VILLAGE OF GREENPORT  
COUNTY OF SUFFOLK: STATE OF NEW YORK  
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VILLAGE OF GREENPORT  
BOARD OF TRUSTEES

------------------------------------------- X

Third Street Firehouse  
Greenport, New York

November 28, 2011  
6:00 p.m.

Board Members Present:
DAVID NYCE - Mayor
GEORGE HUBBARD, JR. - Deputy Mayor
DAVID MURRAY - Trustee
MARY-BESS PHILIPS - Trustee
JEAN MARIE ODDON - Deputy Village Clerk
DAVID ABATELLI - Village Administrator
JACK NAYLOR - Director of Utilities
JOSEPH PROKOP - Village Attorney
MAYOR NYCE: Being six o'clock, I will
call this meeting to order. Please rise for
a salute to the flag.

(Pledge of Allegiance.)

MAYOR NYCE: Please remain standing
for a moment of silence for Shirley Mae
Brown, Stella H. Checklick, Edward W.
Helinski, Joyce E. Ruthinoski, Anna Kathryn
Cottral.

(Moment of Silence.)

MAYOR NYCE: Thank you. You may be
seated. We have a few announcements before
we get started tonight. In the interest of
reading it over absolutely to death, the new
website for the Village of Greenport,
www.villageofgreenport.org, is up and
running. We encourage people to go through it and check it out. It's a learning experience. We're going and adding stuff to it as we go. We would also like to add a congratulations to Lila Schott and Isabelle Torres. They were the winners of the 6th Grade Class, Mayor for a Day essay contest. Earlier in the month we gave a talk at the library to two 6th Grade classes on civic lessons and how the Village of Greenport functions. They entered essays. The two winners came with me and sat Tuesday while we were setting this agenda. And I have to say, the essays were stunning. I would like to circulate for the Trustees to see. I would like to congratulate them for their essays.

The next announcement is, the final day for Brush Pick-Up will be on the 6th of December.

The holiday schedule for Carousel will
be open the week of December 26th through December 31st, hours of 11:00 a.m. to 5:00 p.m. Other then that, they will be running on the weekends and the regular holidays.

Next month the Board will be discussing potential increases of the mooring and dockage fees. Something came up in the course of our work session. It was brought up by our Village Administrator that we consider this and just wanted to make sure the public knew. If you want to be in that process, please show up at next month's meeting.

The holiday parade will take place on 11th of December at 1:00 p.m., with a rain date of 18th of December, at 1:00 p.m. We encourage people to come out to that every year. It's a fun event.

The regular meeting for the Board of Trustees in the month of December will be
changed to the 27th of December at 6:00 p.m.

Here at the firehouse. The holiday schedule
basis when our normal meeting would be.

The last announcement that we have is
an ongoing announcement as well. Any one
with special needs, special medical needs,
should sign up with the Clerk's Office and
should also call Suffolk County Joint
Emergency Evacuation Program, at 852-4900 or
853-8333. Again, this is anyone that would
need additional assistance in case of an
emergency. We would like to get your
information in advance of an emergency.

Once the emergency happens, it's very
difficult to back up and start over, if you
will. So please give the Clerk's Office a
call and Suffolk County, JEEP.

TRUSTEE PHILIPS: I would like to say

at the annual meeting, thank you to Mike
Cebo for the past president and past
years conception. He has stepped down. We
will elect a new president. So I would just
like to say thank you.

MAYOR NYCE: Absolutely. For the
December meeting, we're sending a letter to
Mr. Cebo.

Our next thing is, I would like to ask
to step up to the podium.

In the interest of embarrassing
certain members of our community, we do this
from time to time. The Village has certain
standards of procedures to recognize
individuals who go above and beyond their
volunteer efforts. The work that George and
Diane do for the Maritime Festival, in
particular every year, is Herculean. That
few people can pull off an event of that
size with assistance in a lot of places, but
to these two, they really pull it together.
It's a great honor for me to present you
with this proclamation. I will read it
because it's flowery and fluff. Whereas the
Village of Greenport wishes to congratulate
George Peter's and Diane Dunbar, members of our community for outstanding service and further to recognize the importance of these individuals and the contributions to our community. And whereas, this selfless contribution does enhance the quality of life in our community and whereas George Peter and Diane Dunbar, as members of the Eastern Seaport Museum and Co-Chairs of the annual Maritime Festival Cocktail greatly contributed to the overall success of the 2011 Maritime Festival. Therefore, be it resolved, that the Village of Greenport Board of Trustees wishes to confirm upon George Peter and Diane Dunbar, this proclamation of accommodation on their efforts on behalf of this community with our deepest thanks and sincerest best wishes for the future.

MR. PETER: Thank you very much.

