STATE OF NEW YORK
VILLAGE OF GREENPORT

BOARD OF TRUSTEES
REGULAR MEETING

November 25, 2013
6:00 P.M.

BEFORE:
DAVID NYCE - MAYOR
GEORGE HUBBARD, JR. - TRUSTEE
JULIA ROBINS - TRUSTEE
DAVID MURRAY - TRUSTEE
MARY BESS PHILLIPS - TRUSTEE
JEAN MARIE ODDON - DEPUTY CLERK
SYLVIA PIRILLO - CLERK (Excused)
JOSEPH PROKOP - VILLAGE ATTORNEY
MAYOR NYCE: Just being after six, we will call this meeting to order. Please stand and join me for the Pledge.

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

MAYOR NYCE: We have a fairly short agenda but a lot of business to get through this evening. So on behalf of the Board, I would like to wish everyone a happy and healthy Thanksgiving. Stay safe. Don't eat too much.

The next brush pick-ups will be December 10, 2013. Please note that this is the final scheduled pick-up of the season. Plan accordingly. The winter
season is upon us. Please be prepared to keep sidewalks clear during snow, remove vehicles from the street for proper plowing, and check in with your elderly neighbors and family members if anyone needs a hand shoveling out. Us that are younger can help out those that are older.

Under Public Interests: There will be the annual Christmas tree lighting event will begun on November 29th at 5:30 p.m. in Mitchell Park. I understand the school kids will be joining us and singing some carols. The tree went up today. It's one of the most beautiful trees that came right from here. The Second Annual Shellabration Event will be held on December 7th. I think it is run this time by the rotary. You can contact them for more information. There will be a Greenport postcard book signing will be held at the Old School on December 7th and
8th from 12-4 p.m. that was a project that was done by Gale Horton and David Corwin and the Historical Society. Should be a very nice event and a very nice book. The annual Fire Department Christmas Parade will be on December 8th at 1:00 p.m. Same route coming down into the Village and then back to the firehouse.

TRUSTEE HUBBARD: And Santa Claus will be here too.

MAYOR NYCE: All right. Next up, we have four Public Hearing's this evening. Going to take them in order as they appear. The first one is regarding an amendment to Chapter 142 of the local code, Amending Local Law Wetlands Fees. This was brought to our attention through a project that was going on in the Village. The code committee reviewed our fees and the code committee suggested some
change to our code. In regards to that,
this Public Hearing was properly noticed
and anyone wishing to speak on this matter
may do so at this time. Your comments
will be taken down for the public record.
I will open the Public Hearing on the
Local Law amending Wetland Permit Fees.
Is there anyone that wishes to speak to
this item?
(No Response.)
MAYOR NYCE: There is no one that
wishes to speak on the item of Local Law
Wetland Permit Fees, I will ask what the
request of the Board is.
TRUSTEE PHILLIPS: Close the public
hearing. I will make a motion to close
the Public Hearing amending Local Law
Chapter 142.

TRUSTEE HUBBARD: Second.
MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE ROBINS: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That Public Hearing is closed. I will ask that the clerk put that on the work session for December for Board Discussion.

The next Public Hearing is on an amendment to Chapter 150 of the Village of Greenport Code. This is an amendment to change the wording for the definition of family. The purpose of this was to keep our code consistent. Many of you know, that we have adopted a rental permit regulation recently. The definition in that for family was much more broad reaching and we want to make our zoning code match the new newer definition. This Public Hearing was properly noticed.
Anyone wishing to speak on this matter can do so at this time and they will be taken down for the public record. I will ask if there is anyone that wishes to address the Board on this, the process would be for you to come up and state your name and address for the record. And proceed with your comments.

MS. GORDON: Good evening. My name is Jinny Gordon. I live at 152 6th Street. I am writing a book about immigration in Greenport. Past and present. And as part of the work, I have learned a great deal about housing in the Village. I am speaking tonight, not so much in opposition of the proposed definition of family in the zoning provisions in the code, as to put it in context and expand the implications of this direction the Village seems to be taking in part to the living conditions of
poor and households. I was going to wing it but I thought a lot about this in the last few weeks and I decided to write it all down and read it and ask that it be put into the record. I would like to briefly address these matters on three levels Legal, Economic and Historical.

First, to the legality, I understand the purpose of the proposed change in the definition of daily is to conform the old definition in the zoning provision to the definition in the new rental regulation law. On its face, this is harmless. This is a work matter detail. The proposed definition in fact improves on the existing one by civil union as a category of family relationships and by broadening the definition of family to include households that operate as though both functional equivalent of a traditional family. This is language that
the Village of Greenport has approved.

Now the definition makes a distinction between related and unrelated distinctions, that the highest court has not let. In 1989, the Court of Appeals found a Brookhaven Zoning Ordinance to be a violation of the State's Constitution's Due Process laws to treat functionally equivalent families different from the traditional families. A recent memo from the New York State Department of State Office of General Counsel says, "it appears for zoning purposes, municipalities may not restrict the number of related or unrelated persons. Related or unrelated persons constitute a family. Controlling population density certainly a constitutional permissible way of maintaining quality of life in the neighborhood. But it can't be done in a
way that is not related to a legitimate zoning purpose like controlling traffic or noise. Households unrelated -- people are more likely to produce traffic and noise then traditional family. Think about large families switch lots of small children. However, these legal distinctions do not speak to the effect that it will have. It surely sends a message that the new rental regulation law is as least as much of getting rid of remnants making do in small spaces as to punish landlords who don't take care of their building. It is a sort of threat to immigrant families that if they sort of take in a cousin or a friend from their Village of Guatemala or El Salvador, that they may be subject to inspection and eviction. If family size is justification for removing tenants, the cards will generally be single men or women who have
recently arrived in the U.S. and Greenport, who are struggling to find a place in society. Their exclusion, however, probably largely symbolic because most households here are made of traditional extended families. Even if family size is not used to expel tenants, it surely will be for a whole. As an economic matter, it's very short cited to push immigrants out of Greenport. Revitalization is dependent and continues to depend on large part of their labor. The recent national census report based on community data, finds that in rural and urban areas alike, job creation and housing value are increased when immigrant moving. It notes that, “immigrants are ejecting new life in the cities and rural areas.” Making once areas more attractive. Greenport certainly fits this
picture. Finally, I want to remind the
Board something Greenport residents who
have been here a long time, longer than I.
I moved here in 2008. Greenport has been
taking in immigrants, often eagerly
sometimes since before 1844. The year the
first train came all 94 miles from New
York City. Just look at the commemorative
bell outside of this building. The
firefighters who have started -- excuse me
-- along with Higgs, Bergs and Andrews,
the English origins of the earlier
settlers of the Village who were made -- I
cannot pronounce them all, Jorgi Screzith,
Hane Carlozzi, Yager and Sisth who were
early settlers. Polish, Irish, German,
Italian immigration that have shaped
Greenport to this day. Immigration is part
of this Village DNA. It should be
protected. Not prohibited directly or
indirectly. Nothing I have said should be
interpreted as a lack of concern on
overcrowding. First, housing must be safe and sanitary. Residential neighborhoods must provide quiet enjoyment for everyone. Controlling unrelated persons, i.e., poor people or immigrants. And no middle class people just starting their adult lives is not the way to go. Conditions that disrupt the quality of the neighborhoods life, noise and traffic, can be sanctioned in other ways then removing tenants because they don't belong to the right kind of family. Over the longer term, the only solution to a shortage of affordable housing, is to have more of it. It is not only immigrants that are in need. Some of Greenport's young people will want to return from College with roommates. What will they do? They're trying to find housing that they can pay for. I hope that in the future, I will see a larger issue of developing low cost housing on the Village Board agenda. Thanks very
MAYOR NYCE: Is there anyone else that wishes to address the Board on this matter?

MS. RICHARDS: My name is Margaret Richards, 415 Kaplan Avenue. I agree with 90% of the previous speaker. Except that, if you have a nontraditional family, the code says the presumption may be abutted by proof. So therefore, you would have recourse to remove that nontraditional family. I don't feel that this has anything to do with racism or immigration. It has to do with overcrowding. It has to do with the fact that in Greenport we have no house availability in the code, and that is what we're trying to prevent. I am very happy with this code. I don't understand why we needed it. We already have, virtually the same thing with a few
different words already in our code. Just
the fact that it hasn't been enforced.

