STATE OF NEW YORK
VILLAGE OF GREENPORT
----------------------------- X

BOARD OF TRUSTEES
REGULAR MEETING
----------------------------- X

December 23, 2013
6:00 P.M.

BEFORE:

DAVID NYCE - MAYOR
GEORGE HUBBARD, JR. - TRUSTEE
JULIA ROBINS - TRUSTEE
DAVID MURRAY - TRUSTEE (Excused)
MARY BESS PHILLIPS - TRUSTEE

SYLVIA PIRILLO - VILLAGE CLERK
JOSEPH PROKOP - VILLAGE ATTORNEY
DAVID ABATELLI - VILLAGE ADMINISTRATOR
MAYOR NYCE: Good evening. I will call this meeting of the Board of Trustees to order. Please rise.

(Whereupon, all rose for the Pledge of Allegiance, followed by a Moment of Silence.)

MAYOR NYCE: This is the December Regular Meeting of the Board of Trustees of the Village of Greenport. On behalf of the Board and myself, I would like to wish you all a Happy and Healthy New Year, Merry Christmas, Happy Kwanzaa and Boxing Day. The winter season is upon us. Please be prepared to keep sidewalks clear during snow, remove vehicles from the street for proper plowing, and check in with your
elderly neighbors and family members. Help them out. Last couple of years we had a great deal of snow fall. It takes a strain.

Village Offices will be closed for the entire day on December 25, 2013 and on January 1, 2013 for Christmas and New Year's Day respectively. And for the afternoons of December 24th and December 31st, in celebration of Christmas and the New Year. The Village Offices will be also closed on January 20th, in observance of Martin Luther Kind, Jr. Day.

Also, the work session for the month of January will be held on Tuesday, January 21st.

Under Informational, we're announcing that there were Liquor License's that were applied for: Vino n Vittles, Ltd., 110 Front Street. Sakura, 240 Front Street. Rinocito Hispano, Sterlington Commons, Unit #7.
There are no Public Hearing's. I will ask if there is anyone that wishes to address the Board?

MR. SWISKEY: William Swiskey, 184 Fifth Street. The main concern that I have here, going back in the, November Regular Meeting, there was a RESOLUTION passed and you all voted for it. The Board approved an agreement for bid documents, engineering e and blah, blah, blah with Genesys Engineering. So I FOIL'd for that document. The first response that I got was from -- alright. This was on the 27th of November.

We got a copy of your FOIL and basically, it was respectively receive a response on December 19th, which was another 20 days or so. So come December 19th, I get this response from the Village: "Please note that the requested document does not yet exist. Once it's drafted and fully
executed, a copy will be provided in response to your FOIL request." How do you spend $285,000.00 and you have nothing? I mean, that's like -- basically you approve $285,000.00 worth of work for this guy and you don't even know what he's going to do. Now, one thing I would like to ask every individual on the Board, George, did you see this agreement? Mary Bess?

TRUSTEE HUBBARD: Work in progress.

MR. SWISKEY: How do you approve work in progress when you approved an agreement with -- whatever the agreement was, it's not a work in progress. Did you see the agreement Mary Bess?

TRUSTEE PHILLIPS: Yes, I did see the agreement and the wording that was in it.

MR. SWISKEY: When did you see it?

TRUSTEE PHILLIPS: Before the motion.

MR. SWISKEY: Because the Clerk is telling me it's doesn't exist.
TRUSTEE PHILLIPS: That I can't answer.
I can't tell you what the Clerk's give you as far as information. I can tell you that I saw an actual copy of the document. I do understand that they are still in negotiations with it. So I can't tell you whether they received it or not. I can't answer that.

MR. SWISKEY: Wait a minute. The Village approved this, $285,000.00. There better be a --

TRUSTEE PHILLIPS: That's not how the RESOLUTION reads.

MR. SWISKEY: The RESOLUTION reads, and I will read it Mary Bess, the minutes say to execute the agreement with Genesys Engineering for engineering service, preparation of bid documents. This is saying it exist.

MAYOR NYCE: It doesn't say pay them. It says execute the agreement. Once the agreement is finished, it will be executed
and we have been authorized to do that.

MR. SWISKEY: I can tell you --

MAYOR NYCE: Once the contract has been executed and the work completed, we will pay it. Because we agreed to the amount, does not mean we pay the money out before there is an agreement in hand.

