

1 STATE OF NEW YORK  
2 VILLAGE OF GREENPORT

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3 BOARD OF TRUSTEES  
4 WORK SESSION MEETING

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December 16, 2013  
6:00 P.M.

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12 BEFORE:

13 DAVID NYCE - MAYOR

14 GEORGE HUBBARD, JR. - TRUSTEE

15 JULIA ROBINS - TRUSTEE

16 DAVID MURRAY - TRUSTEE

17 MARY BESS PHILLIPS - TRUSTEE

18

19 SYLVIA PIRILLO - VILLAGE CLERK

20 JOSEPH PROKOP - VILLAGE ATTORNEY

21 DAVID ABATELLI - VILLAGE ADMINISTRATOR

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1                   MAYOR NYCE: This is the December  
2                   Board of Trustees work session. I don't  
3                   see the fire department chief with us  
4                   tonight. Does anyone have any questions  
5                   on his report? He had a couple of items  
6                   that needed -- some applications for  
7                   membership and so on. So we will move  
8                   right onto the Treasurer's Report. Good  
9                   evening, Charlene. Robert.

10                  MS. KAGEL: Mr. Mayor and Members of  
11                  the Board. So we have before two budget  
12                  mod's. One is for the fire department as  
13                  we discussed. The other one is for legal  
14                  fees. Moving one money from one account  
15                  to cover another account. We have bond  
16                  payment, which is our BAN. We renewed a

17 BAN for \$160,000.00 which --

18 MAYOR NYCE: Yes.

19 MS. KAGEL: I spoke with Noah today.

20 He wants our closing of our bond issue by

21 January 22nd. So we have -- what we will

22 be doing is taking three BAN's and

23 rolling them into long term debt. We had

24 \$1.7 million from the first upgrade,

25 electric upgrade. The old \$200,000.00

3

1 BAN, will have that kick in, and the BAN

2 for the street sweeper for \$160,000.00.

3 So those are the thee BAN's that will be

4 rolled over into long term debt. We have

5 two new one's, which is the marina

6 electric upgrade, which is \$400,000.00

7 and \$150,000.00 for Phase II of the

8 electric upgrade. So those are

9 authorized. We have not gone out and

10 funded against those. We self funded the

11 upgrade at the marina in anticipation of

12 not doing a BAN and going out for long

13 term. It wasn't a huge amount of money.  
14 So we were able to flow money fro the  
15 general fund in the short term. So we  
16 are looking at a total of \$3.5 million.  
17 So Noah thinks that we will be able to  
18 get a favorable rate. What is happening  
19 now, the short term borrowing market is  
20 becoming a little less attractive. The  
21 fewer amount of bids, the higher the  
22 interest rate.

23 MAYOR NYCE: Is that going to cause  
24 any problems with the small projects that  
25 we have for expansion --

4

1 MS. KAGEL: No. What we plan on doing  
2 with those, the stormwater project, we  
3 are going to do a BAN for that because we  
4 expect within two years to get that money  
5 back from the grant proceeds. The other  
6 two will be self fund. So those can just  
7 come from surplus. We do expect to get

8 reimbursed because all three of them are  
9 green energy grants.

10 MAYOR NYCE: Okay.

11 MS. KAGEL: So we're hoping that  
12 we're going to lock into a low long term  
13 interest rate.

14 TRUSTEE PHILLIPS: Noah said that the  
15 average rate has been up and down.

16 MS. KAGEL: It has been up and down.  
17 If you can remember last year, we had a  
18 rate that was low. So I don't know if we  
19 will be that lucky.

20 TRUSTEE MURRAY: Charlene, I have a  
21 question on the street sweeper. When we  
22 borrowed for that, did we borrow long  
23 term on that?

24 MS. KAGEL: Yes. We could only  
25 convert the short term to the long term.

5

1 So we needed to renew it, which we did  
2 and make a call. It's a one year note for  
3 the one year. So we will call all the

4           BAN's. The \$1.7 is due January 22nd. So  
5           we made that the same date for our  
6           closing date for the one year note for  
7           the \$1.7 million dollar upgrade project.  
8           We also closed on the EFC.

9                   MAYOR NYCE: I was just going to ask  
10           that.

11                   TRUSTEE HUBBARD: You rattled off a  
12           bunch of numbers and figures. We had  
13           asked for a schedule of all the long term  
14           debt. Do you have that?

15                   MS. KAGEL: We will get closing  
16           documents from EFC in a package, as soon  
17           as they send that to us.

18                   MR. BRANDT: He is talking about  
19           this.

20                   MS. KAGEL: Yes, we do have a  
21           schedule.

22                   TRUSTEE HUBBARD: You rattled off a  
23           bunch of numbers. I would like to see  
24           everything in writing on a schedule of  
25           what's going to be included.

1 MS. KAGEL: In collections, we have  
2 tax collections. It says, August. It's  
3 actually not. It's a typo. It's  
4 November 30th. Same thing with  
5 receivables, statistics reports attached.  
6 Also, Robert and I reviewed th draft for  
7 the financial statements from the  
8 auditors and they will be issued any day.  
9 We did get the drafts late last week,  
10 which they had promised to send to us.

11 MAYOR NYCE: And Bill will be at the  
12 January meeting?

13 MS. KAGEL: Bill will be at the  
14 January meeting.

15 TRUSTEE PHILLIPS: Have you started  
16 budgeting yet?

17 MS. KAGEL: Yes, we did. The e-mail  
18 went out today.

19 MAYOR NYCE: Anything else for the  
20 Treasurer's Office?

21 (No Response.)

22 MAYOR NYCE: Thank you.

23 MS. KAGEL: Robert will distribute  
24 the schedule.

25 MAYOR NYCE: Our next report will be

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1 from our Village Clerk, Sylvia Pirillo.

