



236 Third Street
Greenport NY
11944

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MAYOR
DAVID NYCE
Ext. 215

TRUSTEES
GEORGE HUBBARD JR.
DEPUTY MAYOR

DAVID MURRAY

MARY BESS PHILLIPS

JULIA ROBINS

CLERK
SYLVIA LAZZARI PIRILLO
Ext. 206

TREASURER
CHARLENE KAGEL, CPA
Ext. 217

VILLAGE ADMINISTRATOR
DAVID ABATELLI
Ext. 209

**UTILITIES DISTRICT
SUPERINTENDENT**
JOHN W. NAYLOR, JR., P.E.
Ext. 202

May 28, 2013 at 6:00 PM
Board of Trustees - Regular Meeting
Third Street
Firehouse
Greenport, NY 11944

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

- o Rodney Wells
- o Philomena "Mina" Soto

ANNOUNCEMENTS

- o Perry Day Care Center is seeking funding, and is in desperate need. We ask that anyone with the means to assist please contact the Perry Day Care Center directly.
- o The Tree Committee, in the ongoing planting of trees, has some trees that have not yet been designated. If you wish to have one planted in front of your home, please contact Village Hall at: 477-0248.
- o Next brush pick-up will be on June 11th

PUBLIC INTEREST

- o It is important to create a Fire Safety program for your family. Please be sure to check the batteries in your smoke and CO detectors.
- o Please be sure that your house is properly numbered outside, so that emergency personnel can easily locate your home, if needed.

LIQUOR LICENSE APPLICATIONS

PUBLIC HEARINGS

- o Wetlands Permit Application - Pope - 8 Sandy Beach Road
- o Continuation of Sterling Street Parking public hearing

PRESENTATION

PUBLIC TO ADDRESS THE BOARD

BOARD DISCUSSION

REGULAR AGENDA

CALL TO ORDER**RESOLUTIONS****RESOLUTION # 05-2013-1**

RESOLUTION adopting the May 2013 agenda as printed.

RESOLUTION # 05-2013-2

RESOLUTION accepting the monthly reports of the Greenport Fire Department, Village Clerk, Village Treasurer, Village Administrator, Director of Utilities, Village Attorney, Mayor and Board of Trustees.

RESOLUTION # 05-2013-3

RESOLUTION ratifying the following, as approved at the May 20, 2013 work session meeting of the Board of Trustees:

RESOLUTION, that the Board of Trustees of the Village of Greenport authorizes the appointment of Steve Kasarda, Esq., as the hearing officer with respect to a Section 75 Hearing involving a Village employee.

RESOLUTION, that the Board of Trustees of the Village of Greenport hereby authorizes the suspension (including without pay for up to 30 days) of this employee following the service of disciplinary charges against him and pending the hearing officer's determination of those charges.

RESOLUTION # 05-2013-4

RESOLUTION approving the applications for membership of David Jenkins and Aidan Pollock to the Greenport Fire Department Juniors, as already approved by the Greenport Fire Department Board of Wardens on May 15, 2013.

RESOLUTION # 05-2013-5

RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustments.

RESOLUTION # 05-2013-6

RESOLUTION authorizing the Village of Greenport to add the outstanding water balances in arrears, for a total of \$ 20,994.24, and sewer balances in arrears, for a total of \$ 41,421.57; for any such property, to the Village of Greenport real property tax bills of that property.

RESOLUTION # 05-2013-7

RESOLUTION approving the Public Assembly Permit Application as submitted by the Long Island Metropolitan Lacrosse Tournament for the use of the parking lot at the Greenport Skate Park, for the Annual Lacrosse Tournament, on August 3rd and August 4th, 2013.

RESOLUTION # 05-2013-8

RESOLUTION approving the Public Assembly Permit Application as submitted by Nicole DeFazio on behalf of the Wounded Warrior Project for the use of Mitchell Park, for the Annual Wounded Warrior Ride, from 8:00 a.m. - 12 p.m., on Saturday, September 7, 2013.

