

1 STATE OF NEW YORK  
2 VILLAGE OF GREENPORT

2 ----- X

3 BOARD OF TRUSTEES  
4 REGULAR MEETING

4 ----- X

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8 October 28, 2013  
9 6:00 P.M.

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11 BEFORE:

12 DAVID NYCE - MAYOR (Excused)

13 GEORGE HUBBARD, JR. - TRUSTEE

14 JULIA ROBINS - TRUSTEE

15 DAVID MURRAY - TRUSTEE

16 MARY BESS PHILLIPS - TRUSTEE

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19 SYLVIA PIRILLO - CLERK

20 JOSEPH PROKOP - VILLAGE ATTORNEY

21 DAVID ABATELLI - VILLAGE ADMINISTRATOR

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1           DEPUTY MAYOR HUBBARD: I will call  
2           this Village of Greenport Board of Trustees  
3           Regular Meeting to order. Please stand for  
4           the Pledge of Allegiance.

5           (Whereupon, all stood for the Pledge  
6           of Allegiance, followed by a moment of  
7           silence.)

8           DEPUTY MAYOR HUBBARD: A couple of  
9           Announcements: The next brush pick-ups will  
10          be on October 29th and November 12, 2013.  
11          Hurricane season us upon us. Please have a  
12          plan for your personal safety and that of  
13          your family members. Please note that the  
14          Suffolk County Joint Emergency Evacuation  
15          program number is via FRES at: 852-4900 or  
16          at: 853-8333, for the Office for People with

17 Disabilities. The East End Tourism "Taste  
18 North Fork" event will be held from  
19 November 9th through November 11th. The  
20 Village offices will be closed on  
21 November 11th in observance of Veteran's  
22 Day.

23 Comment for Pubic Interest: Don Fisher  
24 is currently recruiting community volunteers  
25 to staff the School in the event of a

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1 shelter opening. Please contact Clerk  
2 Pirillo at Village all if you're interested  
3 in volunteering.

4 Presentations are going to be before  
5 the public to address the Board. This is the  
6 way we set it up. First, we're going to do a  
7 presentation from Melina Angelson, 2014  
8 Relay for Life.

9 MS. ANGELSON: Dawn Hurst is going to  
10 do the presentation.

11 DEPUTY MAYOR HUBBARD: Okay.

12 MS. HURST: Good evening. Thank you

13 for your time. I represent the committee for  
14 Relay for Life. We have held it in our  
15 community for seven years. This will be out  
16 eighth year. It's an American Cancer Society  
17 event. Some of you have attended before, so  
18 I won't give you too many details. So you  
19 can ask whatever you need. It is broken into  
20 three basic pieces. It's Celebrate, Remember  
21 and Fight Back Against Cancer. So our  
22 initial part of our event is a dinner or in  
23 this case, it would be a lunch for cancer  
24 survivors. They kick off our event, and then  
25 we have at dusk, a remember lap, which is a

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1 luminaries in honor of those who have lost  
2 their life or are still fighting right now.  
3 And the whole event is designed to fight  
4 back and raise awareness and detection,  
5 early detection. Raise funds for American  
6 Cancer Society. So we have held it for the  
7 past seven years at Task Park in Peconic and

8 we built it to a great event, but  
9 unfortunately with all events, people get  
10 bored and we need to change it up a little  
11 bit. So we wanted to change it up and bring  
12 it to Mitchell Park for at least one year  
13 and try it here. Some friends in the Jacobs  
14 Family, Donna and her mom had gone to one in  
15 Florida and they loved it. They said the  
16 community who didn't know about it was much  
17 more likely to stop in and get information  
18 and do it next year. So they stopped in.  
19 That is actually how I did my first relay  
20 from stopping in at one. So we thought this  
21 would be a much better venue for people in  
22 the public to see and have some exposure for  
23 the messages that we would like the people  
24 to see. So changes would definitely need to  
25 be made to be in Mitchell Park. We

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1 understand that. I am sure you want to  
2 know. We traditionally have it as an  
3 overnight event, an American Cancer event

4 worldwide. It has an overnight event, but  
5 because it's in a small community right  
6 here, we asked permission to change it to a  
7 midnight event, where the walk would be in  
8 those hours and we would pack up at  
9 midnight. We also have the clean-up crew  
10 that would take care of all the clean-up. We  
11 have our own insurance. We're kind of self  
12 contained. The police have always been on  
13 board and I am sure they would stay on board  
14 as far as safety. So that is one change. The  
15 other change, our luminaries is usually  
16 candle lit but they have done other events  
17 where they have used glow sticks in the bags  
18 instead. So again, we would do the same  
19 thing. So it wouldn't be any hazard. The  
20 idea, about 30 years ago, a colon/rectal  
21 doctor in Washington State was so tired of  
22 people coming in so late to him, that he  
23 wanted to raise awareness about  
24 colonoscopies. This was 30 years ago. Back  
25 then, nobody went. Colon cancer is 100%

1 preventable if people go and get checked and  
2 have colonoscopies. So this gentleman  
3 decided to walk 24 hours on a track and  
4 raise awareness. The next year, his friends  
5 said, "Why do you have to do the whole thing  
6 by yourself? We will do a relay." They  
7 camped out in the middle of the track. It's  
8 the biggest really in the world and they  
9 still do it to this day. So that is how  
10 really is a symbol of not giving up.

11 MS. ANGELSON: And Dawn, this should  
12 be Town of Southold funds up to a million  
13 dollars. It's big money and it's serious  
14 business.

15 MS. HURST: Right. We don't have a  
16 bank account. We don't allow any money  
17 making. All that money goes straight to ACS.  
18 We don't do any -- you can't come to the  
19 event and say I want to give you 10% of my  
20 necklaces. Everything is volunteer. Any  
21 questions?

22 DEPUTY MAYOR HUBBARD: I have a  
23 question. The perimeter on the outside of  
24 Mitchell Park, you feel that is sufficient?  
25 The amount of people? Is that going to be

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1 enough room?

2 MS. HURST: Well even at Task Park,  
3 the part that we use -- we do walk the whole  
4 park, the part that we use is much smaller  
5 than the whole park. They only work about  
6 three quarters of a mile. Also, a lot of the  
7 people are not on the track at the same  
8 time. So we thought that the perimeter of  
9 the park would work. We wouldn't block off  
10 the sidewalk. We would ribbon off the  
11 perimeter.