MS. DUNBAR: Thank you very much. We
will frame this and put it somewhere very special.

MAYOR NYCE: We also have another presentation but unfortunately, the supervisor of the departments -- because of the busy schedule in the last couple of weeks, are not able to join us. The Board also discussed and wanted to recognize the efforts of the entire Village staff, volunteer fire department, rescue squad, for their actions for what was predicted to be a hurricane and turned out to be a tropical storm, but arguably one of the toughest storms to hit here in quite a long time. I also wanted to wait to after hurricane season to do so, being a little superstitious. So what I propose that we do is write a proclamation and have them displayed in each one of the departments and give each department head a copy of it. So in their absence, I would like to offer
this Resolution to the Board that, whereas
the Village of Greenport and Board of
Trustees wishes to recognize outstanding
effort on behalf of our community and
whereas, actions taken to preserve the
welfare and safety of our residents in
primary accordance. And further, these
actions, although they may be in the
course of and part of daily course of
work, should be held in the highest
regard and further, at the occurrence of
extreme conditions, extra efforts were
supplied. And whereas the 29th of August,
2011, Tropical Storm Irene hit our area
causing extreme damage. Whereas, the
actions taken by the Village staff, utility
crews, fire departments and rescue
personnel did with an immediate and
efficient response to nullify the damage
or the potential for personal harm and limit
the hazard for preparation for, and during
the course of, and after the storm.
Therefore, be it resolved the Village of
Greenport, Mayor and the Board of Trustees
wish to confer upon the staffing crews of
the Village this proclamation of
accommodation on behalf of the entire
community for their actions above and
beyond the call, with our sincerest thanks.
So moved.

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

TRUSTEE PHILIPS: Aye.
TRUSTEE MURRAY: Aye.
MAYOR NYCE: Aye.

Congratulations to all of them and
thank you very much for their help, in their
absence.

That concludes our announcement
portion. The next portion of our agenda is
public. If there is anyone that wishes to
address the Board about any particular
topic, you may do so at this time.

MR. WOLINSKI: Hi, my name is Steve
Wolinski. I live at 625 Second Street,
Greenport. I am a little confused. The
Village Board voted unanimously to start
proceedings to condemn the house across the
street from me that burnt in a fire two and
half years ago. I want to know what has been
done so far and two, to see that this house
is condemned. What steps have been taken?
What legal action has been taken? The house
has been issued several violations. Have
they been issued appearance tickets or
anything to address the violations or is
that a big so what? I understand the house
has been given a building permit, to rebuild
the house. I don't know what part of
condemning the house that is. I am just a
meger voting tax payer resident. I am very disappointed. So are my neighbors that couldn't come tonight. I am speaking for neighborhood. If you want, I can get everyone back down here and have a circus again. I don't think that you want that. We came to the Village Board to try and get results for a plague that has been in our neighborhood for over three years. You voted to have the house condemned. So what part of a building permit and having the house condemned? I would like to know when the violations are going to be addressed and when the owners of the house are going to do what the Village Board said they were going to do?

MAYOR NYCE: Thank you.

MR. WOLINSKI: Thank you.

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

MR. SWISKEY: I would like the answers to the previous gentleman? William Swiskey,
1 124 5th Street. Excuse me, this is a little
2 bit silly here. First thing I want to ask is
3 - or talk about, I see that there is a
4 $200,000.00 change order for extra
5 engineering. When you proposed this plant,
6 it was estimated to go off at $2.5 million,
7 which probably goes closer to three because
8 that's the way this program works. And in
9 the first year it went from
10 four-point-something million. The Trustees
11 had said they had received some fictitious
12 grant that they didn't receive at the time.
13 And it still doesn't exist. And when it went
14 for bid, it came in for six and a half
15 million dollars. Now, I see that basically
16 -- it's basically now estimated for $7.4
17 million. I know you think that is funny,
18 Mr. Mayor, but I don't think that is quite
19 funny. That is a lot of money. I think that
20 this Board has a little bit of explaining to
21 do. Maybe some of the Trustees aren't all
22 aware of what is going on here but that's a
-- almost a 300% increase from the time in
2007 until now. I looked at the consumer
price index. That's an inflation rate, at

about 16%. I am just a little boggled by it.
So this thing can go around eight, and
that's scary. It really is and for all the
huff-puff that I have been hearing for the
last couple of years, most of the grants
were there when you took office except for
the stimulus money. The government was just
giving that away to anybody. I am getting a
little worried about it. It is looking that
we might have to bond for about three or
four million of this. Anyway, I know you are
not going to comment on this because you're
thinking about the previous gentleman's
comments and you would like to answer him.
Let's go to the transcription service here.
I understand it was quite a hoot on this ZBA
because they have -- don't have for what I
have for the last work session, which was
like two pages of nothing. No reports.
According to that, nobody said anything at
the meeting. Nothing was done at the
meeting. I remember Trustee Philips had
quite a bit to say and the only thing on
there was that she submitted a report. I
FOIL 'd her report. Her report was

