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***Village of Greenport
Two Public Hearings
And
Board of Trustees' Regular Meeting
June 27, 2011, 6:00 P.M.
Third Street Fire Station***

The Village of Greenport's Board of Trustees held two public hearings and a regular meeting on June 27, 2011 at 6:00 P.M. at the Third Street Fire Station.

PRESENT: Mayor David Nyce
Deputy Mayor George Hubbard, Jr.
Trustee Christina Kempner
Trustee David Murray
Trustee Mary Bess Phillips
Village Administrator, David Abatelli
Director of Utilities, John W. Naylor, P.E.
Village Clerk, Sylvia Lazzari Pirillo
Village Attorney, Joseph Prokop

Press: Julie Lane, *The Suffolk Times*
Sandy Martochia of <http://northfork.patch.com>
Bob Cleveland, Allen Video

ABSENT: Village Treasurer, Charlene Kagel

Mayor Nyce: I will ah call this meeting to order, it being a couple minutes past six.
Will you please join me for the Pledge of Allegiance?

Pledge of Allegiance.

Mayor Nyce: Will you please remain standing for a moment of silence for Charles Carstelos and Joseph C. Pickard. Thank you. You may be seated. So we have a couple of announcements to start off this evening. The first is that we'd like to thank the Girl Scouts for the Memorial Day Flower plantings that they did at ah Steamboat Corner ah and around the Village. The second is ah there will be a public hearing ah that had been postponed for the Sewer Rate Increase. That will be at the July regular meeting, which is on July the 25th, ah right here at the Third Street Fire House at 6 P.M. Ah Village offices will be closed on the Fourth of July in celebration of the Fourth of July. Ahm do we have the full list. You liked that? Right? Ahm we have the full list for the Dances in the Park's contributors? Ahm we again this year, we had ah ah local businesses and ah our BID step up to help fund the Dancing in the Park and to to that end, we actually even extended the Dances in the Park by one week this year. We're going to do nine weeks instead of eight. Ahm the IGA ah was very generous once again in ah a large portion of the funding. Ah our BID ah funded a good deal of it. And ah the Suffolk Times contributed ah and I think those are the three that have contributed along with some taxpayer money ah that goes to it. But ah those those dances will start next Monday evening. Ahm I'd also like to thank all of the ah volunteers and the Greenport Improvement Committee for their hard work and Trustee Phillips as the liaison to the Greenport Improvement Committee for their hard work on the renovation of the Red Schoolhouse. We had an opening of that facility. It's beautiful. It's beautifully done. Ah it's a great building. Best comment was that people that had graduated from there walk in and say it looks just like they remembered it. So we used very old paint and... It's our first order of business tonight are ahm a couple of public hearings. The first one is a public a wetlands permit application public hearing that was held over ah while waiting for ah final word from the Army Corps of Engineers. Ah this is on the wetlands permit application of the Osprey Zone. Ah I will at this time reopen this hearing ah for anyone that wishes to comment on this at

this time. The public hearing was properly noticed. Anyone that wishes to be heard can do so at this time. Their comments will be taken down for the record. Is there anyone that wishes to speak to this wetlands permit application? As expected. Okay. Ah at this point then I would ah entertain **a motion to close the public hearing.**

Trustee Hubbard, Jr.: **So moved.**

Mayor Nyce: Is there a second?

Trustee Murray: **Second.**

Mayor Nyce: Ah by way of discussion, before we vote on this. The only comment that had been made had to do with the line of the ah that the dockage not extend past the imaginary line that's in the Sterling Basin. The people that are doing this project assured us that it's not. Our Conservation Advisory Council has made their comments. Everyone is comfortable with it. Ahm and I think we we are comfortable in proceeding with this. Ah **all those in favor?**

Trustee Mary Bess Phillips	Aye
Trustee George Hubbard, Jr.	Aye
Trustee David Murray	Aye
Trustee Christina Kempner	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? That public hearing is closed. I would ahm because the the developer has been here diligently for several meetings; I would ask the Board's ah to bear with me. If we if we would could take a motion out of order on our agenda? Ahm Motions number 4, Resolutions 4 and 5. One is the resolution for SEQRA and the other is to approve the wetlands permit application. Ahm that way the they don't have to sit through the rest of our meeting. Does anyone have an objection to taking those two out of order?

Trustee Phillips: No.

Mayor Nyce: If not ahm I will **offer RESOLUTION #6-2011-4, resolution to adopt a SEQRA resolution (Attachment 1, 3 pages) regarding the Osprey Zone, Inc. application adopting lead agency status determining that the granting of the application is an unlisted action, and adopting a negative declaration determining that there will be no significant negative impact to the environment resulting from the granting of the application. So moved.**

Trustee Phillips: **Second.**

Mayor Nyce: All those in favor?

Trustee Mary Bess Phillips	Aye
Trustee George Hubbard, Jr.	Aye
Trustee David Murray	Aye
Trustee Christina Kempner	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? That motion carries. Ahm I'll ask Trustee Hubbard to read.

Trustee Hubbard, Jr.: **RESOLUTION #6-2011-5. Resolution (Attachment 2, 2 page) to approve the Wetlands Permit Application as submitted by Osprey Zone, Inc/Paul Henry for the: repair of existing floating docks, reconfiguration of pilings, replacement of existing wooden ramp with an aluminum ramp, replacement of the fixed wooden walk way immediately in front of the bulkhead, construction of new vinyl-sheathed bulkhead in place of existing bulkhead and maintenance dredge an area approximately 400 square feet immediately in front of bulkhead, with the dredged soil to be used as backfill; at Sterling Street and the Sterling Basin. All details are per the public hearing as held on March 28, 2011 at 6 p.m., and the recommendations of the CAC (as attached) are to be followed. So moved.**

Trustee Phillips: **Second.**

Mayor Nyce: Is there any discussion on that motion? **All those in favor?**

Trustee Mary Bess Phillips **Aye**

Trustee George Hubbard, Jr. **Aye**

Trustee David Murray **Aye**

Trustee Christina Kempner **Aye**

Mayor David Nyce **Aye**

Mayor Nyce: Any opposed or abstentions? That motion carries. Ah you can see Abatelli ah tomorrow to get your permit going. Our next order of business is a ah continuation of the public hearing on a ah code amendment ah proposal that was brought ah before this Board at last month's meeting on increasing the allowable number of rooms for B & Bs in the Village of Greenport from three to five. Ahm now before I open the public hearing, there are a lot of people here ahm and I understand that there are some issues. I want to make sure that when we open the public hearing, all we're discussing is the code amendments and not any other ah issues that may have occurred and that at the public portion, which is right after that, the Public To Address The Board, any other issues with the agenda or any other items could be brought up at that time. Ahm so with that, I will ah re-open the public hearing on the proposed code amendment for Bed-and-Breakfasts ah by stating that this ah public hearing was dually noticed. Anyone wishing to comment on it can do so at this time and their comment will be taken down for the record. If you'll hang on for just a second, we did have correspondence that I would like the Clerk to read into the record first and then I'll I'll open it up to start right here in the front and then there was in the back someone wanted to speak as well.

Clerk Pirillo: Harbor Knolls (unintelligible) performing (inaudible).

Mayor Nyce: I'm sorry. Sylvia? Could you get the microphone so we can get...

Clerk Pirillo: A conforming Greenport's B&B rules to New York State standards. To the Greenport Village Board of Trustees. June 20th, 2011. Harbor Knoll strongly urges the Greenport Village Board of Trustees to conform with the B&B requirements of the Village to those of the State of New York to permit up to five guest rooms in a Greenport-based B&B rather than the present three rooms permitted under Greenport's current code. In the interest of creating a quality of B&B competition locally, it makes sense to have one legal standard applied to the whole area so that all B&Bs in the area can compete on equal terms under the same standard. The State and town have opted for five rooms and Greenport should join them. It is important to note that B&Bs compete not just within the Village itself. Greenport is extremely narrow in its geographic borders. So much so that even Greenport schools fall outside of Greenport. Greenport's B&Bs compete with B&Bs in Southold Village, Peconic, Cutchogue, Mattituck, Laurel, East Marion and Orient, every one of which is already permitted to have five guest rooms. In addition, Greenport's B&Bs also compete with other types of local overnight accommodations, such as Harbor Front, Drassos, Silver Sands, Townsend Manor, Greenporter and Sound View, as well as Bartlett House, whose ten rooms are permitted under a grandfather arrangement. Given this competitive fact of life, it only makes sense that Greenport B&Bs not be restricted to only three rooms when the mass of competition has much more capacity. It is in the interest of the commerce of Greenport Village to permit more B&B capacity. Greenport-based B&Bs naturally funnel their guests to Greenport restaurants, galleries, antique stores and other Greenport-based shops and places of business. The larger the Greenport space available for overnight guests, the greater the local patronage. It is in the Village's business interests to permit the expansion from three rooms to five rooms. It is well know that the Village of Greenport has a greater involvement with and a greater dependence on tourists than any other village on the North Fork. It makes no sense that the most tourist-oriented village is the least friendly to its own B&Bs and their potential guests. From the B&B owner's point of view, quote the time to make hay is when the sunshines end quote. The North Fork's and Greenport's high tourist season is very short, essentially June, July, August and diminishing into September. The much longer non-season presents a large fall off in demand for B&B guest rooms. This is true of the Village as a whole. Additional rooms for Greenport-based B&B in season will redound to the benefit of those Greenport

businesses that benefit from those guests. The difference can be important to those who survive on a small margin. This fact again favors the permitting of an expansion of B&B guest rooms from the present three to the five already permitted by both the town and the state. Of course the expansion of any B&B will require compliance with the other code conditions such as adequate parking and other usage issues. The impact of conforming Greenport's limit on B&B rooms for that of the town and state would be favorable to Harbor Knoll and would have no adverse consequences on its neighbors. Harbor Knoll, a large Dutch colonial Victorian, over one hundred years old already has nine existing bedrooms. Separately, it has an attached small cottage, which is not part of the B&B. No additional construction would be required with its attendant noise, dirt and inconvenience. Harbor Knoll's parking area, shielded by hedges and fences already accommodates ten cars on on-site parking. No parking on Fourth Street would result from an increase from a five guest-room limit. The current furor of the neighbors over a wedding business that does not exist is not pertinent to this proposal. The number of B&B rooms relates to: A) promoting commerce in the Village of Greenport, B) Putting Greenport B&Bs on a more equal footing with other local accommodations, and C) Site plan considerations. The issue of weddings, parties and any other uses is a zoning question. What activities can a B&B or a residence conduct in a residential neighborhood. Whatever accessory activities a B&B should and may engage in is certainly a subject for discussion but must be based on facts, not fear and conjecture. Leueen Miller, Harbor Knoll, 425 Fourth Street, Greenport, New York.

Mayor Nyce: Thank you. Ahm we had... Okay. So we had ah here in the front and then... I'm sorry. Someone in the back had their hand up as well. All right. Mr. Ah. Surprising. Mr. Swi... Yes. Please. Ah and the process will be ah to the podium. Please state your name and address for the record and...

Gail Wickham: Good evening. My name is Gail Wickham of Wickham, Bressler, Gordon and Geasa in Mattituck. I represent ah Gordon and Leueen Miller who own the Harbor Knoll property ah operated as a B&B by Mrs. Miller. Our client supports the proposal to increase the B&B bedroom count from three to five as an important improvement to the community of Greenport in fostering tourism and the business community as well as enabling owners of large homes to keep them in the standard to which they should be kept. This does this issue does not directly relate to nor is it the same issue as to what other activities a B&B or any other home for that matter may conduct ah may conduct. The complaints that ahm we ahm we are ahm hearing about address an entirely different issue and ah we will I will edit my statement to adhere to your admonition to only discuss the B&Bs. There is no reason why Greenport B&Bs should be at a competitive disadvantage to other local area B&Bs. The reason our client supports this legislation are as follows: First, conformity to New York State legislation on B&B number of bedrooms. Secondly, conformity to nearby Town of Southold, which has a common marketplace for guests. Third, it creates a level playing field with non-Greenport Village B&Bs as well as other types of accommodations. Fourth, it will help greatly in balancing the long low season expenses, which are incurred during mid fall, winter and spring. And and as a result of that, number five, there is a huge difference in the economy of scale between three to five bedrooms in running ah a bed and breakfast. That being said, not every bed and breakfast in the Village of Greenport will be able to adhere to the requirements in terms of fire code, parking and everything that is required of a B&B to have that number of bedrooms. The B&Bs still have to abide by other code provisions such as parking, fire code and ahm any other regulations that you may have, as well as health department, county health department. B&Bs still have to comply with the site plan requirements and that is the forum in which all issues about parking, noise, events, et cetera come into play. That will be a wonderfully fun hearing. Don't you agree? I can't wait. Ahm it will ah the the ahm the bed the bed and breakfast as a viable ah entity does create an attractive, homey accommodation to tourism rather than building more hotels. Have any of you been to downtown Riverhead lately on East Main Street? Ahm big, big stuff going on down there. Ahm further, guests often include local resident's family and friends, not just complete strangers to the community. These additional accommodations are sorely needed and can be provided without significant additional construction by using the existing infrastructure. The presence of a typical B&B visitor is not any more oppressive to neighbors than the use of of a regular residence. They usually come in on a Friday

night or Saturday, sometimes midweek during the season. It's generally one car per person per couple. They may leave for dinner and go to the or walk to the Village. On their return, they're generally not up late and don't have music. They have breakfast and generally leave for the entire day.

Gordon Miller: May I have a point of order of how (unintelligible).

Voice of unidentified person (male) in audience: I was just clearing my throat, sir.

Gordon Miller: Ya. Okay. Fine.

Voice of another unidentified person (female) in audience: Very well done.

Gail Wickham: I I'm okay. They may come back late afternoon before dinner. A glass of complimentary wine is sometimes offered and a liquor license may be obtained for an additional glass or bottle, but this is not something that is a main component of the business. The liquor license is not used for party purposes in my client's ahm situation but for modest guest amenity and I know any bed and breakfast I've stayed at anywhere in the country, that is a common ah accessory to a bed and breakfast. There is no reason why any residence, whether it be a bed and breakfast or a private home cannot host an occasional private event such as a wedding, graduation party, etc. My clients' home has served as a spot for special events on occasion, such as garden tours, entertaining the fleet and other charity events. I may add that entertaining the fleet was in the nature of a dinner and not something else that might be surmised from that comment. The house has many bedrooms. So the use of a B&B is not the issue here. If you had as a private home housing several teenagers, children with baby sitters, high-flying socialites with lots of private guests and parties, it could be a much worse situation. People ah in in your own household, I'm sure go in and out of your driveway constantly all day long. Not in once in the morning and out again at night. There could be lots more people than the number of ah there were five bedrooms, ten bed and breakfast guests. Ahm occasionally mostly in season. Also that type of facility might not even be owner occupied but it might be rented to someone who didn't live in the neighborhood and really didn't care about it. With a bed and breakfast, you have a regulated enterprise and you are fortunate to have someone running this one who does care so much about Greenport Village and her reputation. It's hard to earn a living in those ah in this type of business. I think any of the B&B people would agree. But it is a means of enabling some of these larger homes to be kept nice and be a beautiful asset to the Village of Greenport. Ahm as to the particular site issues. On this site, there's adequate parking. Ahm there has been the same type of usage over the years. Cars do not park in the driveway or the right of way and there are I might point out two other homes on the right of way and three additional homes in the immediate area on Fourth Street that are multifamily and rent out multiple rooms and apartments. So they also contribute to traffic and density. In closing, I'd like to say that tourism, aquaculture, agriculture, small business in the downtown areas are what's what makes this region tick. Living next to a farm for instance is no picnic. But without the farms, we'd be a totally different locale. Turning left on Route 25 would be a lot easier without our tourists but without their visits, our economy, and particularly Village of Greenport's business would be in a shambles. Accommodations for the visiting public are critical to the region's economy. Quality of life in a residential neighborhood is of course the bottom line. That's what we're here for. But that is not a question of five rooms versus three in an already large house with adequate parking and with an owner who does take great effort to run a discrete operation. I urge you to vote and support this legislation. Thank you.

Applause.

Mayor Nyce: Thank you.

Applause continues.

Mayor Nyce: We had... We had ah Mr. Swiskey I believe you were next. And then in the back and then over here on the left.

William Swiskey: William Swiskey. 184 Fifth Street. I'm sorry I can't afford a high-priced lawyer but I've never seen an applicant in all my years going to the Village bring a counsel to speak for them at a public hearing. Usually it's the public. It's not somebody that's being paid. But I want to comment on that because that really surprised me and she also brought in a lot of things that you said were off bounds like the liquor license. So I feel that I also have a right to comment on that since you've allowed this hearing to go that far. Basically, I'm against changing it to five rooms. These people knew what they were getting when they bought it. If it's not economically feasible, then you go out of business. Same as anybody else. If I open a hot dog stand and I can't sell hot dogs, I can't come to the Village and and say please give me a discount. I mean it is what it is. You've got three rooms. Let's leave it at that. You got so much parking issues. She doesn't have ten parking spaces. I've been down that road. And they're out on the street on every weekend. I mean that's where they're parking. Ask the neighbors. But as far as the liquor license, that really worries me because if she has parties there and you've got twenty, thirty drunks coming out of there, my daughter happens to live in that neighborhood and she walks the baby carriage down there. I don't think a saloon, when that's basically what it'll be, never mind this wine business belongs in a residential neighborhood and I think you should change this law that B&Bs can't have a liquor license in the Village. You're allowed to do that. Thank you.

Mayor Nyce: Absolutely.

Applause.

Roz Calvert: Hi everybody. I'm Roz Calvert. I live at 424 Fourth Street. And ahm...

Mayor Nyce: Sorry. Could you do me a favor? Pull the microphone down so it everybody can hear you.