Basically, a family is a family and
everything in this code allows for any
family whatsoever. It doesn't allow for 5
or 6 single men, each paying for rent
separately, to be living in a home. Thank
you.

MAYOR NYCE: Is there anyone else
that wishes to address the Board on this
local law amendment?
(No Response.)

MAYOR NYCE: I will ask the Board
what they would like to do, if they would
like to close this Public Hearing, can I
have a motion to do so?

TRUSTEE HUBBARD: I will make a
motion to close the Public Hearing of the
Definition of Family.

TRUSTEE MURRAY: I will second that.

MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE ROBINS: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

That Public Hearing is closed. I will ask
that the Deputy Clerk put that on the work
session for December for Board Discussion.

The next Public Hearing is regarding

a proposed amendment to the Village Code
allowing for alternates to be appointed to
the ZBA and Planning Boards. The purpose
of which is self explanatory. That if you
are not able to participate because of a
conflict of interest, that we have the
availability of having an alternate
appointed. The Chair of that Board can
call upon to sit during that meeting.

This Public Hearing was noticed. Anyone wishing to comment on this Public Hearing may do so at this time. Your comment will be taken down for the public record.

Is there anyone that wishes to address the Board on this?

MS. RICHARDS: Margaret Richards, 415 Kaplan Avenue. I just have one comment on this. I am not against it. I also think that it should -- I would imagine that the alternate member would step in if somebody retired?

MAYOR NYCE: No. This would be that the person would be an alternate. They could be appointed into the permanent position if they --

MS. RICHARDS: You would think that they should be because they --

MAYOR NYCE: I --

MS. RICHARDS: And then you would
appoint an alternate.

      MAYOR NYCE:  Understood.

      MS. RICHARDS:  Okay. So my comment

is that your alternate should be required

to attend State training as well as your

regular Board members. Because in my

experience over the last few years, your

Zoning and Planning Boards don't

understand the zoning. And there are free

education, which they're supposed to be

attending.

      MAYOR NYCE:  Is there anyone else

that wishes to address the Board on this?

      SPEAKER:  (In Audible) 1000 Main

Street, Greenport. I really don't

understand the need for this. To get

somebody to show up and just replace them.

As a former member of the Zoning Board of

Appeals, myself, we all went on without

the member, if they couldn't make it. But

as long as you're talking about alternate
members for Zoning and Planning Board, are
you going to have alternate members for
your Board? For your position too, maybe
if you're not here, someone can fill in
for your position too? Make sure you
include that in this Public Hearing.

MAYOR NYCE: No.

SPEAKER: So you want to stack the
other Boards and go in your favor and not
your Board? Thanks. Thank you.

MAYOR NYCE: Is there anyone else
that wishes to address this Board on this
amendment?

(No Response.)

MAYOR NYCE: If not, I will ask if
the Board wants to make a motion to close
this Public Hearing?

TRUSTEE MURRAY: I will make a motion
to close this Public Hearing on the
alternate members.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: The final Public Hearing we have this evening is on a wetlands permit application being brought by Michael Osinski of 307 Flint Street. This Public Hearing was properly noticed, and anyone wishing to speak on this item may do so at this time, and their comments will be taken down for the public record. Ordinarily, by process, what we do is ask the applicant or the applicant's representative to first introduce the topic and then we will open it up to the public. I will ask Mr. Osinski, if you would like to come up and --
MR. OSINSKI: Yes. Michael Osinski, 307 Flint Street. We are seeking to build 165 foot dock into the harbor. The permit process, as you have seen before you, has taken about three years and it has been approved by the DEC. The purpose of this dock, and it's an expensive dock, not cheap at all, is to move all our sorting, grading equipment out of our lawn and into Greenport Harbor. It's an expensive adventure. We have already spent somewhere's between $60-70,000.00 to get to this point. This facility will make it somewhat more easier. We don't save a lot of money. Our entire intent here is to remove any noise that we can be causing to our neighbors. We started this 12 years ago, the idea was, you know, to work on the water. Our kids were little. We sold the business in New York. We got the
permit to have an oyster farm. We have gotten permits from this Board. The kids -- in that regards has been a very big success. Our kids are hardworking kids. Since -- when I first started, I couldn't start a boat. My three-year-old son could start a boat. I couldn't. And he's been riding a boat since three. On the other hand, you know, we started this because we knew that Greenport had been the oyster capital of New York and we wanted to start an oyster farm. We knew coming to New York carrying Greenport oysters, it was not an uncommon remark for a chef to look at an oyster and say this is the best oyster I have ever had in my life. And it's true. The Greenport oysters. As a matter of fact, I turn away -- I don't know how much business. I don't search out for business. Guys started buying 100 oysters a week and are now 500 or 1,000.
There was reason why this industry was so large. Now, I look around and see young guys looking into getting into this. A bay in France, the size of ours, you thousands of men and women harvesting oysters. It used to be 75 years ago here. Now, I don't want to get any bigger until I can have all my consortium, grading equipment into the bay in its own waterfront commercial. I really don't want to hear any complaints from my neighbors. Recently, I haven't heard any complaints in the past couple of months. I never run that sorting machine more than 15 minutes in a day, but it does make a slight amount of noise. I am spending a lot of money with Mr. Costello, who has assured me that he can build such a dock that is facing the waterfront. It's not a cheap dock. You know, we want this
business to survive. My daughter wants to
major in Marine Biology. We want this to
continue. It's getting hard for us.
We're getting older. It's a lot of work
but it's a very rewarding type of
enterprise. We make over 100,000 oysters
and we sell well over a 100,000 oysters
during our busy season. And you see about
a half dozen oyster farmers selling
Greenport oysters. The more oysters grown
in this area, the better for Greenport.
It's a job for young men and women.
Believe me, I am getting too old for it.
You don't need a college education. You
don't need a lot of capitalization. You
can get into this and make some money.
But anyway, the major thrusts of this --
99% of this application is to remove all
of our grading and machinery out into the
bay, away from the view of our neighbors.
We will maintain docks in Widow's Hole,
just in case there is a storm or something to that effect. But we will move boats back out there. We feel that we have done nothing but improve the quality of water. Widow's Hole is as pristine as its ever been. It's beautiful. Full of shellfish. I mean, chock full of shellfish. It's a real benefit. We provide jobs for the community. We hope that this application is seen for what it is. Thank you.

MAYOR NYCE: I am assuming, that there is a bunch of people that wish to speak. I just ask that you keep comments to a minimal, and I will ask again, when you come up to speak, name and address for the record. If you have comments, please give so to the Clerk for the official record. Please do so after you're done speaking. With that, I will ask if there is anyone that wishes to address the Board on this?

MS. LOREN: Hi. My name is Beatrice Loren. I live at 306 4th Street and my
yard faces Willow's Hole. I have related
in person to Michael and Isabelle what I
am about to say. Since 2004, the year
that I purchased my home, I have seen a
phenomenon of things of activity in
relation to the oyster corporation. Today
we see an oyster processing facility.
Many steps of the process occur in the
gulf. The gulf faces the neighbors
properties. We see large plastic
containers of different colors being
lifted from the waters for breathing and
checking purposes. I am told the name of
such containers is upwellers. When you
see them close, they look like banged up
plastic garbage containers. We see
different color water hoses loaded in the
gulf that are used for operations. We
hear a large machine that sorts out
oysters by size. Large cases are moved
and transported. We see oysters transported in wheelbarrows running on top of -- from the gulf to the side of the property. We have seen at different times filming crews. They would stage an event and photograph us. Often visitors come in a group to visit the facility and they are shown the purge. We see large wooden pilings laying in each of the coves. We see a few small boats laying face down in the shore of the gulf. Two large fishing boats are moored. When they are used, the motor gets turned on and a few more minutes, it takes off. Mr. Osinski facilitates the access to the gulf to his friends. Right now, I have in front of my yard, a fishing boat. For a few years, we had a large boat moored in the middle of the gulf. It was there for a few seasons and then it sunk and had to be removed. Mr. Osinski brought an application to
enlarge the operation on the gulf side. There are two portions. That is not a good idea. The permit also asked for a big pier on the east side of his property. That is the proper place to concentrate all his activities. I ask that Town of Greenport and Mr. Osinski to please not enlarge the gulf side. To please remove the operation from the gulf. To concentrate all their activities on the east side of his property where they can operate and not disturb anyone. To implement this request, we bring up harmonious relations with good neighbors and the preservation for the area. Thank you.