basically attached is my attempt at a
resolution. I mean, I think we need to go
back -- oh, the question. Who is keeping
the official record? Can I go to the
Village Hall and I would like an answer on
this one, and FOIL the verbatim minutes
from that work session? Or is that kept at
a separate place because that's basically
should be kept on Village property and not
in some contractors basement. I am not quite
sure that is what we're doing but if we're,
then we have to change this one. It was a
joke. That is what I will say. Did any of
you get a copy of it? You should get a copy
of them. Now, there is a couple of items
that I would like to talk about -- oh, one
of them is not on the agenda. At the work
session, you talked about the 2% tax cap,
now I studied this. Now, as I as a taxpayer
and other taxpayers that I talked to, don't
even want to go there. They're are saying no
local law and no piercing the cap. That's --
you are turning it into a joke. I don't
think Albany expected it to be overturned by
local government. And to do that, would be a

crime against the tax payers. Just tough
it up and do it. Now, there is a couple of
more items that I would like to speak about.
I don't have a secretary so -- one of the --
I have still not received a response to my
appeal from the Village Attorney on the
hospitalization question for the Village
trustees. Now, I went to every single
resolution and from what I can see, everyone is appealed. I would like this Village Board to tell this public here tonight, is there a Resolution that offers that or isn't there? I mean, that is a simple question. So I guess Mr. Prokop doesn't have time to find them. You can smile all you want. You're going to court in a few days. I guess you just like to waste the tax payers money. I can do that too. That doesn't bother me. Never did. Now, let's go to the agenda here. I see we are raising the indebtedness of the bond by another $700,000.00. We're going to wind up with more debt after you leave office after your second term then we had when you came in. I am looking at debt, debt, debt. Proposed three million in spending in park. Oh my God. Geez. That worries me. It really does. Oh, here is one. The tree committee grant. About 5 years ago, we got a $12,000.00 grant. One
grant for a tree and we have to match it.

For the last four years we have been matching this one $12,000.00 grant. So instead of costing us $12,000.00 and a total spending of $24,000.00, that thing has costs us about $70,000.00. I mean, I really don't understand at all. I mean, we're just running -- Oh, Resolution 11-2011-26, I believe that requires a public hearing when you're creating a handicap spot on a public street. I think that needs some type of Local Law. To amend the Local Law. You shake your head no, Mr. Mayor, but you won't answer me. Because all of these have to be in the Village code and codified, or else a cop can't write a ticket. So to add to that, you need a public hearing of the Local Law. I am sure your attorney must have spoken to you about that. There is one more item and I probably -- I will throw it in, I see Adventure Treks' is basically your
marine manager, right? He is getting a
$10,000.00 raise. Your employees ain't had
a raise in two years. You're offering them
squat. You might want to take a little look
at that one. The big one that I want to look
at is the hospitalization for the
$18,000.00. You can't got it. You ain't got
it, so say so.

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

MR. TROWBRIDGE: Richard Trowbridge.

I used to be the recording secretary and
transcriptionist for the Board. Thankfully,
now I am not. The last work session it was
reported by the deputy clerk in response to
a question as to why the minutes weren't
going on the website. That they were having
trouble converting the documents that they
have to a PDF document format. Well, I would
like to remind the Board that since the ne
website has gone online, this Village Board
has gotten emailed to them, from me, all the
minutes of this Board, both the Work session
and the regular session in PDF format. All
the Village Deputy Clerk had to do was
upload them directly from her e-mail account
into the website. I also note that the old
website, the one that has the address
www.thevillageofgreenport.org, which is on
the world wide web, has 22 documents
uploaded to it by a Barney Smith. In
addition, it had the request for foiling
information. The new website does have www.
Therefore is not a body of the world wide
web has had the request for foiling
information uploaded to it. I assume that
had to be a PDF format. It also had calendar
-- monthly calendars placed on that site and
I also assume that they had to be uploaded
to a PDF format. So again, we have a problem
with what's accurate and what's inaccurate.
Obviously what was reported at the last
Board of Trustees Work session was grossly
inaccurate because you have been getting PDF documents emailed to this Board and to all the Boards in the Village in PDF format. Since this website -- new website, went online. It's quite amazing that we have this much butchering of the English language on this document. It is going to be very interesting to see you folks read this into the record and have that record go onto television. Good luck.

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

(No Response.)