RESOLUTION # 05-2013-9

RESOLUTION to schedule a public hearing for June 24, 2013 at 6:00 p.m. at the Third Street Firehouse, and directing Clerk Pirillo to notice accordingly, the Wetlands Permit Application as submitted by James F. Laird of Suffolk County Environmental Consulting, Inc. on behalf of Vincent Matassa of 920 Sandy Beach Road, for an extension of approximately eight feet to the existing dock.

RESOLUTION # 05-2013-10

RESOLUTION directing the Conservation Advisory Council to meet regarding the Wetlands Permit Application as submitted by James F. Laird on behalf of Vincent Matassa, and to submit the corresponding report to the Board of Trustees by June 17, 2013.

RESOLUTION # 05-2013-11

RESOLUTION authorizing the attendance of Clerk Pirillo at the Nassau/Suffolk Town Clerks Association meeting on June 19, 2103 in Montauk, New York.

RESOLUTION # 05-2013-12

RESOLUTION ratifying the hiring of Timothy Sweat as a part-time Laborer in the Road Department, effective May 6, 2013 at a pay rate of \$ 13.00 per hour.

RESOLUTION # 05-2013-13

RESOLUTION ratifying the issuance of a check made payable to David Abatelli, in the amount of \$1,112.50, to be used to set up the required cash drawer/banks for the operation of the Village of Greenport Mitchell Park Marina.

RESOLUTION # 05-2013-14

RESOLUTION rejecting all bids as received for the RFP for Cleaning Services, per the bid opening on May 2, 2103 at 3:13 p.m. and directing Clerk Pirillo to re-notice the Request for Proposals for Cleaning Services.

RESOLUTION # 05-2013-15

RESOLUTION scheduling the Annual Greenport Skate Park Festival on August 10, 2013, with a rain date of August 11, 2013; and approving the use of the Polo Grounds on Moore's Lane for that purpose.

RESOLUTION # 05-2013-16

RESOLUTION carrying over \$16,000.00 from Fiscal Year 2012/2013 to Fiscal Year 2013-2014 for Fuel Pump Reconditioning, under an existing Purchase Order for George Tangredi, to be expensed from line item number E.0342.000 (Major Engine Repairs).

RESOLUTION # 05-2013-17

RESOLUTION authorizing Village Counsel to prepare, and Mayor Nyce to execute, an agreement with Pratt Construction for the Route 48 Drainage Project - for the use of Village property at Clark's Beach - to access Suffolk County property to the east, at which clean fill materials will be stored.

RESOLUTION # 05-2013-18

RESOLUTION authorizing Utilities District Superintendent Naylor or another designated employee, to attend the Green Infrastructure Conference on June 12, 2013 at Brookhaven Laboratories, at a cost of \$20, to be expensed from line item number E.0781.100 (Executive Department).

RESOLUTION # 05-2013-19

RESOLUTION authorizing an increase in the hourly wage rate for Lawrence Shelby, from \$15.14 to \$17.00, to be effective on May 11, 2013; owing to the assumption of additional duties, per Article VII, Section 9(a) - Merit Clause - of the current collective bargaining agreement.

RESOLUTION # 05-2013-20

RESOLUTION awarding the contract for the replacement of the roof at the Power Plant to Olinkiewicz Contracting, Inc., for a total price of \$134,360.00, per the bid opening on May 9, 2013 at 3:04 p.m., and authorizing Mayor Nyce to execute the contract.

RESOLUTION # 05-2013-21

RESOLUTION authorizing Treasurer Kagel to perform the attached budget modification to establish funding for the replacement of the roof at the Power Plant.

RESOLUTION # 05-2013-22

RESOLUTION ratifying the hiring of John Fudjinski as a part-time parks maintenance employee, effective May 3, 2013; at a pay rate of \$12.00 per hour.

RESOLUTION # 05-2013-23

RESOLUTION hiring the following for the Carousel as part-time employees, at a pay rate of \$ 8.00 per hour: Andi Marie Sorocca, Rig Anasagasti and Michelle Schiavoni.