12 TRUSTEE MURRAY: What day of the week  
13 do you do this?

14 MS. HURST: May 31st, it's a Saturday  
15 afternoon. It's the weekend after Memorial  
16 Day. We are hoping to build up on business.  
17 You know people can go off and grab a hot

18 dog or ice cream.

19 TRUSTEE ROBINS: I do have a concern  
20 about parking, especially on a Saturday.  
21 It's going to be started in the middle of  
22 the day. As I am sure you're aware, parking  
23 is always short in Greenport. Have you  
24 thought about possibly using the skate park  
25 area as a parking place?

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1 MS. HURST: Yes.

2 TRUSTEE ROBINS: And renting some type  
3 of transportation to get people into the  
4 town?

5 MS. HURST: Yes. That is what we have  
6 considered doing and also school parking, if  
7 we needed it. We have had other people  
8 donating buses, so they could shuttle  
9 people.

10 TRUSTEE ROBINS: Okay. Thank you.

11 DEPUTY MAYOR HUBBARD: Okay. When are  
12 you looking for an answer from us?

13 MS. HURST: As soon as possible. So  
14 whatever is feasible for you guys.

15 DEPUTY MAYOR HUBBARD: At our November  
16 work session, so we can have a discussion.  
17 It would be November 18th is the work  
18 session.

19 MS. HURST: It would help us if it  
20 could be sooner but we understand you are on  
21 a calendar. We have our website that already  
22 says Task Park but we can wait. We can  
23 always change it.

24 DEPUTY MAYOR HUBBARD: Okay. If you  
25 leave your information with the clerk. I

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1 know the Mayor is out of town and we will  
2 discuss it later this week and if we have to  
3 have a special meeting to have it sooner --  
4 normally we don't.

5 MS. HURST: We appreciate that. Thank  
6 you very much.

7 DEPUTY MAYOR HUBBARD: Thank you.

8 Okay. We had down here, Peconic Land

9 Trust presentation. I don't see that  
10 anybody is here for that. We haven't heard  
11 anything. So we're going to bypass that.

12 We will open up for the Public to  
13 address the Board. If anyone would like to  
14 address the Board, state your name and come  
15 on up.

16 MR. WEISCOTT: Hi. I am Jack Weiscott  
17 of 229 5th Avenue. We have a letter for the  
18 Board signed by about 19 families living on  
19 5th Avenue and the vicinity. And the purpose  
20 of the letter and signatures is to bring an  
21 issue to the Board's attention that we think  
22 is important. If I can read the letter  
23 first, if that's okay, and then we have  
24 copies for everybody. It's relating to an  
25 application that has been pending in the ZBA

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1 for a little over a year now. It has been  
2 tabled for there is going to be another  
3 application. So we thought it was an

4 important issue. This letter is also going  
5 to go to the Planning Board and the ZBA when  
6 the opportunity presents. The undersigned  
7 residents of 5th Avenue and the immediate  
8 neighborhood remain firmly opposed to any  
9 proposed subdivision at 221 5th Avenue. The  
10 resulting substandard parcels where they  
11 have residents and traffic to an already  
12 saturated street in the Village. As a first  
13 proposed subdivision since the moratorium on  
14 subdivisions, it would set a dangerous  
15 precedent for more undersized parcels and  
16 over development of our Village. Please  
17 consider the health, safety and quality of  
18 life of our locals residents need and  
19 deserve, and avoid unnecessary damaging  
20 development within our Village. And let me  
21 hand this to you. Then I have a little more  
22 to say. This began last July 2012 when there  
23 was a proposed subdivision at 221 Fifth  
24 Avenue, which is a large two family house  
25 and then the proposed subdivision would be

1 another house and requiring of five  
2 variances. Resulting in both lots being  
3 undersized and a large two family house  
4 being on the lot, substandard side yard  
5 setbacks and what have you. We consider  
6 this an Village wide issue. We're concerned,  
7 the 19 families within the vicinity of this  
8 proposed subdivision are completely opposed  
9 to this and having seen just the one rental  
10 property at 221 5th Avenue. This will be  
11 creating a tremendous amount of traffic and  
12 over occupancy on the street. What would  
13 happen if the owner builds another property,  
14 it would double it. It has not been enforced  
15 whatsoever. We're concerned that practically  
16 every lot that exists and every lot that  
17 could be created are going to become two  
18 family houses and filled to a high density,  
19 and high traffic. It will strain our  
20 services in the Village, our school  
21 services, our drain services, the fire  
22 services and the ambulance. The most recent

23 fire on 5th Street was an electrical fire.  
24 Too many people in the house. That's a  
25 perfect example. It creates safety concerns

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1 for everyone in the vicinity. And we're  
2 just a little confused, there was a  
3 moratorium on subdivisions. What was the  
4 intent of that? The same thing is the intent  
5 of the new local law, which seems that they  
6 want to restrict the amount of people living  
7 in one roof. The other point that we would  
8 like to make, as this is the first proposed  
9 subdivision since the moratorium and the  
10 subdivision laws were enacted, it would set  
11 a tremendous detrimental precedent. This  
12 property needs five variances. It's seems  
13 like you are going to open the door to  
14 practically every subdivision application.  
15 We would just like the Town Board to be  
16 aware of our concerns for this issue. Thank  
17 you.

18 DEPUTY MAYOR HUBBARD: Thank you.

19 MS. MACANTEE: Good evening. My name  
20 is Joanne MacAntee. I am at 242 5th Avenue.  
21 Again, I am another resident of 5th Avenue.  
22 We have had these many visits and talks with  
23 the ZBA, as stated. What we're finding out  
24 is that these R2 Zoning's is really -- I  
25 mean, I looked at the map today and it

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1 overtakes most of 6th Street, 6th Avenue and  
2 then further out. It's overwhelming. Can  
3 someone tell me, even though this has a bit  
4 to do with the ZBA that what is the true  
5 meaning or -- of having an R2? What is it  
6 defined as? Does it mean that someone can  
7 take it and make it into a two family home?  
8 What is the process? Do you go to the  
9 Building Department. From the Building  
10 Department you get your permit. What is the  
11 process? Does anyone know?