2 Good evening, Sylvia.

3 CLERK PIRILLO: Good evening, Ladies  
4 and gentlemen. Couple of updates to my  
5 report. Resolution #2 is no longer  
6 required as that was handled at a meeting  
7 on the 10th. And the same is true, as  
8 Resolution #4, which is incorporated into  
9 another longer resolution, on Page 2. In  
10 addition, the Mayor to sign a memorandum  
11 agreement, the date there is to be  
12 changed to the 12th. To update that date.

13 MAYOR NYCE: December 12th?

14 CLERK PIRILLO: Yes.

15 MAYOR NYCE: And for the Board's  
16 authorization for Duncan, Weinberg,  
17 Genzer is an annual. They are the



18 attorneys for NYAPP. They submit as  
19 consultants to that group. The bills are  
20 waited by size of the utilities. That is  
21 our portion.

22 CLERK PIRILLO: Also for  
23 clarification, you will notice on Ray  
24 Dunbar's report, there is a resolution  
25 dated for next week, and that is one that

8

1 he and I created together.

2 MAYOR NYCE: An RFP?

3 CLERK PIRILLO: Yes.

4 MAYOR NYCE: For residents to bag  
5 their leaves in paper bags. Understood.  
6 I think probably before it becomes a  
7 resolution on next week's agenda, we will  
8 probably take a little longer and take a  
9 look at that. Either through Code  
10 Committee or discussion here first.

11 CLERK PIRILLO: I discussed it with  
12 Dave Abatelli too. It's a consortive

13 effort. We may be jumping a little too.

14 MAYOR NYCE: I think we will start  
15 next month of having those department  
16 heads report directly to the Board. I  
17 had that discussion with Pete at next  
18 months meeting. I might have a few  
19 discussions to narrow it a little bit.  
20 So I will start that.

21 TRUSTEE PHILLIPS: There are some  
22 other points that need to be clarified.

23 MAYOR NYCE: Absolutely. Let's slow  
24 it down slightly and give it a little  
25 more conversation.

9

1 CLERK PIRILLO: I also wanted to let  
2 the Board know that we had discussed  
3 changing our carrier for conference  
4 calls, and we began for the first time to  
5 use the company called ET Conference.  
6 Our first bill will be approximately  
7 \$10.00, for a conference call that was  
8 approximately an hour. Okay. There were

9 three participants and a chair.

10 TRUSTEE PHILLIPS: What is the  
11 maximum usage?

12 CLERK PIRILLO: I will check on that.  
13 That same call would have been over a  
14 hundred. So it's a huge difference. And  
15 one more addition, the RFP for solar  
16 power, is up on our website today and  
17 will be in Thursday paper. I did want to  
18 thank every one individuals and companies  
19 who donated time and funds to help make  
20 our holiday party program this year. It  
21 was a huge success. So I just wanted to  
22 publicly say thank you.

23 MAYOR NYCE: Absolutely.

24 CLERK PIRILLO: Are there any  
25 questions?

10

1 TRUSTEE MURRAY: You should be  
2 applauded for that. Sylvia really runs  
3 that.

4 CLERK PIRILLO: I appreciate it.

5 MAYOR NYCE: Thank you. The next  
6 report will be from utilities. As I said  
7 a minute ago, I have spoken to the  
8 department heads on a couple of different  
9 issues. One of them being, starting of  
10 the budgeting process. I would like them  
11 to start coming in on January to start  
12 giving their reports to the Board  
13 directly. We will be starting that in  
14 January. On Ray Dunbar's, the primary  
15 one, he has identified a grant  
16 opportunity that is being funded through  
17 the environmental facilities corporation.  
18 This is the first time that I can recall  
19 that there is funding for sewer systems.  
20 Not just the final process but the  
21 collecting process. The next round of  
22 grants, we kept going back to community  
23 block grants, and we weren't able to get  
24 those grants. These are specifically for  
25 it. He is very anxious to get a jump on

1           it. The grant is due in April. He is  
2           asking for us to RFP for engineering  
3           services to do grant writing. I asked  
4           him to get some estimates. I don't see  
5           any estimates in his report. Typically,  
6           those estimates range somewhere in  
7           \$1,000.00. It's a 25% grant. We do still  
8           qualify as a hardship community. We may  
9           even get a zero interest loan. The idea  
10          would be to try and get the same thing  
11          for this project. We also have a track  
12          record with the EFC that should be  
13          helpful. Any questions on Ray's stuff?  
14          The next one that comes up in the packet  
15          is the electric department. Jim is out.  
16          He busted up his arm. Tom has taken over  
17          the day to day at the plant. He has done  
18          a terrific job. There was actually a call  
19          out the other night over on Sterling. He  
20          was there for a couple of hours. He and  
21          Doug have really stepped up for Jim. They  
22          got the Christmas stuff together and they

23 are working on scheduling for this week.  
24 The last two things that have to happen  
25 for the upgrade are the commissions for

12

1 the transformer and the testing of the  
2 switches for the distribution. They are  
3 scheduled for this Wednesday and  
4 Thursday. They will be reaching to any of  
5 the major electric users specifically to  
6 say what the schedules are of the  
7 outages. The outages are going to be as  
8 brief as possible. They are also looking  
9 to try and make possible that there are  
10 no interruptions. If they can isolate  
11 the breaker and test it that way, they  
12 will do that. That should be a very brief  
13 outage. As soon as they know the  
14 schedule, they will contact businesses and  
15 let residents know. We are trying to  
16 schedule the residential during the day  
17 where there is less usage and the

18 business district every early in the  
19 morning. Again, with less usage.

20 TRUSTEE PHILLIPS: Those with  
21 refrigeration compressors is it  
22 possibility of giving them at least a  
23 days notice?