Roz Calvert: I will try definitely to keep this within the context of discussion of whether the Village should move from three rooms to five in the B&B. It's something that I've given a lot of thought to, especially because I'm a newcomer to the Village and ahm as I said in the last meeting, moved here because it's a quiet town and I need that for my work and my stress level. Ahm so you know? It's a big question. Moving from three rooms to five rooms and I think that our experience on Fourth Street has been something of a litmus test. Ah without getting into the details of ahm anyone's particular situation, I think that on Fourth Street, we've had a pretty hot situation. So it's come to light first and I think some other neighbors of B&Bs have also raised some points here. My question goes more to ah I have a list of questions and I don't quite understand the forum. I know you guys can't like respond to each question and I will enter my questions into the record tonight so that when you have a work meeting, you can consider these. But I wanted to ask ah under our current code, and should the code be changed to five rooms, are these questions ahm can you answer these? Is it legal to run any other kind of business out of a B&B as it stands now? And I would also extend that to any residence. Can I live in Mrs. Robinson's house? Could we have a miniature golf ahm run on the lawn and charge people to come to it? And if Fleet Week is being entertained across the street, I'm sorry we missed out on that. Ah but there is a cute rugby team that I was thinking we could maybe rent the lawn to and ah it would be an eye full, much like Fleet Week might be. Ahm is it legal then to run any kind of a business other than three rooms with breakfast or five rooms with breakfast, whatever the decision is out of a B&B and/or out of a private residence? I think that it's not. My understanding of the Village code is that it's not. Is it legal to sell liquor in a B&B? Obviously there would have to be a liquor license approved. And I'll get back to that point. Is it legal to serve meals other than a breakfast in a B&B? The way the code stands now, would that change if we move to five rooms? Is it an infraction of code to advertise for services prescribed by Village B&B codes? If ah we're told that we cannot have a business in our private home, for example, a dog-boarding business without a license from the Village, can I advertise for a dog-boarding business without having any kind of a sanction? How are Village codes about B&Bs enforced? I know that Eileen's down there with a big pile of papers on her desk and I know that she has tried to be very responsive to our concerns when we've gone down there and that it is ah process to get our complaints listened to and ah I'm very unclear

about what is the time table on those kinds of things. If everyone expands to five rooms and there are more or different kinds of complaints that come up simply by virtue of the greater traffic, how will the Village ah have the people power to respond to complaints? Ah what is the penalty for breaking codes if you run a B&B? How I just simply do not know the process on that and I wonder if if we do go to five rooms, or even if we stay at three, if there is some level of transparency that could be improved on this issue ah so that we all know where we stand. Just as a side note, I don't think anybody here wants to discourage any ah legitimate business; anything that can bring revenue to the Village in the short summer months that we have is very important. Ahm but I think that we're a village where people live and also people contribute in many other ways besides running you know a lodging facility. You know? Everybody is in a different kind of business and all of those businesses and all of those workers contribute to the community as well and not to mention that homeowners pay taxes. Ah when you file a complaint, how do you know if and when it is getting investigated? So again, these kinds of questions I'm I'm just posing to if there is an increase in the rooms, will there also be a mechanism for transparency and will the Village really know you know what what what its process is. Who makes the decision if a B&B is ah given ah is investigated and found there are violations, who makes the decision about warning notices and appearance tickets? Is that a function of the town administrator? Does it get kicked up a notch? Ahm what is the process on that? Does the Village ask the community input to make a decision about how it will respond from the liquor authority that an application has been filed? Now we know that it's published in the newspaper and my understanding is that the liquor authority then sends a letter to the ah to the Village trustees saying, you know ah you applied someone applied for a liquor license and what do you all think about it? And then the Village responds. Either they don't respond and you know the liquor authority makes its own decision. Or they say, "We're not too crazy about that idea." And in our case, they might say, "Sorry. That's a B&B and it's against the code that we have ah in Greenport for B&Bs. No. We do not allow them to sell liquor." I maybe wrong about that but my understanding under the code is that it's not legal to sell liquor in a B&B. Ahm so what is the procedure when the liquor authority applies and then my final question about that is if a B&B currently has a temporary liquor license, how did they get that when the town was notified ahm and this is not speculation. I know ahm of a bed and breakfast that has a temporary liquor license. So I would wonder how in keeping with the codes that are already outlined, presumably the liquor authority, if they didn't fall down on their job, sent a letter to the Village saying, "This person wants a temporary liquor license and you can say yay or nay, comment on it." So presumably the Village said, "Go ahead" or didn't respond at all. I'm wondering how that could happen under the codes that exist? So you know? I ah...

Mayor Nyce: Excuse me. I don't want to be rude. There are a lot of people...

Roz Calvert: Ya. I'm finishing. That was my last question. I'm going to put these these questions...

Mayor Nyce: Trying to go three minutes (inaudible).

Roz Calvert: But I would just encourage you to in your work meetings, consider the larger issue. Not just how someone is going to make a good pocketful of cash. But the issues that concern the entire community. Thanks for listening.

Mayor Nyce: Right. I just I want to reframe that this ah to the Clerk. Please. And we will get answers to you. I want to make sure that we're discussing just the three rooms to five rooms.

Marian Macomber. Hi. My name is Marian Macomber. I live at 421 Fourth Street directly across from her B&B, which is B&B. I've lived... I'm sorry. My husband and I raised our two children on that street and our children played with her children. She didn't like it too much but you know, what can I say.

Voice from unidentified individual in audience: (Unintelligible).

Marian Macomber: Yes it is, sir.

Trustee Kempner: I could think you could speak louder. You're in a public.

Marian Macomber: I'm sorry?

Trustee Kempner: The audience is not supposed to be interrupting the speakers at a hearing.

Mayor Nyce: I... Okay. Ahm...

Marian Macomber: Okay. Anyway...

Mayor Nyce: I'm just just a second. There's obviously a lot of temper in this room tonight. I will not tolerate people yelling at each other, disrespecting each other. You will be asked to leave if you if you don't behave properly. Okay? There will not be the clearing of throats and all the rest of it. Okay? We will listen to what everyone has to say. I will say once again, this is only on the public hearing of increasing the rooms. If there's an issue about a specific incident that might be a code violation or whatever else, that would be in the next section, which is the Public to Address the Board. This portion of the public hearing is strictly about whether you are in favor of or not in favor of specifically three rooms to five rooms. Okay? And I'm sorry to interrupt. I just wanted to (unintelligible) and make sure that we're all...

Marian Macomber: That's quite all right, sir.

Mayor Nyce: I (unintelligible) stop again and give everybody give a group hug. You know?

Marian Macomber: Oh. Right. We need one. As I was saying, we've lived there for forty years. We bought our house forty years ago. We have lived on the very same street for the forty-two years that we've been married. Our children played with her children, as I said, up in the third floor bedrooms, which were not legal at the time, I don't believe. Our house is a legal two-family house. And we have rights to park in front of our house. Now when these people, the Millers have their weekend parties or weekend guests, there are more than ten cars in their parking lot because they are parking their three vehicles or four vehicles out on the street in front of our house. Across the street. But in front. And I just want it to be known that from three rooms to five rooms is not acceptable and I just wanted these people to know that. And I'd also like to close with a note to Miss Abigail Wickham, I think you look wonderful, Gail. Good to see you.

Gail Wickham: Thank you.

Mayor Nyce: Thank you. Please.

Voice of unidentified person in audience: (Unintelligible).

Walter Tilford: Ah my name is Walter Tilford. I live at 424 Fourth Street. I'm a neighbor of ah the Harbor Knoll. Harbor Knoll B&B. Ah I just want to cut to the chase here. Ah this was quite an impressive ah presentation by the Millers and and their attorney. But it's missing the whole point. Okay? This is not a business. This is not a competition. This is a B&B. Okay? And let me just read from the code. The first thing that the code says, and I'm reading right from the code. "Facilities are clearly incidental and subordinate to the principal use of the dwelling." Which is a home. A residence. Okay? The second ah thing is that "the renting of the rooms is limited to three rooms for lodging and the serving of breakfast." It does not say anything about any other activities. Okay? The original code was drawn up this way by some very thoughtful people because they took into consideration the impact that a B&B would have on the neighbors and the surrounding neighborhood. And they wanted to keep it very low key. Not have it turn into a business. But be a low-key situation where you could rent a couple of rooms in your home, serve your guests breakfast and not be too intrusive on the neighbors and the neighborhood. Okay? This whole thing about talking about competing with other B&Bs and coming into line with the state code and the town code, the Village and the Board of Trustees is here

to work for the people, for the residents of the Village of Greenport. It's not here to work for ah a select few B&B owners and empower their business so they can make more money and fill their house and so forth and so on. Okay? The Village has to really think long and hard here. The amount of people that are going to be affected by this what seems to be a not a big deal to change it from three rooms to five rooms. But I can tell you as a neighbor of a B&B ah with the current code of three rooms and the serving of breakfast, it has a very detrimental impact on the neighbors and the neighborhood. So to change it from three rooms to five rooms, you're really opening up the door for a real disservice to the residents of Greenport because a B&B could be popping up on any street. You can wake up one day; you have a B&B on one side, a B&B on the other side, a B&B across the street. They're all renting five rooms. That's five, minimum five cars coming and going. Ten strangers coming and going. People are trying to conduct their lives here. They're trying to bring up families. This is residential neighborhood. Okay? If somebody has the ambition to run an inn and I think it's a great thing, and I think Mrs. Miller would make an incredible innkeeper. She does a fantastic job. But you have to do it in the appropriate location. Not in a residential neighborhood surrounded by residential homes. It's got to be the appropriate venue. And that's all I have to say. Thank you.

Mayor Nyce: Absolutely.

Applause.

Mayor Nyce: Sorry. And then Clay, after him. No. Please. And and you're on the list.

Sean Seal: All right. My name is Sean Seal. I own a little business in town called Knotted Dreams. I also live in this town. Ahm it sounds like there's a lot of people that have a problem on Fourth Street. All right. This sounds like they're singling out one individual bed and breakfast. The code is trying to up the rooms for not just one bed and breakfast. It's all bed and breakfasts. And I think it's unfair to demonize one building. If there's a problem with that particular location, it sounds like there needs to be certain things enforced with that location. So I really think it'd be a good thing to go from three to five. One. I got married in this town. I didn't have enough you know places for my family to come and stay here. I think that was kind of ridiculous. I had to put them in six different places. So I'll keep it sweet. I think it is a good idea to go for it. Thank you.

Mayor Nyce: Ah...

Applause.

Mayor Nyce: In the back. Ya. Oh. I'm sorry. Ah after Gary, ah want to come in. And then you'll be after Mike.

Clay Sauer: Good evening. I am ah Clay Sauer. Hello. I own the Sterling House B&B in Greenport. It's eleventh year. I was on the Chamber of Commerce Board as well as the ah former president of the Greenport Merchant's Association. Ahm I'm also a member of the largest B&B group of Long Island, the Elegant B&Bs of the North Fork with five bed and breakfasts located right here in Greenport. It seems to me that the question before this Board concerning bed and breakfasts is one of balance and rules. Rules are made to be obeyed and maintained. Not ignored or broken. You must obey the law. It doesn't matter if you are a small business owner, a town official, lawyer, diplomat or bottle washer. No one is above the law. On the other hand, on the one hand, you have the bed and breakfast owners who want to run a home-based business in their personal home. In New York State, it's my understanding that there is a considerable case law establishing bed and breakfasts as an ordinary use in one's home, to agree with that gentleman, an accessory business. Of course the local municipality has the right and perhaps we can say the duty to impose certain requirements on that operation regarding such things as a maximum number of bedrooms to be rented, what meals may be served, maximum number of days stays for guests, et cetera. And the Village code does that. And the B&Bs provide a needed service for the Greenport economy. This is a tourist economy. Let's face it. Without tourism, Front Street on a summer weekend would like Front Street on a winter weekday. B&Bs can make for good and excellent neighbors (unintelligible). Just so you

know. Laughs. And are typically are among the best maintained properties and yards. They are also the conduit for tourists. Tourists come and eat, shop, visit and spend money where we suggest and refer them to go. Tourists ah so we definitely provide a valuable service to the area. And I respectfully disagree. Greenport is really a year-round ah town now. My bed and breakfast is full every weekend of the year. And on the other hand, you have the neighbors of the bed and breakfasts and they have the right to what I believe in legal terms I've heard referred to as the right to the quiet enjoyment of their property and I think that means that one neighbor shouldn't be placing an undue burden upon another neighbor. So there's the rub. We have to coexist. B&B owner and neighbor. Hand in hand. And that needs to be maintained and enforced by the town. The vast majorities of B&B are welcomed by and are friends with their neighbors. They're like in every field a few bad apples running unchecked. The idea of inspecting B&Bs, which was brought up recently as a suggestion, strikes me funny as B&Bs were inspected two years ago. I thought that was a good idea at the time as it was fair and quality control is always a good thing. Any B&B following the rules would welcome it. But now I think it was a bad idea as not all B&Bs were inspected. The town dropped the ball on this one and if a B&B had more rooms than the three-room limit and accessory buildings on a contiguous property counts. And there are ah there were no egresses in the legal attic rental rooms or a sprinkler system installed or commercial kitchen license or a wine and liquor license, then the town should have caught that on the inspection. If a B&B refused entry to an inspection, then the town should have said, "Fine. No worries. But we have to pull your license until you grant us access for inspection." I resent the fact that I was submitted to an inspection when not all B&Bs were. With the town going through the motions and ignoring the elephant in the room. I own a three-room B&B, although I personally would not be opposed to adding another room down the line going through proper channels. However, if you change the ordinance to go to five rooms, I fear you will be upsetting a proper balance and this will only create tension, more tension, apparently and an adversarial relationship between bed and breakfast owners and their neighbors. And let's not forget that a bed and breakfast is by ordinance intended to be an accessory use of a residential property. It's very much my business but I do know it's an accessory business. Ah if the B&B owner wants to have a restaurant, open a restaurant. There are several available for lease in this town. If you want to run a catering hall or wedding business, do so. There are several large venues available for rent on the North Fork that could use the money. But as a B&B owner, I am sure your guests would prefer you do not become a jack-of-all-trades but a master of one by running a quality B&B that compliments the Village. I am curious as to the impetus of the change. Whose idea was this? What is? Was it the Boards trying to make more work for themselves? As an incorporated village, you have the right to make ordinances to fit the unique life style of Greenport and not the life style of Southold Town or any other town in Suffolk County. We are not in the middle of farmland where your neighbors are in the distance. We are in a densely populated residential incorporated village. I get it. Personally, I am torn about this this topic. And as the saying goes, if it ain't broke, don't fix it. I urge you at this point to maintain the current ordinance and I would like to go on record as a bed and breakfast owner who is opposed to the proposed change in the bed and breakfast ordinance. As it seems to be only rewarding bad behavior and would only benefit one B&B in Greenport. Get everyone on the level playing field compliant with local and current laws first. Then discuss it. As for the public, you have the right to complain and lodge complaints and question authority. And just as an FYI to all those who don't know certain laws, anyone renting out rooms to more than ten people falls under Suffolk County jurisdiction, as there are much higher standards to be answered to. Health and safety control. Kitchen inspections by the Board of Health. A fire sprinkler system needs to be installed. And again, a wine license is, just so you know, I do have a wine license very legally and we got it, just so you know, because when you hand a glass of wine to a guest...

Mayor Nyce: Clay...

Clayton Sauer: Well when you hand a glass of wine to a guest, ah there is no free glass of wine. The minute they come in the door and pay a dollar for a room, they're a paying guest. There is no such thing and serving or selling of alcohol is actually a felony. Ahm a fire sprinkler system. And again, wine license is required by law if you are a B&B and you want to hand a glass of wine to a guest. There is no free gift of alcohol. Do that and

you're committing a felony. See, it was here in writing. If you need any of the numbers or websites to verify anything I've said, please ask me after the meeting. And oh, by the way. Computer systems have something called cache files. Just because you remove something, it doesn't mean it's not still there on the web. The same thing here goes because items have disappeared. It doesn't mean the bad behavior doesn't still exist. I know of a local B&B that rushed her and got a wine license and it doesn't erase the fact that they were serving and selling wine and alcohol for years, committing a felony. Not very diplomatic behavior! Thank you for allowing me for these remarks.

Applause.

Mayor Nyce: Ah Garry? You're on.

Applause.

Gary Charters: Gary Charters. 1002 Main Street. Greenport. Ahm you've heard me before about the problems and I'm not going to nickel and dime the bed and breakfast across the street from me but I will say, after the last public hearing for the first time in the history of that bed and breakfast, all three of their vehicles were parked in their driveway for the first time ever. And thank you.

Voice from unidentified person in audience: (Unintelligible) can't hear you.

Gary Charters: All three of... The bed and breakfast's across the street from me for the first in the history of that bed and breakfast, all three of their vehicles were parked off the street and in their driveway and I said I'm not going to nickel and dime the bed and breakfast across the street from me.

Voice from unidentified person in audience: Thank you.

Applause.

Gary Charters: The think that I'm concerned with is safety. Even with the bed and breakfast across the street from me, Bridge Street is not a legal width road. It doesn't conform to ahm any kind of standards that I know of. Nobody in the Village today ahm remembers a bridge on Bridge Street but it's called Bridge Street for a reason because there was a bridge there. Ah and now when we get heavy rain, I can swim down there. But recently in the neighborhood, ahm compounding the traffic problem, one of the new homes on the Village side ahm has become a rental. There's three to five vehicles in that lot. In their driveway, which two are in the driveway, three on the street. During the snowstorms in the winter, no emergency vehicle could have gotten through at all. Which ah it becomes a problem. With ah three to five rooms, I don't know how you could ahm if you decided to approve five rooms, I don't know how you could do it across the board. See. I'm against five rooms anyway because across the board, you would find out that the particular bed and breakfast across from me, there's no more room for parking. There's there's no place for cars to park for them to park off the street. Which it's... That's not just a problem there. Ah the problem in the Village is is is parking and vehicular ah traffic all summer long and and we know that. But more traffic and more cars. They are ah ah a serious problem. I don't think anybody is demonizing any bed and breakfast. They become a problem in neighborhoods because they become busier and busier and busier and I... Look. I'm not going to say they're in business because I'd like to say they are nice people in a residential area that are trying to help out some people to spend the night. But just as I can understand their side, but for the Village of Greenport, ahm it's not a good idea. This this is... Most of the Village is quarter acre zoning or less. The more cars you bring in, the worse it's going to be. This is no place for five rooms. No place! Three rooms are plenty enough. Thank you.

