



236 THIRD STREET
GREENPORT, NY 11944

Tel: (631)477-0248
Fax: (631)477-1877

villageofgreenport.org

MAYOR
KEVIN STUESSI
EXT 215

TRUSTEES
MARY BESS PHILLIPS
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-JOHNSON

JULIA ROBINS

**VILLAGE
ADMINISTRATOR**
PAUL J. PALLAS, P.E.
EXT 219

VILLAGE CLERK
CANDACE HALL
EXT 214

**Board of Trustees
Village of Greenport
Special Meeting
Third Street Fire Station
Third and South Streets
Greenport, NY 11944**

Thursday, January 4, 2024, at 5:00 p.m.

MOTION TO OPEN THE SPECIAL MEETING

PLEDGE OF ALLEGIANCE

BOARD DISCUSSION

The adoption of emergency measures to address recent damage to the Village Sewer Facilities.

RESOLUTIONS

**RESOLUTION RESTRICTING NEW AND EXPANDED SEWER
CONNECTIONS**

WHEREAS, the Village of Greenport original sanitary sewer system was constructed in the 1850s, and consists of 17 miles of sewer pipes and 8 pumping stations, and

WHEREAS, on December 5, 2023, the primary sewage collection system piping sustained damage that resulted in a leak requiring emergency repairs and the suspension of sewage collection service, and

WHEREAS, the same primary piping sustained additional damage approximately 2 years ago, and

WHEREAS, the Village Administrator, in consultation with the Greenport Sewage Treatment Plant (GSTP) Manager, has reported that the sewer piping is of varying age and condition and many of the pumping stations require some level of repair, and



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WHEREAS, any expansion of the system without addressing repair issues may render the piping to be increasingly prone to cracks and breaks, and

WHEREAS, the December 5 infrastructure failure and the previous failure of the same infrastructure evidence additional or expanded connections to the GSTP may exacerbate environmental damage caused by potential further failures of piping that serves as an artery for the majority of the sewage collected, and

WHEREAS, any further failures or damage poses an imminent threat to the health and safety of persons residing in the Village and the area where such damage has occurred and ecological and environmental harm to natural resources in and around the Village, and

WHEREAS, such failure will restrict the ability of the GSTP to process sewage from properties currently connected to the GSTP, and

WHEREAS, if additional wastewater is conveyed through the piping system, a pipeline failure could cause extensive environmental harm and threaten the health and safety of residents, and

WHEREAS, additional sewage flow resulting from new or expanded connections poses an imminent threat to the public's health, safety and welfare, and

WHEREAS, the Village is commencing a review and analysis of the totality of the circumstances relating to the GSTP primary collection piping damage, which analysis will include a conditions assessment report, evaluation of potentially viable solutions for repair and/or replacement, the costs of any such proposed solution, and the inherently sensitive environmental and public health concerns that may result from a further failure, and

WHEREAS, in accordance with the police power delegated to the Village by New York State and the Village's standing as the stewards of the Village's health, safety and environment, the Village is obligated to take steps necessary to protect the health, safety and welfare of the Village and its residents and of the Village's resources and natural environment, and

WHEREAS, the Board of Trustees has determined that a temporary restriction on new connections or expansion of sewage flow from existing connections is necessary to preserve the public health, safety and welfare and to protect against the imminent threat to the health and safety of persons residing in the Village and its immediate surroundings, and the aforesaid recitals taken together constitute the rationale of such necessity and urgency.

NOW, THEREFORE, BE IT RESOLVED



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1. The Board of Trustees finds and determines that the foregoing recitals are incorporated herein as set forth in full.
2. The Board of Trustees finds that the adoption of this resolution is an Unlisted Action under the New York State Environmental Review Act (SEQRA), that the Board has reviewed a short environmental assessment form and the text of this resolution, and finds and concludes that the Board of Trustees as lead agency with respect to environmental review of the proposed resolution:

1. the Board has thoroughly reviewed the Short Environmental Assessment Form (Short EAF);

2. the Board also has considered the following factors and made the following conclusions in respect to its review of the environmental impacts of the proposed action:

- (a) the proposed action would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

- (b) the proposed action would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

- (c) the proposed action would not impair the environmental characteristics of any Critical Environmental Area;

- (d) the proposed action would not conflict with the community's current



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plans or goals as officially approved or adopted;

(e) the proposed action would not impair the character or quality of important historical, archaeological, architectural or aesthetic resources or of existing community or neighborhood character;

(f) the proposed action would not result in a major change in the use of either the quantity or type of energy;

(g) the proposed action would create a hazard to human health;

(h) the proposed action would not create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(i) the proposed action would not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(j) the proposed action would not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(k) the proposed action would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(l) the proposed action would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics,



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traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;

(m) the proposed action would enhance the protection of the environment in the Village, in that it would preserve and maintain the existing character of the Village;

(n) the proposed action would not have a significant adverse effect environmental impact;

(o) no further environmental review is required with respect to the proposed action, and

(p) the Mayor, or his designee, is authorized to execute the Short EAF in a manner consistent with the foregoing findings concluding that the proposed action will not result in a significant adverse environmental impact

3. From today, and for a period of six (6) calendar months, there shall be no new connections to the Village of Greenport sanitary sewer system, including but not limited to the Village's sanitary sewer collections system, or modifications to existing connections where such modification may result in increased production of waste from a site with an existing connection to the Village's sewer facilities, except as follows:

(a) Replacement of existing sewer connection laterals shall be permitted upon approval by the Superintendent of the GSTP or his designee in accordance with Chapter 105 of the Code of the Village of Greenport,

(b) All connections for work authorized by a previously issued and currently open permit, and



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(c) New sanitary sewer connections that may be approved by the Board of Trustees upon recommendation from the Superintendent of Public Works of the Village of Greenport in accordance with Chapter 105 of the Code of the Village of Greenport.