24 MAYOR NYCE: That is what we are going  
25 to try and do tomorrow. They are going to

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1 try and identify a close schedule  
2 tomorrow and reach out to those that have  
3 major businesses. I believe the  
4 commission of the transfer is next week.  
5 The switches are this week. I think they  
6 are running pretty well. I know Jim is  
7 still interested in advertising for an  
8 apprentice in the line group, to come up  
9 under Doug and Tom. Meter Department, I  
10 believe they are reading on schedule and  
11 everything seems to be accessing to on  
12 time with that department. Pete is  
13 asking that we have a new employee be

14 brought in on part-time. I am not even  
15 going to try the last name. Fair enough.  
16 So he is asking to bring him on full-time  
17 as a laborer at \$14.00 an hour to replace  
18 Nate Phillips who has put in his letter  
19 of resignation who we will be accepting  
20 with regret at next weeks agenda. He is  
21 also asking here for -- they use the  
22 biodegradable paper bags for brush  
23 pick-up. No resolutions on the utilities  
24 stuff. The next report will be from the  
25 Village Administrator Dave Abatelli.

14

1 MR. ABATELLI: Good evening, folks.

2 MAYOR NYCE: Good evening, Dave.

3 MR. ABATELLI: I really don't have  
4 too much that I am asking about.

5 MAYOR NYCE: Before you get started, I  
6 have a question on the utilities. The  
7 vacuuming out of the drains, Pete and  
8 Dave have been -- we had an agreement



9 with Shelter Island for years. We gave  
10 them our bucket truck and replace light  
11 bulbs for a day, and we would vacuum out  
12 the drains and storm drains. Well, this  
13 year Shelter Island got a new bucket  
14 truck and we didn't find that out until  
15 late. So we did not get use of their  
16 vacuum truck this year, which has caused  
17 some build-up of leaves in the drains.  
18 Dave reached out to Southold Town. We  
19 have not had so much luck. Pete is  
20 looking into the cost of a vacuum truck.  
21 We are just looking into that. Do we have  
22 any other update that those are going to  
23 get vacuumed out?

24 MR. ABATELLI: I emailed Shelter  
25 Island and they thought that they had

15

1 winterized it although there is still a  
2 small chance. With Southold, it is still  
3 possible. I was talking to Pete about  
4 that. They have two trucks. We were

5           really still counting on Shelter Island  
6           because they really owe us. We were  
7           helping them still with some cable.

8           TRUSTEE HUBBARD: Doing pruning  
9           around the wires.

10          MR. ABATELLI: There is also the  
11          possibility, as I was talking with the  
12          IGA, that they might be hiring someone to  
13          clean that drain. There is just that one  
14          that is the real --

15          MAYOR NYCE: Yes, I know. Come spring  
16          time with the rain, it's not going to be  
17          helpful. So let's see what the Town is  
18          willing to do. If not, if you want to  
19          talk down with the IGA, if they want to  
20          do something and we can help them out.  
21          Reimburse them. I mean, it's a Village  
22          parking lot. So we should be maintaining  
23          or we should get something done, even if  
24          it's a portion.

25          TRUSTEE HUBBARD: Have you looked

1           into renting a truck for a day?

2                   MR. ABATELLI: Not yet.

3                   TRUSTEE HUBBARD: Maybe you should  
4           look into that and see what it is for the  
5           day.

6                   MAYOR NYCE: It doesn't take more  
7           than a day. It would be really nice to  
8           get them taken care of. Sorry, I didn't  
9           mean to send you off into a tangent.

10                   MR. ABATELLI: It's okay. The  
11           campground us shutdown. The only thing is  
12           the ice rink is open. The Highway  
13           Department helped a lot. There was some  
14           good teamwork. We also did get a lot of  
15           help from volunteers. So the ice rink is  
16           up and running. We have had some odd  
17           weather situations. So it will be up for  
18           three months. The carousel is doing  
19           good. Also weather permitting.

20                   MAYOR NYCE: Do we have a company  
21           that we have contracted with, for the  
22           refrigeration? I know we had a issue a

23           few years ago. The Rec Center --

24                   MR. ABATELLI: The refrigeration,

25           last year we started using a guy who

17

1           understands the whole mechanical. He

2           understands the computer.

3                   MAYOR NYCE: Okay.

4                   MR. ABATELLI: It's a very frustrating

5           situation.

6                   MAYOR NYCE: Yes.

7                   MR. ABATELLI: But it does work. We

8           have to be very careful when we shut down

9           the power.

10                   TRUSTEE PHILLIPS: I know that is a

11           major concern for many business owners.

12                   MR. ABATELLI: The LWRP, they did have

13           some comments. Mostly it's a format. To

14           make it flow better. So I am going back

15           and forth. By the next meeting, we might

16           want to have a date to set the 60 day

17           period.

18                   MAYOR NYCE: So maybe at the January

19 meeting?

20 MR. ABATELLI: No, I think at the  
21 December meeting. You know, set a date.

22 MAYOR NYCE: Okay.

23 MR. ABATELLI: So if the documents are  
24 together, we can do it then. Rather than  
25 wait till the January meeting.

18

1 MAYOR NYCE: Understood.

2 MR. ABATELLI: The other two RFP's, I  
3 do hope to get those going. The marine  
4 bulkhead, I am pretty comfortable with.

5 MAYOR NYCE: I will meet with you.  
6 Let's do that right after the holidays.  
7 So we can start that as we discussed.

8 MR. ABATELLI: I may try and get a  
9 couple of sidewalks done. One on Adams  
10 Street and up on Triangle.

11 TRUSTEE PHILLIPS: The curbing on the  
12 corner, have you seen that?

13 MR. ABATELLI: What area?

14 TRUSTEE PHILLIPS: There is a broken  
15 piece of cement?

16 MR. ABATELLI: Is it newly broken?

17 TRUSTEE HUBBARD: It got hit by a  
18 plow during the snowstorm. It was broken  
19 or loose and when it got hit, it got  
20 worse. It's on the west side of the  
21 street.