Applause.

Mayor Nyce: Thank you.

Applause continues.

Mayor Nyce: Mike. Then Peter up front and then whoever else.

Michael Osinski: Hi. I'm Michael Osinski. I live at 307 Flint Street in Greenport. Ah I live two doors down from ah an existing B&B.

Voice from unidentified person in audience: Could you speak into the microphone?

Michael Osinski: I live two doors down from an existing B&B and I have no impact. I have once in the ten years, I've had one person come up there with a set of golf clubs and said, "Where do I check in?" That has been the only real impact. I do not I'm not an immediate neighbor so I think that the immediate neighbors obviously have you know more concern than I do. But I am two doors from an existing B&B. And I think that you know if you look at the question as a B&B as a small business, I ahm you know I think you to removing all personalities. I think it's well known by this Board that ah Leueen and I have had problems. All right? Here in public. Right? Ah but ah removing all personality aside from it, I think it's noise. If the Village encourages ah you know homeowners or allows homeowners to have a three-room B&B and they're so successful that they're all filled up, that the Village has a duty to to honestly look at this. I know there's some I mean there is some negative impact but if you start I I've started many small businesses. Many. Half a dozen businesses. The hardest thing is to get it started. Ah it's the most work. Once you get started, it has a momentum of its own. So if if you encouraging three and you know progression of five is probably you know it's not that I would I would normally say it's not that big a thing. But you can see what the immediate neighbors the the concerns it raises. Now having said that, my opinion, there is absolutely no place for loud amplified music played to make a profit in a residential neighborhood at the expense of their neighbors. There is absolutely no place for that! It is as obnoxious as the loud bars that do it every weekend here. In my opinion. And ah that's what I have to say.

Mayor Nyce: Thank you.

Applause.

Peter Clark: Good evening to everyone. Ahm my name is Peter Clark and I live at 806 Main Street and I also run a small store at 416 Main Street. Ahm I wanted to speak to the Board in support of the ah proposed code change for three reasons. Ah the first has to do with the character of Greenport in in general. Being a historic town and a tourist destination, it has ah a large amount of old housing stock that has architectural and interest, landmark some of it, to to us to to preserve. Ahm one of the things that I think that add to the character of the Village are the fact that the bed and breakfasts are here and in many of those instances, preserved homes that were not in good condition and preserved them in a way that was no longer possible ahm you know the days of eight children and grandma upstairs are kind of not our current way of life. So as a result, super big houses are hard for most people to maintain and to afford. Ahm so ah I think having bed and breakfasts in in a historic tourist village like our own, especially a seaside town, is adds a lot of character and a lot of interest to our village. As a business owner, I also know that the visitors to the town tend to be very good customers and help to provide ah the ability for small merchants to survive in the town, especially since it's such a seasonal town. Ahm as a resident, I believe that it's in our interest, all of us to encourage the development of bed and breakfasts. I I I I understand the concern that if you lived on a street where ahm you know every neighbor was a bed and breakfast and you were kind of by yourself that might be uncomfortable. But that's not what's on the table right now. Ah I think there's eight or nine bed and breakfasts in Greenport it looks like to me if I kind of count them up on a hand, but that's not a necessarily scientific method. Ahm so ahm those eight or nine probably some of them don't have five rooms. Probably some of them do. I live across the street from a bed and breakfast, the Fordham House. And I live a block away from the Morning Glory bed and breakfast. In the time I've been here, full time in Greenport as a resident for a year and a half, I've never had any incidents to my property or to my well being or to my way of life that's disturbed me from those two properties. They're both very beautiful and I believe they contribute to the appraisal value of my

home and the property values that we enjoy in Greenport. Ahm I think I've covered all my points for you. Thank you very much for your consideration and ah amending the code to ahm five rooms for those that have them.

Applause.

Mayor Nyce: Thank you.

Applause continues.

John Macomber: John Macomber. 421 Fourth Street. Ah I'd just like to say that the people that have these B&Bs... (Feedback through the sound amplification system.) Oh boy. They can feel my temper.

Laughter.

John Macomber: Man. This is a smart mic.

Mayor Nyce: Maybe you don't need the mic.

John Macomber: This is a smart mic. Ah the the folks that have these...

Feedback through the sound amplification system.

Trustee Kempner: Do you have a cell phone?

Feedback through the sound amplification system continues.

John Macomber: No. I'm not that modern.

Laughter.

John Macomber: Ah most of these people, I can't say all because I don't know when they came, but most of the people that came here and had a home and then decided well, make it a B&B. We'll have a nice hobby. All right? So they did it. All of a sudden, now they're making money. And they want to make more. So I mean, they knew it was three rooms when they started. So I think you should keep it at three. Five, maybe in Schenectady, five is okay. But this is Greenport. A little small village. And I'd just like to add one thing that Mrs. Wickham pointed out. Yes. They do have parking for ten cars at Millers. But nobody can get out. If all ten cars are parked, everybody is stuck in there. Can't get out! Not enough room! Thank you.

Applause.

Mayor Nyce: Thank you.

Applause continues.

Mayor Nyce: Is there anyone else that would like to address? Please.

Gordon Miller: My name is Gordon Miller and ahm I am associated with Mrs. Miller in the B&B. Ahm she runs it and ah I do occasional chores. Ahm I just want to say a few things to set the record straight factually. Ahm this B&B is the most unobtrusive B&B imaginable. It is fenced. It is hedged. And it is run in a very quiet manner. And it always has been.

Voice of unidentified person in audience: (Unintelligible) Miller?

Gordon Miller: Sure. Maybe I shouldn't use the microphone.

Mayor Nyce: If not...

Dr. Trowbridge: You have to use the microphone.

Mayor Nyce: Ya. Otherwise... I apologize for having some technical difficulties.

Gordon Miller: All right. I just want to say that our B&B, which began in mid-year 2001 ah has been run very unobtrusively. And the mistake was made as far as the ahm bed and breakfast idea of getting into holding weddings ah with music. We had our daughter's wedding there in the year 1997. We got a sense of what the neighborhood was like when at eleven o one, the police were called and showed up. I want to thank my neighbors for that lovely wedding gift. I am...

Mayor Nyce: I don't want to be rude. I...

Gordon Miller: I understand that. We are talking about a factual situation.

Mayor Nyce: I understand that. We are also talking about a code amendment.

Gordon Miller: I am talking about a situation that occurred before there was a B&B. This has nothing to do with the B&B.

Mayor Nyce: Which is my point, sir. We're we're having a public hearing about three rooms to five rooms. I'd really like to keep it to that so as not to inflame things.

Gordon Miller: I'll do that.

Mayor Nyce: Okay. Thank you.

Gordon Miller: The house that that we have is a very large house. We bought it because we just had ah three children in four years. We had a live-in helper as well. We went to Cutchogue to Greenport and of course, like everyone in this room, and I'm sure just about everyone in Greenport, fell in love with the place. It is a big house and as the children grew up ah and grew independent, we have more space than two people can properly use. And the idea of a bed and breakfast occurred to us when we used to travel to New England and stay near our kids' schools in bed and breakfasts. I had no idea how much work a bed and breakfast actually was. And we've since found out. It's also extremely expensive. Ah to attract people to your place, must have everything in apple pie order hundred percent of the time. And therefore it is extremely difficult to make the money that you need to do that with just three rooms. Therefore, we are in favor of the idea of going to five. Now someone asked the question, I thought it was a good question, where did the idea for this come from? Didn't come from us. I don't know where it came from. I assume it came from somebody's idea that the Village's law should be in conformity with ahm the State's law. The argument was made previously by Miss Wickham that the place that is the most tourist sensitive on the North Fork is Greenport. There's no... I don't think anybody would argue with that. And yet Greenport has the least friendly attitude toward B&Bs as evidenced by allowing only three rooms. Doesn't make an awful lot of sense. And I agree with those who have spoken about noise and so forth. A B&B does not need to make noise. Ahm and ah there's there should be not too much tolerance of it. On the other hand, we've operated this for ten years. We haven't had one single complaint in writing or by phone or in person from any of the neighbors about noise. We've also had no single complaint ever in ten years about cars being parked on Fourth Street. We have the space. We have room for ten. And if one of them happens to be small and they're all well parked, we can even get eleven. Someone said cars can't get out of there. Course they can get out of there. They get out of there every single day. Just complete nonsense. So that's all I want to say on the issue. Thank you.

Mayor Nyce: Thank you. Is there anyone else? I'm sorry. Mr. Edelson. Ya.

Michael Edelson: I'm Michael Edelson. I live at ah Bay Avenue. And ah when I was an adolescent, a young adolescent, if I came home after my ten P.M. curfew, my curfew wasn't extended to midnight. I was grounded! Now we have several B&Bs that have violated Village code and you are thinking of rewarding them. Gee. I wish you were my

parents. Some B&Bs have vividly flaunted on their websites that they do not pay attention nor heed you. The Trustees, the Village and us as residents. More of this later. I do not believe that the B&Bs deserve to expand their facilities until they demonstrate that they are responsible citizens and adults. Additionally, I want to know what effective plan this Village intends to institute and enforce whenever the code is three, four, five rooms and other violations. Additionally, there is the carping issue for additional rooms. We are drowning as one does for lack of air, for lack of parking. If the B&Bs are permitted to legally increase the number of rooms and on street parking, where are the parking spaces coming from? Ah from year 2005 when open space was an option, we're surely worsening the situation. Either this outmoded option is taken off the books or we raise the fees sufficiently to offer a realistic incentive to fund and create proper parking spaces to match the number of rooms. I have to B&Bs on my block and Clayton you are wonderful neighbors. Ahm and I've already painted my driveway yellow. If you pass this increase, I'm afraid I won't be able to get in or out of my driveway. So please decide among yourselves who I can call when I do have to get in and out of my driveway. Thank you.

Applause.

Mayor Nyce: Anyone else that wishes to address this this code amendment?

Voice of unidentified person in audience: (Unintelligible).

Mayor Nyce: For the code amendment? It has to be specifically about the code amendment, not other stuff. Three to five rooms. Just. Okay.

Voice of unidentified person in audience: (Unintelligible/inaudible).

Mayor Nyce: Ya. Right after we're done with this public hearing, then we'll be doing Public To Address the Board and you can do any you can bring up anything. I'm looking forward to that part. Laughs. Is there anyone else that? Is there anyone else that wishes to address the Board on this particular proposed code amendment? If not, I'll ask the...

Gail Wickham: (Unintelligible/inaudible).

Trustee Murray: Uhh.

Mayor Nyce: About this code amendment?

Trustee Murray: Can you wait till the public address?

Mayor Nyce: Ahm. Ya. Please.

Trustee Murray: Rambling on and on about nothing.

Gail Wickham: Thank you. Gail Wickham. And this will be very brief. Ah first I want to say and ah at the risk encouraging Mr. Swiskey to ask to speak again, ahm I hope he is not asking you to tell people in this village that they cannot expand their homes or their businesses because that's how they bought it. Ahm and I also ask you to disregard his comment about a high priced lawyer, as that is about as inaccurate as it is irrelevant. Ahm what what came out of this hearing for me is that most of the questions relate to code enforcement and site plan. I think there maybe a misconception in the room and that's why I asked to speak again, that this legislation would allow a bed and breakfast five rooms just by your affirmative vote on this legislation. That is not correct! You have to go still and first of all you have to physically have the room in your building and in your yard for the rooms and and the parking. Ah parking is a site-plan issue that would be subject to ahm the Planning Board discussion and review and neighbor notification and hearing. And any business activities other than lodging and breakfast are a code issue and we would agree that compliance is the key and the Village has the ability to dress any variations. However, that must be based on fact, not conjecture or misinformation. So we do again ask the Village ah Board to please consider this legislation favorably. Thank you.

Mayor Nyce: Oh boy. We're going to go around again.

Gail Wickham: Sorry.

Trustee Murray: (Unintelligible).

Mayor Nyce: Mr. Charters.

Gary Charters: Sorry Mr. Mayor. But you opened the door. Sorry. Gary Charters. 1002 Main Street and I'm not going to say I'm not going to put this any farther than it is but I realize Miss Wickham was now working for the Village and explaining to them how they need to proceed in order to have an amendment or vote on an amendment or make an amendment. I would suggest that you stop this now before everybody in the room wants to say the same thing all over again! Thank you.

Mayor Nyce: Absolutely. Ah I'm going to... Ms. Robinson, because she hasn't spoken.

Karrie Robinson: Hi. I'm Karrie Robinson. 424 Fourth Street.

Mayor Nyce: Please. Into the microphone so everybody can hear you.

Karrie Robinson: Ms. Wickham, in terms of...

Mayor Nyce: Ms. Robinson? Ms. Robinson. Into the microphone and you're addressing the Board, not Miss Wickham.

Karrie Robinson: Thank you. Well Miss Wickham and the Board.

Mayor Nyce: Umm. No! Just the Board!

Karrie Robinson: Thank you. If a ah B&B is out of compliance and has been since 2007 in terms of going over the three-room rule, how is that looked at? If you increase to five rooms, you will have twenty rooms. Ah we know for a fact that there are B&Bs that are out of compliance now! And that's our concern. Thank you.

Mayor Nyce: Okay.

Applause.

William Swiskey: William Swiskey. 184 Fifth Street. It doesn't matter what Mrs. Wickham says. I'm sure it's a charity for her. But you talk about complaints and... Well I filed, and I put this in writing a complaint to the Village on a code issue at the first of the month. On the sixth, I got a letter from the Mayor; we're looking into it. So far I've heard nothing. The Board is aware of it. And if this is the way you treat code violations at the B&B, the poor neighbors are really in the dump because you know you use this 'put it in writing.' You want a few complaints? I'll go around and I'll put it writing and then you're going to do something about? Because I'll put my name on the complaint. But you do nothing! You you you blow them off. Oh you know. Oh he didn't sign the complaint. But three people complained to you and you just left it. What's going on with this Board?

Applause.

Mayor Nyce: Laughs. Is there anyone else that wishes to address the Board on this code amendment. I'm hoping no. All right. Ahm the pleasure of the Board at this point. May I make a recommendation based on what we have heard and what this amendment and as it reads now that the Code Committee re ah that the Code Committee take this up again with suggestions that have been raised. Ah or does the Board wish to continue?

Trustee Phillips: I'm sorry. I'm confused. Do you want the Board to leave the public hearing open?

Mayor Nyce: No!

Trustee Phillips: Okay.

Mayor Nyce: That we will close the public hearing. Send it back to the Code Committee for for more work.

Trustee Murray: For more work on what? Re-writing it?

Mayor Nyce: Um hm. Or we can vote it up. Vote it down. At the next meeting. I mean at this point I think we should we should move it along. We should close the public hearing. Ahm the question is, where do we want it where do we do we want to put it on the agenda or do we want to discuss it at work session next month, which would be the typical ah course of this. Or ah move it?

Trustee Hubbard, Jr.: I think if we close the public hearing, bring it up at the work session...

Mayor Nyce: And discuss it there? Okay.

Trustee Hubbard, Jr.: Discuss it at that point and see if we're going to move forward with it.

Mayor Nyce: Does everyone in agreement with that?

Trustee Phillips: Ya. I agree with that one.

Mayor Nyce: That's being the case; I'll entertain a motion to close this public hearing.

Trustee Hubbard, Jr.: Second.

Mayor Nyce: Ah actually I'll rephrase that. I will offer **a motion to close this public hearing. Seconded by George Hubbard. All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Public hearing is closed. Is everyone want to breathe for a minute before we start the next portion?

Voice from unidentified person in audience: No.

Mayor Nyce: Laughs. All right. Ahm the next portion of our agenda is Public to Address the Board. Ahm at this point we open it up to any of the items on our agenda. Ahm and I understand that at this point, there's probably also going to be some other ah items that come up. I will ah ask if there's anyone that wishes to address the Board?

Walter Tilford: Ah Walter Tilford. 424 Fourth Street. Ah I think the ah the current Village code is pretty clear ah for B&Bs, renting of three rooms, serving of breakfast.

Mayor Nyce: Um hm.

Walter Tilford: And I just want to know ah why a B&B has an application in for a liquor license? I mean that's I don't understand that. And and ah what is the need for a liquor license if the current code is to rent three rooms and serve breakfast? And I think the Village ah gets notified when somebody puts in an application ah to the State Liquor Authority for a liquor license and I really think it's the Village's obligation to respond to the State Liquor Authority that in the Village of Greenport ah a B&B ah cannot serve or sell liquor. They are only allowed to rent three rooms and serve breakfast. So that's the first thing. Second thing is if the Village code currently is ah that you can rent three rooms and serve breakfast, why are there B&Bs having weddings? There was a wedding at the Harbor Knoll Bed and Breakfast on Saturday night. And as far as I understand, it was not a

friend. It was not a family member. It was a ah ah catered event. Ah catered for somebody else. How is how is that allowed to happen? I... You know... If if you go from three rooms to five rooms, you're opening the door for further abuses. There's incredible abuse going on now with the way the current code exists. By opening the door to allow B&Bs to rent five rooms, ah you're just inviting ah you know more abuse. You know? The old adage goes, "You give them an inch, they take a mile." You give them two inches; they're going to take two miles. And that's all I have to say.

Mayor Nyce: Okay.

Applause.

Mayor Nyce: Ahm please. Either one.