MAYOR NYCE: Thank you.

MR. MILLS: William J. Mills, III, 16 4th Street, adjacent property owner. My concern is not necessarily with the bay
side. I applaud the Osinski's for wanting to improve their operation by the bay side. I have a little bit of a concern about the operation and continuing to grow but that is not the purpose of this hearing. On the creek side, Widow's Hole side, my concern is the upwellers and the circulating pumps. The noise that they may at 6:30 in the morning, especially on a Sunday morning, I can't sleep. In the summer time when the windows are open, it's not fun to listen to that. And my concern is, I haven't had the opportunity, I only just recently got the application, to determine whether there is going to be an expansion of those circulating pumps or the upwellers. And if there is, I would ask that you deny the application. If there isn't, I don't necessarily have any issue. The fact that they want to expand in the waters in the State of New York on
the bay side that they lease, the oyster industry is something near and dear to most people. My family was in the oyster business. So I think that it's important to support the industry but I will throw in, not in my backyard. Thank you. That's all I have.

MAYOR NYCE: Thank you.

MS. FEYER: My name is Jenny Feyer and I live at 312 4th Street. I don't think any of us are against the Osinski's business. It's just in a completely inappropriate place. What I am going to say is in the matter of the addition of the large dockage. I would ask that you please consider applying to other neighbors. We are all living in a residential neighborhood zoned R2. The Osinski's desire to turn a hobby into a small business has deeply impacted the
four houses on the other side of the
creek. One of them is mine. The
Osinski's are adamant that they have the
right to do this since they own the water
rights and property. There obsession of
their rights as property owners has
affected us too much already. And I am
not sure anymore of what their rights
really are. Mr. Osinski has told me that
he thinks it's part of his business but as
far as I know, no one owns the water. The
business operates seven days a week,
depending upon the season. Most days
start early with running boat engines. I
know, because they have awoken me almost
every day for the past five years. There
is activity that is there all day. Bags,
barrels and tubs, dragging a wheelbarrow
back and forth. Too and from the existing
dock. Cars and trucks drive up to the
property. They pick up and leave things.
Boats are always coming and going, loading
or unloading. The oyster machine crashes
and crunches. The sounds of shouting about the dims of an idling motor. All of
this is magnified by the water ten-fold.

We have discussed these things many times but changes never last very long. Over the years, their home has been a business that has morphed into a thriving, labor intensive, full fledged commercial operation. Now it regulates our days. When we wake up and we want to be outside, we have to shut our doors to lessen the noise or get away from the people standing on the dock. The creek itself is starting to look like what's becoming and never looked before. A back water with a skanky shellfishing business. There is constant but ever changing mass on the beach, on their docks, on their boats, in the water, on the landscape. For people who take property ownership so seriously, they aren't serious about any upkeeping. They
work very hard but unfortunately we have
to experience it all with them. Their
business effects our view, our privacy,
and any desire that we may have peace.
The quiet and pristine tranquility is not
kept. All of this is to say that the

business is not -- Mike and Isabelle have
assured us that the repair and alteration
that they wish to make to that dock is
minor, but on the blueprint that is
provided, that dock is three-fold. Any
enlargement or alternation to that dock
will just increase all the activities that
I have mentioned. And so I oppose any
addition, enlargement or expansion of that
dock. The existing dock is plenty big
already, as is their business in the
creek. It needs to stop now. Building a
business in the bay would be an
improvement. I respectfully ask the
Village Board to please consider our
ploythe before you start to issue permits
for more dockage. And to in best why,
Widow's Hole, continues to run a business
in a residential neighborhood where they
are clearly in violation of Village Code.
The whole business is way over the line,
which they will continue to push unless we
push back. Thanks for your time.

MAYOR NYCE: Thank you.
Is there anyone else?

MS. LUMBAR : My name is Joy Lumbar
and I face Widow's Hole. I agree with
everyone who has spoke here so far. And I
am very encouraged to hear Mike say that
he wants to move the operation to the bay.
We would love to hear him say that. Now,
without repeating what has been said, I
happen to have a perspective of a realtor.
Dozens of my real estate colleagues have
been to my lovely home to discover a full
fledge fisherman in the backyard.

Everyone has asked me the same question. What's this business doing here? The effect was chilling. For guidance and clarification on commercial, residential waterfront usages, it can exist side by side, I have went o the Village of Greenport Local Waterfront Revitalization Program. Our neighborhood is waterfront area three. The LWRP describes it in this way. Residential land use dominates the shore line south of the commercial dock. On the west side, that has been developed for residential use. All properties south of the railroad dock have been zoned for one and two family residential use, with the exception of these two properties being converted into -- those are the condos. Those are zoned for commercial. Water enhanced and water usage are allowed
the following locations of the three waterfront areas. In our neighborhood, waterfront III, they are only allowed at the tip of Fanning Point and the east and west side of Fifth Street Park. I have brought a map of that, if you haven't seen it. Here is some of the plans as evidence of their comments. While Greenport's land existence pattern has been established for some time, thus this isn't the character of the Village that it will be preserved and maintained. Further in the section, residential use dominates the shoreline area. The marine commercial land use category will be maintained for properties at Fanning Point and only Fanning Point for the development of condominiums. Throughout passages of the LWRP, it is clearly indicated that commercial is not to be in Widow's Hole. Although this application does not address the operation
or business in a residential zone, the
renting of the request of the dock
expansion, not the dock and the bay but
the small minor improvements discussed. I
think that it doubles the space that the
new platforms and the areas -- you can do
the math. It looks to me like it's a vast
expansion. I feel that Michael and
Isabelle are currently in violation of
Village Residential Code on land and
operating a business in direct conflict
with the LPRW (sic) guidelines and
commercial area three. Therefore in
keeping with the codes and zoning laws, I
respectfully request that you deny the
expansion on the southeast side of the
Osinski's property and in conjunction
perhaps supervise the relocation of the
current business to a more appropriate
location. Thank you.

MS. CAREY: Good evening. My name is
May Carey. I live at 311 Fourth Street,
Greenport, which is across the street from
years ago when Mike started this as a hobby, I was glad to see the oyster industry coming back but I am not now. It has caused problems that are unbelievable when you are looking at it from the other side. You see all my neighbors going through all this stress and disruption and their life is changed. I think that Mr. Osinski needs to have better respect for his neighbors and do things to improve the situation if he wants to live in peace there. I have lived at my house for 55 years, non-stop and I never had to witness anything to my neighbors on the other side. If Luellen Price was alive today, he would be horrified of what's going on in his favorite spot, Widow's Hole. He used to carry postcards on his boat no matter where he went, east coast, south
coast or whatever and hand them out to people and say this is where I live. It's like God's gift to Greenport. Thank you very much.

MS. RICHARDS: Margaret Richards, 415 Kaplan Avenue. I was unaware that this was going to be heard tonight. So I am not fully prepared. I do have the benefit of working for Laura McCarthy who is the other oyster farmer, and I also have had the benefit of seeing the patent that deeds the underground rights to Mr. Osinski and that they make fun of him that he owns the underground land, he does. As far as the LWRP, it is my belief that it supports this kind of operation. I am really unsure if you could clarify what they on theory property as a business because the business would be the selling of the oysters that is off the property. I know that oyster cultivation is a
wonderful thing for the environment and
that it cleans the waters. I know that it
has been -- I can't think of the word,
propagated in this area. That we want to
bring back some of the waterfront and be a
seaside Village again. I feel for the
neighbors. I believe that a lot of the
activity could have been anticipated when
the properties were purchased and I am
losing my train of thought because I was

really unprepared on this. Seemingly,
they are going to spend a lot of money to
move a lot of their obnoxious part of the
operation away from the neighbors. Away
from the area of Widow's Hole that they
own. And our only trying to keep the
Widow's Hole area, correct me if I am
wrong, a safe haven for storms. I am not
sure. I have not seen the application. I
will be asking to do that. It sounds like
a very reasonable application and it should address what the neighbors are complaining about because it's being moved further from the homes. Thank you.