MR. SWISKEY: Well, the agreement --

MAYOR NYCE: If you don't understand how the process works --

MR. SWISKEY: I don't understand how your process works because it's not written in the real world. I have never heard of this before. I know, Mr. Mayor, like it was going to be $7.00 to $10.00 for the PPA and suddenly it's an 80% jump. This month it's about a 45% jump. That's a lot more than $7.00 to $10.00. Plus, I know a lot of people called Village Hall and I went to Village Hall and inquired about a PPA, and the point is, the Power Authority's
response to me was, With regard to the
Village's lack of response in helpfulness
in response to customer inquiries, NYPPA
will inquire into this matter with relevant

Village personnel. I mean, you have a bill
from the Power Authority or wherever, and
you are paying this bill, and you have no
idea of what you are paying for. That
would be like I took my car to a mechanic,
he gives me a bill for $5,000.00. Here's
the bill. I said, "what did you do?" "I
fixed it." Well, that's not an answer. Most
bills -- somebody has to be able to
explain. Did you change the head? Did you
change the oil? I am just baffled by this
Board, to tell you the truth. It's like --
Here is another one about this transmission
agreement. Well, I FOIL'd for that a while
ago. And what I am looking -- all the
Village can provide me with, which is not
the agreement that I asked for, which says,
we're going to pay, blah, blah. They provided me with two pages, which basically says the Mayor agrees to whatever these people say. That is kind of foolish. I am just a little bit baffled on that one. Anyway, one good thing that came out of the last meeting was that you didn't turn the lights off because it wasn't necessary.

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

MR. SALADINO: John Saladino, Sixth Street. I have a question about the alternate. I am not sure about the number of the RESOLUTION, but for the changes of the amount of people on the Planning and Zoning Board. It reads that the local law, each member may participate in replacement of a Board member that has a conflict of interest. So you are going to put two additional members on the board in case one
member or two members have a conflict if
interest. It's a five man board. Why would
you increase it? There is no warrant for
that. If there are three members -- there
is -- I don't understand the need. Did I
tell a joke or something? There is a five
man board now you are looking for two more
members. Has the Zoning Board and the
Planning Board not addressed the
application because three people on the
Board have a conflict of interest?

George, to your recollection, has that
happened?

TRUSTEE HUBBARD: No. Right now, there
is one member that is medically unable to
attend.

MR. SALADINO: But that's --

TRUSTEE HUBBARD: John, at the work
session, I asked the Board when this would
apply and these people be used. They would
be asked by the Chairman of the Board to
sit in for somebody else who either has a
conflict or unable to do it, and would be
with that process of that hearing from
start to finish. They wouldn't come in at
last minute. The only way that they would
be asked to do anything, the Chairman of
the Board would ask, "John Saladino, would
you sit in for this hearing. It could be
two or three months and give us a hand
doing this?" It's an alternate if need be.

MR. SALADINO: But that's not what it
says here. It specifically says to

TRUSTEE HUBBARD: Two alternate members
-- also if somebody is unable to attend.

God forbid somebody got cancer or whatever.

They will be out for six months and you
need another person to show up, they would
be asked by the Chairman and this person is
going to sit in for the time being. Only
when needed.

MAYOR NYCE: This was explained at the
work session. This was not done at our
request.

MR. SALADINO: Are you talking to me?

MAYOR NYCE: Yes, I am. The Chair -- I
am addressing your question in the overall
sense. The request was done at the Chair's
of those Board's because they perceive a
problem. They asked that we address it. It
went through the channels. It went to the
Code Committee. We had a Public Hearing.

It's now here for a vote. This is not being
done to stack the Boards. It was done at
these Board's request, and we're going to
go through the process.

MR. SALADINO: I don't have a question
of the timeline. I have a question on the
motivation. That's my question. I am not
asking about what the process was. I am
questioning the motivation. As much as I
believe George, that is not what it says.

TRUSTEE HUBBARD: And the law is what we're adopting.

MR. SALADINO: But illness doesn't constitute conflict of interest.

MAYOR NYCE: I agree.