MAYOR NYCE: If not, we will close the public portion of the meeting and I will respond to a couple of these in reverse order. While I appreciate that a citizen in the area comes in and takes notes and sends them in PDF to the Board, they are not the person that is hired by the Board to keep
the official record for the Village. That is
done by a service that is hired by the
Village and sent to the Clerk's Office. The
Clerk's Office does have record of all of
those. To answer another one, from the
minutes, we're not keeping verbatim minutes
of the work session. We're not required to
by open meetings law. We're required to be
-- to keep our style of minute taking
consistent. That verbatim minutes are taken
at regular meetings. As far as the handicap
spot, no we can do that by action of the

As long as the Village Attorney has
reviewed the Resolution, and given us that
information. The Resolution on the Light
Plant is a redo. It's not additional debt.
That is, when we did the Resolution last,
there was a mix-up in the Clerk's Office,
that notice was not published, therefore
increasing the bonding and borrowing did not
go through. Therefore, we're passing the
Resolution again and the notice will be placed and it will go on again.

Resolution on Health Benefits, to simply answer your question, yes, the Resolution exists.

The treatment plant, since the start of it, it has been bonded at over eight million dollars. As far as the second street houses, I will have the Village Administrator put together an update of what has been done to this point. But that process is moving. It may not be moving the way that you would like it to move but it is in fact moving. The actions that we voted to take, were taken. Legal action was started, which caused the applicant in that case to move forward with the process. I will have the Village Administrator put together an update as to what is going on and made available to the residents down there at the
end of Second Street.

TRUSTEE PHILIPS: I just want to say that the discussion at the work session was to put on the Board that we need to start discussing our budget. We need to understand where we need to be with it. We, as of Board, have not made any conclusions if we're above the 2% or below the 2%. I needed to clarify that I feel that we, as a Board, need to discuss it because I feel that the public needs to understand it. Just to be clear, we need to do our homework first. It's a complicated issue to deal with the debt of Mitchell Park and the future debt of it. I am clarifying that.

MAYOR NYCE: The fact of the matter is, the State did enact this tax gap. The purpose of which is to consolidate where consolidation is possible and to limit the amount of taxing done by special districts, etc, etc. When the legislation was put in,
all of it has a relief mechanism. We need to explore what those options are to us. We need a 60% vote. For us as a Board, we need 60%, which is majority. With that, I do need to announce that Trustee Kempner is still at home with her newborn. I announced it at the work session that she is still resting at home. With that, we will move into our regular agenda. With that I will offer a Resolution adopting the November, 2011 agenda as printed. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: Resolution #11-2011-2, 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 PHILIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

Resolution #11-2011-3, Resolution ratifying the authorization of Jim Fogarty to attend the "Arc Flash Safety" seminar on Wednesday, November 30th from 11:30 a.m. to 1:30 p.m. at Republic Airport on Route 110 at no cost to the Village for the seminar itself or traveling expenses. So moved.
TRUSTEE MURRAY: Second.

MAYOR NYCE: By way of discussion, this is a ratification vote. Trustee Philips voted in the negative to this and the next Resolution. If she is so inclined to voting on the ratification this time, although she voted no on the resolution itself.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE PHILIPS: No.

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: Resolution #11-2011-4, Resolution ratifying the authorization of Dan King to attend the "Arc Flash Safety" seminar on Wednesday, November 30th from 11:30 a.m. to 1:30 p.m. at Republic Airport on Route 110. At no cost
to the Village for the seminar itself or traveling expenses. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed?

TRUSTEE PHILIPS: No.

MAYOR NYCE: Motion carries.

TRUSTEE PHILIPS: Resolution

#11-2011-5, Resolution approving the Mass Public Assembly Permit application as submitted by the Relief Hose Company of the Greenport Fire Department, for the use of Village of Greenport streets, for the annual Holiday Parade on December 11, 2011, from 1:00 p.m. to 2:30 p.m., with a rain date of December 18, 2011, from 1:00 p.m. to 2:30 p.m. So moved.
MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE PHILIPS: I would also just like to make the public aware that we will be accepting contributions to support this function and the people would be to contact, Jen O'Rilly of the fire department.

Anything that you can do would be much appreciated.

TRUSTEE HUBBARD: We also do need volunteers for the costumes and outfits.

MAYOR NYCE: If there is anyone that wants to dress up in costumes, please let us know.

TRUSTEE HUBBARD: Resolution
#11-2011-6, Resolution approving the Mass public Assembly Permit application as submitted by the Greenport Fire Department Fire Safety Education Program, for the use of the Polo grounds on Moore's Lane for the Circus Fundraiser, on July 25th and July 26th, 2012, from 5:00 p.m. to 10:00 p.m.

So moved.