Christine Miller Martin: Hi. My name is Christine Miller Martin and I'm Leueen and Gordon Miller's ah daughter and I feel very well qualified to comment this evening because I've spent ah pretty much every summer, weekends and the holidays ahm on 424 Fourth Street for my most of my entire life. Ahm I live in New York City. I'm an attorney by training but also a real estate broker in New York. And I just wanted to say my appreciation to the Mayor for limiting the comments to the issue at hand because I think having read the transcript from the last meeting and again being present here tonight, it's painfully clear ahm that a lot of these issues are not really on the merits but they're actually of a personal nature. Ahm the level of animosity, I'm not sure that the reasons why it exists, but I just think that it's obvious and that there are very many valid business opportunities and points that should not be ignored. First of all, just to since we have a free floor here, just to suggest that my parents at age 70. My Father is in somewhat fragile health and my Mother ahm, not look like big huge partiers, I think that they run an elegant bed and breakfast on beautifully kept grounds and as my Father mentioned, walled, fenced in and hedged. It's quite private in nature and in terms of the noise; there have been a few events. But I mean I think it's you know we all like I look at Dan's papers. There are many people who have who have large homes who do political fundraisers and have parties regularly and that's a right you have as a property owner to the quiet enjoyment of your property and there are laws on the books and codes around an noise regulations that ahm you know keep those in check. But we do all have a right to enjoy our property. Ahm and as someone mentioned, there ah is noise from neighboring establishments that I can assure you far outweigh and drown out my parents any noise coming from the very you know infrequent events that my parents have. But that's part of the nature of living in this town. Every morning, I wake up earlier when I'm at my parents than I'd like because the Peconic Star starts up on the boat again and it's part of you know it could be annoying, but it's also part of the charm of living in what we know as a commercial ah neighborhood with a tourist business and that's just part you know Claudio's goes on sometimes later than we ahm would like but that's you know we recognize the importance that it has to the commercial ahm ahm business ah development and of Greenport. Ahm when you really do think about it, five rooms versus three rooms, I think it should I mean we're talking about possibly two more cars and four more people. In the case of my parent's house, they have a house that comfortably sleeps twenty-two people. Ahm and their driveway has ten, you talked about ten parking spots. Ahm so I don't think that you can make a logical argument that four extra people at most would substantially alter the residential neighborhood of the of the neighborhood. Ahm as I said before, their house is kept beautifully and I thank the neighbors who have actually acknowledged that because my parents take a lot of effort and pride and my Mother has spent a lot of time in her post and experience in the city trying to improve the commercial and residential ahm parts of Greenport. Ahm all on a volunteer basis. And I know for example one of my parents' neighbors, Mr. Tilford, in real estate and I'm a real estate broker and I'm sure he's excellent at what he does and I'm sure if he had my parents' listing, he would high light the view, the fact that there are nine bedrooms and an adjacent cottage and I would no doubt if you are a good broker than I'm sure he is, he would say that it was a perfect house for large-scale entertaining. One as I said before, you can't pick up a Dan's paper or similar periodical without seeing the beautiful fund raisers and parties that lots of people who own large summer homes enjoy. And which my parents actually do very few of them. Compared to what they could have. There are

also other alternatives. I frankly think my neighbors should be thanking or my parents' neighbors should be thanking them. What are their opportunities? They could have sold the house to ah family with you know fourteen children. In fact I understand one of their neighbors has fourteen children. And they have a huge...all of whom have cars and spouses. Can have a rental share with a lot of hard partying twenty somethings who could enjoy the house and I'm sure they'd love to frolic on the dock with all their boats and have a mini Claudio's there. Ahm you know? I I just I just want... They're alternatives. My parents also have a second building lot on the property. They could build a second home and add some more cars. So and frankly I think they should be lucky to have people who take such great care of their property and ahm you know and I'm sorry that there's such personal animus ahm and I'm I'm not exactly sure what it stands for but I think this has to do with focusing less on not necessarily like your neighbors and more thinking of what's in the interest of the Greenport development ahm community. Ahm and just you know a few more facts about the neighbors and I'm sorry to get so personal but they started these personal attacks on my parents and as you can imagine, as their daughter ahm I take them especially hard. Ahm Mrs. Brennan, who's probably one of the chief complainers, apparently from what I understand, is actually moving so her personal interest in this is somewhat nature. They use ah letters. She constantly sends my parents throughout the ownership of their time.

Voice of unidentified person in audience: (Unintelligible).

Mayor Nyce: Rather we didn't go back and forth on personal stuff.

Christine Miller Martin: I'm just saying and and you know? While she also says in the same breath she's praying for us as she goes to church on a daily basis, ahm and so ahm the wedding that was in question that Mr. Tilford discussed at the last meeting under which this issue was discussed was mine as my Father alluded to. It was fourteen years ago. Everyone came by foot because we came from Shelter Island. There were no cars. Mayor David Kapell was in attendance. So if you need ahm a reference there, that's true. Many of the people in this room probably have been at my parents' house for events and you can attest to the fact that there's no parking on the actual road, which they happen to own. People are encouraged to park in the public parking lot, which is fortunately ah very close to my parents' house. So I just wanted to include to say that I find that the attacks and arguments you know leveled against my parents are frankly you know unfounded and baseless and really challenge people's rights to enjoy their property. Ahm these are petty personal attacks and they've also been hurtful to a woman who has spent a large amount of her time in the last ten years ahm improving the quality and enjoyment of life in this town. So ahm I think she's been a huge asset to this community and I'm sorry that she's had to ah suffer these allegations for a business that really doesn't affect as some of the people alluded to as our neighbors. Thank you very much.

Mayor Nyce: Thank you. Ah...

Applause.

Voice of unidentified person in audience: Wait.

Mayor Nyce: I'd like to...

Trustee Phillips: No. Ah ah...

Walter Tilford: I'd just like to set the record straight. I did not talk about a wedding...

Mayor Nyce: Sir. Sir. Sir. You've not been recognized.

Walter Tilford: Fourteen years ago. It happened this Saturday night.

Mayor Nyce: Mr. Tilford. Mr. Tilford. We're not going to let this break down to a shouting match!

Roz Calvert: Roz Calvert. 424 Fourth Street. Ah in the interest of not driving you all crazy and keeping it to the issue of whether it's three or five rooms. I think everybody can see that it's not an issue that is an easy issue. Ahm I personally my personal agenda is to live at peace on our lane. I would welcome a large family with kids and dogs. I think it would be ah a lot easier to deal with. You know? Than ahm someone advertising on the Internet for weddings of up to 80 people. I think it would be easier to deal with than when I came home yesterday and there was a wedding on the lawn and we had to call the police about a noise complaint at you know at a late hour of the evening. Ah there have been many complaints registered about the bed and breakfast in our neighborhood and you know I'm not singling if if somebody else's B&B was doing the same thing on our 15-foot lane, ah I would be up here complaining. Ahm as I am today. And ah you know? I mean come on. A wedding on the lawn, not a private wedding. The law is for everyone. You can't say because I'm a good citizen in the town, I get to take the extra mile. The law is for everyone. Whether it's three rooms or five rooms. Nobody gets a break. Just because you're you and just because you have great ideas and great business skills. You know? Everyone has to comply with the same laws. Thanks.

Michael Edelson: Fasten your seat belts. Going to be a rough night. Harbor Knoll Inn...

Dr. Trowbridge: Would you state your name please?

Michael Edelson: Ya. Michael Edelson. Bay Avenue. Greenport.

Dr. Trowbridge: Thank you.

Mayor Nyce: And I will caution you that if this becomes personal, I will...

Michael Edelson: Harbor Knoll Inn...

Mayor Nyce: If this becomes personal, I will shut you down!

Michael Edelson: No. This is not personal!

Mayor Nyce: Okay.

Trustee Kempner: Now.

Michael Edelson: In fact, it's deadly factual.

Trustee Kempner: It hasn't been that long.

Michael Edelson: Harbor Knoll Inn or a boutique hotel, as it is called on its website, is a decade-long violator of Greenport B&B ordinances. Item: Harbor Knoll is committed to active participation as a venue for wedding business. Despite Ms. Miller's claim in her published letter appearing in The Suffolk Times dated June 1, 2011 held, excuse my voice; I have held only two weddings since we have owned our home since 1973. My daughter's wedding in June 1997 and a small one for the daughter of a close family friend held five years ago. Excuse me. The following are two testimonials that appear on the trip advisor Harbor Knoll website. Quote my husband and I got married at Harbor Knoll on June 6, 2009. We had our ceremony, cocktail hour on the gorgeous waterside of the property and our reception under a tent. I recommend Harbor Knoll for a simple romantic weekend, getaway and for something as monumental as your nuptial. Another quote. We stayed at the Harbor Knoll August 2009 for our wedding weekend and were joined by our immediate family and good friends. Leueen was a charming host. She also prepared a delicious farewell brunch for about 60 people of the wedding guests. And that is signed ah (unintelligible). Additionally, this past Saturday, June 25, a wedding reception was held at Harbor Knoll as evidence here is a photograph.

Michael Edelson approached Trustees and handed them pictures.

Voice of unidentified person in audience: We don't need evidence. We know that there was...

Michael Edelson: No! I want to make sure that no one says...

Trustee Phillips: Okay. That's enough. Dave, that's enough.

Applause.

Michael Edelson: You can see here is the bride. Here are the musicians. And ah I have copies of the photographs for the press additionally. Ah the musicians use amplification for their music. One wonders if Miss ah Miller, following Greenport code had secured a permit for this amplified music? I am certain that the neighbors are also curious, especially since they received letters from Miss Miller's attorney threatening them with legal action since they criticized her and Harbor Knoll at the last Village meeting here on May 23. Clearly, all the evidence demonstrates that Miss Miller, to put it mildly, has additional difficulty with dealing with the truth and the first amendment. Item: I present the Board with a copy of the extensive wedding advertising material ahm drawn from the Harbor Knoll's site. Particular attention should be given to the second headed, "Frequently asked questions" where Miss Miller re-specifies, "We can accommodate up to eighty guests." She also states, "We are happy to welcome parties of any size as long as the maximum is 80 people." Please note. Eighty. Eighty. Eighty. Question. How can forty plus cars fit into this Harbor Knoll parking facility that allegedly has room for ten cars? Item: On the Harbor Knoll website for this past weekend ah five rooms and an external enchanted cottage are advertised as booked. Here is the printout with the dates clearly indicated in the upper right-hand corner. One. The Harbor Room is occupied for two nights at \$590. Two. The Sea Shell room's occupied for two nights at \$590. Three. The Lighthouse room is occupied for two nights at \$590. Four. The Admiral's room is occupied for two nights at \$530. Five. The third floor's Captain's room is occupied for two nights at \$530. And six.

Mayor Nyce: Mr. Edelson. I...

Michael Edelson: The Enchanted Cottage is occupied for two nights at \$1000.

Mayor Nyce: We will stipulate that we've seen the website. You don't have to...

Michael Edelson: Okay.

Mayor Nyce: Quote us song and verse from the website.

Michael Edelson: All right.

Mayor Nyce: Please make... Get...

Trustee Kempner: It's factual. We've just had a long unfactual speaker. I think it's relevant. I mean third floor...

Mayor Nyce: Let's...

Trustee Kempner: Those and is in interest...

Mayor Nyce: Try and keep the speakers to three minutes or less. Please let's move it along if we could.

Michael Edelson: Okay. Ahm ah by the way ah the ah the code specifies the serving of breakfast and this will come momentarily. The Harbor Knoll website describes (unintelligible). Sorry. Enchanted Cottage with phrases as a living room. Sofa pulls out into a queen-sized bed. And remember that the code specifies that B&B facilities must be in the principal building, which the Enchanted Cottage is not. Ah and let's do the math. Five rooms at 2 occupants equal ten. One Enchanted Cottage with four. Ten plus four equals fourteen. That is eight transient ah roomers above the code. Item. The New York Department of State, Division of Code Enforcement and Administration specifies, "No sleeping rooms for transient use shall be located above the second floor." Ah the Captain's room is

described as “romantic and cozy third-floor.” Also, I I particularly enjoy the pick and select like column A, column B from the code where we can say, “The code says five rooms but the code also says none above the second floor.” Item. Ah the code specify ah the Village code rather specifies the serving of breakfast only. However, Harbor Knoll now offers Friday night arrival dinner. And the website specifies, “Announcing our new Friday night annual dinner. Relax and unwind after a busy (unintelligible) week. Enjoy buffet dinner overlooking the water. \$30 a person. Including a glass of wine. Twenty-four hours advance reservation required. \$30 per person. Ah I wonder how the Suffolk Board of Health would react to this? I wonder how the Greenport Board of Trustees would react to these ten years of very violations to Village code? I am reminded of George Orwell’s Animal Farm where (unintelligible) the turnout ah the despotic farmer and form a democracy, which turns into ah a fascist state. But they had put up their constitution and slowly over the nights, these words are changed. And there was one phrase that particularly strikes me in this occasion, which is, “All animals are equal. But some animals are more equal than others.” And finally, and I’m really sorry about this, but I think after this demonstration of violating the code and thinking only of their own business, Ms. Miller should be removed from all Village committees that the Village controls. Thank you.

Applause.

Mayor Nyce: Is there anyone else that wishes to address the Board? So use to make that phrase anyone other than Bill.

William Swiskey: William Swiskey. 184 Fifth Street. This is on any matter plus...

Mayor Nyce: Yes.

William Swiskey: The agenda we’re talking because I was just going to talk on the agenda. But the gentleman mentioned a couple of things. This Board has been aware of code violations at Harbor Knoll. I mean...

Trustee Kempner: We’re not aware of that!

Mayor Nyce: No.

William Swiskey: What?

Trustee Kempner: The Board hasn’t.

Mayor Nyce: No.

Trustee Kempner: I mean as it’s been raised recently and if we were all...

William Swiskey: Well has there been an investigation because it’s like my sign investigation. It’s “Ha. Ha.” But I’ll tell anybody here, if they have a violation, come to me because I’ll put my name and then I’ll demand an answer and I think this Board owes these people an answer why these violations haven’t been answered to. And if Mrs. Bressler or whatever her name wants to sue me, that’s just fine. I have lawyers too. Thank you. And to threaten people with suits. Did I really hear that? I mean where are we living? I... I’m a veteran and I look at the flag and I thought we lived in a republic where you could express yourself and nobody could sue you. I think you better take that under consideration too. Any way, let’s get to the agenda items. Maybe we can get away from this. Oh on the end of this agenda, it says a list of litigations that you’re going to discuss in Executive Session.

Mayor Nyce: Yup.

William Swiskey: I understand anything about litigation is not public knowledge but could I go in the office tomorrow and at least get a list of them? Who’s suing us? Or who is suing?

Mayor Nyce: I will defer to the Village Attorney.

William Swiskey: Ah Joe?

Village Attorney Prokop: You could ahm you could request in a FOIL in a FOIL request the ah list of pending litigation. Yes.

William Swiskey: All right. And it'll be answered in a timely manner? Not like the ones I've been filing lately that are like a month old and I can't get you know just find out who attended. Is it the railroad dock? I mean, those kinds of things bother me. But if you put this new ah FOIL procedure up there and this is the way it works and you're going to have this in it, well I haven't been getting answers. And seriously, if I and a couple of other people have been considering putting them all together and taking you to court and let you tell the judge why I can't get answers to my FOILs. Ah we got a trustee here says, "Information going out." Well it's not!

Mayor Nyce: Chuckles.

William Swiskey: And...

Trustee Phillips: Bill. I don't what FOILs you're talking about.

William Swiskey: Well I'll give you. Ask the Clerk to see my FOILs for the last month tomorrow.

Trustee Phillips: I'll be more than happy to.

William Swiskey: Thank you.

Mayor Nyce: Chuckles.

William Swiskey: All right. Let's go to Resolution 11-3. We're hiring an engineering assistant? Because Mr. Naylor works 75 hours a week? This is going to cost us sixty grand. In all the years at the Village, you had one superintendent and he never had an assistant. Now we're having an assistant. So basically the superintendent and this engineering assistant is going to cost us around two hundred and something thousand dollars a year at a time well and this is what really gets me. At a time that I know you telling your little people that they can't have raises and they've got to pay for their hospitalization or part of it. I mean if he can't do his job, get somebody that can do the job and that's just blunt out! Because it's not going well out there. I can tell you that just from what I see.

Trustee Phillips: Where does he (unintelligible).

Mayor Nyce: He didn't say anything specific so I'm going to let it go.

Trustee Phillips: Oh. All right.

William Swiskey: It's a lot of money. Anyway, to get to the next item that and this is Resolution 2011-7. The hanging signs. Well I FOILED a while ago when this first came up a list from the Village of who has a permit to have a hanging sign in the Village. And it still hasn't been responded to. Now how can you pass a law and not know who has a permit and who doesn't have a permit? Don't you think it would be better before you pass the law to find out who actually has a permit and who we're going after with this law rather than afterwards? You're passing a law requiring a permit for a hanging sign. There's hanging signs out there. You say some people have permits for them. Some don't. Well you can't answer me. You can't tell me as a citizen in three weeks who has a permit. I wouldn't pass the law until I had more information. That's just my opinion. Thank you. Because we don't seem to be able to enforce sign ordinances as it is. All right. Next. Resolution here is ah basically 11-15. Mr. Gaffga, if I remember was a part-time billing clerk who we assigned to the Utilities to assist Mr. Naylor with all the paperwork. Yet ah I mean he hasn't worked out or? What what's going on here? We're hiring a full-time assistant for

Jack and moving him back? I mean and and I was at the work session and oh, nobody is doing this. I've got to do it myself. But you had somebody there for all these months ah working fifteen, twenty hours and and it's not getting done? I I I I I tell you. I'm just really I I just can't figure it out.

Mayor Nyce: Chuckles.