22 MR. ABATELLI: Okay. I have a couple  
23 of hiring's. Mostly the same staff as  
24 last year.

25 MAYOR NYCE: Cool. Thank you very

19

1 much. The Village Attorney is addressing  
2 the Suffolk County Water Authority on our  
3 behalf and said that he would not be here  
4 until 7:00. Rather than not wait for him  
5 to get here till 7:00, I didn't see  
6 anything on his report that was -- needed  
7 to go over specifically. Is there any  
8 questions on it?

9 TRUSTEE PHILLIPS: Just the MBE and

10 WBE stuff is being corrected.

11 MAYOR NYCE: Yes. I spoke to Dennis  
12 and they are taking on that project. So  
13 the next will be reports from committees.  
14 We had two items on Code Committee. They  
15 had two items, one, going over last year,  
16 we changed the fee schedule for cars left  
17 on the street for snow storm, whereby we  
18 changed it from a range to a set fine and  
19 then allow the people to plead guilty or  
20 appear in court to defend themselves. We  
21 had talked about a long time ago at a  
22 work session doing the same thing for  
23 snow removal for sidewalks for both  
24 commercial and residential properties.  
25 Code Committee has set a recommendation

20

1 that we follow the same path as the car  
2 thing. Setting an initial fine of \$75.00  
3 with the same escalators that were put in  
4 for the cars. So we would -- I believe we

5 need to set up a Public Hearing to do  
6 that change in our code. The other one  
7 was a MS4. There has been a push to have  
8 a code amendment dealing with animal pet  
9 waste. So the Village Attorney has said  
10 over a draft dealing with animal pet  
11 waste. It has been recommended that we  
12 hold a Public Hearing on that as well.  
13 The BID meets this coming Thursday. They  
14 did have a Shellabration and some events.  
15 The season has extended of what it was a  
16 few years ago and they are definitely  
17 taking advantage of that. As you all  
18 know, as we get close to the annual  
19 meeting, I am going to appoint Julia as  
20 the liaison of the BID just for  
21 transition. So there is some continuity.  
22 She has been attending those meetings as  
23 well. So come January/February I am  
24 going to ask her to take over those  
25 meetings. The next portion of our



1 meeting is Items for Discussion. I know  
2 that there is an applicant present and we  
3 will take that one first. We had the  
4 wetlands permit application for Michael  
5 Osinski at 307 Flint Street. The Public  
6 Hearing was closed. There were a bunch  
7 of comments. I had some e-mail contact  
8 with the applicant over the weekend.  
9 Letting them know that if we had  
10 questions for them about the application  
11 tonight during the discussion, if they  
12 were here, we would likely ask them  
13 address them to answer some questions, if  
14 there were any. I will open it up for  
15 discussion.

16 TRUSTEE PHILLIPS: Well, I have  
17 reached out to some of the neighbors who  
18 were at the Public Hearing, as well as  
19 Mike and Isabelle, and I think that one  
20 of the questions that I have for Mike and  
21 Isabelle, are dealing with the upwellers  
22 in Widow's Hole. Some of the neighbors  
23 would like them to be taking out of there

24 and I think that might be something that  
25 is not possible. But I think if Mike and

22

1 Isabelle could give us a brief  
2 description and get some clarification. I  
3 think we need some of the facts and what  
4 their plan of action is. That seems to  
5 be the conversations that I had. Everyone  
6 seemed to be in favor of moving the  
7 operation out to the dock. I know the  
8 upwellers are something that is an  
9 important part of the culture. So maybe  
10 Mike can explain what their part is and  
11 what their plan is. I think that would be  
12 appreciated.

13 MAYOR NYCE: If it's all right, we can  
14 go around and see if there is a series of  
15 questions and then they can be answered  
16 all at the same time. Is that agreeable  
17 to everybody?

18 TRUSTEE MURRAY: That was going to be

19 my question as well.

20 MAYOR NYCE: Okay.

21 TRUSTEE HUBBARD: Pretty much the  
22 same thing. There was discussion on the  
23 expansion inside Widow's Hole. He said  
24 he wasn't planning on that and people  
25 said it was three times the size then

23

1 anything else. So just clarification on  
2 what is actually planned on the inside.  
3 Looks like new floats. I know Mike did  
4 say he was not going to do any expansion  
5 on the inside. Just to clarify that.  
6 Pretty much everyone had the same  
7 question. People were happy with the  
8 platform and everything like that. Just  
9 the expansion on the inside of Widow's  
10 Hole.

11 TRUSTEE ROBINS: I also have a couple  
12 of questions about the proposal on the  
13 plan that was submitted so far, which is  
14 the one that we are working from dated

15 April 1st, that does show additionally a  
16 floating dock being installed, as well as  
17 the 8x16 dock and the upwellers. I think  
18 this is commercial activity that is  
19 taking place in the creek and I am not  
20 sure if I agree with that. The other  
21 thing is, I do have some concern about  
22 trying to balance a commercial enterprise  
23 in a residential neighborhood. I totally  
24 support the farming and it is a  
25 waterfront commercial district but Mr.

24

1 Osinski does have to market and that  
2 involves you know, the transport via of  
3 residential neighborhood. And I do know  
4 in the Village that we are trying to fit  
5 the spirit of a working Village. I am not  
6 opposed to them having a business in  
7 their home but we are talking about a  
8 major expansion here. There is a big dock  
9 going into the bay. This is going to be

10 an expansion of a business. I just want  
11 to make sure that we don't change the  
12 character of the neighborhood too much.  
13 So I have some questions and concerns.

14 MAYOR NYCE: Do you want to come and  
15 join us for a second?

16 MR. OSINSKI: Sure.

17 MAYOR NYCE: For the record, Michael  
18 Osinski, the applicant.

19 MR. OSINSKI: If I understand --

20 MAYOR NYCE: First with the upwellers  
21 --

22 MR. OSINSKI: The upwellers are not  
23 pertinent. These questions that you are  
24 raising are not pertinent to the  
25 applicant.