12 DEPUTY MAYOR HUBBARD: There is a  
13 procedure. You go to the Building

14 Department. The Building Department lays it  
15 out. If it's a compliant house and  
16 everything is in order, then you just get a  
17 building permit. If it needs a variance or  
18 anything else, then you go to the Zoning  
19 Board.

20 MS. MACANTEE: If it was a one family,  
21 then that person can make that a two family  
22 resident without going to the Zoning Board?

23 DEPUTY MAYOR HUBBARD: If everything  
24 is compliant and everything is in order,  
25 yes. I believe that is how it works.

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1 MS. MACANTEE: That's amazing to me.

2 MR. PROKOP: There are some  
3 requirements that will prompt you to go to  
4 the ZBA.

5 MS. MACANTEE: The thing that I am  
6 trying to get at here is that, we have one  
7 building inspector who is also the code  
8 enforcer. We have one person that does all

9           this stuff who lets thing slide here and  
10           slide there. And we see what is happening.  
11           We see what is happening in our Village.  
12           We're really concerned about everything.  
13           Crime rate has gone up. The roads, the  
14           traffic, just coming down 5th Avenue. We're  
15           now having another issue with Kaplan. Same  
16           building or some owner. And we're seeing  
17           that all of this is being -- we're not being  
18           heard as well as I thought that we would be  
19           heard. There is fire code issues. Parking is  
20           a huge issue. If you go down on 5th Avenue,  
21           if there are cars parked on either side,  
22           only one car can go down. The sewage is so  
23           outdated. We have had already two homes that  
24           had drainage problems. And I am sorry to say  
25           that, there shouldn't be. We should have our

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1           updated roads. They are all clay. The  
2           sewage. What stops these people in these R2  
3           that want to buy these homes and makes them  
4           bring in transients, lower income families,

5 people that are subsidized by our  
6 government. They are not doing justice for  
7 our Village. If there was one person who  
8 was bringing in quality people, maybe lower  
9 middle income person. These people are  
10 bringing in lower income people. It's  
11 bringing our Village down. And I am very  
12 sad to see that. Our street is becoming --  
13 the values of our homes are going way down.  
14 It's due to this R2. I do see some R1's. I  
15 might like to move down there. It's sadly.  
16 There are things that I have addressed to  
17 the Building Department about an oversized  
18 shed. There is no shed. Nothing has been  
19 done. I have been told "it will be taken  
20 care of." Now if I had something on my lot  
21 and it was oversized, I would get fined for  
22 it. This person does not get fined for it.  
23 Ever. We will talk about this same builder  
24 --

25 DEPUTY MAYOR HUBBARD: Let's not talk

1 about anyone in general. You can make your  
2 comments --

3 MS. MACANTEE: That's fair enough. The  
4 porches. They have indoor furniture on their  
5 porches. It looks disgusting. It's not  
6 something that we would bring on there. We  
7 would put something nice, wicker or  
8 something like that. Something else that I  
9 read in the State, these areas are bringing  
10 in more diseases and you know, that is not  
11 good either. There is a loss of privacy for  
12 many and that's sad. We do like our privacy.  
13 I am sure we all do. We look out for the  
14 safety of our children. I look at the safety  
15 for my children. Our values of our homes are  
16 going down. I do want to mention that I did  
17 send a letter to all parties and all Boards  
18 just to take back a planning application  
19 from a said person. And I do hope that you  
20 take that into consideration. I do believe  
21 that I have reached most points. I do hope  
22 that reaches the next Planning Board's

23 agenda. We're concerned. We want to keep the  
24 value of our home. I do appreciate the time.

25 DEPUTY MAYOR HUBBARD: Mr. Saladino?

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1 MR. SALADINO: John Saladino, 6th  
2 Street. Are there any resolutions that are  
3 not on the agenda?

4 DEPUTY MAYOR HUBBARD: Not that I know  
5 of, no.

6 MR. SALADINO: I wasn't going to speak  
7 to 5th Avenue because I didn't know you guys  
8 were going to talk about it tonight. I live  
9 on 6th Street. What is happening on 5th  
10 Avenue is probably happening on 6th Street  
11 also. I had read -- I had been to the Zoning  
12 Board meeting and it was my understanding  
13 that the issue on 5th Avenue was postponed  
14 or abated because that issue -- the person  
15 that was building withdrew his entire  
16 application. I heard that. I questioned it  
17 and the Zoning Board wasn't sure it was the  
18 variance application or the subdivision

19 application. I read in the Suffolk Times  
20 that it was the entire application. It's my  
21 understanding and maybe the attorney might  
22 want to comment on it, that the new law, it  
23 doesn't go to the Zoning Board first. It  
24 goes to the Planning Board first. Is that  
25 true?

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1 MR. PROKOP: Yes, that is correct. It  
2 already went to the Planning Board. The  
3 Planning Board denied it.

4 MR. SALADINO: But it's a new  
5 application?

6 MR. PROKOP: The existing application?

7 DEPUTY MAYOR HUBBARD: He would start  
8 from scratch with what he is going to do  
9 next.

10 MR. PROKOP: He would have to start  
11 with the Planning Board first if that is  
12 your question?

13 MR. SALADINO: That's my question.

14 Thank you. As far as that, we have the  
15 variances to create a little bit of open  
16 space. I see variances being denied in  
17 Jamesport and Cuthcogue for seniors because  
18 they don't want the density. Farmers are  
19 being paid to \$70 to \$80,000.00 not to  
20 build. To keep these open spaces. I see  
21 bumper stickers save what is left. I am not  
22 sure why it doesn't apply to Greenport. I  
23 would like some of those stickers, Save what  
24 is left in Greenport. I read in the papers  
25 that it was to provide housing for the

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1 people in Greenport. I dispute that. I  
2 think work force housing is important, but  
3 the way it should work that is where work  
4 force housing should be. A lot of people  
5 work in Jamesport, Cuthcogue and Southold.  
6 Perhaps that is where work force should be.  
7 Not in the Village. I just don't believe all  
8 this housing is being created only for the  
9 people that work in Greenport. The Board has

10 influence with these other Boards, I would  
11 love to see an exercise. That is not what I  
12 came here to say. I was at the work session  
13 and I heard the Treasurer tell you guys that  
14 she was going to bond for a couple of three  
15 million dollars and to consolidate short  
16 term debt. The one item that she mentioned  
17 was a street sweeper for \$150,000.00. I am  
18 kind of wondering where the other two and  
19 half million is going? If you guys have  
20 answer to that. I don't understand long term  
21 debt to pay off short term debt. I don't  
22 know why you would want to incur long term  
23 debt. Three million dollars is a lot of  
24 money. We owe a lot of money already.