MR. SALADINO: Again, so I come back to my original question. Has there ever been a case, other than the Chairman section, there might be a case in a particular future, but has there ever been a case where three members of the Board had the same conflict of interest on one particular item that they couldn't vote?

MAYOR NYCE: No, not with three members, but if you only have a quorum where you have to have three members make a unanimous decision in order to move the project forward. So if you have two and one with a conflict of interest, the Board is hampered by the fact that they all have to vote in favor in order to move on, rather
than allowing those three members the
difference of opinion. So John, I am not
going to get into a debate over this with

you. The reason for this is clearly spelled
out in the law. It has been discussed at
length at the work session and at the
Public Hearing.

MR. SALADINO:  First of all, I dispute
that, Mr. Mayor. It wasn't discussed at
length at any work session that I have
attended. I have attended every work
session that you have, number one. Number
two, we weren't privy to what happened at
the Code Committee. There are no minutes --

MAYOR NYCE:  It's a public meeting.

MR. SALADINO:  Well, maybe I had
something to do that day. There are no
minutes available.

MAYOR NYCE:  There are minutes
available.
MR. SALADINO: Are they on the website?

TRUSTEE PHILLIPS: They are supposed to be.

MR. SALADINO: For this sake, it's not.

MAYOR NYCE: You can certainly request them.

MR. SALADINO: The law is specific the way you write it. My question still stands, perhaps to another Trustee. To your recollection, has there ever been a case where a Board, either Zoning of Planning couldn't move forward because three members had a conflict of interest?

TRUSTEE PHILLIPS: John, in all honestly, I can't answer that question. Let me explain, but, we or those who have been on the Board have to take required courses. Four hours of required courses. Within the Department of State's recommendation to small municipalities, it is recommended that they pass some type of
legislation so that conflict of interest can be taken care of, if it should ever arise. Okay. That is a Department of State's recommendation. In all honesty, at first I hesitated with this until I went back and started doing my research on what I had learned over the years. This is because -- and the Mayor was right. If you have three people, you need to have a unanimous vote to make an application move forward. We have had that problem in the past. I do know that the Chairman of the Zoning Board has mentioned to me several times in the past, that an upcoming permit application, there may be some conflicts of their members. So he has requested that we put this into place, so that we can make this easier on applicant's on their projects and not holding them up. The Department of State actually recommends
that we do this. It is one of their recommendation. My understanding is, that law is -- let's say for instance, a gentleman is a neighbor of a project that is coming up. There is a conflict of interest in the ZBA Meeting. He has to recuse himself. It's a conflict of interest. So now it's my understanding that someone who has been brought up to speed, cannot act on something, cannot do something until they're brought up to speed on that particular application. It's not going to be on any other's. It's just on that application. That is my understanding and how it was explained to me.

MR. SALADINO: You have also been around a long time, that when conversations are supposed to be very specific about one specific item, it perhaps doesn't happen -- sometimes the conversation drips into other things. Now you have people that are
entitled not to be in that conversation
because they don't have a time of offering
opinions. You have perhaps, three people
from the regular board and two people who
are appointed members offering opinions
about something --

MAYOR NYCE: They only serve when the
Chairman asks then. They are all appointed.

MR. SALADINO: So why not make it a
seven man board? We live in a community
that has a lot of elderly. People get sick
all the time. Just make it a seven man
board? Why goes through all of this? Is it
 germane to this, is there is a conflict of
interest? If so, then we're going to ask
the chairman and he's going to decide if
it's legitimate. And then recuse them. And
then how do you decide which alternate to
put in? You get two alternates for each
board --

MAYOR NYCE: It's up to two alternates.
MR. SALADINO: So we're doing to debate that it's up to two alternates?

MAYOR NYCE: You're the one debating it, John. I am just stating the law.

MR. SALADINO: It's my right. If I am inconveniencing you, I apologize to you and the public. I kind of live here and I am entitled to ask these questions.

TRUSTEE PHILLIPS: Can I ask a question?

MR. SALADINO: Absolutely.

TRUSTEE PHILLIPS: Are you going to put your name as one of the alternates?

MR. SALADINO: If I thought that there -- I was going to use an ethnic joke. I think I have as much probability of winning the Mega Ball then I do as being appointed.

TRUSTEE PHILLIPS: Seriously --

MR. SALADINO: I have been.