25

1 MAYOR NYCE: They already exist.

2 MR. OSINSKI: It is a permitted  
3 structure. Its not that its not  
4 permitted. Why is that the topic of the  
5 discussion? I will say this about the

6 upwellers, they are a half horse  
7 submerged pump. A foot or two below the  
8 water. I don't know that they make a  
9 decibel or a quarter of a decibel.  
10 Nobody has told me what the sound is.  
11 How much sound does that make? Before  
12 someone can complain about it, I would  
13 like some specifics about what they are  
14 complaining about. It's not germane to  
15 the topic that you have before you.  
16 Sorry.

17 TRUSTEE PHILLIPS: If I just may, the  
18 reason why I bring up the upwellers is  
19 just to explain that they are part of the  
20 operation that they are important and you  
21 have a permit for them.

22 MR. OSINSKI: We had a permit for  
23 five years. There is nothing on the  
24 existing permit to expand these  
25 upwellers. Except on the existing permit,

1           there are places to put the upwellers,  
2           however, I don't know the -- the density  
3           amount is very important. We submerge  
4           these upwellers in barrels. They are  
5           below the water. They are covered up with  
6           boards. It runs, I thought quietly. It's  
7           the first that I have heard in the five  
8           years that I have had these upwellers,  
9           this is the first complaint. The very  
10          first in five years. In this complaint, I  
11          don't hear of what type of decibel this  
12          is. There are noise levels that are  
13          allowed and disallowed. Saying that, I  
14          really want to annoy people. I really  
15          don't. Contrary to what has been said I  
16          am not out to annoy people. The fact that  
17          we are spending a quarter of a million  
18          dollars to move this operation into the  
19          harbor should speak volumes for itself.  
20          This year, I bought a new upwellers  
21          because the last one was destroyed in the  
22          storm. I bought a new floating dock. To  
23          me, I plug it in, I cannot hear it run

24 but I can see the water coming out. That  
25 is how I tell that it's on. Occasionally,

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1 a pump will go out and I will see it. The  
2 other upwellers is older. Maybe I could  
3 upgrade that. That is a possibility. The  
4 problem with that is the width of the  
5 dock would have to be stretched out about  
6 18 inches to put the newer form -- it's a  
7 plastic bin basically. It's a little  
8 narrow. I can do that. I am willing to.  
9 On the permit, there is the upwellers.  
10 We may move them, but the function of the  
11 upwellers is to enhance the rate of the  
12 growth. To get a head start. There is  
13 more nitrogen going into the creek than  
14 the bay.

15 MAYOR NYCE: Does the pump also  
16 restrict flow because you can have more  
17 wave action?

18 MR. OSINSKI: No. It just blows in  
19 one direction. That is the function. If



20 these things are a decibel, I would be  
21 shocked. For the people that expressed  
22 these complaints, I would like to know  
23 what the level is. I think you need to  
24 have specifics.

25 TRUSTEE ROBINS: Mr. Osinski, do you

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1 know of any other farmers in the area  
2 that are working out of their residents?

3 MR. OSINSKI: Yes. I can see them  
4 from my house. Contrary to what was  
5 said, there is one immediately across  
6 from my house. They are permitted.

7 TRUSTEE ROBINS: What is that  
8 address?

9 MR. OSINSKI: I don't know that  
10 address.

11 MAYOR NYCE: They are the McCarthy's.  
12 They are 4th and Clark.

13 MR. OSINSKI: We have been doing  
14 this for 12 years. We have built a name

15 for the Greenport oyster. It's known all  
16 over the country. We turn away business.  
17 We get tours coming. People come all the  
18 time. They want to see how an oyster farm  
19 works. It's a very popular thing.

20 MAYOR NYCE: To George's question --

21 MR. OSINSKI: If you look closely at  
22 that permit, there is absolutely no  
23 increase. We had three floating docks.  
24 We're going to maintain that. The only  
25 increase that was scheduled in Widow's

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1 Hole is the addition of a metal ramp.  
2 That metal ramp, when my neighbors  
3 complained about it, I told them that I  
4 really don't need it. We would be glad to  
5 negotiate with you. I said don't need  
6 that metal ramp. I need a piling. These  
7 things are lashed together. It's been  
8 what 15 months now.

9 TRUSTEE HUBBARD: On the paperwork it  
10 says proposed 8x16 float, there is

11 already one there?

12 MR. OSINSKI: It's permitted, yes.

13 TRUSTEE HUBBARD: I am just reading  
14 what it says, Mike. It says existing and  
15 it says proposed.

16 MR. OSINSKI: If you look closely  
17 there is a dotted line. There is the  
18 proposed one -- see if you look, you see  
19 this line. That was destroyed by the  
20 hurricane. The dotted line. Also the  
21 sandbar encroached. That was there. That  
22 was existing and was destroyed. These  
23 pilings aren't going to work. So we took  
24 what was destroyed and got a new one. We  
25 took it and have it here. When it blows

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1 out of the east for three days, four  
2 days, we need to get in there where it is  
3 protected. I have my children, they are  
4 13 and 14 years old, the feet are hanging  
5 over the dock. We wanted it to protect

6 our children. No other reason at all.

7 TRUSTEE MURRAY: I see that this  
8 would benefit the operation. I thought  
9 that this would make sense to do. I like  
10 the way how the light transmit into it.

11 MR. OSINSKI: The DEC has no problem  
12 with it. The CAC has no problem with it.  
13 Never been mentioned before. What other  
14 questions?