25 DEPUTY MAYOR HUBBARD: I can explain

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1 that to you. We had a couple of bond issues  
2 that were smaller amounts. We went out and  
3 nobody would bid on them. So what she was --  
4 what the plan is, nothing is in writing yet.

5 Take a lot of these and put them all  
6 together into one package.

7 MR. SALADINO: So it's to consolidate?

8 DEPUTY MAYOR HUBBARD: Yes. It's to  
9 get a better interest rate. That was the  
10 intention.

11 MR. SALADINO: All right. Thank you.  
12 The other thing that I have and I was here  
13 at the work session, what it brought to mind  
14 was the Relay for Life. I vote yes by the  
15 way. I think that is great. I was here when  
16 the BID came to you for the North Fork Taste  
17 without a plan and I don't see any Mass  
18 Assembly Permits here. Also, there was a  
19 mention for Mitchell Park. Are we going to  
20 use Mitchell Park?

21 DEPUTY MAYOR HUBBARD: Yes.

22 MR. SALADINO: I don't see that here  
23 either. I am just wondering -- they are both  
24 for private companies. It's not municipal.

25 TRUSTEE PHILLIPS: It is municipal.

1                   MR. SALADINO: All right. I don't  
2                   think the Trustees have the right to close  
3                   streets without a permit. That's my point.  
4                   Without a Mass Public Assembly Permit, you  
5                   don't have that right. There is no bond  
6                   here. There is no insurance here. They spoke  
7                   about it last week and you're voting on it  
8                   tonight. Then you have cancer victims and  
9                   you have to wait till next November to find  
10                  out or not. Was there a special meeting  
11                  granting this? How does the brewery get to  
12                  close the street? Up until last week, we  
13                  didn't know the streets were going to close  
14                  the streets. The code is there. The law is  
15                  there. The RESOLUTION is there. I am  
16                  assuming for everyone. If we can just  
17                  arbitrarily say, we don't have to go through  
18                  this process, I don't think it is right. I  
19                  think they should have their festival. I  
20                  knew about this for three months. To come  
21                  here last week and say we have no time to  
22                  apply for this permit, we have no time to  
23                  let the public know exactly what is going

24 on. I don't think that is serving the  
25 public. I don't think that the Village

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1 taxpayers should lose an asset to service  
2 some merchants on Front Street. To lose the  
3 park to subsidize. I understand the Mayor's  
4 intention is the -- Front Street is the  
5 economic engine that drives the Village. I  
6 never quite understood that. You know, there  
7 is 2200 residents and 1150 taxpayers,  
8 property owners, I don't see the logic in  
9 that statement. It's good to have a strong  
10 downtown. They have a budget. They should  
11 pay for it. The way the merchants prosper  
12 from those events, I think the taxpayers  
13 should prosper also. I think if you are  
14 going to close the street, I think there  
15 should be a fee involved. I think if you are  
16 going to give somebody the park, there  
17 should be a fee involved. I just don't  
18 understand how that is fair. I would suggest

19 -- I don't want to suggest that you vote no,  
20 but I would like you to put a dollar figure.  
21 We don't even know what is happening in the  
22 park because nobody has told us. Up until  
23 last week nobody knew. Maybe we will put up  
24 tents. I don't know. We haven't decided  
25 yet. You guys don't own this Village. You

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1 just work here. You can't do that. You have  
2 to kind of let us know a little bit. I think  
3 that people should pay for it. My wife owns  
4 a business in town and I have this  
5 discussion with her all the time. I think  
6 the average taxpayer should make a little  
7 something. Even if it's only the price of a  
8 permit. Even that. Thanks. Thanks for  
9 listening.

10 DEPUTY MAYOR HUBBARD: Does anyone  
11 else want to speak?

12 MR. GARITANO: Good evening, Ladies  
13 and Gentleman, Members of the Board. I would  
14 like to address the proposal of the Sunset

15 Cruise and Tour Boat.

16 DEPUTY MAYOR HUBBARD: Could you just  
17 give your name?

18 MR. GARITANO: Bruce Garitano, 19  
19 Front Street, Greenport. I would like to  
20 address the proposal of the Sunset Cruise  
21 and Tour Boat at Mitchell Park. There are  
22 many inaccuracies in the last Village  
23 meeting and in the article in the Suffolk  
24 Times. I would like to set the record  
25 straight. I am not a realtor. I have been a

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1 real estate investor, a motel owner, a  
2 restaurant or and yes, I own a scooter and  
3 bike rental in town. I have owned 47 units  
4 and two restaurants here in the North Fork.  
5 I have employed hundreds of local residents  
6 in the 14 years that I have called the North  
7 Fork my home. I have housed tens of  
8 thousands of guests, that shopped in our  
9 shops, eaten in our restaurants and drank in

10 our wineries. I have purchased and  
11 renovated many units that were disrepair and  
12 increased property value in this community.  
13 The Sunset Cruise and Tour Boat is not a new  
14 idea or a pitch as the newspaper suggested.  
15 I spent months on meetings and work sessions  
16 and thousands of dollars to confer with the  
17 Villages concerns. In January 2012, the  
18 Board voted and approved that the town's  
19 attorney write a multi year lease to bring a  
20 Sunset Cruise and Tour Boat to Mitchell Park  
21 at \$10,000.00 per season from April through  
22 October. I did not execute that lease at  
23 that time. After searching the eastern  
24 seaboard and looking at dozens of boats, I  
25 have now found a boat that complies with the

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1 Villages original concerns. 18 months later  
2 you seek to increase that rent by 550%. The  
3 fact that you had one private yacht that  
4 rented a space for one season, for  
5 \$55,000.00 does not mean that you will get

6 that every season. As a seasonal business,  
7 the Sunset Cruise and Tour Boat will  
8 generate consistent revenue and employment  
9 to our Village year to year. It gets large  
10 groups on the water that would not be able  
11 to see our water sights in any other way.  
12 The Sunset Tour Boat will employ hundreds  
13 and bring thousands to eat in our  
14 restaurants, shop in our shops. You're now  
15 favoring large yachts who will not use our  
16 facilities year in and year out. Is there  
17 not room for both of us? It is our local  
18 business that is the heartbeat of our  
19 community. I hope that the Board will honor  
20 it's original decision and grant me the  
21 lease that it originally approved in 2012. I  
22 thank you for your time. Thank you.