RESOLUTION # 05-2013-24

RESOLUTION ratifying the hiring of Edward Burst as a part-time Carousel employee, effective May 11, 2013; at a pay rate of \$ 8.75 per hour.

RESOLUTION # 05-2013-25

RESOLUTION ratifying the hiring of: Sarah Doherty, Kellie Stepnoski and Loretta Campbell as part-time employees for the Marina Office, effective May 17, 2013; at a pay rate of \$ 9.00 per hour.

RESOLUTION # 05-2013-26

RESOLUTION approving a revision in the contract between the Village of Greenport and Bancker Electric, in the amount of \$ 11,282.00; to account for the change in location of a power panel shed at the Mitchell Park Marina Office. The shed is to be physically attached to the west side of the Marina Office Building, and is to be in the same style and color(s) as the Marina Office Building.

RESOLUTION # 05-2013-27

RESOLUTION renewing for one additional year the lease with Eastern Long Island Hospital as landlord for the space occupied by the Village of Greenport known as the Mary E. Smith Recreation Center, with the renewal to continue the existing lease terms and conditions.

RESOLUTION # 05-2013-28

RESOLUTION directing Clerk Pirillo to notice a Request for Proposals for Information Technology and Security at the Village Hall building and satellite Village locations.

RESOLUTION # 05-2013-29

RESOLUTION directing Clerk Pirillo to notice a Request for Proposals for Building Security and Records Management at the Village Hall location and satellite Village locations.

RESOLUTION # 05-2013-30

RESOLUTION awarding the contract for the removal of Village trees and stumps to Chris Mohr Lawncare & Landscaping, Inc., for a total price of \$ 5,275.00; per the bid opening on May 17, 2013 at 3:04 p.m.

RESOLUTION # 05-2013-31

RESOLUTION directing Clerk Pirillo to re-notice the Request for Proposals for a consultant for the Economic Development Grant.

RESOLUTION # 05-2013-32

RESOLUTION authorizing Clerk Pirillo to notice a Request for Proposals for a consultant for the Mitchell Park Marina Bulkhead Study.

RESOLUTION # 05-2013-33

RESOLUTION authorizing Village Administrator Abatelli to award contracts to the following:

- o Costello Marine, for the replacement of 70 feet of bulkhead sheathing north of the Visitors' Dock, in the amount of \$ 17,500.00, and
- o Chris Mohr Landscaping, for the repair of the dock at the Fifth Street Park, in the amount of \$ 11,500.00.

Please note that both projects as proposed are eligible for, and have been approved for, reimbursement from FEMA.

RESOLUTION # 05-2013-34

RESOLUTION approving the appointment of Arlene Klein to the Village of Greenport Carousel Committee.

RESOLUTION # 05-2013-35

RESOLUTION authorizing the Business Improvement District to hang pole banners at designated locations within the Village Business District.

RESOLUTION # 05-2013-36

RESOLUTION adopting the attached concerning the determination regarding the CSEA collective bargaining agreement and the Village of Greenport.

RESOLUTION # 05-2013-37

Resolution authorizing Village Attorney Prokop to commence an action against Karen McNeill to collect utility arrears.

RESOLUTION # 05-2013-38

Resolution authorizing Village Attorney Prokop to commence an action against Douglas Hubbard to collect utility arrears.

RESOLUTION # 05-2013-39

RESOLUTION authorizing the Village of Greenport Business Improvement District to apply for a grant through Suffolk County Economic Development for:

- trash cans, or
- sidewalk repairs, or
- a feasibility study.