William Swiskey: And then Mr. Brent here. Would you see? Granted you're hiring him as a part-time person but in all my years at the Village, I've never seen a part-timer get pro-rated benefits. You're part time? Your part time! You don't get sick leave. You don't get... These benefits you're talking about are going to cost the Village ten grand. If he's getting a family plan for hospitalization, that's with the dental. That's about eighteen thousand dollars. He's getting forty two percent of it, that amounts to eight thousand. Vacation. I mean? You're paying a part-timer. You're paying his benefits? I mean, if you'd have advertised this job on the web, I'd of went for it.

Trustee Phillips: (Unintelligible).

William Swiskey: But it's...read your resolution. That's what it says. Right? I mean you can look amazed. But that's amazing to me! Plus there used to be one treasurer and a bookkeeper. Now we got four people in the treasurer's office. I mean and we still can't get the monthly financials out. I'm just... I'm sorry. But I just... It's it's you know? You can laugh. It's like your ahm sewer guy. I went in to the Village hall today to get some information from the Building Inspector. And the guy that works in the sewer sitting and I mentioned about the way I didn't feel that they needed a rate increase and he says to me, "Well it's only a small percentage." And I asked him, "Do you live in the Village?" He said, "No." And I says, "Well I pay two sewer bills in this Village." So I expect somebody to look into something a little better than they have because I looked at your rate increase and you're claiming 2% on one point four million is going to gain you two point four five over over thirty years? No. It's going to be eight hundred thousand. It's going to be twenty eight thousand a year. So I would urge anybody of you to sit down with somebody who has a little knowledge on math and look at this B.S. that you are giving as a rate increase. You know? Justification. Because you're getting you have a surplus in the sewer and I've read the April financial at April of a hundred and ninety thousand dollars a year. It's going to cost fifty thousand to borrow two million from the State over forty years at zero percent. We know that. That's a given. If you borrow two million for capital improvements over twenty-five years at two percent, that's another fifty thousand. That still leaves you a ninety thousand dollar surplus. And I realize I shouldn't talk about this, but I'm going to talk about and ask really hard questions at the rate hearing. And I can get I'll be honest with you and ask you to do the math because this things ridiculous. It makes no sense. The math makes no sense. Two percent over thirty years is eight hundred thousand. Not two point four five million. I I just I would urge each trustee to really look at that. Thank you. All right. We'll move on here. Ah the resolutions. Oh. Here's one. Oh. This was the one about the hundred and forty five thousand that we're transferring to the next year for the sewer. Yes. And we have a hundred and ninety five thousand. You take that hundred and forty five thousand right there; take fifty of it to pay the borrowing of the state. You take another fifty or sixty it'll pay. So why are you even... You should put it in a surplus account. And you won't need a rate increase. Because you're going if you going to gain a hundred and something thousand each year, a hundred and ninety thousand a year for the sewer, you don't need a rate increase if that's your surplus. And I looked at the last two years, and ya. You had a sixteen percent when the mayor came into office. Another five percent. That's twenty one percent. I would urge and I'm I'm pleading with the members of the Board, do a little homework on this. You represent the people out here. Not just ah we'll just do it because we don't like Swiskey. Do the damn homework. Thank you. All right. Here's another one. The Tall Ship Challenge. Eighteen thousand dollars just to join ASTRA. Plus forty-to fifty thousand for each tall ship that comes. What do I get out of that eighteen thousand? If the BID or the Business section wants this, let them pay the eighteen grand. It does nothing for me and my two tax bills. I would urge the Board to vote this down! You know, I've listened like tonight. We survived here for three hundred years before all these people came in and told us what we needed. We did quite well! And I just feel that

it's just an obscenity to ask me to foot eighteen thousand dollars so we can spend another couple of hundred thousand so somebody downtown can make a lot of money, which puts zero in my pocket and I resent it! And I'm going to start speaking about that more and more at Board meetings. That's silly! The Village has no obligation. If the BID wants it, let them put eighteen thousand up and then they can hire the tall ships and we'll just give them use of the marina. I know that's a favorite of people but that was that was just like I can't take that anymore! Anyway and that's you know oh. The KVS software. It's not on the agenda. But from what I hear, it's really falling apart. Locks up all the time. Can't put the financials out on time. So I would urge each Board member to ask whoever is putting... Oh. You can smile, Mr. Mayor. But it's a mess! I would ask each Board member to get more involved in it because you paid a lot for this system. And it's not working! Thank you.

Mayor Nyce: Is there anyone else that wishes to address the Board?

Michael Osinski: Michael Osinski. 307 Flint Street. Ahm you know I read in the paper about the tall ship business and the twenty grand to join some thing so you can then spend another forty grand. I don't think the bus the Village the business of this Village... I don't think this Village has any business being in entertainment! Okay? That's not what I pay my taxes. I just came in. Handed my check the other day. I don't want it to go for entertainment! For some people! I DON'T want this Village having parties, paying for parties with my tax dollars at all!

Applause.

Mayor Nyce: In the back.

Wilfred Joseph: My name is Wilfred Joseph and ah I'm a resident of East Marion. Am I allowed to speak?

Mayor Nyce: Absolutely. Is that misconception just because it's a Greenport Village meeting, only Greenport residents can speak? It's not the case. It's an open public meeting.

Wilfred Joseph: I ah I own the bed and breakfast in East Marion. Ahm Arbor View House and ahm we opened ah in 1999. Ahm my sister-in-law also owns a B&B and ahm when she applied to the Town of Southold for her license, ahm we were told that ah they're only allowing three rooms. And ah we asked why because the State of New York allows five rooms? And they said, "Well you know it's an old law and ahm we have not revised it." Ahm we gathered some information. Presented it to the Town Attorney and ahm had several meetings. Ahm and in 1999, the the the original meeting started in 1993. In 1999, when I was granted my license, I was the first B&B granted to operate with five rooms. I currently have four rooms. My house is...can't accommodate five bedrooms. I know I've been in the B&B business ah since 1993 and I've been president of the North Fork Bed and Breakfast Association and ahm usually there's a lot of misconceptions about B&Bs and ahm ah many jurisdictions have ahm rules and regulations that ahm are sort of archaic and and not keeping up with the industry. The Professional Association of International Innkeepers ahm produces a document every two years that ah basically talks about B&Bs. On the North Fork, B&Bs typically fall into ah three categories. We have the ah private home B&B. And they're typically two or three rooms. And I think most people think of ah those kinds of B&Bs ah like they were twenty years ago when the kids moved out and mom and dad had a room an extra room in the house and they rented it and they were shared bathrooms. Ahm there are still some of those in on the North Fork. And then B&B inns ah which is typically three to five rooms and then country inns, which are over five rooms. Ahm the Bartlett House would be considered most likely in country inns. The Bart the an inn like the Bartlett House would have a restaurant because they're two primary concerns for ahm the larger inns and that is health and safety. So ahm the fire code is ah is stricter and ahm the the kitchen has to be a commercial kitchen. So let's talk about the ones that are three to five rooms. Ahm today ah guests are located for ahm elegance. They're looking for private bathrooms. They're looking for things that they you know concierge services. Ahm they're looking for intimacy. A connection with the innkeeper. Ahm on the North Fork, every summer, we

are short of rooms to accommodate the people who want to stay. Ahm I know that the North Fork is not solely dependent on tourism but tourism is an integral part of the business of the North Fork. We see that in ah in Riverhead, there are a number of hotels that have sprung up. Ahm the last two winters, the hotels were renting their rooms for under \$99 a night because they they almost were giving them away because they've over built. We have ah in Greenport, we could have B&Bs or we could have hotels. In the hotel, the hotel guest is very different than a bed and breakfast guest. And it's hard to to explain. But people who are looking for intimacy in a home are not looking for being anonymous in a hotel. In a hotel, when you're anonymous, you can do things that you can't possibly do in somebody's home. And one of those things would be to be disruptive and make noise. When I applied for my license, one of the biggest complaints the people made was parking and noise and strange people coming into the neighborhood. Well I've been in business for twelve years. Ahm we have no problem with parking. Ahm we have no issue with noise. And ahm I say with the exception of one couple in twelve years, I would have them all back. I think that ahm the issue here is about legislation for accommodating, and I think the Board was thinking in the right direction and opened a can of worms and it went off in many different directions. But I'd like to bring it back to the issue at hand. Ahm five rooms is what New York State allows. Some states allow six and seven. In any case, one of the things that we have found with the creating new bed and breakfasts is that the economics of a bed and breakfast with less than five rooms doesn't make any sense. We live in an area where housing is very expensive. And ahm when you have a large house, no matter who you are, it helps if you can have some income. Especially if you are you've decided that that's the way you want to earn. If you want to be ah in the business of having people in your home. Which is a very old tradition. So B&Bs on the North Fork and Greenport contribute significantly to providing accommodations to overnight guests. And in the summer, as I said, there's never enough room for people who want to stay. And this results in a loss of revenue and also it results in people driving drunk and going home. But it's the loss of revenue to the town and the Village. The business has evolved considerably. This is not the business that it was ten years ago. This is a very sophisticated business. This is not a business for old people. Many when you go to the conferences, about half of the people are around fifty years of age. So people are making this their career. And to make it a career and to make a decent living, you need to have at least five rooms. Especially when your house costs six hundred thousand dollars and up. Because if you have four or five bedrooms, with four or five private baths, and a place for you to live, it's a big house. So we're in danger of just creating more hotels in the town of Greenport and all the things that people are concerned about, maybe it's not going to be next to you. But it's going to be in the town of Greenport. Because hotels will have people who want to be anonymous and with that, comes the possibility of noise, disruption and bad behavior.

Mayor Nyce: I don't want to be rude; I'd like to ask you to wrap it up. We're trying to keep people.

Wilfred Joseph: All right.

Mayor Nyce: Cool. Apparently everyone's home tonight.

Wilfred Joseph: Greenport was recently named one of the twenty-five most beautiful small towns in America. I think what it'll what you'll expect is that this year and next year, there'll be more people coming to discover Greenport. And we would like to have them stay in Greenport. We'd like to have them spend the money in Greenport. Even though I'm in East Marion, Greenport is essential to my business. The restaurants. And the activities that and the beauty of the town. And ah so I would say that if B&Bs in Greenport are not allowed to have five rooms, they'll be put at a disadvantage and ahm it can be increase accommodations would not adversely impact the community and the environment.

Mayor Nyce: Thank you.

Applause.

Mayor Nyce: We've got to move this on. Do you have the abstract?

Walter Tilford: There's a lot of talk about business...

Mayor Nyce: This... Name and address for the record.

Walter Tilford: Profitable and...

Mayor Nyce: State your name and address for the record, please.

Walter Tilford: Ah Walter Tilford. 424 Fourth Street.

Mayor Nyce: Thank you.

Walter Tilford: Ah and that's just the point. You know? There's no room for business in a residential neighborhoods. You know? There's room for a low-key B&B, but businesses don't belong in residential neighborhoods. Thank you.

Mayor Nyce: Absolutely. Thank you.

Applause.

Mayor Nyce: Is there anyone else that wishes to address the Board? Please.

Marilyn Marks: ahm I'm Marilyn Marks. I own a bed and breakfast in Southold. I live at 54300 Route 48.

Trustee Murray: I can't hear you.

Trustee Phillips: I can't hear you.

Marilyn Marks: Did you get my name and address?

Trustee Murray: No.

Marilyn Marks: Marilyn Marks. 54300 Route 48. In Southold. I'm also the president of the North Fork Bed and Breakfast Association of which Leueen is a member. I've become I've been very aware I agree with just about every single Wilfred said about the necessity of the number of rooms you have to run a bed and breakfast. Since I bought my bed and breakfast, my ahm utilities have tripled in cost. Ahm food has gone up. Everything has become more expensive and it's necessary to run a profitable business. I think that B&Bs I know the B&Bs are a valuable asset to the town of Greenport, to the town of Southold and to the whole North Fork. We bring a tremendous amount of business to the restaurants for instance. And the stores here. And the wineries. And Wilfred is absolutely right. That if they don't stay here, they're driving home drunk. We we have ahm I have a lot of guests who come here for weddings that go to the wineries for weddings. And I think it's wrong to try and I think it the Board should support New York State law in allowing five rooms in a bed and breakfast in a large house like Leueen's, which is nine bedrooms. Otherwise, she she could just rent it out for the summer as many people do on the South Fork to a rock star, for instance. As I would have to do if I wasn't allowed to rent my rooms to the extent that I'm allowed. Ahm I do think that therefore the Board should address the law and the coding and make it comply with New York State code. Thank you.

Mayor Nyce: Thank you.

Applause.

Mayor Nyce: Is this just to prove a point, Gary? Laughs.

Gary Charters: No. I... Ya. No. Ahm I I just forgot to comment on a few things and I didn't want to get away from it.

Dr. Trowbridge: Do you want to identify yourself, please.

Gary Charters: Gary Charters. 1002 Main Street. Same place I lived fifteen minutes ago.

Dr. Trowbridge: Thank you.

Gary Charters: My wife would like me to move but I'm not going to because I pay the bills.

Laughter.

Gary Charters: You're probably right. Well she works in the bank anyway. Ahm bed and breakfasts is nice. Nice place for people to stay but I I I've lived here for fifty-four years. I'm sorry that I've lived here for fifty-four years and I have all my teeth and everything. It's me in person. But I stayed here because I wanted to stay here. I have no intentions of leaving. Yes. I go to Florida in the summer but I can't wait to get home. I'm sorry. I go to Florida in the winter and can't wait to get home in he summer. But I've seen the Village go up and down. And I've seen it at its highs and its lows and I think the Village has progressed nicely to keep up with the times. I I remember when it was ah bunker boats at the end of Main Street. Ahm this was a huge fishing village. I remember all this. But to say that if you didn't make it five rooms instead of three rooms, we're going to be full of rock stars or that if you didn't have five rooms instead of three rooms, it's going to be a ghost town. That's that's a... It's a poor joke! IT's a Poor Joke! We've survived since this was an incorporated village. I think 1838?

Trustee Phillips: Thirty-eight.

Mayor Nyce: Yup.

Gary Charters: So since 1838 and I'm I'm sure we'll be here in another hundred years. And you people won't be sitting there and hopefully we won't be out there. But I'm sure people just like us will be here!

Laughter.

Mayor Nyce: Ya. I'm starting to think tonight, may be fifty years from now.

Gary Charters: You might... Well, you... This tonight I think could be considered back to the future or or ahead of time.

Mayor Nyce: Could be.

Gary Charters: I don't know. But just hey, we're going to be here no matter what. If you approve it, that's that's your problem. If you don't approve it, that's your problem. So move it!

Mayor Nyce: Thank you.

Trustee Murray: Come on guys.

Mayor Nyce: Please.

Patricia Lloyd: My name is Patricia Lloyd. I live in Southold, 505 Ruch Lane. And I live down the street from Marilyn Marks B&B, the Shorecrest B&B. And I just wanted to say as someone who lives on a street with a B&B, it's one of the most pleasant aspects of my street. And I have to say that ah the guests wandering down the street ah are always, not ah...I'm sure there are exceptions but I've never seen them, ah are very appreciative of the beauty of the street, very respectful of the neighborhood and ahm I've also stayed at her B&B when my house was having some renovations. So I've experienced the hospitality and the kind of atmosphere that brings people who are coming onto the North

Fork and into this area to really appreciate it and want to come back again and so I just wanted to say a word on behalf of those who are neighbors of B&Bs and see all sorts of benefits to them and not drawbacks of disrespect for the neighborhood. Thank you.

Mayor Nyce: Thank you.

Applause.

Mayor Nyce: I'm going to ask the question and hope the answer is no. Does anyone else wish to address the Board? You realize that's going to start a whole thing around again, right?

Gail Wickham: I just I just want (unintelligible).

Trustee Phillips: Ah Dave? Dave? Dave? Dave. No. No. No. No.

Mayor Nyce: If you haven't made your point by now, with all due respect...

Trustee Phillips: That's enough.

Mayor Nyce: If you haven't made your point by now, I you know. Ahm. Hm?

Trustee Murray: No. We got to stop this. I'm sorry. This is going to go on and on and on and on and on.

Mayor Nyce: Chuckles. All right. This is going to be fast. It is a moral dilemma for me because I think everyone should be heard. But it's getting to the point where we've heard it. Ahm...

Voice of unidentified person in audience: You have not!

Mayor Nyce: And that's going to inflame the whole thing all over again. Isn't it?

Voice of unidentified person in audience: I hope not.

Mayor Nyce: I can pretty much guarantee it will. Ahm I...

Voice of unidentified person in audience: (Unintelligible).

Mayor Nyce: Absolutely! Absolutely! Ahm...

Trustee Phillips: (Unintelligible) work session.

Mayor Nyce: What's that?

Trustee Phillips: Nothing.

Mayor Nyce: Laughs. Ah I'm sorry. There's a great deal of ah... Never mind. Ahm is there anyone else that wishes to address the Board at this point?

Trustee Phillips: On a subject that hasn't been been before.

Mayor Nyce: Right. On a subject that hasn't been brought up. Otherwise... On a subject that hasn't been brought up. See. Now you opened it up. Laughs.

Trustee Phillips: No. And this is the last one.

Peter Clark: I just wanted to ask you guys to pass the resolution on the overhanging signs ahm because I think that that's in keeping with the nature of the Village and a lot of the signs that are here as a new business owner, I've waited ah a year and a half. I don't have one. And it's a disadvantage to my business but I wanted to show the respect to the Village, to

the Board, to the code, to everything that I'm supposed to so I have not put up anything against a code and would like you to make the code so that I can. Thank you.

Mayor Nyce: Appreciate it.

Applause.

Mayor Nyce: Is there anyone else that wishes to address the Board on any other subject other than B&Bs?

Trustee Phillips: Let's go.

Mayor Nyce: If not, ahm I will move on to the regular agenda. Sylvia, do you have the? We have the amendment to the warrants, right?

Clerk Pirillo: (Unintelligible/inaudible).

Mayor Nyce: It's printed on my page 42?