23 DEPUTY MAYOR HUBBARD: Thank you.

24 MR. SWISKEY: William Swiskey, 184  
25 Fifth Street. I see the people from 5th

1 Avenue are here tonight and you know, when  
2 people were speaking and when Mr. Saladino  
3 was talking about things, you realize that  
4 the Village is one square mile. And in that  
5 square mile, we have about 24 maybe 2500  
6 residents. We have 1,000 structures. Just  
7 under a 1,000. We have 400 rentals. We  
8 have done more than our share. What I don't  
9 understand -- what I have not understood for  
10 a while is why the Village has accepted to  
11 this? My house is a one family house. Now,  
12 I don't know if it's in a two family zone or  
13 not but if I wanted another bathroom  
14 downstairs and call it a two family, I think  
15 it's time that the Board should act in  
16 interest instead of just letting these  
17 things slide before the Planning Board, the  
18 Zoning Board. Southold Town has something  
19 like 24,000 residents. And they have God  
20 knows ho many thousands of square miles. I  
21 think it's time the next person comes in and  
22 tells them, well, these people that we're  
23 talking about housing, don't actually work

24 in Greenport. Why don't you go to the Town  
25 Board and do something? Greenport is -- like

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1 Dave Kappell said we're in danger of  
2 becoming a dumping ground again. And that  
3 worries me because I know what that was. To  
4 get rid of it was a big deal. Now we're  
5 going back to the same thing. You know  
6 what, that worries me a little bit. And I  
7 think the Board needs to become more  
8 involved with the Planning Board and the  
9 ZBA. If we have to change the codes and the  
10 laws, we can change. I got the impression --  
11 I went to that ZBA meeting because a good  
12 friend told me about it and I got the  
13 impression from the ZBA Chairman that night,  
14 the first meeting that I went to, that this  
15 thing was going to fly through. Thank  
16 goodness that these people stood up and made  
17 a stink and they stopped it. They basically  
18 fought it. The ZBA talked about five  
19 principals that you need to get the

20 application variance. His application failed  
21 on four of them. Now why wasn't at the first  
22 meeting thrown out instead of being moved  
23 forward, I don't know. You went to those  
24 last meetings, George. You saw what was  
25 going on. If the application fails on four

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1 of the five issues for granting the  
2 application, it should just be denied off  
3 hand. These people would have no standing  
4 in court. Donald Trump was turned down up  
5 the island. It's time that these Board's  
6 stood up for the taxpayers and the people  
7 and the Village of Greenport. Whose  
8 property value has been driven down  
9 significantly by what is happening in  
10 certain parts of these Villages. It's not  
11 good. Anyway, the second issue that I would  
12 like to get to is, you talk about bonding a  
13 street sweeper. Well, one thing you cannot  
14 ever do is put out a long term serial bond

15 with a piece of equipment. This street  
16 sweeper, you paid \$150,000.00 for. If you  
17 paid it off \$30,000 for five years on a BAN,  
18 it's paid off. Why is the treasurer talking  
19 about putting things out like on a 20 year  
20 serial bond. This equipment, a lot of it  
21 would be worn out before the bond is paid  
22 off. And this Village, believe it or not,  
23 has a lot of debt right now. Almost as much  
24 as when this administration took office. I  
25 mean, you're going to be bonding for

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1 probably \$3.5 million dollars when you  
2 convert those. I looked at the monthly  
3 financial's, basically more debt. You are  
4 looking at a huge bond indebtedness that you  
5 could have. Everybody was mad at the  
6 previous administration. This one has gone  
7 haywire. The last one that I really want to  
8 talk about is Jack Naylor has resigned for  
9 the Village; right?

10 DEPUTY MAYOR HUBBARD: Yes, he has.

11 MR. SWISKEY: So why are we paying him  
12 through February.

13 DEPUTY MAYOR HUBBARD: That was an  
14 agreement that was made between our labor  
15 counsel, his counsel and him and the Village  
16 Board.

17 MR. SWISKEY: And that agreement is  
18 basically costing us because I have the  
19 agreement, about \$125,000.00. Now if you  
20 wanted to get rid of Jack Naylor all you had  
21 to do in April was not appoint him. You  
22 could do that. You can tell him, Jack, your  
23 services are no longer needed here. We are  
24 eliminating your position. I don't know why  
25 we kept him on and made this agreement. Why

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1 didn't we terminate him in April? Why?

2 DEPUTY MAYOR HUBBARD: He was not  
3 reappointed in April. This is the way that  
4 it was worked out through advice of labor  
5 counsel. We had numerous meetings over

6 several months. He was not reappointed.

7 MR. SWISKEY: So instead of paying him  
8 and taking his resignation, which isn't  
9 effective until February 28, 2014, why  
10 didn't the Village vote to terminate his  
11 position at any time? Why are we paying  
12 this man for seven extra months? Are we  
13 that afraid of a lawsuit? Did we do  
14 something that put Jack in such a position?

15 DEPUTY MAYOR HUBBARD: No, we did not,  
16 Bill. It was on advice of counsel and he had  
17 civil service protection.

18 MR. SWISKEY: I will tell you  
19 something about civil service. He had no  
20 civil service protection. He had title. You  
21 could eliminate that title any time that you  
22 want. Any title you got in this Village, you  
23 owe him for what his time accrued. You  
24 don't owe him almost \$70,000.00 in salary,  
25 which this agreement says. That's a lot of

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1 money. Are you sure -- the only reason I

2 think you have to pay this settlement. So  
3 you're that he had no case to sue the  
4 Village then? Did anyone question labor  
5 counsel as to why we're doing this?

6 DEPUTY MAYOR HUBBARD: Numerous times  
7 over several months, Bill. This is what he  
8 suggested.

9 MR. SWISKEY: Well, when the  
10 settlement is complete and cashed out, then  
11 I suppose I can -- when I read about this,  
12 this is what the Freedom of Information,  
13 that I am entitled to all the documents. So  
14 if I go in and ask for all the documents to  
15 your labor counsel on this matter, I can get  
16 them. Is that true?