TRUSTEE PHILIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

Resolution #11-2011-7, Resolution approving the Mass Public Assembly Permit application as submitted by
Mr. & Mrs. Roy Morrow and
Mr. & Mrs. Kenneth White, Jr., for the use
of Greenport Harbor, for the New Year's Eve
Fireworks Show on December 31, 2011 to
January 1, 2012 from 12:00 a.m. to
12:20 a.m. So moved.

TRUSTEE MURRAY: Second.

TRUSTEE PHILIPS: I have a comment on
this?

MAYOR NYCE: Yes.

TRUSTEE PHILIPS: I have had several
residents come up to who were made aware of
this, felt that it was late and they
expressed their opinion of being woken up by
the fireworks. I just had to make the Board
aware of it.

MAYOR NYCE: If this is passed, we
will announce it and make sure the people
are aware that it will be going on. No
discussion, I will call a vote.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

I want to send our thanks to the Morrow's and the White's for stepping in.

Thank you very much.

TRUSTEE MURRAY: Resolution 11-2011-8, Resolution declaring the 2001 Dodge Durango as not required for municipal purposes and to be sold or disposed of as surplus equipment for an amount not less than $2,500 and to direct Clerk Pirillo to notice. So moved.

TRUSTEE PHILIPS: Second.

MAYOR NYCE: All those in favor?
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE PHILIPS: Resolution #11-2011-9, Resolution approving the budget modifications as follows as per Treasurer Kagel:

$5,000.00 from line item number R.7180.100 McCann Campground Labor, to line item number R.7180.400 McCann Campground Expense.

$3,500.00 increasing line item number A.2414 Pump out Boat Fees, and then increasing line item number A.7230.480, Pump out Boat Expenses. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: Resolution

#11-2011-10, Resolution approving the
request of the United States Power Squadrons
to use a portion of Mitchell Park during
their annual visit on August 3, 2012 through
August 5, 2012, per the Public Assembly
Permit Application as submitted. So moved.

TRUSTEE PHILIPS: Second. I have a
question. This particular function at
Mitchell Park is co-sponsored by the
Village?

MAYOR NYCE: They're guests of the
marina. To an extent, yes. They are our
guests.

TRUSTEE PHILIPS: But it is
benefitting the Village?

MAYOR NYCE: Yes.
TRUSTEE PHILIPS: So it is a Village of Greenport function?

MAYOR NYCE: Yes.

TRUSTEE PHILIPS: I just wanted to be clear on that.

MAYOR NYCE: If there is no further discussion. I will call a vote.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

I will offer Resolution #11-2011-11, Resolution approving the annexed bond resolution as submitted by Fulbright and Jaworski, dated October 18, 2011, amending the prior bond resolution adopted on
April 4, 2011, regarding the Village of
Greenport Power Plant Upgrade and increasing
the bonding authorization from $1,750,000.00
to $2,450,000.00. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: We are going to do a role
call vote on this. As I explained on the
onset of the meeting, we did this increase.
We were funding it with the fund balance.
After further discussion with the treasurer
and bond counsel, we opted to increase our
borrowing, which we did in June and as I
said, as an oversight in the Clerk's Office.
That posting was never done. So since that
notice was never published, that Resolution
was not deemed to carry through. Therefore,
we're required to do the same action again.
This vote does require a super majority. It
is not necessary to do a roll but we do them
on bonding resolutions. If there is no

further discussion, I will ask that the
Clerk please call a roll?

MS. ODDON: Trustee Hubbard, how do you vote?

TRUSTEE HUBBARD: Yes.

MS. ODDON: Trustee Murray, how do you vote?

TRUSTEE MURRAY: Yes.

MS. ODDON: Trustee Mary Bess Philips, how do you vote?

TRUSTEE PHILIPS: Yes.

MS. ODDON: Mayor Nyce, how do you vote?

MAYOR NYCE: Aye.

MS. ODDON: Thank you.

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: Resolution #11-2011-12, Resolution approving the purchase of IQM2 meeting software, at a cost of $395.00 per month, to be divided amongst the various Village Funds, commencing on January 2, 2012. So moved.

TRUSTEE PHILIPS: I will second it for discussion purposes.
TRUSTEE PHILIPS: I really prefer that this be tabled. I would like to have a better explanation of this software. At this point, I am not sure this is something that we can afford in the budget, maybe for the budget next year. As a liaison for the Village Clerk's Office, I would like to have had seen a presentation before it made it this far.

MAYOR NYCE: I was going to suggest that we can not budget it for this year. Things are reasonably tight. I do not have a problem with tabling the motion. Are you making that motion?

TRUSTEE PHILIPS: Yes, sir.

MAYOR NYCE: There is a motion to table. Is there a second on that?

TRUSTEE HUBBARD: I will second that.

MAYOR NYCE: Seconded to table by
If there is no further discussion, I will call a vote.

All those in favor to table this motion?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion is tabled.