MR. MILLS: William J. Mills, III, again. I just want to clarify made several statements that I think are incorrect. One, this is not a case of buying a house next to an airport. It's the other way around. The airport was built after we arrived. Secondary, contrary to her statement that the sale oysters does not have on the property, I can't confirm it but its apparent that the sale of oysters does happen on the retail property, on a regular basis. I just wanted that to be on the record. Thank you.

MS. FEYER: Jenny Feyer, 312 Fourth Street. In regards to what was just said. All you have to do is look at the
pictures. They are not just raising
oysters and eat them for breakfast and
dinner. It's a busy -- hey, you are
entitled -- my opinion is that you're
entitled to do whatever you want but not
in a residential neighborhood where you
live. And to expect them to deal with it,
it doesn't make any sense to make a
business plan like that. And it's also not
the same as the other place that you were
citing because the other place that you
were citing doesn't face any homes. Laura
McCarthy's property faces out to the bay.
She has no neighbors directly across from
her --

MAYOR NYCE: You need to be
addressing the Board.

MS. FEYER: I'm sorry. She has them
on her side. She has nobody directly in

front of her. It's a small body of water.
It's intimate.

MAYOR NYCE: Is there anyone else that wishes to address this application?

MS. RICHARDS: It will be super quick. The only thing that I wanted to say is that it is very big that the DEC has approved it. If the DEC has approved it, it means that it's big. Thank you.

MR. CLARK: Good evening. My name is Steven Clark and I live on that great street that we all refer to as Fourth Street. I am down towards the end, across from Laura McCarthy, 139 Fourth Street. I also own and operate Greenport Shipping Yard Company and I am certain that everybody here, certainly the Board members know the history of the Long Island oyster farm and the other oyster farm that took over the Long Island oyster farm after the 1989 hurricane. In 1970, the Long Island oyster farm was my largest commercial customer. Now having said that, I am certain that this means nothing, it's
history and times change rapidly. I appreciate the other members of Fourth Street that have talked positively and not so positively about the Osinski's operation. I would like to -- I would really like to address the point that Greenport in the past has been a mixture of all kinds of stuff. Good and bad. Greenport at one time was strictly laid out as a business company. Early in the 1800's, there were no cars. You would walk to the waterfront to work in Greenport. Having said that, I do appreciate what everyone is talking about. One woman brought up of referring to the Local Waterfront Revitalization Plan. I have a copy of this. I think this was before it was approved. This was as of July 2012. Section IV of the LWRP refers to issues and opportunities summary. The summary of what they are trying to get
across, and I think that -- I will quote
from it, hopefully this is accurate and in
accordance of what was passed. But right
at the absolute top of the page, refers to
agriculture and in not boring you with the
details, in the middle of the paragraph,
it says that there is a need to provide
some of the necessary infracture for the
agriculture trade to reestablish itself.
Now, we can take off and run with that
statement for an hour or two but what
basically the Osinski's are proposing is
just simply an infrastructure change to
try and perhaps relate to relieve a little
bit of stress from their neighbors and
perhaps to give them easier and quicker
access to the waters in Greenport, which
as long as I have lived here, which has
only been the last couple of years, there
is no place for growing shellfish of any
kind, oysters or scallops or anything.
Scallops are not hard to raise now but they will be soon. There is just nothing that equals the flow of water and nutrients that are in the waters of Greenport Harbor. It's an issue for you to try and keep a mix of the waterfront. If you want to become Sag Harbor, if you want to name is Greenhampton, we are sort of on our way to doing that. We have restaurants that are really successful and only a handful of us -- I mean, take John Costello here and myself, there are very few people that are truly working on the water and the Osinski's are among the small group that are still trying to do that. In Sag Harbor, where I have many friends. Sag Harbor is just Sag Harbor. No comparison to Greenport. I would like to think with all the improvements in Greenport that we can keep up with Sag
Harbor, but one thing Sag Harbor can not do is to have a working waterfront like we do here today. Thank you.

MAYOR NYCE: Thank you.

MS. JILL: Jill -- First Street. I speak I think for everybody in the room, that we all applaud oystering and we all recognize it's whole and --

MR. OSINSKI: And I have sold oyster to you.

MS. JILL: To my brother-in-law. So it's not about wanting them to be successful or the business. It's about where it's being done. There are places that want it to be done. Zoned where it's appropriate. We just don't think it's appropriate in Widow's Hole.

MAYOR NYCE: Is there anyone else that wishes to address the Board?

MR. SWISKEY: William Swiskey, 184
Fifth Street. The Osinski's are nice people. That's besides the point. The issue here is the doc and whether they should be allowed to build it or not. To me, I don't see any reason why they shouldn't be allowed to construct it. If the whole operation went out by the bay, it's better. It's all out on the bay. The issue of the dock is there is no reason to turn it down. Thank you.

MAYOR NYCE: Thank you.

MS. OSINKI: My name is Isabelle Osinski. I live at 307 Flint Street. My husband and I have worked for 15 years for this oyster farm. We have received New York State permits, DEC permits, Army Corp permits, Village permits, Town permits. We have received a lot of permits for this farm and we have done everything legitimately. We have recognized that our neighbors aren't happy
at times. I have to tell you, in the summer, Jenny emailed me and said, "what's going on over there? It's been so quiet." And I just said, we just harvested 1,000 oysters. She didn't hear us. We started at 8:30. I don't allow anyone to run the boats before 8:30-9:00. The sorting machines runs for 15 minutes at most. We are loading up the van with 7,000 oysters a week. And if people want to get started early, I tell everyone to start with their hands. I tell them you cannot lose -- we don't run till, you know, 9:00. You know, you are not allowed to use it. My kids can't go across the property. In fact, we had a problem on the boat and needed a screwdriver. I started to yell -- and Mike told me, "no way are you going to yell and get a screwdriver. You know, go up and go get it." We have tried. When we started shipping 7,000 oysters a week, me and Mike said, there is no way we can continue this business for the future unless we can have
ideas and work with the community. I came up with the idea to go into the bay. Which is really expensive. You know, John's a nice guy but apparently, he has a house that has to be supported. We spent at least $70,000.00 in three years on permits. A woman had a baby and came back and we had to resurvey the whole entire bottom. So going on the topic of the DEC permit, I would like to submit some photographs also which sort of show why we need a dock. This is during the day. My children have learned to live on the bay and work on the bay. I think we have changed. It's a very hard and dangerous life, as you can see that people that are willing to do this in the room. John Costello and Steve Clark, I don't know why. Mary Bess. It's a hard life. I would just beg the Board that we have really
tried in our deepest hearts. You can even ask Jenny, I have emailed her and said, "what can we do?" You know over and over and she just says there is nothing that you can do. I mean, we're willing to put our money down and trying to make it better. The Greenport oyster is a world class oyster and I really believe that this has to happen at some point. You know, either the community either embraces the oystering and the harbor front or they shun it and become like another seaside community. I think everyone here has substance and character and step up and say -- Greenport used to be called the Oyster Map. It used to be a great business. It's a great produce. Used to be on the front page of New York Times. Anyway, thank you very much. And we did spend three years on this permits. It's permitted. I really wish the best to our
neighbors, as you can see. Thank you.

MAYOR NYCE: Thank you. Is there anyone else that wishes to address the Board?

MR. COSTELLO: My name is John Costello.

MAYOR NYCE: You're the man that is going to get rich?

