a leaf blower is concentrated. It is emitted from a two-inch diameter nozzle and spreads out from there to which it has no impact on debris past a few feet. At 25 feet, it is difficult to even measure the velocity. Consequently, leaf blowers "blast" very little into the air. http://leafblownoise.com/#Dust_study_and_comparison

On a technical level, according to the EPA, the particulate matter that is potentially harmful to someone's health is known as PM-10 and PM-2.5. These numbers represent the particle size, which is 10 microns and 2.5 microns respectively. A micron is a meter divided by one million (1/1,000,000 meter). PM-10 has a diameter of 0.00001 meter (0.0004 inches or one-seventh the width of a human hair). They are similar in size to the dust you see in a ray of sun light, right within your own living room. For the most part, PM-10 is

otherwise invisible. Leaf blowers deal with a much larger sized particle, one that falls back to the earth within a few feet of the nozzle.

PM-10 particles originate from a variety of mobile and stationary sources (diesel trucks, woodstoves, power plants, etc.), their chemical and physical compositions vary widely. Particulate matter can be directly emitted or can be formed in the atmosphere when gaseous pollutants such as SO₂ and NO_x react to form fine particles. Gasoline powered leaf blower engines do not produce these chemicals, however, diesel engines do.

As for leaf blowers raising this particle into the air, PM-10 is already in the air. Because it is so small and lightweight, the wind keeps these particles suspended. The brown haze you see over a city is comprised of these particles.

You can learn more about PM-10 at the following sites:

<http://www.epa.gov/air/airtrends/aqtrnd95/pm10.html>

<http://www.epa.gov/air/particlepollution/health.html>

Regarding exhaust emission, all leaf blowers must meet a very strict EPA mandated exhaust emission Standard. Since January 2005, exhaust emission has been reduced by as much as 85 to 90%, depending on engine displacement. You should know that if you write an ordinance to ban gasoline powered leaf blowers because of exhaust emission, you will be in direct violation of the Federal Clean Air Act, 1990.

<http://leafblownoise.com/Taken%20from%20the%20Federal%20Clean%20Air%20Act.pdf> However, you can require that they meet current emission Standards by allowing only units built after January 2005. The date of manufacture is available on the unit. <http://leafblownoise.com/Mounted%20emission%20Label.jpg>

Since noise can be the only issue and the driving force behind any attempt to ban gas leaf blowers, I propose that you consider requiring that all leaf blowers used in Greenport display the manufacturer applied sound label stating that it meets 65 dB(A). (<http://leafblownoise.com/Sound%20label%20mounted.jpg>). It will be a simple and understandable directive and it will be addressing the petition you received with a positive result.

This type of ordinance works well where a total ban on gas powered units will not. Landscape contractors will readily use a quiet blower because it will allow them to adequately do their job. The gas leaf blower has become an indispensable tool for them. As for the homeowner, if a neighbor complains about another neighbor's blower, the enforcement officer need only ask the alleged offender to show him his blower. If the 65 dB(A) label is not present, he is in violation.

I know that there are leaf blowers in use that are very noisy, some over 80 dB(A) measured at 50 feet, but there are also extremely quiet gasoline powered leaf blowers, which measure 65 dB(A) per the industry Standard. This represents more than a 75% reduction in sound pressure over older designs and is the quietest gasoline powered leaf blower universally available from several manufacturers.

http://leafblownoise.com/Measuring_Sound.pdf If you don't have a feel for this difference, you owe it to yourself and your constituents to attend a comparative noise demonstration. I know you'll be impressed.

Now please don't think that I am just trying to sell ECHO leaf blowers because we have been selling quiet blowers for a very long time. Increased sales due to your ordinance would be negligible. The quiet leaf blower has been on the market for twenty years and I can guarantee that there are many already being used in Greenport. But the problem is, if there is only one noisy blower in the neighborhood, all leaf blowers are reviled. Your ordinance will only be requiring that quiet ones be used exclusively. Many cities have already taken this step.

Initially, you might hear complaints from lawn care providers because they don't want to discard their old noisy blowers if they are still working. But these complaints will pale compared to those you will hear if you ban them totally.

There are more detailed facts concerning the overall leaf blower issue I would like to share with you, but for that, I'd like to call your attention to my website <http://leafblownoise.com/>. In it you will be able to read about all the false claims made by anti-leaf blower activists with links to documentation supporting my comments. You will also learn that the blower is not to blame for everything in this controversy. Often the issue is when and where the blower is being used.

Before taking the step of introducing a leaf blower ordinance, be sure to talk to cities that already have bans in place. Talk directly with their enforcement agency to see if their ban is working. Look at what's happening in Newton, MA. <http://leafblownoise.com/WBZ%20Boston%20Radio%20.pdf>
For 20 years, Santa Monica has struggled with no success enforcing their leaf blower ban.
<http://leafblownoise.com/Santa%20Monica%20Report.pdf>

To arrive at a reasonable solution, be sure to have your advisors reach out to the professional service people to find out what they will support voluntarily. It is an important issue to them and it will take more time than that allowed at a typical council meeting for these stakeholders to relate all their concerns.

If you should need information that is not clearly addressed on my website or need documents that I have not provided, please contact me and I will do whatever I can to help, including further research on your behalf.

Best regards,



Larry Will, BSME
Leaf Blower Information Specialist
ECHO Inc.
479-256-0282
Email: info@leafblownoise.com
Website: <http://leafblownoise.com/>
To learn more about ECHO: <http://www.echo-usa.com/About-ECHO/About-Us>

Jo Anne Kehl
242 5th Ave
Greenport, NY 11944
(631) 603-6830
12/19/17



Village of Greenport
236 3rd St
Greenport, NY 11944

Re: Chapter 88 – Noise Leaf Blower & Lawn Mowers
Hearing – 12/28/17

Mayor & Village Board of Trustees:

The original proposal discussed of the noise was for gas powered leaf blowers not lawn mowers. How did lawn mowers become part of this proposal and a problem?

HOURS OF USE

The new proposal states property occupants can cut their lawn:

Monday to Friday – 8am to 8pm
Saturday - 10am to 5pm
Sunday and Holidays – 12pm to 4pm

The portion of the property occupant restriction is PETTY and VERY RESTRICTIVE!

The village government is restricting how a person has to schedule their time around the villages restricted hours to keep their yards tidy? Do you really want uncut lawns in our village? The working family or the elderly is not taken into consideration. Most families work two or more jobs. The elderly or the ill, who still mow their lawn, cannot mow in the hottest part of the day. For them time needs to be chosen wisely. In the hot and humid months property occupants should be able to mow their lawn during the more comfortable weather hours. No one wants to see someone having a heat stroke. The weekend proposed hours are the hottest hours of the day and are times when many property occupants are busy, shopping, visiting family/friends, barbeques/get-togethers, having lunch in town/spending money the village, etc.....living a normal life.

In my opinion, the proposal should be corrected to; (keep it SIMPLE)

For lawn mowers only;

Property Occupants - Monday to Sunday 8am – 7pm

No Holidays

For lawn mowers, leaf blowers or any other lawn maintenance gas powered equipment operated by NON-PROPERTY OCCUPANTS – The proposed hours are fine with the exception of NO HOLIDAYS.

Monday to Friday – 8am to 5:30pm
Saturday - 10am to 5pm
Sunday and Holidays – 12pm to 4pm – Should be NO HOLIDAY

ENFORCMENT

A fine should also be given to the business owner not just their hired help and the property owner.

Thank you,
Jo Anne Kehl