15 MAYOR NYCE: I think that is it.

16 MR. OSINSKI: I think Julia had some  
17 other question.

18 MAYOR NYCE: Her discussion was about  
19 the commercial operation.

20 MR. OSINSKI: Okay. We have had a  
21 permit to have an oyster farm for 12  
22 years. We don't have any secrets. We have  
23 permits for everything. I asked you many  
24 times to come and visit us. No one comes  
25 and talks to us. We have been doing this

1 -- until this year, we have never had any

2 complaints. Then we have these complaints  
3 about things that are not on the permit.  
4 The upwellers are not on the permit. We  
5 are very proud of what we have created.

6 MAYOR NYCE: Understood.

7 MR. OSINSKI: There was nothing in the  
8 Village.

9 MAYOR NYCE: Are there any other  
10 questions?

11 (No Response.)

12 MAYOR NYCE: Thanks very much, Mike.  
13 Okay. I will say for the record that the  
14 CAC had no additional comments. They  
15 recommended that a pedestrian access  
16 ladder be installed to allow pedestrian  
17 travel above the high water mark and the  
18 piles should be compatible with oyster  
19 growing farm operation, where they are  
20 not. Everything else is in compliance and  
21 is consistent with our LWRP and  
22 Department of State. Other applications.

23 TRUSTEE PHILLIPS: I think you need  
24 to make a distinction with this

25 application that it's dealing with a dock

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1 and not the operations. The operations is  
2 something that at some point we will need  
3 to discuss for future properties in that  
4 area but currently this application is  
5 dealing with a dock.

6 MAYOR NYCE: I understand. Julia  
7 brings up a good point in that the  
8 expansion of the operation would expand  
9 the commercial use of the property. I  
10 believe that the properties in the  
11 Village should be used for commercial  
12 purposes because we're a working class  
13 community. You have contractors working  
14 out of their house. You have masons  
15 working out of their house. There is a  
16 balance that has to be struck with that  
17 use. Does this dock expand the  
18 commercial use or doesn't it? That is  
19 something that we need to discuss. I

20 understand that's not part of the permit  
21 but that's something that should be part  
22 of the discussion because we're going to  
23 have to consistently accept these  
24 applications and discuss them and rule on  
25 them the same way.

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1 TRUSTEE PHILLIPS: I think in this  
2 particular case, it's already  
3 established. Mike and Isabelle are  
4 taking the step to put the heavier  
5 commercial side into the bay. What is  
6 the difference between that and a baymen  
7 with scallops and owns waterfront  
8 property and comes to his house and  
9 unloads bags of scallops and takes them  
10 to his truck? He's allowed to open them  
11 in his garage if he has the permits.  
12 He's going to have the same vehicle  
13 traffic that is currently coming with  
14 anyone that is doing that type of  
15 waterfront baymen/fisherman agricultural

16 farming enterprise.

17 MAYOR NYCE: I understand. We're  
18 under discussion. One way or the other,  
19 I am saying that it should be part of the  
20 discussion because it was discussed in  
21 the public comment and we're aware of it.  
22 So it should be part of the discussion.

23 TRUSTEE PHILLIPS: I also think that  
24 it should be separate from this  
25 particular application. If discussion is

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1 to take place but not in dealing with  
2 this dock.

3 MR. OSINSKI: That is what the zoning  
4 is, waterfront commercial.

5 MAYOR NYCE: Understood. There is a  
6 permit for cages to be raised and that is  
7 the waterfront commercial. The property  
8 is zoned residential. I am just saying  
9 that it has to be part of the discussion.  
10 You don't have the full picture of what



11 is going on and then you have not heard  
12 what the neighbors have said. That is  
13 all I am saying. It's a venture that  
14 should continue. Even the neighbors say  
15 that putting a dock out there is a good  
16 thing to do and to make the commercial  
17 portion of the business out to that dock  
18 is the right thing to do. The Osinski's  
19 are doing the right thing by doing it. I  
20 think it is fine. I just think that is  
21 has to be part of the discussion. When  
22 this comes up in the future again, it has  
23 to be made aware of what was discussed.  
24 What was said. How we came to the  
25 decision and why. And if there is going

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1 to be restrictions. Mr. And Mrs. Osinski  
2 said that they are trying to remove the  
3 usage in Widow's Hole. I understand that  
4 upwellers need to be there and they are  
5 permitted. We're not going to talk about  
6 moving them. I think the neighbors

7 concerns is that there not being an  
8 expansion of the commercial use in  
9 Widow's Hole and on the property itself,  
10 and I think both the applicant and the  
11 neighbors are in agreement of that. I am  
12 just saying for our due diligence, we  
13 need to have as part of our discussion  
14 what is actually physically going on with  
15 the property. We have to make sure that  
16 we have heard all portions of what was  
17 said. That is the only point that I am  
18 talking at. So where do we strike a  
19 balance?

20 TRUSTEE ROBINS: Just one more point.  
21 In looking at the plans, I understand  
22 that Mr. Osinski is moving out his  
23 business to the dock, the plans still  
24 show a change. I understand that it is  
25 permitted but I don't see any written

1 description of moving the business out to

2 the dock. In other words, he wants to  
3 build the dock but is there any change in  
4 the amount of activity that is taking  
5 place in the creek? That is my question.  
6 It's really not addressed in this  
7 application.

8 MAYOR NYCE: It's not. I think we have  
9 to assume that when the dock is built,  
10 that is where the majority of the  
11 operation will be taking place. It  
12 wouldn't make sense for them to split up  
13 the operation. As they said during the  
14 Public Hearing, that they are going to  
15 keep their boats by the dock and if there  
16 is a storm, then they would move them in,  
17 which is understandable. If everything  
18 that is being presented is genuine, I  
19 don't think there is an issue.