RESOLUTION # 05-2013-40

RESOLUTION approving all checks per the Voucher Summary Report dated May 20, 2013, in the total amount of \$ 667,151.39 consisting of:

All regular checks in the amount of \$ 501,941.48,

All prepaid checks in the amount of \$ 104,219.98, and

All wire transfers in the amount of \$ 60,989.93

VILLAGE OF GREENPORT Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B2 - Amend Status: Batch
 Trans No: 761 Trans Date: 05/20/2013 User Ref: CHARLENE
 Requested: Approved: Created by: CHARLENE 04/22/2013
 Description: INCREASE BUDGET TO REFLECT ACTUAL CHIPS REVENUE AND EXPENDITURES
 Account # Order: No
 Print Parent Account: No

Account No.	Account Description	Amount
A.3501	CHIPS	43,400.00
A.5110.451	CHIPS EXPENDITURES..	43,400.00
Total Amount:		86,800.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Batch
Trans No: 762 Trans Date: 05/13/2013 User Ref: ROBERT
Requested: J. NAYLOR Approved: Created by: ROBERT 05/13/2013
Description: TO COVER SHORTAGE IN MISC. EXPENSE Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
G.8130.400	PUMP STATION SUPPLIES & EXP..	-450.00
G.8110.411	MISCELLANEOUS EXPENSE..	450.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Batch
Trans No: 763 Trans Date: 05/14/2013 User Ref: ROBERT
Requested: S. PIRILLO Approved: Created by: ROBERT 05/14/2013
Description: TO ADJUST FUNDING FOR BOARD OF TRUSTEES MINUTES
Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.0781.401	EXECUTIVE DEPT.OFFICE CONTRACTS..	-300.00
A.1010.410	BOARD OF TRUSTEES.MINUTES..	300.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Batch
 Trans No: 764 Trans Date: 05/14/2013 User Ref: ROBERT
 Requested: W. MANWARING Approved: Created by: ROBERT 05/14/2013
 Description: TO ADJUST FUNDING OF FIRE DEPT. FUEL OIL

Account # Order: No
 Print Parent Account: No

Account No.	Account Description	Amount
A.3410.459	FIRE.SERVICE AWARD PROGRAM..	-2,000.00
A.3410.404	FIRE.FUEL OIL..	2,000.00
Total Amount:		<u>0.00</u>

VILLAGE OF GREENPORT

Budget Adjustment Form

Year:	2013	Period:	5	Trans Type:	B1 - Transfer	Status:	Batch	
Trans No:	765	Trans Date:	05/14/2013	User Ref:	ROBERT			
Requested:	W. MANWARING	Approved:		Created by:	ROBERT		05/14/2013	
Description:	TO ADJUST FUNDING OF FIRE MEDICAL INSURANCE						Account # Order:	No
						Print Parent Account:	No	

Account No.	Account Description	Amount
A.3410.431	FIRE.MULTI PERIL INSURANCE..	-1,000.00
A.3410.462	FIRE.MEDICAL INSURANCE - CUSTODIAN..	1,000.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Batch
 Trans No: 766 Trans Date: 05/14/2013 User Ref: ROBERT
 Requested: W. MANWARING Approved: Created by: ROBERT 05/14/2013
 Description: TO ADJUST FUNDING OF FIRE DEPT EQUIPMENT REPAIR/ MAINTENANCE

Account # Order: No
 Print Parent Account: No

Account No.	Account Description	Amount
A.3410.431	FIRE.MULTI PERIL INSURANCE..	-1,500.00
A.3410.411	FIRE.REPAIR & MAINT - GEN EQUIPMENT..	1,500.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Batch
Trans No: 767 Trans Date: 05/14/2013 User Ref: ROBERT
Requested: W. MANWARING Approved: Created by: ROBERT 05/14/2013
Description: TO ADJUST FUNDING OF FIRE DEPT. MISC. EXPENSE LINE
Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.3410.431	FIRE.MULTI PERIL INSURANCE..	-2,000.00
A.3410.450	FIRE.MISC EXPENSE..	2,000.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Batch
Trans No: 768 Trans Date: 05/14/2013 User Ref: ROBERT
Requested: W. MANWARING Approved: Created by: ROBERT 05/14/2013
Description: TO ADJUST FUNDING OF FIRE CHIEF'S EXPENSE Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.3410.433	FIRE.LEGAL EXPENSE..	-1,000.00
A.3410.453	FIRE CHIEF EXP..	1,000.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Balch
Trans No: 769 Trans Date: 05/14/2013 User Ref: ROBERT
Requested: W. MANWARING Approved: Created by: ROBERT 05/14/2013
Description: TO ADJUST FUNDING OF FIRE DEPT. EQUIPMENT Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.3410.432	FIRE.PERMA INS - WORKERS COMP..	-10,000.00
A.3410.200	FIRE DEPT.EQUIPMENT	10,000.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013	Period: 5	Trans Type: B1 - Transfer	Status: Batch
Trans No: 770	Trans Date: 05/14/2013	User Ref: ROBERT	
Requested: R. BRANDT	Approved:	Created by: ROBERT	05/14/2013
Description: TO ADJUS FUNDING OF VILLAGE BUILDINGS ELECTRIC AND LIGHTS			Account # Order: No
			Print Parent Account: No