TRUSTEE PHILIPS: Resolution #11-2011-13, Resolution approving the Mass Public Assembly Permit Application as submitted by San Simeon by the Sound for the use of Mitchell Park on July 29, 2012 for the annual fundraiser event. So moved.

MAYOR NYCE: I will second that. By way of discussion, I was contacted by an e-mail today by the women who does the --

AUDIENCE MEMBER: She is walking in
the door like any second.

MAYOR NYCE: Anyhow, laying out some
points, which I understand. We discussed it
at the work session. It's not that the Board
does not agree that the San Simeon is not a
good cause. It's an absolutely worthy cause.
The discussion at the work session was the
opening of the park for an event and closing
it to the public for a fundraising event
just for that organization. It might get a
little bit difficult for us to maintain. And
that would be for any organization who came
to us with the same thing. We try to do it
on a case by case basis to determine whether
or not it is a benefit for the Village. So
that the Board of Trustees has been charged
for determining for the use and developed
what events are to be held in the park.
It's done on a case by case basis. With
that being said, I will open it for further
discussion. If everyone has said what they have to say at the worksession, I will call the vote.

All those in favor?

(No Response.)

MAYOR NYCE: Opposed?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Motion did not carry.

TRUSTEE HUBBARD: Resolution #11-2011-14, Resolution directing Clerk Pirillo to notice a chance of date for the regular meeting of the Board of Trustees to December 27th, owing to the holiday and closed of Village 12/26/2011 during which the Village Offices will be closed. So moved.

MAYOR NYCE: Second.

All those in favor?
TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

I will offer Resolution #11-2011-15, Resolution authorizing the Mayor to sign the attached "Change Order No. 2C" for the Power Plant Upgrade project and furthermore to authorize the Mayor to sign the corresponding Change Orders for time extensions under Work Packages B, E, and F, once prepared and reviewed by legal counsel.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: Resolution #11-2011-16, Resolution authorizing the Mayor to sign attached "Third Renewal to Incremental Power Supply Agreement." So moved.

TRUSTEE PHILIPS: Second.

MAYOR NYCE: By way of explanation, this has to do with the routing of electricity from Old Nyack to us.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE PHILIPS: Resolution
#11-2011-17, Resolution authorizing the Director of Utilities, John Naylor, to attend the December NYAPP Business Meeting in Albany, New York on December 7th and 8th, 2011 at a total cost of attendance that will consist of the hotel cost (conference rate) of $140.00 for one night and their associated travel costs are expected to be less than $110.00 for gas, parking, tolls and related expenses not to exceed $250.00 to be expensed from Line Item No E-0781.100. So moved.

TRUSTEE HUBBARD: Second.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.
TRUSTEE HUBBARD: Resolution
#11-2011-18, Resolution authorizing the
Mayor, David Nyce, to attend the December
NYAPP Business Meeting in Albany, New York
on December 7th and 8th, 2011 at a total
cost of attendance that will consist of the
hotel cost (conference rate) of $140.00 for
one night and other associated travel costs
are expected to be less than $110.00 for
gas, parking, tolls and related expenses not
to exceed $250.00 to be expensed from Line
Item No A.1210.400. So moved.

TRUSTEE PHILIPS: Second.

MAYOR NYCE: By way of explanation,
yes we did duplicate gas and parking and
tolls, I expect that Mr. Naylor and I will
be traveling together. In the off chance
that we are not, we made the resolution to
offer the additional expenditure.

All those in favor?
TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

I will offer a Resolution #11-2011-19,

Resolution authorizing the Mayor to sign

Change Order No. 7G for Emergency Pipe

Repairs in the amount of $10,824.00 to

cover the costs incurred for Emergency

Repairs to the influent pipe to the Imhoff

Tank.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: Resolution #11-2011-20, Resolution authorizing the Mayor to sign Change Order Number's 9G and 5E for Time Extensions to the General Construction (9G) and Electrical (5E) contracts extending the formal dates of Substantial Completion to December 31, 2011 and the dates of Final Completion to March 16, 2012. So moved.

TRUSTEE PHILIPS: I will second that.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.
TRUSTEE PHILIPS: Resolution #11-2011-21, Resolution authorizing the Mayor to sign the Amended Exhibits A and C for the existing agreement between the Village of Greenport and Cameron Engineering Associates for service as engineer of record as the wastewater treatment plant upgrade project extending the term of the agreement through Substantial and Final Completion for the fees and the individual services stipulated. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: By way of discussion on this, this amended contract has to do with the extension and also all of the change orders that have happened through the course of already. It has been approved by the Village counsel.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.
TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: Resolution #11-2011-22, Resolution authorizing Mayor Nyce to sign the agreement with the New York State Department of Transportation, as attached, to transfer the ownership and operation of the existing bicycle locker facilities located at the LIRR train station off Fourth Street, from the New York State Department of Transportation to the Village of Greenport. So moved.