20 TRUSTEE PHILLIPS: If you look on  
21 page 10 of 15, it actually has a  
22 schematic and outlines what it's doing.  
23 Two things, for the amount of money that  
24 the Osinski's are spending to move this

25 out into that area, is a big expenditure

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1 for that type of industry. To recoup the  
2 -- paying for that size of the dock is  
3 not going to happen for several years. So  
4 they are willing to move it to produce a  
5 less noisy activity. They have a lot on  
6 this platform. They have the sorting  
7 machine, which they use the European  
8 style. And Mike, clarify for me, that is  
9 used once a day?

10 MR. OSINSKI: Once a day and it's  
11 never more than 15 minutes a day.

12 MAYOR NYCE: Again, they are moving  
13 that operation out to the bay. So what  
14 is the pleasure of the Board at this  
15 point? To put it on the agenda for next  
16 Monday or do we want -- are there any  
17 accept as proposed?

18 TRUSTEE ROBINS: The only thing that  
19 I would want is a better description of  
20 what Mr. Osinski wants to do. I accept

21 that his idea of moving the operation to  
22 the bay and work platform as stated. I  
23 just would like to see it, a statement of  
24 that intention with the application. I  
25 just thought it was a little bit vague on

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1 the application.

2 TRUSTEE MURRAY: I have to defend Mr.  
3 Osinski on that one. I think that the  
4 plan that he gave us is an extremely well  
5 detailed plan. I think it's well  
6 detailed. I have absolutely no problem  
7 with this. This is a dock permit  
8 application for this. I think he has  
9 shown us. This is what he wants to do.  
10 This is how he's going to run it. How he  
11 runs his business is -- it's his  
12 business.

13 MAYOR NYCE: So why don't I do this,  
14 why don't I put this on for Monday. There  
15 will be more opportunity for discussion

16 prior to vote on Monday. I will put a  
17 motion to approve the application as  
18 submitted and we take it from there. Is  
19 that agreeable with everybody?

20 TRUSTEE PHILLIPS: That's fine.

21 TRUSTEE ROBINS: Yes.

22 TRUSTEE MURRAY: Yes.

23 TRUSTEE HUBBARD: Yes.

24 MAYOR NYCE: Okay. We had three other  
25 Public Hearing's that were closed. The

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1 first one was amending the wetlands  
2 permit fees. There was no comment on it  
3 at all. The Code Committee recommended  
4 it. So unless there is major discussion  
5 here, I will put a motion to approve that  
6 as well.

7 The next one was amending Chapter 150  
8 of the Zoning Law to make that definition  
9 of family match that of permit law.  
10 Giving it the more generous and lenient  
11 terminology. There was some comment from

12 the public. I have to be honest, it  
13 didn't really see pertinent to the  
14 changing of the definition. Does anyone  
15 have any discussion or should I put a  
16 motion to approve that as well?

17 TRUSTEE PHILLIPS: We need to have it  
18 consistent.

19 MAYOR NYCE: The last one was amending  
20 the local law for ZBA Boards to allow for  
21 alternates. The alternates were in case  
22 of conflict of interest. It was not to be  
23 done just for the sake of it. The  
24 alternates would be --

25 TRUSTEE PHILLIPS: It was following

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1 with what New York State allows us to do.

2 MAYOR NYCE: Correct. If a member of a  
3 Board identifies a conflict of interest,  
4 then the Chair will call in the alternate  
5 to step in. That is the only time it will  
6 be used. It's not to have an extra member

7 because lord knows we have a tough enough  
8 time finding people to begin with.

9 TRUSTEE HUBBARD: That was going to  
10 be my question also because someone who  
11 wasn't there for four or five months and  
12 all of a sudden, they are named as an  
13 alternate member and then all of a sudden  
14 they don't know what is going on.

15 MAYOR NYCE: Right. This is only when  
16 there is a conflict of interest. So I  
17 will do the same with that one.

18 Now, it brings us to reports from  
19 Mayor and Trustees. Trustee Hubbard?

20 TRUSTEE HUBBARD: I want to thank  
21 everybody that volunteered and donated to  
22 the Christmas Parade. It was really nice.  
23 The fire department, they are paying for  
24 a storage for the parade equipment. They  
25 did a rental. What they are paying is

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1 almost \$4,000.00 a year to store the  
2 floats and stuff. They can buy the



3 trailer for \$2500.00 to isolate this.

4 MAYOR NYCE: There is plenty of room  
5 by the sewer plant to put this.

6 TRUSTEE PHILLIPS: The wood shop  
7 situation over there needs some looking  
8 into as well.

9 MAYOR NYCE: We can find a spot.

10 TRUSTEE HUBBARD: It's not something  
11 that would be accessed all the time but  
12 only once a year. If we can take that  
13 sort of stuff and put everything  
14 together. It would save money. I will let  
15 them know at the Warden's meeting, that  
16 we have a place and they can start  
17 looking into it for the purchase in the  
18 near future. So if we can work on that  
19 and I will let them know at the meeting.  
20 At the little league field, everything  
21 was painted and taken care of. I have a  
22 girl scout project, which is similar to  
23 an Eagle Scout project. We're going to be  
24 taking care of the sheetrock. So as part  
25 of her project, she's going to help me

1           tear it down. I have a contractor that's  
2           going to put it back up. She is going to  
3           be screwing, taping and painting.

4           Organize everything.

5                     MAYOR NYCE: Cool.

6                     TRUSTEE HUBBARD: I spoke to Heather  
7           Wolf about that. Tree Committee didn't  
8           meet this month but I want to thank the  
9           Tree Crew for their work. Thanks to them.  
10          Last thing, we received an e-mail about  
11          the work that is going to be done on  
12          Wednesday and Thursday on the loss of  
13          power. I tried getting an answer from Bob  
14          Braun. I got a vague answer. Nothing in  
15          writing. Basically, can it work in the  
16          way of the e-mail or not? I just wanted  
17          to bring that up. If this process can be  
18          done that way, I would like to hire the  
19          gentleman to see if he can do that.