MR. COSTELLO: I am the one with this rich dock going on. Going to make a million dollars on it. This is a small business on this piece of property. This is not going to stay on this property if the oyster business keeps going. Unfortunately, Greenport Boards in the past have allowed condominiums on every commercial piece of property that supported oyster business or waterfront. Let me tell you, you can build condominiums anywhere. It has taken the
oyster business away from Greenport. Mike
and Isabelle are really hardworking. And
let me tell you, I can't wait to hire his
two kids. You have never seen two kids at
that age that work so hard and be so
polite and do whatever for their parents.
God bless those kids. I hope in the
future other people will be working the
waterfront again, someday. I would like to
have them work for me or Steve Clark or
the other shipyards, anywhere, that can
improve the working waterfront. Mr.
Osinski and his wife, this is a small
operation. If they are successful, they
will be looking to buy bottom land
elsewhere and trying to expand the
business. The kids, God bless them. I
hope that they stay in the waterfront
business and work on the water for the
rest of their lives and enjoy Greenport.
Thank you.
MR. OSINSKI: A few things that I want to address. The first thing is, we had permitted three floating docks. There is no expansion. There is no double, triple. That is completely wrong. There is no floating docks. We did ask for a six foot grading to attach the two docks. To be honest with you, this summer and the sandbars, we had the three floating docks and we had them in for about six or seven years and they are now, we tied one together. We keep them off. This has been there for many years. I am fine where it is. I don't want to expand anything in Widow's Hole. You came over. You told me that it upset you. I told you that I don't need it. I am fine. We don't want to expand anything. Everyone knows that Jenny and I have problems. I don't want to expand anything. When we were working
there during a winter day, my children's feet were hanging over a dock. The water was 35 degrees, but by tying these structures together, I am fine with that. We don't need that. So everyone said don't back off from the permit. We spent three years. I want to take the sorting machine out of Widow's Hole. I want to take the boats out of Widow's Hole. I want to take those cages and put them on that dock. That has been said. That is what we want to do. Secondly, we did not begin this until we got a permit for an oyster farm 12 years ago. We got a permit from the people on this Board. We got the permit and then we began an oyster farm. Okay. We had a permit to run an oyster farm. That is how it happened. This is not a hobby. I am not a hobby type of guy at all. I work hard. My motto in life is "to dyesh, tu distrudesh" (phonetic). My children can tell you what that means. You eat here. You work here. Okay, my kids are
hardworking and you can't have them. If they go off to college I don't know what I am going to do. They are good kids. So we don't do anything without permits. We had permits for everything. Everything has been permitted in the past. They have been there. We are experimenting with moving upwellers out there. You can see it on the permit. Let's see how they work out there. The problem is, when the east wind blows, we're exposed but this is what we want to do. We don't want to make our neighbors lives difficult. I mean, I live in the Village of Greenport folks, I hear music to two or three in the morning. It is just the way that Greenport is. We don't start those boats, you know, before 8:30. Nobody comes over to our house before that. It's true, we do have groups of people, neighbors come to ask to buy oysters and sell them oysters. Occasionally, someone
from the neighborhood comes over. I do
sell them oysters. 95% go into Manhattan.
The Village buys a lot of oysters. You
know, 99.9% get sold. I take them and
deliver them myself. My wife and I
deliver them ourselves or the kids. But
we don't want to negatively -- I can see
that we work hard and we have been working
on this permit for years we do want to
clean up this area. The pilings, we were
told to leave the pilings by the DEC that
blew onto the beach after the storm. The
driftwood, all that stuff, we're supposed
to leave there. We have one boat in
Widow's Hole. We had two all summer and
we only used one. I don't think that
boating traffic is extensive but we're
moving that anyway. We don't want to do
something that the community doesn't want.
Everything that we do is done with a
permit. If we work too hard -- yeah, it's a hard life. You know, I lost last year -- I am going to shutdown next week. I lost 150,000 oysters from Sandy. They are gone. You know, I can take a vacation. But it's hard to -- I have a contest with nature going on. I don't want to have a contest with neighbors. I don't. I really don't. That is why we're spending close to a quarter of a million dollars to move this somewhere else. I mean, somewhere out in the bay, hopefully away and won't be a distraction. I understand that someone has a different vantage and viewpoint. I have a different view. I look out of the water and see all the skanky little things and all of that stuff is beautiful to me. I understand for someone else, it can look different. I understand that. Thank you. MAYOR NYCE: Thank you. Is there anyone else that wishes to address the
Mayor Nyce: There are two letters that were asked to be read into the record. They were submitted to the Deputy Clerk.

This one is from David S. Corwin, 639 Main Street, Greenport, New York. Dear Clerk Pirillo, I would like to comment on two of the scheduled Public Hearings for the November 25, 2013 meeting of the Greenport Village Board and request that you read my comments into the record. And this one is not regarding this one. I apologize. I will submit it for the record.

(Letter from David S. Corwin.

Alternate members of the Greenport Planning Board and the Greenport Zoning Board of Appeals. I do not see the addition of alternate members of either board as helpful or workable. Fees for
Wetlands Permits. The fees for filing a Wetlands Permit seem high in comparison to other neighboring communities' fees. The fee for dredging is onerous when combined with the initial wetlands fee. Very truly yours, David S. Corwin.)

MAYOR NYCE: The next one is from 300 Fourth Street, Greenport, New York. Dear Mayor and Members of the Board of Trustees: I write on behalf of my family members who are co-owners with me of our family home at 300 Fourth Street, Greenport, New York. While we cannot be present at the meeting, scheduled for November 25th, we wish to express concerns about the portion of our neighbors' proposal that would expand his oyster business in Widow's Hole. We appreciate the opportunity to present our comments in writing, and your consideration of our position in your deliberations. Widow's
Hole is a narrow inlet known as "the creek," essentially formed by a sandbar, which has eroded significantly over the years. All of us who have lived around this shared inlet (in our case for three generations) have respected each other's use of the water and beach front, and enjoyed access to the bay. The inlet, albeit increasing narrow, is used not only by those of us who live around it but by residents from Sixth Street and beyond as it is accessible to the public at the end of our street and Clark Street. The creek used regularly by small boats including canoes and kayaks, and of course swimmers.

All of our properties, including our neighbors' the Osinski's, are zoned R-2. The portion of the bay that abuts their home is zoned W-C, and we are less concerned about the proposed build-up of their business operations into the bay. It is the expansion of the company's
operation into the creek that we can not
support. Existing Widow's Hole Oyster
Company operations push the boundaries of
the customary "home occupation" definition
under the R-1 and R-2 designations.
However, as good neighbors, we have all
been willing to accept a certain level of
shared, intimate environment. However the
proposed expansion would transform what
has been largely a family operation into a
full scale commercial enterprise. The
oyster business is not incidental to the
residential use of their property (see
definitions of permitted home occupations
and accessory use; nor does it fit under
"conditional uses" Section 150-29, A(2)
and (3)). The ramping up of operations
would mean more noise and disturbance, and
pose hazards to those who share this
narrow waterway. The additional activities
also are cause for real concern about
small boaters and swimmers safety,
particularly little children. The other
code that governs additional build-out of
the dock or platforms into the creek is

the Local Waterfront Revitalization Plan,
which designated this as "Waterfront Area
3." That plan, adopted in the late 1990's
notes that residential land use dominates
the area (south of the commercial dock to
Fanning Point). It does not permit
commercial use and development in the
creek. Water dependent uses were only
permitted at the tip of Fanning Point on
the west and east sides of the Fifth
Street Park. Again, we have no qualms
with our neighbors expanding their
commercial operations into the bay, where
existing zoning appears to permit such
activities. We appreciate the positive
environmental affects provided by the
oysters, and we do not begrudge our
neighbors, the Osinski's, their chosen work. It is the significant expansion into an area that is not zoned to permit such a commercial enterprise and the attendant impacts and the accompanying changes in the existing use and enjoyment of our creek that causes us to oppose further expansion into the creek. Zoning regulations provide the fundamental ground rules for being good neighbors. Not only is the fragile ecology of the creek threatened by such expanded commercial operations but so too are the principles for sustaining meaningful neighborly relations around the creek and for the Village at large. Our wish is to sustain those principles of what it means to be good neighbors. Most sincerely, Suzanne Donovan, Michael Donovan Jeanmarie Hartung, 300 Fourth Street, Greenport, New
York.

With that, I will ask the Board what would you like to do?

TRUSTEE HUBBARD: I will offer a motion to close this Public Hearing and discuss it at the work session next month.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries. I will ask the Deputy Clerk to please put that on the agenda for the work session. That concludes the Public Hearing portion. So the next portion of our agenda would be the public to address the Board. Prior to
doing that, I will state that we do have
agenda item that was brought to us by the
Village Attorney. That has to do with the
contracts for Dvirka and Bartilucci, with
whom we contracted with to do the work on
the expansion, eastern and western
agreement sewer extension studies. When we
did the grant application, the Village was
going to take on a certain portion of that
with in-kind. With discussions with D&B,
it was discussed that it would be better
for D&B to do that work. So it has changed
slightly. And there is a RESOLUTION
authorizing the changes in that contract
and execution of that contract. With that,
I will ask if there is anyone from the
public that wishes to address the Board?