TRUSTEE PHILIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)
MAYOR NYCE: Motion carries.

I will offer a Resolution #11-2011-23, Resolution authorizing Village Administrator Abatelli to sign Urban and Community Forestry State Assistance Contract #T304566, which provides for a $12,000/50% matching grant for: Tree removal, tree plantings and tree trimmings. So moved.

TRUSTEE PHILIPS: Second.

MAYOR NYCE: And by way of explanation, George, do you want to do it? This is the second time we have been awarded a grant through the DEC. We're extremely proud and happy to get this grant. What we have done each time is allocate and budgeted money each year. We have taken that money and that money is allocated to satisfy this grant. It's pretty straightforward.

TRUSTEE HUBBARD: Correct. It's
actually money that we are getting back. It's $12,000.00 a year just for the upkeep and maintenance from the trees. This is a good thing that we get this, we can do more work and it's not going to be funded by the tax payer.

MAYOR NYCE: There be no further discussion, I will call a vote.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: Resolution #11-2011-24, Resolution to implement the following recommendations of the ISO by July 31, 2012 in order for the Village of Greenport to maintain its current Class 4
rating in accordance with the Building Code Effectiveness Grading Schedule:

Adopt the latest editions of the New York State Building Code.

Adopt the New York State regulations for residential sprinkler installations as the residential sprinkler installation code of the Village of Greenport.

Adopt the model code inspection checklist.

Develop a public awareness program.

Require that all contractors providing services in the Village of Greenport have a valid contractor's license from the Town of Southold or Suffolk County. So moved.

TRUSTEE PHILIPS: Second.

MAYOR NYCE: By way of discussion, we did go over this thoroughly at the worksession. I would like to reiterate that it would not going to require to go out and
install sprinkler systems. It's to keep our insurance rating where it is now. This is the company that ensures our Building Department. So they recommended that we take this action to ensure our high rating.

All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE PHILIPS: Aye.
TRUSTEE MURRAY: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: Motion carries.
TRUSTEE PHILIPS: Resolution

#11-2011-25, Resolution ratifying re-hiring of Brooke Pollock as a seasonal/part-time Ice Rink park personnel effective November 14, 2011 at $8.50 per hour. So moved.

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

Any opposed or abstentions?
(No Response.)
MAYOR NYCE: Motion carries.
TRUSTEE HUBBARD: Resolution #11-2011-26, Resolution authorizing an additional handicap parking space on North Street in front of the Floyd Memorial Library to be determined by the Village Administrator based on the most convenient access. So moved.
TRUSTEE PHILIPS: Second.
MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE PHILIPS: Aye.
TRUSTEE MURRAY: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

I will offer a Resolution #11-2011-27, Resolution to notice a public hearing on December 27, 2011 at 6:00 p.m. regarding proposed Local Law of 2011, creating Section 150-50 of the Greenport Village Code creating Design Incentives for Accessibility, and directing Clerk Pirillo to publish the corresponding public notice.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: Resolution #11-2011-28, Resolution to notice a public
hearing on December 27, 2011 at 6:00 p.m.
regarding a proposed Local Law of 2011
creating Section 150-51 of the Greenport
Village Code regarding Handicapped Access
Ramps, and directing Clerk Pirillo to
publish the corresponding public notice. So
moved.

MAYOR NYCE: I will second that.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE PHILIPS: Resolution

#11-2011-29, Resolution to notice a public
hearing on January 23, 2012 at 6:00 p.m.
regarding proposed Local Law of 2011
creating a new Chapter 114 of the Greenport
Village Code regarding Storm Water Management Erosion and Sedimentation Control and to amend Chapter 150, Land Development Regulations, Site Plan Approval and Subdivision Regulations and directing Clerk Pirillo to publish the corresponding public notice. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: I am not sure if this is a typo or not. I am going to ask the Village Attorney, should this be proposed Local Law 2012 or 2011?

MR. PROKOP: It is the year in which it was filed with the Secretary of State. So it will be adopted in 2012. So it should be Local Law 2012.

MAYOR NYCE: So then these two resolutions should let the record show -- we will amend them as we go but the prior two should be Local Laws of 2012. If there is no
further discussion.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: Resolution #11-2011-30, Resolution to notice a public hearing on January 23, 2012 at 6:00 p.m. regarding proposed Local Law of 2012 creating a new Chapter 114A of the Greenport Village Code regarding Prohibition of Illicit Discharges Activities and connections to separate Storm Sewer Systems and directing Clerk Pirillo to publish the corresponding public notice. So moved.

TRUSTEE PHILIPS: Second.