4. Any person, entity or applicant for a property development approval whose application has been filed as of today may submit a written application to the Board of Trustees requesting relief from this connection restriction setting forth the reasons why the restriction should not apply to their proposed connection. Such application must identify the quantity of expected or anticipated wastewater and the reason why the restriction should not apply. Upon receipt of such request, the Board will make a determination either approving or denying the request.

RESOLUTION BE IT RESOLVED, effective January 1, 2024, that the rights and obligations of Lamb & Barnosky, LLP pursuant to the retainer agreement presently in effect, will be assigned to and assumed by the law firm of Keane & Beanne, P.C.; and

RESOLUTION BE IT RESOLVED, effective January 1, 2024, that the Board terminates the retainer agreement with Lamb & Barnosky, LLP.

COMMENTS FROM THE PUBLIC

ADJOURN SPECIAL MEETING

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Patrick Brennan	Trustee	Present	
Lily Dougherty-Johnson	Trustee	Present	
Mary Bess Phillips	Trustee	Present	
Julia Robins	Trustee	Present	
Kevin Stuessi	Mayor	Present	

RESOLUTIONS**RESOLUTION # 01-2024-31**

RESOLUTION Restricting New and Expanded Sewer Connections

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Stuessi, Mayor
SECONDER: Mary Bess Phillips, Trustee
AYES: Brennan, Dougherty-Johnson, Phillips, Robins, Stuessi

RESOLUTION # 01-2024-32

RESOLUTION BE IT RESOLVED, effective January 1, 2024, that the rights and obligations of Lamb & Barnosky, LLP pursuant to the retainer agreement presently in effect, will be assigned to and assumed by the law firm of Keane & Beane, P.C.; and

RESOLUTION BE IT RESOLVED, effective January 1, 2024, that the Board terminates the retainer agreement with Lamb & Barnosky, LLP.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Stuessi, Mayor
SECONDER: Julia Robins, Trustee
AYES: Brennan, Dougherty-Johnson, Phillips, Robins, Stuessi

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Village of Greenport Board of Trustees - adoption of resolution restricting new or expanded sewer access			
Name of Action or Project: Adoption of resolution restricting new or expanded sewer access			
Project Location (describe, and attach a location map): Entire Village and surrounding service areas			
Brief Description of Proposed Action: The Village sewage treatment plant piping has been damaged on 2 occasions, including in early December. To avoid potential for further damage and consequent environmental impacts, the Board of Trustees proposes to adopt a resolution restricting new or expanded sewer access.			
Name of Applicant or Sponsor: Village of Greenport Board of Trustees		Telephone: 631-477-0248 E-Mail: pjpallas@greenportvillage.org	
Address: 236 Third Street			
City/PO: Greenport	State: NY	Zip Code: 11944	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		N/A acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input checked="" type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? N/A If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? N/A	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ N/A _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 40px;"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? </div> If Yes, briefly describe:	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: Piping crack had to be repaired to prevent sewage from causing environmental harm.	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Village of Greenport - Board of Trustees</u> Date: <u>12/28/2023</u> Signature: _____ Title: <u>Mayor</u>		

PRINT FORM



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January 3, 2024

To: Board of Trustees
From: Paul J. Pallas, Village Administrator

Re: December 5, 2023 Sewer Main Damage

As you are aware we had a significant sewer break on the main line between the main pump station and the sewer treatment plant at the corner of Kaplan Avenue and North Street on December 5th. This is the second time in two years the line has broken in this location. The recent damage to the Village's primary wastewater collection system piping and the consequent environmental and public health concerns resulting from new and repeated damage to the system necessitated the emergency order while we study any and all issues.

Per the Mayor's emergency order, the conditions threaten or imperil ecological and environmental resources in and around the Village of Greenport and the public safety of citizens of the Village. The village system has 17 miles of sewer pipes of varying age and condition as well as 8 pump stations, many of which require some level of repair or replacement per the 2019 asset management study. The collection system assets (sewer pipes and manholes) need to be reviewed taking in to account current conditions, recent emergencies and prior recommendations. Additionally, the main treatment facility has ongoing work and repairs, which should be evaluated relative to current conditions and prior recommendations.

Taking in to account the recent issue with the main line it is imperative to do an updated condition analysis in order to prioritize and fund needed repairs and replacements before decisions are made to expand the existing system. As discussed, the Village should endeavor to bring on a consultant to help evaluate the system and make recommendations.