20                    MAYOR NYCE: I know Doug and Jim are

21 discussing it with Bob different options.  
22 They were discussing that this afternoon.  
23 The scheduling will be based on that.

24 TRUSTEE HUBBARD: I was just  
25 wondering if it could be done that way.

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1 If we can hire somebody that can do that  
2 work, and save the Village the liability,  
3 I would rather hire the gentleman.  
4 Better for the Village.

5 TRUSTEE PHILLIPS: I am concerned for  
6 this. Refrigeration is really something.  
7 It's a lot. It's a lot more expensive.

8 TRUSTEE HUBBARD: Okay. That was it.  
9 Merry Christmas everybody.

10 MAYOR NYCE: Trustee Robins?

11 TRUSTEE ROBINS: Just some notes on  
12 the BID meeting I attending in November.  
13 They made a suggestion to try and keep  
14 all of the businesses updated on the  
15 events and promotions. Not all  
16 businesses participate in the BID but we

17 would like to see more involved with it.  
18 Some people knew nothing about that Taste  
19 North Fork event. There are a lot of  
20 people that can take advantage of the  
21 extra business. They also talked about  
22 increasing their social lead status. They  
23 asked for a poll map. There was some  
24 conflict apparently with the Christmas  
25 banners going up and the polls. So they

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1 asked for that. You know, they were very  
2 pleased with the Shellabration event.  
3 That's it. Thank you very much and Merry  
4 Christmas.

5 MAYOR NYCE: Thank you.

6 TRUSTEE MURRAY: My report, I guess I  
7 get called out when people feel that  
8 their buildings are falling down. But the  
9 wood shop. I was asked to look at the  
10 barn. It was pretty bad. I think it has  
11 at least \$75,000.00 written all over it

12 to fix that up. It's not a bad idea to  
13 tear that down. So if you look at  
14 spending money to fix the roof, you could  
15 buy a \$100,000.00 building.

16 TRUSTEE PHILLIPS: If we are looking  
17 for storage for the fire department and  
18 we need storage for this and for that,  
19 would it make sense to look into a  
20 building to create that type of storage?  
21 Instead of piece mealing it, let's put in  
22 some thought to serve all purposes. To  
23 me, that would make more sense. I know  
24 the Carousel has a problem with storage.

25 MAYOR NYCE: That was my first

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1 reaction. With \$75,000.00, let's look  
2 into another building. So you want to  
3 look into those two options?

4 TRUSTEE MURRAY: Yes.

5 MAYOR NYCE: Trustee Phillips?

6 TRUSTEE PHILLIPS: The Carousel  
7 Committee met. They have finally come to

8 an agreement on --

9 MAYOR NYCE: Really?

10 TRUSTEE PHILLIPS: Yes. So that is  
11 something that won't be on this agenda  
12 but the next one. They are moving forward  
13 with some projects. The schoolhouse, we  
14 had a couple of activities there. I met  
15 with the Osinski's and Jill Dunbar and  
16 Jamie Feder, to discuss the concerns and  
17 other dealing with the agricultural  
18 operation. I also did an online training  
19 and discovered that we have the ability  
20 of what is called E-Learning, where we  
21 could set up courses that are required to  
22 take, to update their education. I have  
23 not finished looking into it but that  
24 might be a situation where it could save  
25 money. I think that is pretty much it.

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1 MAYOR NYCE: Cool. To that, I met with  
2 Dennis from D & B on the three grants

3 that they are working on. I had missed  
4 the other meetings. They are handling  
5 the WBE stuff. I gave them a date of  
6 January 1st would be a good time to get  
7 together and put together surveys for  
8 residents. There is a bunch of leg work  
9 that has to be done. They are anxious to  
10 get that going. So that's going to be a  
11 work in progress. Mr. Abatelli and I met  
12 with a gentleman from FRES to update our  
13 Hazard Plan. That is something that we  
14 did back in '07. We need to keep that  
15 updated to continue to get FEMA money.  
16 They will send us a copy with that when  
17 they are done. The last item that I have  
18 is something that we have discussed  
19 loosely. Obviously the Director of  
20 Utilities is no longer with the Village  
21 anymore. I have had several discussions  
22 with both management and staff members  
23 about reorganization and also members of  
24 this Board. In discussing it, moving  
25 back to having a Village Administrator

1           who is the general manager and who is  
2           basically the go-to person, and not have  
3           a Director of Utilities. People would  
4           report to that person. The Village  
5           Administrator would make sure that  
6           everything functions and all departments  
7           would report to him. It would take a  
8           little bit of pressure off my chair.  
9           It's not possible to have the sort of  
10          insight that it should be on a part-time  
11          mayor basis. So I am asking that we  
12          advertise for a Village Administrator. I  
13          should also state, that Mr. Abatelli has  
14          informed me that he is retiring soon,  
15          which gives us an opportunity to bring  
16          someone in. Dave has really had the  
17          title of really not working as the title  
18          of Village Administrator, because we have  
19          had other departments and people. I am  
20          asking that we advertise and do that  
21          immediately to see what kind of responses



22           that we get. And that is all that I  
23           have. So that concludes the business.  
24           So I will offer a motion to adjourn to  
25           Executive Session to discuss a payroll

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1           issue. So moved.

2                   TRUSTEE ROBINS: Second.

3                   MAYOR NYCE: All in favor?

4                   TRUSTEE HUBBARD: Aye.

5                   TRUSTEE ROBINS: Aye.

6                   TRUSTEE MURRAY: Aye.

7                   TRUSTEE PHILLIPS: Aye.

8                   MAYOR NYCE: Aye.

9                   (Whereupon, the meeting was adjourned  
10           to Executive Session.)

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C E R T I F I C A T I O N

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).

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

18                    IN WITNESS WHEREOF, I have hereunto set  
19                    my hand this day, December 28, 2013.

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23

(Jessica DiLallo)

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\*                    \*                    \*