TRUSTEE PHILLIPS: I am asking if you were asked, would you serve?
MR. SALADINO: Yes. I am a retired guy and I am volunteer type guy and I do whatever my Village thought I needed to do.

MAYOR NYCE: I asked you before and you said, no.

MR. SALADINO: And what was my reasoning? Because I didn't know the job well enough. I don't think that I should be on the Planning Board. I think it's ludicrous to have anyone on the Planning Board who aren't professional planners. I am a little ranty. I apologize. I would certainly do any job that I felt that I was qualified to do.

TRUSTEE PHILLIPS: So you can put in your application to the ZBA or Planning Board.

MR. SALADINO: ZBA, I feel I am qualified. The Planning Board, I do not feel that I am. In looking around this room, I don't know anyone that is. I have
a quick question, are there any other agenda items that aren't on the --

MAYOR NYCE: No.

MR. SALADINO: Also, do you plan on going to Executive Session?

MAYOR NYCE: No.

MR. SALADINO: Thank you. Merry Christmas.

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

MR. CORWIN: David Corwin. This is in relation to what Mr. Saladino was just talking about. I had sent in a letter to the Public Hearing. I don't know if it was read but I question to putting alternate members onto the board, on the ZBA or the Planning Board. First of all, you have enough trouble filling it in the first place. Secondly, a new member, it really takes a few months to get up to speed and
understand what is going on. So unless an alternate wants to put in the time and sit in on the meetings, I really don't see it working out. The other thing that I would like to address is the fees for wetlands permits. It's going up to $350.00 and then a fee for what was built. When you say $5.00 a cubic yard for dredging, I think that is a little excessive. For example, what is the county decides that they are going to do a little dredging in the creek and what if it's a couple of thousand yards that they are going to pump on Sandy Beach, you are going to say to them, $350.00 for an application fee and $10,000 just to do some dredging. So I am questioning that. You might want to give it a little thought.

MAYOR NYCE: To that, we discussed it at Code Committee. We set up prices that were significantly lower than the Town's per cubic yard. But your comment is well
Is there anyone else that wishes to address the Board?

(No Response.)

MAYOR NYCE: If not, that concludes the public portion. There are two RESOLUTION'S, RESOLUTION #18 is being omitted. It is being omitted because we're not going to have the draft ready in time. We will take that up at the January meeting. RESOLUTION #17, right before it, will also be -- those part-time rates will be as of December 2nd, as they have already been hired and begun to do that work.

I also want to note that Trustee Murray is absent this evening. He is excused. He and his family left early for the south for Christmas. I didn't think it was necessary to hold him up for that.

So with that, I will offer RESOLUTION
So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will read along with you, but I was also going to suggest that the Osinski's are here. If the Board does not mind, maybe we will move to them. Rather at the start, then the end of the meeting. I will ask Trustee Hubbard to read RESOLUTION #25.

TRUSTEE HUBBARD: RESOLUTION #12-2013-25, RESOLUTION to approve the Wetland's Permit application as submitted
by Michael Osinski of 307 Flint Street, to build a dock 140 feet into Greenport Harbor with a 26 square foot work platform, and to make minor repairs on existing structures in Widow's Hole, per the Public Hearing, which was held on November 25, 2013 at 6:00 p.m. at the Third Street Firehouse.

So moved.

MAYOR NYCE: Second that. I am going to ask if there is any discussion on this motion?

TRUSTEE ROBINS: Yes. Actually, I am going to ask that we table this motion. I still have questions about the expansion of this business in the residential neighborhood. The application as presented to us right now still does not address that adequately. According to the plans that I see, the operation in the Creek will remain and we will have an additional business going out in the bay. And I do feel that we need to have some additional discussion on that.
MAYOR NYCE: Under discussion, I was going to offer a slight amendment to the RESOLUTION. I was going to suggest that we basically codify what we discussed in both the Public Hearing and the work session, and that would be -- the purpose of this is to move the operation from Widow's Hole to this dock, and to alleviate the problems or the perceived problems, that the neighbors have within Widow's Hole. So what I was going to offer was an amendment that basically that states that is the purpose of this and that the commercial operation of oysters be that as it is permitted. That is the upweller's in Widow's Hole, the docking of the boats, etcetera, etcetera, which would alleviate any of the concerns of the neighbors, I believe. It would also allow Widow's Hole to continue doing the work that they're doing with the permits
that they already have. And basically to
an extent, it ties it up. I don't know if
that answers Trustee Robins concerns or
not. If so, there is no second to table.
We need another motion to table or we
could discuss a motion to amend as an
alternate.