Account No.	Account Description	Amount
A.1620.300	RADIO TOWER EXP..	-2,000.00
A.1620.400	BUILDING CONTR EXP..	2,000.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year:	2013	Period:	5	Trans Type:	B1 - Transfer	Status:	Batch
Trans No:	773	Trans Date:	05/20/2013	User Ref:	ROBERT		
Requested:	W. MANWARING	Approved:		Created by:	ROBERT		05/20/2013
Description:						Account # Order:	No
						Print Parent Account:	No

Account No.	Account Description	Amount
A.3410.431	FIRE.MULTI PERIL INSURANCE..	-6,000.00
A.3410.456	FIRE.MEDICAL EQUIPMENT & SUPPLIES..	6,000.00
Total Amount:		0.00

VILLAGE OF GREENPORT Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Balch
Trans No: 774 Trans Date: 05/20/2013 User Ref: ROBERT
Requested: W. MANWARING Approved: Created by: ROBERT 05/20/2013
Description:

Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.3410.430	FIRE.AUTO INSURANCE..	-9,000.00
A.3410.412	FIRE.REPAIR & MAINT - BUILD..	9,000.00
	Total Amount:	0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Batch
Trans No: 775 Trans Date: 05/20/2013 User Ref: ROBERT
Requested: W. MANWARING Approved: Created by: ROBERT 05/20/2013
Description: Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.3410.430	FIRE.AUTO INSURANCE..	-6,000.00
A.3410.456	FIRE.MEDICAL EQUIPMENT & SUPPLIES..	6,000.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year:	2013	Period:	5	Trans Type:	B1 - Transfer	Status:	Batch	
Trans No:	776	Trans Date:	05/20/2013	User Ref:	ROBERT			
Requested:	W. MANWARING	Approved:		Created by:	ROBERT		05/20/2013	
Description:							Account # Order:	No
							Print Parent Account:	No

Account No.	Account Description	Amount
A.3410.447	FIRE.VILLAGE PERSONNEL SERVICES..	-3,000.00
A.3410.415	FIRE.REPAIR & MAINT - TRANS EQUIP..	3,000.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Balch
 Trans No: 777 Trans Date: 05/20/2013 User Ref: CHARLENE
 Requested: Approved: Created by: CHARLENE 05/20/2013
 Description: TO TRANSFER UNUSED WORKERS COMPENATION AND CREDIT CARD FEES
 EXP ALLOCATION 2013 TO FUND SALARY LINES TO YEAR END
 Account # Order: No
 Print Parent Account: No

Account No.	Account Description	Amount
A.3620.100	SAFETY INSPECTION.PERSONAL SERVICES	8,750.00
A.8010.100	ZONING.PERSONAL SERVICES	1,400.00
A.8020.100	PLANNING.PERSONAL SERVICES	1,400.00
A.9040.800	WORKERS COMPENSATION.EMPLOYEE BENEFITS	-11,550.00
R.7020.100	RECREATIONAL ADMINISTRATION..	1,500.00
R.8160.402	PUBLIC RESTROOM EXPENSE..	600.00
R.7020.406	CREDIT CARD FEES..	-2,100.00
Total Amount:		0.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B2 - Amend Status: Batch
 Trans No: 779 Trans Date: 05/22/2013 User Ref: ROBERT
 Requested: J. NAYLOR Approved: Created by: ROBERT 05/22/2013
 Description: TO APPROPRIATE SURPLUS TO FUND THE ELECTRIC PLANT ROOF REPAIR
 Account # Order: No
 Print Parent Account: No