17 MR. PROKOP: I don't think that is the  
18 case.

19 MR. SWISKEY: That is not what they  
20 told you when you were holding the documents  
21 then. So you're telling me any Village  
22 employee that you want to get rid of --  
23 let's take Mr. Abatelli there, he's the  
24 Village Administrator, this Village Board

25

could eliminate his position and he would be

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1 gone tomorrow. That is how it works. The  
2 same protection that Mr. Naylor have. I  
3 really would like to stand here and get a  
4 decent answer except on the advice of labor  
5 counsel. I think you should get another  
6 labor counsel. The only reason why I can  
7 think that anyone would agree to settle with  
8 anybody there is a big club hanging over  
9 your head and somebody did something that we  
10 won't do very well in court. Harassment, age  
11 discrimination, things like that. In other  
12 words, I just don't get it. Like I said, I  
13 am going to FOIL for those documents  
14 tomorrow. If you want to turn me down, go  
15 ahead. We will take it from there.

16 DEPUTY MAYOR HUBBARD: Anyone else  
17 that wishes to address the Board?

18 (No Response.)

19 DEPUTY MAYOR HUBBARD: Okay. We will

20 go into our regular agenda.

21 DEPUTY MAYOR HUBBARD: I will offer  
22 RESOLUTION #10-2013-1, RESOLUTION adopting  
23 the October 2013 agenda as printed.

24 So moved.

25 TRUSTEE PHILLIPS: Second.

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1 DEPUTY MAYOR HUBBARD: All in favor?

2 TRUSTEE MURRAY: Aye.

3 TRUSTEE ROBINS: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 DEPUTY MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response.)

8 DEPUTY MAYOR HUBBARD: Motion carried.

9 TRUSTEE PHILLIPS: RESOLUTION  
10 #10-2013-2, RESOLUTION accepting the monthly  
11 reports of the Greenport Fire Department,  
12 Village Clerk, Village Treasurer, Village  
13 Administrator, Director of Utilities,  
14 Village Attorney, Mayor and the Board of  
15 Trustees. So moved.

16 TRUSTEE MURRAY: Second.  
17 DEPUTY MAYOR HUBBARD: All in favor?  
18 TRUSTEE MURRAY: Aye.  
19 TRUSTEE ROBINS: Aye.  
20 TRUSTEE PHILLIPS: Aye.  
21 DEPUTY MAYOR HUBBARD: Aye.  
22 Opposed?  
23 (No Response.)  
24 DEPUTY MAYOR HUBBARD: Motion carried.  
25 TRUSTEE MURRAY: RESOLUTION #10-2013-3,

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1 RESOLUTION authorizing Treasurer Kagel to  
2 perform the attached budget adjustments.  
3 So moved.  
4 TRUSTEE ROBINS: Second.  
5 DEPUTY MAYOR HUBBARD: All in favor?  
6 TRUSTEE MURRAY: Aye.  
7 TRUSTEE ROBINS: Aye.  
8 TRUSTEE PHILLIPS: Aye.  
9 DEPUTY MAYOR HUBBARD: Aye.  
10 Opposed?

11 (No Response.)

12 DEPUTY MAYOR HUBBARD: Motion carried.

13 TRUSTEE ROBINS: RESOLUTION #10-2013-4,  
14 RESOLUTION approving the application for  
15 membership of Darren Edward Bolling to the  
16 Phenix Hool and Ladder Company of the  
17 Greenport Fire Department, as previously  
18 approved by the Greenport Fire Department  
19 Board of Wardens on October 16, 2013.

20 So moved.

21 TRUSTEE PHILLIPS: Second.

22 DEPUTY MAYOR HUBBARD: All in favor?

23 TRUSTEE MURRAY: Aye.

24 TRUSTEE ROBINS: Aye.

25 TRUSTEE PHILLIPS: Aye.

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1 DEPUTY MAYOR HUBBARD: Aye.

2 Opposed?

3 (No Response.)

4 DEPUTY MAYOR HUBBARD: Motion carried.

5 RESOLUTION #10-2013-5, RESOLUTION

6 approving the application for membership of

7 Timothy Grattn to the Standard Hose Company  
8 of the Greenport Fire Department, as  
9 previously approved by the Greenport Fire  
10 Department Board of Wardens on  
11 October 16, 2013.

12 So moved.

13 TRUSTEE PHILLIPS: Second.

14 DEPUTY MAYOR HUBBARD: All in favor?

15 TRUSTEE MURRAY: Aye.

16 TRUSTEE ROBINS: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 DEPUTY MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response.)

21 DEPUTY MAYOR HUBBARD: Motion carried.

22 TRUSTEE PHILLIPS: RESOLUTION

23 #10-2013-6, RESOLUTION scheduling a public  
24 hearing for November 25, 2013 at 6:00 p.m.  
25 at the Third Street Firehouse regarding the

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1 Wetlands Permit Application as submitted by

2 Michael Osinki of 307 Flint Street, to build  
3 a dock 140 feet into the Greenport Harbor  
4 with a 26 square foot platform, and to make  
5 minor repairs on existing structures in  
6 Widow's Hole; and directing Clerk Pirillo to  
7 notice the public hearing accordingly.

8 So moved.

9 TRUSTEE MURRAY: Second.

10 DEPUTY MAYOR HUBBARD: All in favor?

11 TRUSTEE MURRAY: Aye.

12 TRUSTEE ROBINS: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 DEPUTY MAYOR HUBBARD: Aye.

15 Opposed?

16 (No Response.)

17 DEPUTY MAYOR HUBBARD: Motion carried.

18 TRUSTEE MURRAY: RESOLUTION

19 #10-2013-7, RESOLUTION scheduling a public  
20 hearing for November 25, 2013 at 6:00 p.m.  
21 at the Third Street Firehouse regarding a  
22 proposed local law amending Chapter 150 of  
23 the Village of Greenport Code creating the  
24 position of two alternate members for the

1 and two alternate members for the Village of  
2 Greenport Planning Board, and directing  
3 Clerk Pirillo to notice the public hearing  
4 accordingly.

5 So moved.

6 TRUSTEE ROBINS: Second.

7 DEPUTY MAYOR HUBBARD: All in favor?

8 TRUSTEE MURRAY: Aye.

9 TRUSTEE ROBINS: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 DEPUTY MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response.)