Clerk Pirillo: (Unintelligible/inaudible). Forty-one (inaudible).

Mayor Nyce: Oh. Those are the correct numbers?

Clerk Pirillo: (Unintelligible/inaudible).

Mayor Nyce: I'm sorry. And there was some question as to whether we'd have the actual agenda.

Clerk Pirillo: No. We have it.

Mayor Nyce: All right. Everybody is going. All right. Laughs. All right. So that being the case, I will actually, I'm going to ask the Board before we get into the regular agenda, based on the time, does anyone have an issue with me rescheduling the executive session for another time?

Trustee Phillips: Ya. I guess so. We keep putting it off and...whatever. I'll do whatever the rest of the guys want to do.

Mayor Nyce: We'll get to... All right. We'll get to it when we get to it. Ah if I...

Sound of gavel tapping.

Mayor Nyce: Please. Ahm I will offer a **resolution to adopt the June 2011 agenda as printed. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.** Ya. Ah please.

Sound of gavel pounding on table.

Mayor Nyce: Thank you. Ah I will ask Trustee Kempner to read resolution 2.

Trustee Kempner: **RESOLUTION 6-2011-2. Resolution to accept the monthly reports of the Greenport Fire Department, Village Clerk, Village Treasurer, Village**

Administrator, Director of Utilities, Village Attorney, Mayor and the Board of Trustees. So moved.

Trustee Hubbard, Jr.: **Second it.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION # 6-2011-3. RESOLUTION to ratify the following as approved during the June 20, 2011 work session meeting of the Village of Greenport Board of Trustees:**

- **Resolution to approve the hiring of Derryl Lee Baumer to the full-time position of Engineering Aide at an annual salary of \$33,200 per year, effective June 21, 2011, with the hiring to be provisional, and subject to the standard six-month probation period.**

You going to do the two together or each one separately?

Mayor Nyce: Ahm the Village Attorney has given the opinion that we can do the two together.

Trustee Hubbard, Jr.: Okay. The second part of it,

- **Resolution to authorize Mayor Nyce to sign grant documents for the amendment to NYS DEC contract #C302917 and NYS DEC contract #C302260 as submitted by the New York State Department of Environmental Conservation for the Wastewater Treatment Plant Upgrade, pending review of the documents by Village Attorney Prokop. So moved.**

Trustee Phillips: I have a **second** and a question. Ahm these documents were already reviewed by Attorney Prokop, right?

Mayor Nyce: Yes. This is the wording from the resolution.

Trustee Phillips: I know. I just want I'm asking the question that they've been reviewed and and signed...

Mayor Nyce: Yes.

Trustee Phillips: And and taken care of?

Mayor Nyce: They in fact have.

Village Attorney Prokop: That's correct.

Trustee Phillips: And then I have a question on the resolution on the top with hiring. Ahm is it my understanding that we went through this process to ahm hire this person who is supposed to come on board right away? Is it my understanding that he's only working part time right now?

Mayor Nyce: I thought he was in full time. I thought that was the whole point.

Trustee Phillips: Well my undestanding... I was told that he's only working part time until he's available.

Mayor Nyce: I will get an answer.

Trustee Phillips: That was what was told to me.

Mayor Nyce: I’ll get an answer for you tomorrow.

Trustee Phillips: Okay. Thank you.

Mayor Nyce: The ah the intent was that it was full time. That’s why we rushed it.

Trustee Phillips: Well my understanding was the intent and to make sure that we didn’t loose a civil service list. But I I…

Mayor Nyce: Absolutely!

Trustee Phillips: I’m I’m as some things have progressed today that you and I had dealing with the abstract…

Mayor Nyce: Yes.

Trustee Phillips: I think that if that’s the case, this should have been pushed forward a little… Okay. Whatever.

Mayor Nyce: Agreed.

Trustee Phillips: Call the vote.

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Murray: We have the local law numbers?

Mayor Nyce: Ahm the local law number would be… Joe? Is the resolution number? Correct? So the local law number would be 62011-6?

Village Attorney Prokop: No. It’s not correct. It’s ah the local law number is assigned at the time that it’s filed with the New York State Department of State. It’s a sequential number depending on the number of the last local law that was signed. The last local law that was filed. It does not have to be ahm it does not have to read it receive a number tonight and actually should not receive a number tonight.

Trustee Murray: Okay.

Mayor Nyce: All right.

Trustee Murray: So **RESOLUTION to adopt a SEQRA resolution (Attachment 3, 2 pages) regarding Local Law of the Code of the Village of Greenport, amending Section 150-15 of the Greenport Village Code regarding overhanging signs, adopting lead agency status, determining that the adoption of the local law is an unlisted action, and adopting a negative declaration determining that there will be no significant negative impact to the environment resulting from the adoption of the local law. So moved.**

Trustee Kempner: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye

Mayor David Nyce Aye
Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Phillips: **RESOLUTION # 6-2011-7. RESOLUTION to adopt the Local Law of the Code of the Village of Greenport, amending Section 150-15 of the Greenport Village Code regarding overhanging signs (Attachment 4, 1 page), per the public hearing as held on May 23, 2011. So moved.**

Trustee Kempner: **Second.**

Mayor Nyce: Ah by way of explanation, ah there was a question about any outstanding permits. As these signs were not permitted by code, they're obviously are no permits existent. There is a grandfathering of certain signs that are out there and this has to do with any signs overhanging Village property. If they overhang your own property, you do not need a permit. This is for signs that overhang Village sidewalks and the purpose was to make sure that the Village is named as insured should something happen with these signs and that there's a permitting and and ah requirement for insurance for that purpose. Ahm if there's no further discussion, I will call the vote. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **That motion carries.**

Trustee Kempner: **RESOLUTION 6-2011-8. RESOLUTION to adopt a SEQRA resolution (Attachment 5, 2 pages) regarding Local Law of the Code of the Village of Greenport, creating Chapter 111 of the Greenport Village Code prohibiting smoking in designated areas, adopting lead agency status, determining that the adoption of the local law is an unlisted action, and adopting a negative declaration determining that there will be no significant negative impact to the environment resulting from the adoption of the local law. So moved.**

Trustee Hubbard, Jr.: **Second** it.

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-9. RESOLUTION to adopt Local Law of the Code of the Village of Greenport, creating Chapter 111 of the Greenport Village Code, prohibiting smoking in designated areas (Attachment 6, 1 page). So moved.**

Trustee Phillips: **Second.**

Mayor Nyce: Is there any discussion on this motion? All right. I guess I've made my my point abundantly clear. I'm not in favor of these sorts of ah amendments to codes. Ahm that being said, we will call the vote at that point. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye

Mayor Nyce: And I'm opposed. **That motion carries.**

Trustee Murray: I'm sorry. **RESOLUTION #6-2011-10. RESOLUTION to approve the application for membership of Philip Staples to the Greenport Fire Department**

Juniors, as approved by the Green port Fire Department Board of Wardens on June 15, 2011. So moved.

Trustee Kempner: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Phillips: **RESOLUTION # 6-2011-11. RESOLUTION to approve the application for membership of William W. Wright to the Standard Hose Company # 4 of the Greenport Fire Department, as approved by the Greenport Fire Department Board of Wardens on June 15, 2011. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Kempner: **RESOLUTION 6-2011-12. RESOLUTION to accept at a future date the antique fire truck, a 1920 American La France truck, for the Greenport Fire Department, as proposed, and to authorize Mayor Nyce to write and sign a letter of such intent to the current owner of the truck, Halsey Staples. So moved.**

Trustee Hubbard, Jr.: **Second it.**

Mayor Nyce: By way of explanation, ah if you missed the work session, Mr. Staples ah tracked this truck down. It had been surplused by the Greenport Fire Department years and years ago. He told a very short thirty-five minute story to my wife and I. Ahm and he he relocated the truck. Ah he's he can have work done on this truck at a I guess it's a penitentiary up in Maine. They will not do the work unless they know that the truck is going to a municipality to some other ah department that will take care of it. It's not for a private owner. Ahm we discussed the the intent of the Village ah accepting the truck at some point. It would be housed at the Greenport Fire Department and used for parades, et cetera, et cetera. So that's the explanation behind that. Laughs. Ah if there's no further discussion, **all those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-13. RESOLUTION to approve the requested budget modifications as attached (Attachment 7, 2 pages), per the recommendation of Treasurer Kagel. So moved.**

Trustee Phillips: **Second.**

Trustee Kempner: I I have one question. This is the ahm radio tower. What are our expenses with the radio tower? Do they?

Mayor Nyce: Grounds and upkeep and... There are upkeep expenses.

Trustee Kempner: They're not charged back to the lease?

Mayor Nyce: Some of them are not.

Jack Naylor: (Unintelligible/inaudible).

Trustee Phillips: Ya.

Jack Naylor: (Unintelligible/inaudible).

Trustee Phillips: Dave?

Trustee Kempner: Okay. So there's really no expense? They they pay that income?

Jack Naylor: We have a new tenant on the tower. Ah MCS. We did not anticipate them when we put together the budget last year. Ah each vendor that's on the tower has their own equipment that needs to be mounted. Ah in order to do that, it has to be certified for structural capacity and various other improvements, which were on our end as part of the agreement. Ah or incurred. Ahm...

Trustee Kempner: Do we charge it back to them is what I'm asking?

Jack Naylor: Ah mo the chargeable expenses that were related to that were was done it but they were you know things like ah you know while we were up there, we replaced lights ah we made other repairs and those were not directly chargeable to that customer. The maintenance of the tower itself is our problem.

Mayor Nyce: Right.

Jack Naylor: The maintenance of their equipment on it is their expense. So there were some small expenses that were related you know on our end and the budget mod from you know it's ah back in April when this work was done ah that was recommended at the time ah was to offset those expenses. You know? We hire an engineer. Ah radio tower specialist who does the review. We have to pay him. Ahm there are other expenses in that regard.

Trustee Kempner: I think it's at the time I was asking about charging it back. Because I...

Jack Naylor: All those that were able to be charged back were identified as such in the agreement...

Mayor Nyce: Absolutely.

Jack Naylor: That Joe put together and they were charged back. Those were the...these are the other ones that we couldn't charge back.

Mayor Nyce: Thank you. **All those in favor?**

Trustee Christine Kempner Aye

Trustee George Hubbard, Jr. Aye

Trustee Mary Bess Phillips Aye

Trustee David Murray Aye

Mayor David Nyce Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Phillips: Dave? Murray?

Mayor Nyce: We are...

Trustee Murray: Which one are we on?

Trustee Phillips: You're on ah number 14.

Mayor Nyce: Trustee Murray?

Trustee Murray: **RESOLUTION #6-2011-14. RESOLUTION to authorize Treasurer Kagel to create a Trust and Agency account for the collection and disbursement of Tree Committee donations, to be line item #TA.0600.102 - Tree Committee Escrow Account. So moved.**

Trustee Kempner: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Phillips: **RESOLUTION # 6-2011-15. RESOLUTION to appoint Stephen Gaffga as interim part-time Billing Clerk, at a pay rate of \$ 15.50 per hour. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: By way of explanation, Mr. Gaffga had been working ah at on a on special assignment ah in the Billing Department. He's continuing that while we are working on Civil the full Civil Service ah classification for him. We've shifted around people in the Treasurer's Department. The person that was the Billing Clerk has moved up to be the payroll and treasurer's account clerk? I'm not sure of the exact title. That person moved up. Mr. Gaffga is filling in in the interim while we ah solidify the ah the full-time billing clerk to take that place. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Kempner: **RESOLUTION # 6-2011-16. RESOLUTION to appoint Robert W. Brandt, Jr. as Deputy Treasurer, at a rate of \$35 per hour, beginning at 15 hours per week, with all vacation, sick time and personal leave benefits to be proportionate, based on the current management contract. So moved.**

Trustee Hubbard, Jr.: **Second it.**

Mayor Nyce: Another one by way of explanation, this is an exempt title. This person is in a supervisory position, therefore is closer to the management than the collective bargaining, which is why we've done this. We've done this with the Deputy Clerk as well. And Deputy Treasurer and all of management. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-17. RESOLUTION to authorize the hanging of a banner across Front Street, at a location to be approved by Village Administrator Abatelli for the Peconic Landing May Mile annual event, from May 1, 2012 through May 12, 2012. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: If they get that in a little bit earlier next year, that'd be...

Trustee Phillips: They can dispute (unintelligible).

Mayor Nyce: Laughs.

Trustee Phillips: They just want to make sure they have this spot.

Trustee Murray: (Unintelligible) over there.

Mayor Nyce: Continues laughing. **All those in favor?**

Trustee Christine Kempner Aye

Trustee George Hubbard, Jr. Aye

Trustee Mary Bess Phillips Aye

Trustee David Murray Aye

Mayor David Nyce Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Murray: **RESOLUTION #6-2011-18. RESOLUTION to direct Clerk Pirillo to notice a public hearing for July 25, 2011 at 6 p.m. regarding the Wetlands Permit Application as submitted by Eastern Long Island Hospital for the expansion of the Ambulatory Surgery Unit, and further to to direct that the CAC review and report on the proposed project, with the report to be provided to the Board of Trustees in advance of the scheduling scheduled public hearing. So moved.**

Trustee Phillips: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner Aye

Trustee George Hubbard, Jr. Aye

Trustee Mary Bess Phillips Aye

Trustee David Murray Aye

Mayor David Nyce Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Phillips: **RESOLUTION #6-2011-19. RESOLUTION to ratify with regret the acceptance of the resignation of Gabriel "Bumpy" Grilli as Dock Master at the Village of Greenport Mitchell Marina, effective April 19, 2011, and to further continue the employment of Gabriel "Bumpy" Grilli as a part-time security personnel, at a rate of \$14.54 per hour, not to exceed seven hours per week. So moved.**

Trustee Murray: **Second.**

Trustee Phillips: My understanding is that he's going to be going around and checking the to make sure that everything at the water machine room is shut down and that other things are all locked and and put to bed? As I understand it.

Mayor Nyce: All Village facilities. He's going to do basically the the night shift ah...

Trustee Phillips: Walk around?

Mayor Nyce: Walk around. He's going to drive around. But he's going to do the marina, the you know any any Village building. They've allocated...the road barn...

Trustee Phillips: The road barn, to make sure the...

Mayor Nyce: The sewer plant, the light plant, the make sure the lights aren't on at the ball field. All that stuff. Dave Dave Abatelli and Jack Naylor got together with a complete list.

Trustee Phillips: Okay.

Mayor Nyce: And and what they figured it would take, time wise. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **That motion carries.**

Trustee Kempner: **RESOLUTION 6-2011-20. RESOLUTION to ratify the Public Assembly Permit Application as submitted by Tara Compton of Viewfinders, for the use of Main and Front Streets on June 6, 2011 and June 7, 2011 from 8 a.m. to 8 p.m., for a photo shoot for "Harper's Bazaar" magazine. So moved.**

Trustee Hubbard, Jr.: **Second it.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-21. RESOLUTION to ratify the Public Assembly Permit Application as submitted by New Remote Productions, Inc, for the use of various Village locations on June 14, 2011 from 10 a.m. to 6 p.m., for the filming of an MTV video. So moved.**

Trustee Phillips: NTV?

Trustee Kempner: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **That motion carries.** I'll let it slip. Laughs.

Trustee Phillips: (Unintelligible).

Mayor Nyce: Continues laughing.

Trustee Murray: **RESOLUTION # 6-2011-22. Resolution to approve the 2011 Dances in the Park schedule and contract amounts, to be paid as follows:**

- **July 4, 2011 - Abraxis - \$900**
- **July 11, 2011 - Sly Gerald's Band - \$800**
- **July 18, 2011 - X-Cession - \$ 800**
- **July 25, 2011 – Star Star Stars Boom - \$1,000**
- **August 1, 2011 - No Request Band - \$900**
- **August 8, 2011 - Behind Closed Doors - \$1,000**
- **August 15, 2011 - Winston Irie - \$1,000**
- **August 22, 2011 - Second Shift - \$700**
- **August 29, 2011 - Lone Sharks - \$1,000.**

So moved.

Trustee Phillips: **Second.**

Mayor Nyce: Ahm I'd like to thank again ah the IGA, the BID and The Suffolk Times ah and then obviously the taxpayers for supporting this again. It it's a great I do have to a little aside to our Village Attorney just determined that there was a word in there that we could not print. I didn't find it that offensive and two down, I thought could be blanked out as well. Ahm laughs.

Laughter.

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **That motion carries.**

Trustee Phillips: **RESOLUTION 6-2011-23. RESOLUTION to authorize Village Clerk Pirillo to sign Contract #111 with JC Productions for technical services, and the retail ah excuse me and the rental of sound and lighting equipment for the 2011 Dances in the Park series, at a cost of \$400 per session, totaling \$2,400 for six sessions, on the following dates: July 4, 2011; July 11, 2011, July 18, 2011; August 8, 2011; August 15, 2011 and August 22, 2011. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Kempner: **RESOLUTION 6-2011-24. RESOLUTION to approve the Public Assembly Permit Application as submitted by the Standard Hose Company # 4 of the Greenport Fire Department for the use of the grounds and parking lot at the Station One Firehouse for the Annual Chicken Barbecue, on August 20, 2011 from 4 p.m. through 7 p.m. So moved.**

Trustee Hubbard, Jr.: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **That motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-25. RESOLUTION to accept with regret the resignation of Ken McDonald from the Mitchell Park Marina / Recreation Department, effective June 10, 2011. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: Ah by way of a brief explanation, Mr. McDonald did tender his resignation. Ahm I am sorry to see him go. What we have done at this point is ah moved all of those activities in through the ahm marina staff itself. Ahm and all of the ah mooring maintenance, not physical mooring maintenance, but who who is on the moorings and all the rest of that will be handled now through the marina office, which had been the intent as George remembers four years ago, they were just we were doing it in slower stages.