TRUSTEE ROBINS: My concern, I want the
language of the application reflect what we
are talking about here. That is my
concern.

TRUSTEE PHILLIPS: So you want the
application to reflect a change of the
permit within Widow's Hole, is that what
you're asking?

TRUSTEE ROBINS: No, I am not asking
for a change. The language that we were
discussing at the Public Hearing and what
we have presented at the table is that
basically Mr. Osinski is going to move his
business out from Widow's Hole into the
bay, but he's not. He's keeping his
business in Widow's Hole and moving his
dock out onto the bay. Okay. To me, that
looks like a major expansion of his
business with more product, and the product
that he is putting out does not get shipped
from the water. They are coming out to
Flint Street extension and a residential
road. I mean; is that correct?

MR. OSINSKI: Am I supposed to discuss
this?

MAYOR NYCE: No, we're discussing this.

TRUSTEE PHILLIPS: Let me ask a
question. What is the difference between a
bay scalloper and someone who is within the
Village of Greenport and as per DEC, can
open a bay scallop shop in any garage in
any residential area in the Village of
Greenport? Because we have permissible
water, it is very easy for a gentleman or a
lady, who is doing bay scallops to do it in
their house because of the permissible law
requirements for the shucking of clams.
That activity would be far worse with bay
scallop shells and they do have trucks in
and out. The Osinski's is not as
complicated as that. They are taking
un-open product and just moving it from one
spot to another. I am assuming that, the
way Mike and Isabelle were explaining to
me, and maybe somethings we might need
clarification, their nursery stock is
staying within Widow's Hole to protect it
from the windstorm and then the bulk of
their "noisy" operation that has concerned
the neighbors, and I have to say, I
understand where they are coming from, but
it's being moved out onto the platform. If
that is the way that I am reading things.
So that is my understanding. The nursery
stock is within Widow's Hole. The Ag
scheme or agricultural has been cleaning up

Widow's Hole. That's part of the business

that we use, the filtering system. They

are cleaning out the algae in Widow's Hole

and they are making the area better. I

understand the neighbors concern and yes,

it's an enterprise commercial fishing

industry and that is the umbrella of

agriculture fishing industry. And that,

agriculture farmers has this type of noise

once in a while, but the Osinski's are

making an attempt to try and move this away

from the neighbors. But the nursery stock

is staying within Widow's Hole.

MAYOR NYCE: Which is why I am

suggesting the amendment that I was, to

clarify this for everyone. The upweller's

are already permitted in Widow's Hole,

which is where they are doing the nursery

work. They already have nursery there.
Again, the reason that I suggested was just to clarify all concerns of what exactly we are permitting and it doesn't change any of the activities. The activities that are going on are already permitted. It's just adding it to the RESOLUTION.

TRUSTEE HUBBARD: I believe what you are adding there, if you look at the pictures of the application, it shows the platform with the sorting machine and everything else. That is where this is all going. We are just reaffirming the application.

MAYOR NYCE: Exactly.

TRUSTEE HUBBARD: It is all moving from the inside to the outside.

MAYOR NYCE: Right. So under just procedurally, we have a motion to table with no second. If there is no second, the motion to table does not get taken up. I would offer a motion to amend based on the conversation that we had and go to the Board, if there is a second to amend?
TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All right. And that motion to amend would state that the Widow's Hole would be stay with those already permitted, which would include the upweller's and the activities that are already approved in Widow's Hole and the rest of the activity would be as per the application that is moved out to the commercial dock. The Village attorney informed me the Army Corp is waiting on our approval to finalize their approval, and he has asked that we add to this RESOLUTION that if they change anything that we reserve the right to review the application. But I think the Army Corp is waiting for our approval and then they will approve it, but he has asked that we, for legal reasons, reserve the right to review the application should the Army Corp come up with any changes to it. When you are
ready Mr. Prokop, please let me know what

the wording for the motion will be?