MS. RICHARDS: Margaret Richards, 415
Kaplan Avenue. That's the real reason why
I was here today. I wanted to comment
especially since this is on TV. I am exhausted. I am standing on a spider bite but I am here because I want to defend the rights of everyone in this Village to have their rights upheld according to the code when we bought this ground. And that it was put into place for many, many good reasons. There is a core group here that comes to these meetings even when their lives are totally impacted. I was going to say something to the other people that showed up that they should come more often but they are gone. Now one question that I have to bring up, is that Mr. Prokop is pain to be at the Planning Board and Zoning Board meetings and I don't know what else he attends. But when I worked in the East Hampton area, a Village attorney gave the board opinions on methods of law. And that is why he is there. I don't see why we pay Mr. Prokop to attend these meetings when he refuses to interpret the
law for the boards. I have yet to see him refine a point of law when the Boards have a law. He just doesn't. My second comment was, I was very happy for Eileen to go to this electrical code whatever it is, and that she has done others in the past. And that she is trying to become a New York State Certified Building Inspector, which in the near future will become necessary. Which they are changing their law from being so vague and will say, you have to do this. Before it was, you should do this. But my question is, she has been to many classes in the past that we have sent her to but she can't still inspect buildings. The applicant has to pay an engineer whenever they have something done. I don't see why we are paying her to be the Building Inspector and then we have to pay separately for an engineer to do her job. Mr. Osinski knows. He paid a couple of grand for his
engineer. He had his own engineer
separate from that. I know he doesn't
love me but that's okay. I really think

this Village has an issue with efforts. I
don't think it is as bad as some. I do
think a lot of things are being done for
private interests that don't take into
account the health and interest as a
Village as a whole. And I think that we
need to start thinking of that way more
often. Less about private interests and
think about as the whole picture. And I
think I am done. Thank you for your time.
I thank you for listening. I am glad that
we had this opportunity.

MAYOR NYCE: Is there anyone else
that wishes to address the Board?

MR. SWISKEY: William Swiskey, 184
Fifth Street. One thing on this agenda
that really caught my eye, I have been
asking for years on how was the power plant. I was assured everything is working and in A and 1 order. Everything is online and now I see this RESOLUTION 11-2013-5, we're going to pay $55,000.00 for someone to come in and condition the transformer. When you wrote the spec or the engineer wrote the spec for this transformer, everything should have been included up to testing and being online are certified. I mean, I am going to tell you, Members of the Board, I wouldn't vote yes on this until Mr. Braun is standing in front of me and explaining to me why the people of the Village have to pay another $55,000.00 -- and Mr. Mayor, you can smile all you want, but I have done these transformers. You don't pay -- I will condition the thing for twenty-five because he's just going to come in and test. Basically, unless there is
something wrong with the basic engineering
of it and he is there to correct it, I
mean, $55,000.00 is Youch. I mean, I urge
every Board member, no. Mr. Braun should
be here to explain because the people of
the Village are basically being ripped off
somehow here and bad. All right. The
second item I have here, we're going to
hire Genesys engineering, that is Mr.
Braun, to do the documentation. I mean,
what is the cost? You have a RESOLUTION
here with no cost attached. How much is he
charging us for these documents? Does
anyone on the Board know? Do you know
David? Do you know George? I wouldn't vote
on this RESOLUTION until you know the
cost. And I read on a private website
that we're considering suing Alemco
because we have problems with switch gear
on our engineers which I was assured by
the Mayor was A-1 shape. Things are
going down quick, badly here. And I think
it's up to the other four Board members to
protect the interest of the public in
this matter. This is bad. This is really
gone bad. I tell you, if Dave Kappell was
running this operation, I would be out the
door. Don't blame this on Jack. This falls
back in your engineer. And something is
very wrong there. And one more item, is
the solar panels in Mitchell Park. You
realize that there is going to be no cost
savings? If you bond for this, you're
going to lose money. I mean, when you pay
ten cents a kilowatt per hour, there is
just no savings. You don't recover the
initial investment. It's "oh, look at

this. It's cute". Cute is the publics
money. Unless -- I can find same place
better to spend $3300.00. Let's fix a few
potholes or fix the mess across from where
everybody gets onto the ball fields.

Anyway. Thank you.

MAYOR NYCE: Is there anyone else that wishes to address the Board?

MR. SALADINO: John Saladino, Sixth Street. I was at the work session when I heard the Treasurer's report. I had talked to Trustee Hubbard about it at last months meeting about the bond for three or four million dollars. The explanation that George was nice enough to give was to pay for a street sweeper and to consolidate some short term bonds into long term. We have four million dollars worth of short term debt. I'm sorry?

MAYOR NYCE: I didn't mean to interrupt.

MR. SALADINO: I am anxious for the answer. I just didn't hear you. So I will ask again. Do we have four million dollars worth of short term debt?
MAYOR NYCE: The bonding has been approved prior. This is funding for the grants. For all three of those grants, bulkhead study.

MR. SALADINO: Can you just elaborate on that?

MAYOR NYCE: The bulkhead study at Mitchell Park for the grant that we had received for the eastern expansion of the sewer district, for the western expansion of the sewer district. The road grant, all of which need a combination to borrow money and fund balance money to fund those projects. All with that, we are borrowing some money to sure of short term debt. It's the overall bond issue to cover the old debt and new debt.

MR. SALADINO: New debt?

MAYOR NYCE: Yes. There is new debt that is borrowed for the light plant upgrade. Part of which is the grants that were awarded.
MR. SALADINO: Okay. I would like to also comment on the solar panels. I am not sure why we have to hire an outside consultant and spend $3300.00. Trustee Murray had suggested just bringing whoever does the work and get the price from them and what the expected outcome will be from them. The explanation was that you would hire them. I am not sure why that would matter. Wouldn't it be your job to determine the feasibility of this in Mitchell Park? As the Board of Trustees wouldn't this be your responsibility? You would get a price from the expected vendor. Do we get the records from the light plant to see how much it costs every month to see how much it cost to run the carousel every month for whatever it is? You are going to run the solar panels. Wouldn't it then be your job to decide whether it's cost effective to do this?
Why would we spend $3300.00 to get a professional engineer in to get his opinion only for you guys to debate it? Right? If the solar people give you a price of what it would cost and the expected outcome from your work and you have the facts and figures of what it costs for it. Wouldn't it be your job to run the arithmetic? You suggested that. I just don't understand why you guys just can't handle this. Why we have to give an engineer $3300.00 for a project for you to come back and tell the people that it's X amount of dollars on this. You did it with Clark's Beach. You spent money for a presentation. Not even for information. For a presentation. Now you are going to $3300.00 to get this guys opinion. That is your job. That is what we hired you for. To decide what is right and
what is wrong for this Village. I understand that you guys are not professionals. You know, this is not rocket science. This is basic arithmetic. I think it's ridiculous to spend that kind of money. Like my neighbor Will said I think it's best spent elsewhere. Thanks.

MR. OLINKIEWICZ: James Olinkiewicz, 289 Third Street and a number of others. I have a couple of questions or issues that I would like to ask the Board. A couple of times I have had discussions with David Murray over a couple of ideas that I had. I am only an outside property owner that bought and sold property in Greenport for a little over 20 years. There are a couple of things that I wanted to ask the Board. This past year when I was working on 312 Center Street, the new house that I built, during the summer there are a bunch of kids playing in a Greenport program and
one kid chased the ball and ran right out in the front and in front of my car. And I was a little concerned about that and David talked to me about the boy scouts putting a fence up with the Village. And I had brought up the idea that maybe when people are arrested in Greenport and brought to the Town of Southold that maybe their community service hours can be used in the Village of Greenport to do projects like that because I would be devastated if I ran a child over. I mean, if they need someone to help surprise it or help with it. I would be more than happy to. To put my time and effort in it. It will only beautify it. I have had some opposition lately on a couple of projects that I have been asked to do with the Village. And I understand everybody's pinions and sides of the story and I actually appreciate
comment from people. I am just trying to
get a handle on what the Village is
looking for. I was the only landlord to
come up and say that I was in favor of the
rental law and the size and everybody else
was ready to lynch me outside. Then I
build more housing here to try and help
the situation so that there is not
overcrowding and everybody wants to lynch
me outside. So I am just trying to get an
idea what is the overall plan that the
Board or the Village has in regards to
this. It's just a really fine line. Laws
have been interpreted different ways. On
314 Center Street, there was a garage in
the back that I had applied for and turned
it over a rental property. So the prior 45
years beforehand, every permit that was
ever issued was granted. So I applied. It
got granted. All of a sudden then, a law
was created that you can't build a second
building for a rental property. Then I
subdivide 314 half that were contusive to
other homes. Then I had another piece of
property that I wanted to subdivide and
all of a sudden that was a stay on
subdivisions and write a new law. I am
more than happy to help with that. It's
just very hard to work in the Village when
the ball keeps changing and what's thrown
at me, which Peggy and I have a different
opinion about. It's in an R-2 Zone and
converted to a building. There has been
some questions and stuff. I just don't
know what the Board is. I don't think I
have done anything in the Village to lower
property values. I have taken houses that
are board up and almost condemned and that
had foundations in them that were an
eyesore and built nice affordable rental
houses. Is it a business? Yes. Do I
expect to make some return on my money?
Yes. Do I keep my properties nice and
neat? Yes. I am on my tenants all the
time. We mow the grass. We clean the
yards. We do everything. So I am just