Ahm we took the opportunity with this to to to step it up a little bit. Mr. Abatelli and I have a meeting on I believe it's Thursday with the Southold Town Police Department on parking, but we're also going to talk more about the Bay Constables as we've discussed at the work session. Ah **all those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **That motion carries.**

Trustee Murray: **RESOLUTION #6-2011-26. RESOLUTION to approve the Mass Public Assembly Permit Application as submitted / by Ryane**

Trustee Phillips: Ryane.

Trustee Murray: **Ryane Rogers and Sean Hoeffling, for a wedding ceremony in Mitchell Park on July 10, 2011 at 2 p.m. So moved.**

Trustee Phillips: **Second.**

Mayor Nyce: Laughs. That was an awfully soft second. Laughs.

Trustee Phillips: Oh. I'm just awful soft today.

Mayor Nyce: Laughs. By way of disclosure, I have been asked to perform this ceremony. Ahm so I'm going to abstain from voting. I'm also going to abstain because it's my birthday and I'm ignoring that day. Laughs. **All those in favor?**

Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye

Mayor Nyce: And I will abstain. **The motion carries.**

Trustee Kempner: I I was going to actually vote no on it just because not this particular application, I just think I'm concerned with weddings in the park.

Mayor Nyce: So there are three votes in favor. One vote opposed. And one abstention. That motion still carries.

Trustee Phillips: Oh. Is it my turn?

Mayor Nyce: Yes.

Trustee Phillips: Okay. **RESOLUTION 6-2011-27. RESOLUTION to approve the request of the Greenport Brewing Company, LLC to allow the use of a portion of Carpenter Street in front of the brewery from the corner of Bay and Carpenter Streets to the rear entrance of the Capital One Bank, on July 24, 2011 from noon to 6 p.m. to provide for access for the two-year anniversary celebration of the brewery. So moved.**

Trustee Hubbard, Jr.: **Second.**

Mayor Nyce: Ah seconded by Trustee Hubbard. Ahm by way of explanation, the wording on this is because this is not we're not closing the road. The road there will be access for ah the other businesses on that road. Ahm and they the brewery will provide people to allow for safe passage of vehicles through if that is necessary. Ahm **all those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **That motion carries.**

Trustee Kempner: **RESOLUTION 6-2011-28. RESOLUTION to approve the Public Assembly Permit Application as submitted by the East End Seaport Museum, for the annual Maritime Festival, to be held from September 23-25, 2011. So moved.**

Trustee Hubbard, Jr.: **Second it.**

Trustee Phillips: Ahm don't we really need to on this resolution have the ahm additional expenses that concur...

Mayor Nyce: It's covered in our mass public assembly permit application.

Trustee Phillips: Okay. All right. I just...

Mayor Nyce: We adopted that last month.

Trustee Phillips: I just wanted to make sure.

Mayor Nyce: Absolutely.

Trustee Phillips: Okay.

Mayor Nyce: That covers it. Ah...

Trustee Hubbard, Jr.: One other question on the dates. This is showing three days.

Trustee Phillips: Ya.

Trustee Hubbard, Jr.: It's normally two days.

David Abatelli: It's just Friday night (unintelligible) cocktail party.

Trustee Hubbard, Jr.: Down at the museum?

Mayor Nyce: At the museum. What they don't... Oh. It's at a Village building. So they do need it for that.

Trustee Hubbard, Jr.: Okay. No. I'm just...

Mayor Nyce: Good question.

Trustee Hubbard, Jr.: No. I'm just... It's usually Saturday and Sunday. I saw three days. So...

Trustee Phillips: Ya.

Trustee Hubbard, Jr.: Okay.

Mayor Nyce: Well it's Saturday, Saturday and Sunday.

Trustee Hubbard, Jr.: Yes. Laughs.

Mayor Nyce: Laughs.

Trustee Hubbard, Jr.: Overnight party.

Mayor Nyce: Laughs. Any further discussion on it? **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye

Mayor David Nyce Aye
Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-29. RESOLUTION to direct Village Clerk Pirillo to schedule a public hearing, to be held on July 25, 2011 at 6 p.m. at the Third Street Firehouse, regarding the proposed sewer rate increase. So moved.**

Trustees Murray and Kempner: **Second.**

Mayor Nyce: Seconded by Trustee Murray. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Murray: **RESOLUTION #6-2011-30. RSOLUTION to authorize the attendance of Director of Utilities Naylor at the following two seminars, which are at no cost to the Village:**

- 1. June 22, 2011 - Smart, Green and Clean Water Solutions Conference.**
- 2. June 29, 2011 - Petroleum Storage Tank Design and Operation / Fire Stopping Fundamentals. So moved.**

Trustee Phillips: **Second.**

Mayor Nyce: By way of explanation, we discussed this at the work session. The fact that he is going on ah Village time means he he needs to be authorized. The one on the 22nd happened. Ah we basically given the okay at the work session so we're just this is a housekeeping portion. Ah... **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Phillips: **RESOLUTION 6-2011-31. RESOLUTION to allocate surplus funds (approximately \$145,000) from Fiscal Year 2010/2011 into Fiscal year 2011/2012 as follows: from line item numbers G8130.202, G.8120.202 and G.8130.203 into the sewer fund for major capital upgrades to the collection system. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: Ahm by way of explanation, I I do I want to say that I am dismayed that we have to do this. I understand that we've had a great deal of work that we've done in the sewer department this year with the major upgrade. Ahm I was very very hopeful that we would start some major capital upgrades for the collection system, which is what this money was set aside for. We've submitted a grant through small cities ah that I'm hopeful that we will ah be successful in in attaining. Ahm but the the plan had all along been to do in small increments work on the collection system. Ahm and I am going to repeat for the Director of Utilities, who is sitting right there, I want to see this stuff starting regardless of the app of the grant. We have money set aside. We need to we need to get on this. I know we talked about it earlier. I just so I need I need to let peop I need to let people know that I'm I'm a little I'm disappointed that we're having to roll this over.

Trustee Phillips: Ah Mayor, I have to say something which I already spoke some of my concerns at the work session. Ahm I would like to see at the next work session some of the plan of actions that's going to be set forth in this upgrade to the collection system.

Mayor Nyce: Yes.

Trustee Phillips: I would like to to know the budget. I would like to see what the plan of action is.

Mayor Nyce: Absolutely.

Trustee Phillips: Ahm I as well as I think everyone else on this Board is disappointed that some of this hasn't started. Our system does need some help. Ah we've had some major issues in the last couple weeks.

Mayor Nyce: Um hm.

Trustee Phillips: Ahm so I am looking forward to seeing that report from the Director of Utilities.

Mayor Nyce: I will call the vote. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Kempner: **RESOLUTION 6-2011-32. RESOLUTION to allocate surplus funds (approximately \$30,000) from Fiscal Year 2010/2011 into Fiscal Year 2011/2012 as follows: from the recreation fund balance, as follows: from line item A.7311.100 (Recreational Director Personal Services) and A.7311.401 (Recreational Director Services), to pay for two additional staff members and enhance the after-school program. So moved.**

Trustee Hubbard, Jr.: **Second.**

Mayor Nyce: By way of explanation on this one as well, we had ah we did not have full staffing last year, which was why we're carrying some over. Ahm the similar thing applies here. When when we had our recreation director retire, ah a little over a year ago, ahm there was an opportunity for us to grow these two programs. That unfortunately did not happen this last year and I'm going with Mr. Mr. Murray now being the liaison to the Rec Department, ahm I think he and Mr. Abatelli have an opportunity with a little bit of seed money here to really grow those two programs and I'm I'm hopeful that that will happen in this next year. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-33. RESOLUTION to allocate surplus funds (approximately \$2,000) from fiscal year 2010/2011 into fiscal year 2011/2012 as follows: from line item #A.8810.100 (Greenhill Cemetery), for a fence restoration project. So moved.**

Trustee Phillips: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Murray: **RESOLUTION 6-2011-34. RESOLUTION to ratify the hiring of the following seasonal/part time, marina and park personnel: Adam Dart for the office @ \$9.00 per hour effective May 20, 2011; and Lauren DiMartino (lifeguard) @ \$11.00 per hour. So moved.**

Trustee Phillips: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Phillips: **RESOLUTION #6-2011-35. RESOLUTION to ratify the re-hiring of the following seasonal/part time, marina, park and carousel personnel:**

- **Zack Branker (marina / pump-out boat) @ \$ 7.50 per hour;**
- and for the carousel:**
 - **June Peterson @ \$ 10.00 per hour**
 - **Charlotte Wissman @ \$ 11.44 per hour**
 - **Lisa Owen @ \$ 9.00 per hour, and**
 - **Gabrielle Mastaglio @ \$ 8.50 per hour,**
- with all effective May 27, 2011. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Kempner: **RESOLUTION 6-2011-36. RESOLUTION to award the contract for engineering services corresponding to the electrical upgrade of the Mitchell Park Marina to J.R. Holzrnacher, P.E., LLC, the lowest bidder, at a contract price of \$14,550.00, as recommended by Director of Utilities Naylor, Village Administrator Abatelli and Village Attorney Prokop. So moved.**

Trustee Hubbard, Jr.: **Second.**

Mayor Nyce: Ahm this one I'd like to actually complement Village Administrator Abatelli and ah Jeff Goubeaud at the Marina for moving this ahead. This we we got this grant and we were very hopeful that we are going to get these ah this electric in this season. Whether or not that happens, still remains to be seen. But we are moving it along. I I thank you for your work on that. Ahm we I'm happy that that it's moving. Thanks. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-37. RESOLUTION to authorize Mayor Nyce to write, sign and send a letter on behalf of the Village of Greenport in support of The Harry Project. So moved.**

Trustees Phillips and Kempner: **Second.**

Mayor Nyce: **All those in favor?** I'm sorry. Ah seconded by ah Trustee Kempner, I believe.

Trustee Phillips: Yup.

Mayor Nyce: Ah **all those in favor?**

Trustee Christine Kempner Aye

Trustee George Hubbard, Jr. Aye

Trustee Mary Bess Phillips Aye

Trustee David Murray Aye

Mayor David Nyce Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Murray: **RESOLUTION #6-2011-38. RESOLUTION to authorize Mayor Nyce to negotiate with Southold Town the Town's purchase of equipment for the Village of Greenport, including, but not limited to:**

- **Bike racks,**
- **Trail kiosks and signage, and**
- **Materials for gates**

As part of the Town of Southold's on-going transportation grant. So moved.

Trustee Kempner: **Second.**

Mayor Nyce: I'll give an explain a brief explanation on this. This has been ongoing. Ah the town has some outstanding money on a transportation grant that they had that we've been back and forth with ah the purchase of it. It had I believe their grant had started as a bike route through Southold Town, like a scenic bike route to Orient Point. Ahm we've gone around several times. This is also somewhat tied to the Bay to Sound Trails Initiative. Ahm they've finally narrowed down the the list of things that they're going to purchase. Ah what I'm asking for is ah the authorization to to negotiate these things. Ah and then come back to the Board for further. All of these will need the Village's approval and acceptance of not only the equipment, the installation of the equipment, but then the ongoing maintenance of the equipment. So if bike racks are placed ah we would accept them on behalf of the Village and then take care of the upkeep for them in the future. Ahm same with the trail kiosks and signage. Ahm and actually the entire thing. Ah if there's no further discussion, ah **all those in favor?**

Trustee Christine Kempner Aye

Trustee George Hubbard, Jr. Aye

Trustee Mary Bess Phillips Aye

Trustee David Murray Aye

Mayor David Nyce Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.** I will keep you all posted.

Trustee Phillips: I'm sorry. What?

Mayor Nyce: I'll I'll keep you all posted as to that going on.

Trustee Phillips: Oh. Okay. **RESOLUTION #6-2011-39. RESOLUTION to authorize Mayor Nyce to sign the agreement with the American Sail Training Association for the 2012 Tall Ships Challenge, to be held throughout the 2012 Memorial Day weekend. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: By way of explanation, ahm yes, there is money involved in having ah the American Sail Training Association as a partner in this event. Ah these events ah while the money needs to be placed up front, these events ah generally pay for themselves. I say generally because nothing is guaranteed. Ahm there's there is also by their estimation generally a small return on it as well. Depending upon how you do it. We're going to go out and solicit funding from the local business community. We're going to solicit funding from the State. We're going to solicit funding from the Long Island Convention Bureau. This is a regional event. Ahm this was done in 2004 at almost no cost to the Village. It

was a huge event. Ahm where six tall ships came in for the course of I believe it was three or four days. Ahm it's we're we are one of those few communities that can actually sustain this sort of thing, which is why ah ASTA comes to us. We have a deep-water port. Ahm we're right on the water. Ah our downtown is right on the water. Ahm I think and the economy being what it is, if we can do an event like this next year, I think it's a huge boon to the area. I also I listed Long Island and all the rest of it, I'll also be going to Southold Town because Southold Town will benefit this. Chamber of Commerce. We will be going to everybody to solicit funding. Ahm the more money we raise, the less expensive the event is for the local population for admission to the event is the idea. Ahm so...

Trustee Kempner: It... Does it have to be signed tonight? I just...

Trustee Murray: Rooms?

Trustee Kempner: I was just wondering if we have any more information on the actual agreement or the budget or...

Mayor Nyce: The actual agreement has been reviewed by the Village Attorney. His comments have been ah submitted and...

Trustee Kempner: Because I jut I don't remember the details of how much it cost and I I (unintelligible/inaudible). I'm for it and I'm happy to raise money. But...

Mayor Nyce: It is I believe the total is eighteen thous...eighteen nine is the total.

Trustee Kempner: Okay.

Mayor Nyce: Yup. That's all that they are... What we discussed at work session. That allows... We're basically... They're a franchise. It's sort of the idea. So we're having the American Sail Training Association and their trademark come in and help us. They help attract the ships. They help with the liaison and stuff with the ships themselves.

Trustee Kempner: And they spons the ship is sponsored separately but not...

Mayor Nyce: The ship is sponsored separately. Right.

Trustee Kempner: Okay. We're not committing to the ship?

Mayor Nyce: We're not committing to the ship. We we will now once we do this, this gives us ah a little bit more...

Trustee Kempner: Okay.

Mayor Nyce: Profit leverage wit the ships. They they have contacted the ships but they allow us to negotiate with the individual ships. On a side note, I had a conversation with the tall ship Lynx that had been in here earlier. They're anxious to come back. Ahm and I had a conversation with their business office today. Ahm and so ya. I mean the negotiations will all be on us.

Trustee Kempner: Okay.

Mayor Nyce: Okay?

Trustee Phillips: Ah Dave? Can I ask a... Because I lived through... There's

Mayor Nyce: Um hm.

Trustee Phillips: Been two of these in the Village of Greenport.

Mayor Nyce: Two or three? Haven't there?

Trustee Phillips: Well two or three. You have a plan of action put together or this is just the beginning stages? You're forming a committee? Ahm what you know? This is a lot of work!

Mayor Nyce: It is. Ahm the the primary point of contact, as I said at the work session, I would like this Board to help with the fundraising portion of it. I intend ah having gone through their they they they've sent packages on how you set these events up. And they have both on the phone and on line ah support services. They're available. They've been extremely responsive to me. Their book's up in my office as to how to set the thing up. Ahm my intent is to have a steering committee, which deals mostly with the fundraising and then a separate committee, a much larger committee that will be event specific. It'll be event specific.

Trustee Phillips: Okay. So you're going to be looking for volunteers out in the Village?

Mayor Nyce: Absolutely.

Trustee Phillips: To help with this? Correct?

Mayor Nyce: Yes. And in all all aspects of the community. From the business community, residents, ah the boating community. All all all across the board. Ahm we're going to need pilots. We're going to need ah I also have Mr. Abatelli gave me the ahm the folder from when this was done last time. We have gone through it before. Ah a lot of it a lot of the leg work, the names have changed. I was actually...that was one of the committees I volunteered for. Ahm a lot of it a lot of that sort of structural work is there. It has to be enhanced and updated. But a lot of that initial work that some of these other communities haven't done yet is already done for us. When... The event that I went to in Washington was interesting in that ah aspect. That there were people there that were going to be a host port that had absolutely no idea what it entailed and ASTA pointed to Greenport and said, "These guys have hosted..." I think we've hosted ASTA this will be the third time. And there was another ahm there was another group out of ah western Long Island that did an event.

Trustee Phillips: Okay.

Mayor Nyce: Ah before. Anyhow. Even I'm long winded tonight. Laughs. If there's no further discussion, **all those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Kempner: **RESOLUTION 6-2011-40. RESOLUTION to appoint Lucy Clark as a member of the Historic Preservation Commission for a term to expire in April of 2016. So moved.**

Trustee Murray: **Second.**

Mayor Nyce: Seconded by Trustee Murray. Ah this will fill out that board. Ahm I thank Lucy for stepping up and volunteering. Ahm and I wish her well on that board. **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.**

Trustee Hubbard, Jr.: **RESOLUTION 6-2011-41. RESOLUTION to approve all checks per the check approval list dated 6/27/11, in the total amount of \$553,736.99 consisting of:**

- **All regular checks in the amount of \$ 537,669.25, and**
- **All wire transfers in the amount of \$ 16,067.74.**

So moved.

Trustee Phillips: I'll **second it**. Ahm by way of a comment.

Mayor Nyce: Um hm.

Trustee Phillips: Ahm we have in the last year taken great pains to bring the Village into structure, into a better situation dealing with financial reporting. With that it takes a little time. It also takes the discovery that when equipment was either updated over the years, it wasn't updated with the forethought of going into the future. Our financial programs do not have problems. It's our server that has a problem. Ahm we have not only added a whole new KVS system to the financial, which will be beneficial once it's up, and running properly and not crashing because of the server. We also have a muni...

Mayor Nyce: Municipality.