Account No.	Account Description	Amount
E.5990	APPROPRIATED FUND BALANCE	80,000.00
E.0312	STRUCTURES	80,000.00
Total Amount:		160,000.00

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2013 Period: 5 Trans Type: B1 - Transfer Status: Batch
Trans No: 782 Trans Date: 05/22/2013 User Ref: ROBERT
Requested: W. MANWARING Approved: Created by: ROBERT 05/22/2013
Description: Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.3410.404	FIRE.FUEL OIL..	318.00
A.3410.453	FIRE CHIEF EXP..	650.00
A.3410.462	FIRE.MEDICAL INSURANCE - CUSTODIAN..	517.00
A.3410.459	FIRE.SERVICE AWARD PROGRAM..	-1,485.00
Total Amount:		0.00

RESOLUTION ADOPTING DETERMINATION REGARDING CSEA

WHEREAS, the Village of Greenport and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Village of Greenport Unit ("the CSEA") entered into a memorandum of agreement dated July 5, 2011 that set forth the terms and conditions of employment for a successor collective bargaining agreement covering the period of June 1, 2010 through May 31, 2014 ("the MOA"); and

WHEREAS, the CSEA's membership rejected and voted down the MOA; and

WHEREAS, the Village and the CSEA entered into a second memorandum of agreement dated February 16, 2012 that set forth the terms of conditions of employment for a successor collective bargaining agreement covering the period of June 1, 2010 through May 31, 2014 ("the second MOA"); and

WHEREAS, the CSEA's membership rejected and voted down the second MOA; and

WHEREAS, pursuant to the Civil Service Law, the Village and the CSEA participated in a Fact Finding proceeding; and

WHEREAS, the Fact Finder issued a report recommending the terms and conditions of employment for a successor collective bargaining agreement covering the period of June 1, 2010 through May 31, 2014; and

WHEREAS, the Village accepted the Fact Finder's Report in its entirety; and

WHEREAS, the CSEA rejected the Fact Finder's Report in its entirety; and

WHEREAS, the Board of Trustees conducted a Legislative Determination Hearing pursuant to Civil Service Law Section 209.3(e) and in accordance with the Hearing Rules adopted by the Board to determine the terms and conditions of employment for the period of June 1, 2010 through May 31, 2011; and

WHEREAS, the Village submitted 36 exhibits and a comprehensive verbal presentation in support of its submission, and the CSEA appeared but did not submit any exhibits or make a verbal presentation; and

WHEREAS, the Board agrees with the Fact Finder's Report and desires to issue a Legislative Determination that imposes the terms of the MOA; and

WHEREAS, the Board has been advised that, as part of its Legislative Determination, it cannot, as a matter of law, without the CSEA's consent, which has not been granted, reduce CSEA unit members' current contractual benefits, including those twice negotiated by the CSEA's negotiating team and those recommended by the Fact Finder; and

WHEREAS, the Board believes that both MOA's and the Fact Finder's Report represent reasonable compromises on the issues before the Board; and

WHEREAS, the Board cannot and will not distort those compromises by implementing only those provisions of the MOA's and the Fact Finder's Report benefitting the CSEA and its members, but not the Village and its citizens/taxpayers.

NOW, THEREFORE, the Board, having carefully reviewed the entire Legislative Determination Hearing record, issues the following determination:

RESOLVED, that, the Village/CSEA collective bargaining agreement will be extended for one year, covering the period June 1, 2010 through May 31, 2011; and

BE IT FURTHER RESOLVED, that, there will be no change in unit member's base salaries and other contractual terms and conditions of employment during the period June 1, 2010 through May 31, 2011.