14 DEPUTY MAYOR HUBBARD: Motion carried.

15 TRUSTEE ROBINS: RESOLUTION

16 #10-2013-8, RESOLUTION scheduling a public  
17 hearing for November 25, 2013 at 6:00 p.m.  
18 at the Third Street firehouse regarding a  
19 proposed local law amending Chapter 150 of  
20 the Village of Greenport Code, amending the

21 definition of "Family" in the code, and  
22 directing Clerk Pirillo to notice the public  
23 hearing accordingly.

24 So moved.

25 TRUSTEE PHILLIPS: Second.

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1 DEPUTY MAYOR HUBBARD: All in favor?

2 TRUSTEE MURRAY: Aye.

3 TRUSTEE ROBINS: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 DEPUTY MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response.)

8 DEPUTY MAYOR HUBBARD: Motion carried.

9 RESOLUTION #10-2013-9, RESOLUTION

10 authorizing the Village of Greenport Tree  
11 Committee to solicit bids for th removal of  
12 trees and tree stumps, per the attached  
13 list, to be expensed from the Tree Committee  
14 and Parks line items.

15 So moved.

16 TRUSTEE PHILLIPS: Second.  
17 DEPUTY MAYOR HUBBARD: All in favor?  
18 TRUSTEE MURRAY: Aye.  
19 TRUSTEE ROBINS: Aye.  
20 TRUSTEE PHILLIPS: Aye.  
21 DEPUTY MAYOR HUBBARD: Aye.  
22 Opposed?  
23 (No Response.)  
24 DEPUTY MAYOR HUBBARD: Motion carried.  
25 TRUSTEE PHILLIPS: RESOLUTION

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1 #10-2013-10, RESOLUTION renewing the  
2 contract between Tom Cybulski and the  
3 Village of Greenport for the provision of  
4 consulting services to the Village of  
5 Greenport to be effective October 23, 2013  
6 through April 23, 2014 at a rate of payment  
7 of \$48.00 per hour to Tom Cybulski, and  
8 approving the attached consulting contract  
9 between Tom Cybulski and the Village of  
10 Greenport.

11 So moved.

12 TRUSTEE MURRAY: Second.  
13 DEPUTY MAYOR HUBBARD: All in favor?  
14 TRUSTEE MURRAY: Aye.  
15 TRUSTEE ROBINS: Aye.  
16 TRUSTEE PHILLIPS: Aye.  
17 DEPUTY MAYOR HUBBARD: Aye.  
18 Opposed?  
19 (No Response.)  
20 DEPUTY MAYOR HUBBARD: Motion carried.  
21 TRUSTEE MURRAY: RESOLUTION  
22 #10-2013-11, RESOLUTION accepting the  
23 proposal as submitted by Flynn Stenography &  
24 Transcription Services, per the bid opening  
25 on September 27, 2013; to provide

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1 transcription services to the Village of  
2 Greenport at a cost of \$5.00 per page and a  
3 \$60.00 appearance fee, and approving the  
4 attached independent contractor agreement  
5 between Flynn Stenography & Transcription  
6 Services and the Village of Greenport, which

7 will be effective from October 29, 2013  
8 through December 31, 2014.

9 So moved.

10 TRUSTEE ROBINS: Second.

11 DEPUTY MAYOR HUBBARD: All in favor?

12 TRUSTEE MURRAY: Aye.

13 TRUSTEE ROBINS: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 DEPUTY MAYOR HUBBARD: Aye.

16 Opposed?

17 (No Response.)

18 DEPUTY MAYOR HUBBARD: Motion carried.

19 TRUSTEE ROBINS: RESOLUTION

20 #10-2013-12, RESOLUTION accepting the  
21 proposal as submitted by Managed Technology,  
22 per the bid opening on September 27, 2013;  
23 to provide information technology related  
24 services to the Village of Greenport at a  
25 cost of \$85.00 per hour for installation

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1 services and a \$130.00 per hour for  
2 emergency services, and approving the

3 attached independent contractor agreement  
4 between Managed Technology and the Village  
5 of Greenport, which will be effective from  
6 October 29, 2013 through December 31, 2014.

7 So moved.

8 TRUSTEE PHILLIPS: Second.

9 DEPUTY MAYOR HUBBARD: All in favor?

10 TRUSTEE MURRAY: Aye.

11 TRUSTEE ROBINS: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 DEPUTY MAYOR HUBBARD: Aye.

14 Opposed?

15 (No Response.)

16 DEPUTY MAYOR HUBBARD: Motion carried.

17 RESOLUTION #10-2013-13, RESOLUTION  
18 accepting the proposal as submitted by Jeff  
19 Goubeaud, per the bid opening on  
20 September 27, 2013; to provide harbor and  
21 marina management services to the Village of  
22 Greenport at a cost of \$2,079.50 bi-weekly.

23 So moved.

24 TRUSTEE PHILLIPS: Second.

25 DEPUTY MAYOR HUBBARD: All in favor?

1 TRUSTEE MURRAY: Aye.

2 TRUSTEE ROBINS: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 DEPUTY MAYOR HUBBARD: Aye.

5 Opposed?

6 (No Response.)

7 DEPUTY MAYOR HUBBARD: Motion carried.

8 TRUSTEE PHILLIPS: RESOLUTION

9 #10-2013-14, RESOLUTION accepting the  
10 proposal as submitted by Kate McDowell, per  
11 the bid opening on September 27, 2013; to  
12 provide management services to the Village  
13 of Greenport for McCann Campground at a cost  
14 of \$666.66 bi-weekly, and approving the  
15 attached independent contractor agreement  
16 between Kate McDowell and the Village of  
17 Greenport.

18 So moved.

19 TRUSTEE MURRAY: Second.

20 DEPUTY MAYOR HUBBARD: All in favor?

21 TRUSTEE MURRAY: Aye.  
22 TRUSTEE ROBINS: Aye.  
23 TRUSTEE PHILLIPS: Aye.  
24 DEPUTY MAYOR HUBBARD: Aye.  
25 Opposed?