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

TRUSTEE PHILIPS:  Aye.

TRUSTEE MURRAY:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  Motion carries.

Resolution #11-2011-31, Resolution to notice a public hearing on January 23, 2012 at 6:00 p.m. regarding a proposed policy change for the New York State Liquor Authority Referrals, and directing Clerk Pirillo to publish the corresponding public notice. So moved.

TRUSTEE MURRAY:  Second.

MAYOR NYCE:  All those in favor?

TRUSTEE HUBBARD:  Aye.

TRUSTEE PHILIPS:  Aye.

TRUSTEE MURRAY:  Aye.

MAYOR NYCE:  Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: Resolution #11-2011-32, Resolution to approve the renewal of the Management Agreement between the Village of Greenport and Adventure Treks Limited together with the proposed addendum increasing duties and responsibilities and compensation by $825.00 per month effective November 1, 2011. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: By way of discussion.

This is an increase, the increase is as the Resolution states, increase duties and responsibilities that Adventure Trek has taken on at our request. While the perception may be that it is a raise, it is compensation for work that is being done.

TRUSTEE PHILIPS: (In Audible.)

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

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILIPS: Resolution #11-2011-33, Resolution authorizing the Village Clerk to issue a request for Proposals for auditing services. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: Resolution
#11-2011-34, Resolution authorizing the Village Attorney to commence litigation against responsible parties regarding the contract for the Third Street Fire House roof. So moved.

TRUSTEE PHILIPS:  Second.

MAYOR NYCE:  All those in favor?

TRUSTEE HUBBARD:  Aye.

TRUSTEE PHILIPS:  Aye.

TRUSTEE MURRAY:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  Motion carries.

Offer a Resolution #11-2011-35, Resolution authorizing payments to Length of Service Award Program recipients in accordance with the recommendations of PENFLEX, Inc., in a letter dated November 11, 2011 to address corrections recommended to previous Length of Service Award
22 payments. So moved.

23 TRUSTEE PHILIPS: Second.

24 MAYOR NYCE: All those in favor?

25 TRUSTEE HUBBARD: Aye.

1 TRUSTEE PHILIPS: Aye.

2 TRUSTEE MURRAY: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No Response.)

6 MAYOR NYCE: Motion carries.

7 TRUSTEE MURRAY: Resolution

8 #11-2011-36, Motion to adopt the attached

9 Resolution as recommended by PENFLEX

10 amending the Service Award Program for

11 active volunteer firefighter members of the

12 Greenport Fire Department to clarify 120

13 month guarantee of service award payments

14 upon participant's entitlement date. So

15 moved.

16 TRUSTEE PHILIPS: I will second this

17 but I have some information on this.
MAYOR NYCE: Yes.

TRUSTEE PHILIPS: This was a letter that has recently came in. I am not sure if George --

TRUSTEE HUBBARD: Yes. The Village Attorney looked over it and I also reviewed it.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE PHILIPS: Resolution #11-2011-37, Resolution to increase the amount of reimbursement to Adam Hubbard under Resolution No. 7-2011-24 by an amount of $52.57 to cover unanticipated cost of
necessary course materials, which were not included in the original resolution. So moved.

MAYOR NYCE:  I will second that.

All those in favor?

TRUSTEE HUBBARD:  Aye.

TRUSTEE PHILIPS:  Aye.

TRUSTEE MURRAY:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  Motion carries.

TRUSTEE HUBBARD:  Resolution

#11-2011-38, Resolution to approve all checks per the check approval list dated November 28, 2011, in the total amount of $1,300,860.84 consisting of:

All regular checks in the amount of $502,898.12.

All prepaid checks in the amount of $419,914.84. And,
All wire transfers in the amount of $378,047.88. So moved.

MAYOR NYCE: I will second that.

TRUSTEE PHILIPS: By way of explanations, my son is an employee with the Village of Greenport. He is on the abstract as per the Village Contract. So I am going to abstain from voting.

MAYOR NYCE: I will explain further that Trustee Philips brought this to my attention. She prepared the abstract for this action tonight. Trustee Hubbard okayed that voucher, in the amount of $75.00. So I will call a vote.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

With Trustee Philips abstaining.

Motion carries.
I will offer a motion to adjourn to Executive Session to discuss litigation.

TRUSTEE PHILIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

(Whereupon, the meeting entered Executive Session.)
CERTIFICATION

STATE OF NEW YORK )
 ) SS:
COUNTY OF SUFFOLK )

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

THAT, the above and foregoing contains a
true and correct transcription of the proceedings, all
of which occurred in open court or in chambers, and were
reported by me.

I further certify that I am not related to
any of the parties to this action by blood or by
marriage 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 9, 2011.
(Jessica DiLallo)