Trustee Phillips: Municipality. I can't get that one right. Program that is also running on this server and at this point, we're going to have to make some major decisions as to what to deal with the server. Either we go into the 21st century or we go back into the 18th century where we do posting by hand. So ahm I just at this point, I have to clarify that because today I'll be honest with you, since I review the abstract, given some other issues that were procedural issues, ahm that server frustrated not only the staff downstairs, it frustrated everyone in Village Hall and it frustrated our own email system. So I have to put that on the record.

Mayor Nyce: Absolutely. If there's no further discussion, **all those in favor?**

Trustee Christine Kempner Aye

Trustee George Hubbard, Jr. Aye

Trustee Mary Bess Phillips Aye

Trustee David Murray Aye

Mayor David Nyce Aye

Mayor Nyce: Any opposed or abstentions? **The motion carries.** Ah before this next resolution, ah Joe, what what do you anticipate ah this take? Is this going to be a while?

Village Attorney Prokop: I could say... I'm sorry. I could say it's going to be at least a half it'll be at least a half hour. I mean it could go, depending on the questions I get, it could be longer. What what we might try doing is starting it and then if you know at a certain point, stop. You know?

Mayor Nyce: As we discussed at the work session and you and I discussed earlier, there's there's a lot of stuff with this and some of it's very intricate and I don't know how everyone else's day was, but to do this while tired is not necessarily the right way to do it. I know nobody wants to have another meeting. Ahm but I'll I'll ask the Board what what what we would like to do at this point. Do we want to do we want to go into this executive session or do we want just want to adjourn?

Trustee Murray: I'm open. I can do whatever.

Trustee Kempner: I have a sandwich.

Mayor Nyce: You have a sandwich? Do you have enough for five?

Trustee Kempner: I could stay here if I have to. Laughs.

Trustee Phillips: Can I can I make a suggestion that we go into the executive session so that we can at least get an idea of what's going on. We may not get into the discussion stage. But

at least get an idea of what we’re dealing with because we’ve been asked... You know?
This is something that I know I asked for way back when.

Mayor Nyce: Right.

Trustee Phillips: When I came on the Board ahm it’s an important discussion and maybe just in
in bits is fine.

Mayor Nyce: Can we stipulate that we’re done by 9:30?

Trustee Phillips: Ya. That’s fine.

Mayor Nyce: All right. So **I will offer a motion ah Resolution to adjourn to executive session
for the annual meeting with the Village Attorney to discuss ongoing litigation. So
moved.**

Trustee Hubbard, Jr.: **Second.**

Mayor Nyce: **All those in favor?**

Trustee Christine Kempner	Aye
Trustee George Hubbard, Jr.	Aye
Trustee Mary Bess Phillips	Aye
Trustee David Murray	Aye
Mayor David Nyce	Aye

Mayor Nyce: Any opposed or abstentions? **We are adjourned!** Thank you.
Respectfully submitted,

Richard S. Trowbridge, Ph.D.
Recording Secretary and Transcriptionist

BOARD OF TRUSTEES

VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING WETLANDS PERMIT APPLICATION
FOR OSPREY ZONE LLC

WHEREAS Osprey Zone LLC has submitted an application for the a wetlands permit for the repair of existing floating docks, , reconfiguration of pilings, replacement of existing wooden ramp with an aluminum ramp, replacement of the fixed wooden walkway immediately in front of the bulkhead, construction of a new vinyl-sheathed bulkhead in place of the existing bulkhead and maintenance dredging of an area of approximately four hundred (400) square feet immediately in front of the bulkhead, with the dredged soli to be used as backfill, location of the project being Sterling Street and Sterling Basin, and;

WHEREAS the Board of Trustees of the Village of Greenport conducted a public hearing on March 28, 2011, and also received recommendations from the CAC, and further has duly considered the obligations of the Board of Trustees of the Village of Greenport in its consideration and possible action on the wetlands permit application with regard to SEQRA, it is therefore;

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA, and it is further

RESOLVED that the Board of Trustees hereby determines that the approval of the wetlands permit is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees of the Village of Greenport hereby determines that the approval of the wetlands permit ;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will 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 habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant and does not involve two or more related actions each of which is not significant but when reviewed together are significant, and that it is therefore;

RESOLVED that a Negative Declaration is hereby adopted for purposes of SEQRA.

Upon motion of Trustee _____ seconded by Trustee _____,

The resolution is carried upon roll call as follows:

Trustee Kempner _____

Adopted _____, 2011

Trustee Hubbard _____

Trustee Murray _____

Trustee Phillips _____

Mayor Nyce- _____

Sylvia Phillips, Village Clerk
Attachment 1, p. 3 of 3

Village Seal:

BOARD OF TRUSTEES OF THE VILLAGE OF GREENPORT
RESOLUTION APPROVING WETLANDS PERMIT APPLICATION
FOR OSPREY ZONE LLC

WHEREAS Osprey Zone LLC has submitted an application for the a wetlands permit for the repair of existing floating docks, , reconfiguration of pilings, replacement of existing wooden ramp with an aluminum ramp, replacement of the fixed wooden walkway immediately in front of the bulkhead, construction of a new vinyl-sheathed bulkhead in place of the existing bulkhead and maintenance dredging of an area of approximately four hundred (400) square feet immediately in front of the bulkhead, with the dredged soil to be used as backfill, location of the project being Sterling Street and Sterling Basin, and;

WHEREAS the Board of Trustees duly conducted a public hearing on the application on March 28, 2011, and;

WHEREAS the CAC duly submitted recommendations to the Board of Trustees, it is therefore;

RESOLVED that the application of Osprey Zone LLC for a wetlands permit for the above described work and as stated in the application is hereby approved, subject to the recommendations of the CAC.

Dated: Village of Greenport
June 27, 2011

Sylvia Pirillo
Village Clerk
Village of Greenport
Suffolk County, New York

VILLAGE OF GREENPORT LOCAL WATERFRONT REVITALIZATION PLAN

CONSISTENCY REVIEW FORM

The action proposed by (name of applicant) Osprey Zone at (address of applicant) 1001-3-4-42 has been reviewed by the Village of Greenport for a determination of the proposed action's consistency with the stated policies of the Local Waterfront Revitalization Plan. The action has been reviewed with respect to the following, based on a determination of consistency - answer yes", "no" or "n/a" (not applicable to action):

Determination Policy Objectives

Attachment 2, p. 2 of 3

yes

Revitalize Greenport's waterfront area and central business district by redeveloping deteriorated/underutilized properties for commercial and recreational uses (Policies 1, 1A, 1B).

yes

Retain and promote commercial and recreational water-dependent uses (Policy 2).

yes

Strengthen the economic base of Greenport Harbor by encouraging the development of maritime uses (Policy 4).

yes

Ensure that development occurs where adequate public infrastructure is available to reduce health and pollution hazards (Policies 5 and 5A).

N/A

Protect fish and wildlife resources from chemical contamination (Policy 8).

N/A

Maintain and expand commercial fishing facilities to promote commercial and fishing opportunities.

N/A

Minimize flooding and erosion hazards through non-structural means and carefully selected long-term structural measures (Policies 11, 12, 13A, 14, 15, 16 and 17).

N/A

Maintain and improve public access to the shoreline and to water-related environmental facilities while protecting the environment (Policies 2, 9, 19, 20, 20A, 21, 21A, 22).

N/A

Protect and restore historic and archaeological resources (Policy 23).

yes

Protect and upgrade visual quality (Policy 25).

Attachment 2, p. 3 of 3

yes *

Protect surface and groundwaters from direct and indirect discharge of pollutants (Policies 29, 30, 31, 33, 34, 36, 37 and 38).

yes

Protect dredging and dredge spoil disposal in a manner protective of natural resources (Policies 15 and 35).

yes *

Eliminate non-water dependent handling of petroleum and hazardous materials from the waterfront (Policy 36).

yes

Handle and dispose of hazardous wastes in a manner which will not adversely affect the environment nor expanding landfills (Policy 39).

N/A

Protect air quality (Policies 41, 42 and 43).

yes *

Protect tidal and freshwater wetlands (Policy 44).

IT IS THE DETERMINATION OF THIS AGENCY THAT THE ACTION AS PROPOSED IS/IS NOT CONSISTENT WITH THE STANDARDS AND CONDITIONS OF THE LWRP POLICY.

If the agency determines that the action would cause a substantial hindrance to the achievement of the LWRP policy standards and conditions, such action shall not be undertaken unless the agency determines with respect to the proposed action that no unreasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of such LWRP policy standards and conditions. (If action does not satisfy LWRP policies and conditions, use space below for determination that no reasonable alternatives exist. Use additional pages if necessary.)

- Only prtable paving surfaces

* - no fueling from commercial vehicles.

* - applicant represents the instalation of a pump out facility provided a fair rate structure is established.

- applicant represents a revised plan or per discussion with the C.F.C.

Date: 3/24/11

Name & Title: David S. Court, Jan. Boardman

Name & Title: Michael Allen, David Whithell (Village Admin)

BOARD OF TRUSTEES

VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING ADOPTION OF A
LOCAL LAW OF 2011
AMENDING SECTION 150-15 OF THE GREENPORT VILLAGE CODE
REGARDING OVERHANGING SIGNS

WHEREAS a proposed Local Law of 2011 of the Village of Greenport amending Section 150-15 of the Greenport Village Code has been submitted for adoption by the Board of Trustees of the Village of Greenport, and;

WHEREAS the Board of Trustees of the Village of Greenport has duly considered the obligations of the Board of Trustees of the Village of Greenport in its consideration and possible action on the proposed Local Law with regard to SEQRA, it is therefore;

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA, and it is further

RESOLVED that the Board of Trustees hereby determines that this adoption of the Local Law is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees of the Village of Greenport hereby determines that the adoption of the local law;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will 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 habitats, or other significant adverse impact on natural resources, impairment of a

critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant and does not involve two or more related actions each of which is not significant but when reviewed together are significant, and that it is therefore;

RESOLVED that a Negative Declaration is hereby adopted for purposes of SEQRA.

Upon motion of Trustee _____ seconded by Trustee _____,

The resolution is carried upon roll call as follows:

Trustee Kempner	_____	Adopted _____, 2011
Trustee Hubbard	_____	_____
Trustee Murray	_____	Sylvia Pirillo, Village Clerk
Trustee Phillips	_____	Village Seal:
Mayor Nyce-	_____	

June 27, 2011

Attachment 4

BOARD OF TRUSTEES

VILLAGE OF GREENPORT

RESOLUTION ADOPTING A LOCAL LAW OF 2011
AMENDING SECTION 150-15 OF THE GREENPORT VILLAGE CODE
REGARDING OVERHAINGING SIGNS

WHEREAS a proposed Local Law of 2011 of the Village of Greenport amending Section 150-15 of the Greenport Village Code has been submitted for adoption by the Board of Trustees of the Village of Greenport, and;

WHEREAS the Board of Trustees of the Village of Greenport has duly considered the Local Law and determined that it is in the best interests of the Village of Greenport to adopt the Local Law of 2011, it is therefore;

RESOLVED that the proposed Local Law of 2011 amending Section 150-15 of the Greenport Village Code regarding overhanging signs is hereby adopted.

Upon motion of Trustee _____ seconded by Trustee _____,

The resolution is carried upon roll call as follows:

Trustee Kempner	_____	Adopted _____, 2011
Trustee Hubbard	_____	_____
Trustee Murray	_____	Sylvia Pirillo, Village Clerk
Trustee Phillips	_____	Village Seal:
Mayor Nyce	_____	

BOARD OF TRUSTEES

VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING ADOPTION OF A
LOCAL LAW OF 2011
CREATING CHAPTER 111 OF THE GREENPORT VILLAGE CODE
PROHIBITING SMOKING IN CERTAIN AREAS

WHEREAS a proposed Local Law of 2011 of the Village of Greenport creating Chapter 111 of the Greenport Village Code has been submitted for adoption by the Board of the Trustees of the Village of Greenport, and;

WHEREAS the Board of Trustees of the Village of Greenport has duly considered the obligations of the Board of Trustees of the Village of Greenport in its consideration and possible action on the proposed Local Law with regard to SEQRA, it is therefore;

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA, and it is further

RESOLVED that the Board of Trustees hereby determines that this adoption of the Local Law is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees of the Village of Greenport hereby determines that the adoption of the local law;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will 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 habitats, or other significant adverse impact on natural resources, impairment of a

critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant and does not involve two or more related actions each of which is not significant but when reviewed together are significant, and that it is therefore;

RESOLVED that a Negative Declaration is hereby adopted for purposes of SEQRA.

Upon motion of Trustee _____ seconded by Trustee _____,

The resolution is carried upon roll call as follows:

Trustee Kempner	_____	Adopted _____, 2011
Trustee Hubbard	_____	_____
Trustee Murray	_____	Sylvia Pirillo, Village Clerk
Trustee Phillips	_____	Village Seal:
Mayor Nyce-	_____	

June 27, 2011

BOARD OF TRUSTEES
VILLAGE OF GREENPORT

Attachment 6

RESOLUTION ADOPTING A LOCAL LAW OF 2011
CREATING CHAPTER 111 OF THE GREENPORT VILLAGE CODE
PROHIBITING SMOKING IN CERTAIN AREAS

WHEREAS a proposed Local Law of 2011 of the Village of Greenport creating Chapter 111 of the Greenport Village Code has been submitted for adoption by the Board of Trustees of the Village of Greenport, and;

WHEREAS the Board of Trustees of the Village of Greenport has duly considered the Local Law and determined that it is in the best interests of the Village of Greenport to adopt the Local Law of 2011, it is therefore;

RESOLVED that the proposed Local Law of 2011 creating Chapter 111 of the Greenport Village Code prohibiting smoking in certain areas is hereby adopted.

Upon motion of Trustee _____ seconded by Trustee _____,

The resolution is carried upon roll call as follows:

Trustee Kempner	_____	Adopted _____, 2011
Trustee Hubbard	_____	_____
Trustee Murray	_____	Sylvia Pirillo, Village Clerk
Trustee Phillips	_____	Village Seal:
Mayor Nyce	_____	

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2011 Period: 5 Trans Type: B1 - Transfer
 Trans No: 180 Trans Date: 06/21/2011 User Ref: CHARLENE
 Requested: Approved: Created by: CHARLENE
 Description: TRANSFER TO COVER YEAR END 5/31/2011 PAYABLES

Status: Batch
 Attachment 7, p. 1 of 2

06/21/2011

Account # Order: No

Print Parent Account: No

Account No.	Account Description	Amount
A.1320.400	AUDITOR EXPENSE..	91.00
A.1325.100	TREASURER.PERSONAL SERVICES	630.00
A.0781.400	EXECUTIVE DEPT.OFF SUPPLIES & EXP..	-721.00
A.1410.100	CLERK.PERSONAL SERVICES	2,567.00
A.1410.400	CLERK.CONTR EXP..	-2,475.00
A.0781.400	EXECUTIVE DEPT.OFF SUPPLIES & EXP..	-92.00
A.1620.420	BUILDING ELECTRIC & LIGHTS..	841.00
A.1620.100	VILLAGE BUILDINGS.PERSONAL SERVICES	-841.00
A.3410.404	FIRE.FUEL OIL..	1,827.00
A.3410.412	FIRE.REPAIR & MAINT - BUILD..	-1,827.00
A.5110.414	GAS/FUEL..	1,254.00
A.5110.416	VILLAGE IMPROVEMENTS..	599.00
A.5110.409	REPAIRS/HARDWARE/CLEANING SUPP..	-1,853.00
A.7311.800	RECREATION..	106.00
A.7311.100	RECREATIONAL DIRECTOR.PERSONAL SERVICES	-106.00
E.0998	SUPERVISORY LABOR	9,970.00
E.0999	LABOR OUTSIDE	-9,970.00
F.8310.101	SUPERVISORY LABOR..	4,597.00
F.8310.102	LABOR OUTSIDE..	3,275.00
F.8310.100	ADMINISTRATIVE LABOR	-3,704.00
F.8310.407	BILLING & ACCOUNTING..	-4,168.00
G.8110.700	INTEREST ON LTD..	14,840.00
G.9060.800	HOSPITALIZATION..	-14,840.00
R.7230.100	MITCHELL MARINA.PERSONNEL..	5,056.00
R.7231.100	DOCKS.PERSONNEL..	-5,056.00
R.7231.400	DOCKS.CONTR EXPENSE..	1,333.00
R.7231.800	DOCKS..	240.00
R.7231.420	DOCKS.UTILITY..	-1,573.00
R.7311.400	ICE RINK.EXPENSE..	535.00
R.7311.100	ICE RINK.LABOR..	-535.00
R.7311.800	RECREATION..	1,000.00
R.7311.100	ICE RINK.LABOR..	-1,000.00

BUDGET MOD A-2011-04-001- Recommended Budget Line Modifications							
From / To	Line Item	Description	Amount Budgeted		Amount Spent YTD	Amt. To Be Transferred	Amount Remaining
			Original	YTD			
To	A-1620400	Radio Tower Expenses	\$11,000.00	\$11,000.00	\$8,771.84	\$4,600.00	\$6,828.16
	Expense		Total Amount Transferred To			\$4,600.00	
					Year End Projection		Anticipated Surplus
To	A-242000	Rental of Real Property	\$708,551.00	\$ 708,551.00	\$ 717,000.00	\$ 4,600.00	\$ 3,849.00
	Income		Total Amount Transferred From			\$ 4,600.00	
			Net Impact on Budget			\$ 0.00	
<p>Notes: The addition of the MCS Equipment to the Radio Tower and the income associated therewith were not accounted for in the 2010-2011 budget. After consultation with Treasurer Kagel, with the additional income from the MCS Lease on the radio tower, anticipated income for the year under this line item is about \$8,500 higher than was originally anticipated. To accommodate this equipment, the Village incurred additional expenses which were also not budgeted. Covering both current and forthcoming expenses is anticipated to cost \$4,600 for the remainder of the budget year. It is therefore proposed to offset this \$4,600 additional expenses item with the addition of \$4,600 to the income side as well.</p>							