trying to get an overall feel for where
the Board is feeling on this and where
their long term plans to affordable
housing is. You are going to have to
build. You are going to have to do that.
If it's not me, it will be somebody else.
There are going to be people that are
going to be subdividing. That whole line
needs to be straightening out or future
out. And I can't believe I am saying
this, another law needs to be figured out
to allow that to happen because we have
neighbors that want to convert everything
back to R-1. I mean, it's just a barrage
from everywhere. I am welcome to talk to
anybody at one time. It's just trying to
get a handle on it. That is all I wanted
to say. Thank you.
MAYOR NYCE: Is there anyone else that wishes to address the Board?

MS. RICHARDS: Margaret Richards, 415 Kaplan Avenue. I forgot earlier to just make this one comment because I actually wrote something on a blog that I forgot. There has been talks about eliminating the DOU position. I just wanted to bring to your attention that you passed a local law last April to making the DOU the only person that can approve road openings and driveways and things like that. So if you eliminate that position, you will have to revise that code. Almost everything that Mr. Olinkiewicz brought up, the codes were already in effect. They weren't changed afterwards. What he was given on Center Street should not have happened according to code. It should have required variances. What is he requesting on Fifth is the same because you are only allowed
to make a second dwelling if you have an
existing residence already there. And it
has been allowed all over the place. And
also the garage should have never
happened. So he has been given some gifts
and he should be grateful. Yes. He keeps
his properties nice. He's a very nice
man. He reminds me of one of my sons.

But the Village has a code. If you don't
like what it says, then you have to change
the code. Not ignore.

MAYOR NYCE: Is there anyone else
that wishes to address the Board?
(No Response.)

MAYOR NYCE: Okay. That will then
conclude the public portion. A couple of
things. Do these in reverse order. To Mr.
Olinkiewicz, this Board is not going to
comment on things that the Zoning Board
has done because it would be improper for
us to do so. This Village has a long
history of addressing Affordable Housing.
None of these things were done to express
to any individual. Code changes with time.
This Board wants to make sure that we have
as many high quality rentals as we can
have. When I say high quality, not meaning
price, meaning the way that they are
maintained. We have very small lots, which
you have noticed. I think over time, the
Boards have gone out of the way to make
sure that the concerns of the public are
addressed. As far as the community
service. We do that all the time through
the Clerk's Office. As far as the Town
Justice Court does not generally contact
the Village. If they do contact us, we
usually have our people supervise them
which then has a degree of difficulty to
it. I will find out from the Justice
Court if they will allow community service
to be done through an individual business
and if so, I would very much appreciate
your offer. I don't know if we can but I
will certainly reach out.

As far as the outside engineer for
the solar project, I brought it up that we
should have the outside company of the
engineer that is bidding on it. I had
suggested that likely to get an
independent person to do an independent
study. Because likely. Mr. Saladino,
likely, if we didn't have an engineer, you
would then be standing up here and saying
how come we didn't have an independent
engineer bidding --

MR. SALADINO: That's --

MAYOR NYCE: Mr. Saladino, please
don't interrupt. Please don't interrupt.

At any rate, I have absolutely no desire
to spend money that we don't need to
spend. I went out and had gotten some
estimates. I have no problem if we want
to have the company do it. I have no
problem with that either. On the bid
documents hiring Genesys Engineering, Mr.
Prokop, do you have the total amount?

MR. PROKOP: Yes, I do.

MAYOR NYCE: Okay. We will add that
to the agenda item. That is an oversight
on my part. I apologize for that. As far
as the commissioning at the power plant,
the conditioning is a normal part of the
transformer. Whether that has been done
in the past or not, the monies that are
expended are part of the overall cost.

Its part of the upgrade. They are
included. I think that covers most of
everything. So as far as RESOLUTION #7,
what is the amount?

MR. PROKOP: $285,400.00.

MAYOR NYCE: And that covers the rest
of the agenda items. So we will put that
RESOLUTION in and adding in an amount.
And with that addition and one RESOLUTION, which will be -- I will list that as RESOLUTION #32.

So I will offer a RESOLUTION #11-2013-1, RESOLUTION adopting the November 2013 agenda with the addition of adding in the amount of $285,400.00 to RESOLUTION #7 and adding RESOLUTION #32.

TRUSTEE MURRAY:  22.

MAYOR NYCE:  Thank you. Which would change the amount and execution of the contract with Dvirka and Bartilucci.

Those two changes.

So moved.

TRUSTEE ROBINS:  I will second that.

MAYOR NYCE:  All those in favor?

TRUSTEE HUBBARD:  Aye.

TRUSTEE MURRAY:  Aye.

TRUSTEE ROBINS:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.
Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION
#11-2013-Z, RESOLUTION accepting 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: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)
MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #11-2013-3, RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustment.

So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2013-4, RESOLUTION adopting the following revised work schedules and corresponding salaries for Treasurer Kagel and Deputy Treasurer Brandt, effective
December 2, 2013. 14 hours per month at an annual salary of $10,000.00 per year for Treasurer Kagel, until her retirement effective date of February 1, 2014, and 40 hours per week for Deputy Treasurer Brandt at an annual salary of $65,875.00 per year.

So moved.

Trustee Phillips: Second.

Mayor Nyce: All those in favor?

Trustee Hubbard: Aye.

Trustee Murray: Aye.

Trustee Robins: Aye.

Trustee Phillips: Aye.

Mayor Nyce: Aye.

Any opposed or abstentions?

(No Response.)

Mayor Nyce: That motion carries.

Trustee Phillips: RESOLUTION #11-2013-5, approving the proposal as
submitted by American Electrical Testing Co., Inc., to commission the new transformer at the Village of Greenport power plant, at a cost not to exceed $54,650.00, as part of the ongoing capital upgrade project, and authorizing Mayor Nyce to sign and execute the corresponding contract between American Electrical Testing Co., Inc., and the Village of Greenport.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: By way of discussion, I made the Board aware that part of this total is already covered by monies already promised to Hawkeye. Should Hawkeye not do this work and American Electrical Testing do it. That's why the number is $54,650.00. Notice, there is a double amount that is in there that it will be removed from Hawkeye if Hawkeye doesn't do
the work and AEF does it.

TRUSTEE PHILLIPS: The amount in
contract for Hawkeye is $7,000.00?

MAYOR NYCE: $7,000.00.

TRUSTEE PHILLIPS: And as you and I
discussed earlier in the week, part of my
concern is that this is not separated out.
If the Village Attorney is comfortable
leaving it this way, then I am fine with
it. But I just think for clear audit, that
it should be separated.

MAYOR NYCE: What I will also ask that
the Deputy Clerk that this conversation
also be attached to this RESOLUTION, so
that it is clear for anyone that is
researching it later on that the amount
of $7,000.00 that Hawkeye is supposed to
cover be removed if Hawkeye does not do
the work.

If there is no further discussion, I
will call a vote.

All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.  

TRUSTEE ROBINS: Aye.  

TRUSTEE PHILLIPS: Aye.  

MAYOR NYCE: Aye.  

Any opposed or abstentions?  

(No Response.)  

MAYOR NYCE: That motion carries.  

TRUSTEE MURRAY: RESOLUTION #11-2013-6, RESOLUTION authorizing Mayor Nyce to sign the attached letter to Assemblyman Sweeney concerning Bill A 6428, regarding the adoption of local laws related to wild deer.  