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1 (No Response.)  
2 DEPUTY MAYOR HUBBARD: Motion carried.  
3 TRUSTEE MURRAY: RESOLUTION  
4 #10-2013-15, RESOLUTION authorizing the  
5 increase in the hourly wage rate for Asha  
6 Gallacher from \$21.11 to \$23.11 to be  
7 effective on October 29, 2013 as a result of  
8 the assumption of additional duties, per  
9 Article VII, Section(9)a - Merit Clause - of  
10 the current collective bargaining agreement.  
11 So moved.  
12 TRUSTEE ROBINS: Second.  
13 DEPUTY MAYOR HUBBARD: All in favor?  
14 TRUSTEE MURRAY: Aye.  
15 TRUSTEE ROBINS: Aye.  
16 TRUSTEE PHILLIPS: Aye.

17 DEPUTY MAYOR HUBBARD: Aye.  
18 Opposed?  
19 (No Response.)  
20 DEPUTY MAYOR HUBBARD: Motion carried.  
21 TRUSTEE ROBINS: RESOLUTION  
22 #10-2013-16, RESOLUTION hiring Petros  
23 Alexander Panagopolous as a part-time  
24 Laborer in the Road Department, effective  
25 October 29, 2013 at an hourly rate of

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1 \$13.50. For a three day work week.  
2 So moved.  
3 TRUSTEE PHILLIPS: Second.  
4 DEPUTY MAYOR HUBBARD: All in favor?  
5 TRUSTEE MURRAY: Aye.  
6 TRUSTEE ROBINS: Aye.  
7 TRUSTEE PHILLIPS: Aye.  
8 DEPUTY MAYOR HUBBARD: Aye.  
9 Opposed?  
10 (No Response.)  
11 DEPUTY MAYOR HUBBARD: Motion carried.

12 RESOLUTION #10-2013-17, RESOLUTION  
13 approving the purchase of Sensus Brand  
14 metering equipment from the sole source  
15 provider = T-Mina Supply, Inc., at a total  
16 cost of \$18,716.06, including a four-year  
17 autoread support plan to be expensed as  
18 follows:

19 \$4,559.23 from line item number  
20 G.8120.201 (New Meters),.

21 \$1,545.96 from line item number  
22 F.0131.100 (Materials and Supplies.),

23 \$12,610.87 as follows:

24 \$500.00 from line item number  
25 E.0381.000 (Office Equipment),.

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1 \$1,500.00 from line item number  
2 E.0383.000 (Shop Equipment),.

3 \$4,000.00 from line item number  
4 E.0384.000 (Transportation Equipment),

5 \$1,000.00 from line item number  
6 E.0387.000 (General Tools),.

7 \$500.00 from line item number

8 E.0388.000 (Miscellaneous General Equipment)

9 and.

10 \$5,110.87 from line item number

11 E.0123.010 (Materials and Supplies).

12 So moved.

13 TRUSTEE PHILLIPS: Second.

14 DEPUTY MAYOR HUBBARD: All in favor?

15 TRUSTEE MURRAY: Aye.

16 TRUSTEE ROBINS: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 DEPUTY MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response.)

21 DEPUTY MAYOR HUBBARD: Motion carried.

22 TRUSTEE PHILLIPS: RESOLUTION

23 #10-2013-18, RESOLUTION authorizing the

24 closure of Central Avenue between Carpenter

25 Street and Main Street from 10:00 a.m. to

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1 4:00 p.m. on November 9th and 10th 2013; as

2 requested by the Greenport Business

3 Improvement District, for the "Taste North  
4 Fork" event.

5 So moved.

6 TRUSTEE MURRAY: Second.

7 DEPUTY MAYOR HUBBARD: All in favor?

8 TRUSTEE MURRAY: Aye.

9 TRUSTEE ROBINS: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 DEPUTY MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response.)

14 DEPUTY MAYOR HUBBARD: Motion carried.

15 TRUSTEE MURRAY: RESOLUTION

16 #10-2013-19, RESOLUTION authoring the  
17 closure of Carpenter Street between Bay  
18 Avenue and the rear entrance of Capital One  
19 Bank from 12 noon to 6 p.m. on  
20 November 10, 2013; as requested by the  
21 Greenport Harbor Brewery in conjunction with  
22 the Business Improvement District, for the  
23 "Taste North Fork" event.

24 So moved.

25 TRUSTEE ROBINS: Second.

1 DEPUTY MAYOR HUBBARD: All in favor?

2 TRUSTEE MURRAY: Aye.

3 TRUSTEE ROBINS: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 DEPUTY MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response.)

8 DEPUTY MAYOR HUBBARD: Motion carried.

9 TRUSTEE ROBINS: RESOLUTION

10 #10-2013-20, RESOLUTION approving all checks

11 per the Voucher Summary Report dated October

12 25, 2013, in the total amount of

13 \$1,484,403.80 consisting of:

14 All regular checks in the amount of

15 \$705,870.18, .

16 And all prepaid checks (including wire

17 transfers) in the amount of \$778,533.62.

18 So moved.

19 DEPUTY MAYOR HUBBARD: All in favor?

20 TRUSTEE MURRAY: Aye.

21 TRUSTEE ROBINS: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 DEPUTY MAYOR HUBBARD: Aye.

24 Opposed?

25 (No Response.)

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1 DEPUTY MAYOR HUBBARD: Motion carried.

2 That completes the regular agenda. I

3 will offer a motion to adjourn.

4 TRUSTEE MURRAY: Second that.

5 DEPUTY MAYOR HUBBARD: All in favor?

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE ROBINS: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 DEPUTY MAYOR HUBBARD: Aye.

10 Opposed?

11 (No Response.)

12 DEPUTY MAYOR HUBBARD: Motion carried.

13 We're adjourned, 7:15.

14

15 (Whereupon, the meeting concluded.)

16

17  
18  
19  
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21  
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1 C E R T I F I C A T I O N

2

3

4

I, Jessica DiLallo, a Notary Public  
for and within the State of New York, do  
hereby certify:

6

7

THAT, the witness(es) whose testimony  
is herein before set forth, was duly sworn  
by me, and

8

9

10

THAT the within transcript is a true  
record of the testimony given by said  
witness(es).

11

12

13 I further certify that I am not  
14 related either by blood or marriage to any  
15 of the parties to this action; and that I  
16 am in no way interested in the outcome of  
17 this matter.

18 IN WITNESS WHEREOF, I have hereunto  
19 set my hand this day, November 10, 2013.

20

21

22

\_\_\_\_\_

23

(Jessica DiLallo)

24

25

\* \* \*