So moved.  

TRUSTEE HUBBARD: Second.  

MAYOR NYCE: All those in favor?  

TRUSTEE HUBBARD: Aye.  

TRUSTEE MURRAY: Aye.  

TRUSTEE ROBINS: Aye.  

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE HUBBARD:  RESOLUTION #11-2013-7, RESOLUTION authorizing Mayor Nyce to execute the agreement with Genesys Engineering for engineering services, preparation of bid documents, and review of bid documents, as related to Phase II of the capital improvements project at the Village of Greenport power plant at a cost of $285,400.00.

So moved.

TRUSTEE ROBINS:  Second.

MAYOR NYCE:  All those in favor?

TRUSTEE HUBBARD:  Aye.

TRUSTEE MURRAY:  Aye.

TRUSTEE ROBINS:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2013-8, RESOLUTION adopting the Village of Greenport Investment Policy as attached, which distinguishes Length of Service Award Program funds from Village of Greenport general municipal funds.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE PHILLIPS: RESOLUTION

#11-2013-9, RESOLUTION authorizing a feasibility/engineering study for the solar project at Mitchell Park, per the proposal as submitted by J.R. Holzmacher, at a cost not to exceed $3,300.00.

So moved.

TRUSTEE MURRAY: Second.

TRUSTEE HUBBARD: Just a discussion on that. I know Trustee Murray had mentioned having a contractor do it. If we can get a proposal from the contractor first and then if we are not comfortable with it, go and get our own independent?

TRUSTEE PHILLIPS: I was going to suggest that we do a little further investigation because that has been some further interest in the help of this project. So is there any sort of rush that we vote on this today? Can we handle it next month?
MAYOR NYCE: Only trying to keep it going. The only other option we have is to go out for an RFP and submit a proposal and analyze those proposals. Again, we were going to be left to analyze it. None of us are engineers.

TRUSTEE HUBBARD: I understand that. They would give us a basic proposal. They would say if this would work or not. Without going to whole process of going to have to go through the bids and proposals.

MAYOR NYCE: When John was here. That is what he gave us. They all had a bottom line cost. And the discussion was does this make sense as composed to our overall demand.

TRUSTEE HUBBARD: I missed that. I don't remember seeing that. Okay.

TRUSTEE MURRAY: I would like to

maybe make a motion to table this, to give
everyone another opportunity to review the proposals. I don't remember seeing him saying weighing the difference.

MAYOR NYCE: He didn't have the figures at the time. We can do an RFP saying that this is what we would like to do or -- that would be the next logical step. Put out an RFP.

TRUSTEE MURRAY: To keep this moving, maybe we do that. I think there were good comments from Mr. Saladino, that maybe we can analyze this our self. So can we change this?

MAYOR NYCE: We could potentially amend the proposal that was submitted by John Sabarini. We can pull together what he has. The RFP should include that in the analysis.

TRUSTEE PHILLIPS: And find if it would be cost effective.

MAYOR NYCE: Right. Absolutely.

TRUSTEE PHILLIPS: I am in favor of either tabling it or changing it to an
MAYOR NYCE: What I will do is offer a RESOLUTION to withdraw RESOLUTION 11-2013-9.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

And then I will offer a RESOLUTION in substitute of RESOLUTION #11-2013-9, to authorize the Board to submit an RFP based on the proposal by John Sabarini for potential solar panels that are to include the engineering for electric usage as well as cost of the project.
So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

Thank you all.

TRUSTEE MURRAY: RESOLUTION #11-2013-10, RESOLUTION authorizing Trustee Murray, myself, and Marina Manager Goubeaud to create specifications for a camera-based video surveillance security system at Mitchell Park and Marina, and directing Clerk Pirillo to notice the request accordingly.
So moved.

TRUSTEE HUBBARD: Second.

One question. At the work session, we did talk about all Village properties. Are we going to do them separately?

MAYOR NYCE: Let’s do this one this month and throw in the rest next month.

TRUSTEE HUBBARD: Okay. That’s fine.

I just wanted to mention that.

MAYOR NYCE: Absolutely.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #11-2013-11, RESOLUTION authorizing Eileen
Wingate to attend the 2011 National Electrical Code Updates and Electrical Safety Course, in Quogue, New York; as sponsored by the New York State Department of State, on December 17, 2013, at a cost of $10.00 plus all applicable travel expenses, to be expensed from line item number A.3620.400 (Safety Inspector Contractual Expense.)

So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE ROBINS: RESOLUTION #11-2013-12, RESOLUTION approving the Public Assembly Permit Application as submitted by the Off Soundings Club for the use of a portion of Mitchell Park from 4:30 p.m. through 7:30 p.m. on September 12, 2014 and September 13, 2014.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #11-2013-13, RESOLUTION accepting with regret the resignation of Linnea
Atinson-Loveless, effective October 28, 2013; as Chairperson and member of the Village of Greenport Planning Board.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #11-2013-14, RESOLUTION approving the request of the American Cancer Society to use Mitchell Park on May 31, 2014 from 12 noon through 12 midnight, for the annual Relay for Life Fundraiser.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE ROBINS: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #11-2013-15, RESOLUTION approving and authorizing Clerk Pirillo to sign the contract between the Village of Greenport and Broadcast Music, Inc, (B.M.I) for the contract period of October 1, 2013 through October 1, 2014; for a fee to B.M.I. of $327.00 for the one-year contract period.

So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2013-16, RESOLUTION authorizing Clerk Pirillo to attend a seminar regarding electronic death certificate registration, sponsored by the New York State Association of Town Clerks, on December 11, 2013 at the Garden City Hotel, at a cost of $42.00, to be expensed from line item number A.1410.400 Clerk Contractual Expense.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #11-2013-17, RESOLUTION declaring as surplus and no longer needed for municipal purposes, the equipment and materials per attached list.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #11-2013-18, RESOLUTION authorizing Mayor Nyce to sign the agreement of assignment between Hawkeye, LLC and the Village of Greenport, which assigns the agreement between Hawkeye, LLC, and the Village of Greenport to Elecnor Hawkeye, LLC.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE HUBBARD: RESOLUTION

#11-2013-19, RESOLUTION authorizing the attendance of Mayor Nyce and Jim Fogarty at the New York Association of Public Power December Business Meeting in Albany, New York from December 4, 2013 through December 5, 2013. Corresponding costs are as follows: $225.00 per person for the meeting fee of $139.00 per person per might for lodging at the Hampton Inn, $6.25 per day for parking at the Hampton Inn, and all other applicable mileage and travel charges. These are to be expensed from line item number A.1210.400 (Mayor Contractual Expense) for Mayor Nyce and from line item number E.0785.210 (Employee Training) for Jim Fogarty.

So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: As many of you know, Jim
had an accident. So I don't know if he is
going to be attending this or not. If he
does not, then those expenses will not be
incurred.

All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE ROBINS: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2013-20, RESOLUTION awarding the
contract for the removal of Village trees
and stumps to Chris Mohr Lawncare &
Landscaping, Inc., for a total price of
$3,100.00; per the bid opening on November
20, 2013 at 1:06 p.m.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #11-2013-21, RESOLUTION approving all checks per the Voucher Summary Report dated November 22, 2013 in the total amount of $408,048.35 consisting of: All regular checks in the amount of $412,465.78, and all prepaid checks including wire transfers in the amount of $67,582.57.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

RESOLUTION #11-2013-22, RESOLUTION
amending the contract with Dvirka &
Bartilucci, whereas RESOLUTION
#11-2013-25, authorizing the Village to
enter into a contract with Dvirka &
Bartilucci to prepare the eastern and
western agreement sewer extension studies
in the amount of $18,518.00 respectively,
whereas the scope of this project has not
changed and this increase is within the
amounts awarded in the grant project, and
therefore be it resolved, the amended
contract amount is authorized with Dvirka
& Bartilucci for preparation of eastern
and western sewer studies is now
$24,475.00 for the eastern and $22,475.00
for the western studies. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

That concludes the business before
the Board.

So at 8:08, I will offer a motion to
adjourn to Executive Session and discuss
contractual issues.

So moved.

TRUSTEE PHILLIPS: Second.
MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: We're adjourned.

(Whereupon, the meeting concluded.)

CERTIFICATION

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this day, December 10, 2013.

______________

(Jessica DiLallo)

*     *     *