MR. PROKOP: Okay. So what I have so

far is the commercial activity in Widow's

Hole will -- that is already there by

permit will be able to stay, the rest of

the existing activity, as per the

application will be moved out to the dock.

If the United States Army Corp Engineers

makes any change of any part to the

specifications of the application, the

Village Board deserves the right to review

and reconsider the application based on

those changes.

MAYOR NYCE: Wouldn't it be easier to

say that the operations that were permitted

in Widow's Hole would be left, they are

already permitted. Wouldn't it be easier?

MR. PROKOP: That's fine. Whatever the

Board wants.
MAYOR NYCE: RESOLUTION #12-2013-25, will be amended to state the commercial activities would be limited to that that is already permitted by the Village of Greenport and that any alteration by the Army Corp of Engineers would -- the Village Board would be allowed further review of the application. So moved.

TRUSTEE PHILLIPS: Second.

MR. OSINSKI: Can I ask what that means? I don't know what that means? What does it mean?

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: So we have a motion to amend and approval on that. Now, I need to
take the RESOLUTION as whole. So now I
will offer RESOLUTION #25 as amended.

TRUSTEE HUBBARD:  Second.

MAYOR NYCE:  All those in favor?

TRUSTEE HUBBARD:  Aye.

TRUSTEE ROBINS:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries. What
that means is, you may continue what you
are permitted to do.

MS. OSINSKI:  Under New York State?

MAYOR NYCE:  By the Village, DEC,

State --

MS. OSINSKI:  Ag and Markets right to
farm?

MR. OSINSKI:  What does it mean?

MAYOR NYCE:  Your application is
approved.

MR. OSINSKI: What does it mean? What does the rest mean? Can you read the amendment? Please read it. You asked for comment -- I can't comment on an amendment until I hear the amendment.

MAYOR NYCE: I didn't ask for public comment.

MR. OSINSKI: I wish I would have known what the amendment --

MS. OSINSKI: If we would have known what the amendment was, we could have commented on it.

MAYOR NYCE: Your dock has been approved.

MR. OSINSKI: I don't understand what the amendment means.

MAYOR NYCE: The amendment codifies the permits that you already have where those activities take place. That's all.

MR. OSINSKI: I just want a written
copy of it. That's all I am saying. I just want to see a written copy of it.

MAYOR NYCE: The Clerk will get you a written copy of it.

RESOLUTION #12-2013-2, 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 PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2013-3, RESOLUTION accepting the current Length of Service Award Program
qualification parameters as adopted by the Board of Wardens of the Greenport Fire Department for the 2013 year-end service award points.

So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #12-2013-4, RESOLUTION approving the application for membership to the Greenport Fire Department by the Standard Hose Company #4 of Frederick B. Fall, as previously approved by the Board of Wardens Greenport Fire
Department on December 18, 2013.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #12-2013-5, RESOLUTION approving the Public Assembly Permit Application as submitted by the Star Hose Company of the Greenport Fire Department for the use of the Polo Grounds at Moore's Lane for the annual Carnival Fundraiser from 6:00 p.m. through 11:00 p.m. on May 22nd, 23rd, 24th, 25th and 26th, 2014.

So moved.
MAYOR NYCE:  Second.

All those in favor?

TRUSTEE HUBBARD:  Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

I will offer RESOLUTION #12-2013-6, allowing the Greenport Fire Department to purchase an X-series manual defibrillator from Zoll Medical Corporation, at the State contract price of $32,771.30, to be expensed from the Fire Department apparatus surplus line item.

So moved.

TRUSTEE PHILLIPS:  Second.

MAYOR NYCE:  All those in favor?

TRUSTEE HUBBARD:  Aye.
11               TRUSTEE ROBINS: Aye.
12               TRUSTEE PHILLIPS: Aye.
13               MAYOR NYCE: Aye.
14               Any opposed or abstentions?
15               (No Response.)
16               MAYOR NYCE: That motion carries.
17               TRUSTEE PHILLIPS: RESOLUTION #12-2013-7, RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustments.
18               So moved.
19               TRUSTEE ROBINS: Second.
20               MAYOR NYCE: All those in favor?
21               TRUSTEE HUBBARD: Aye.
22               TRUSTEE ROBINS: Aye.
RESOLUTION approving the Public Assembly permit Application as submitted by the Northeast Stage, for the annual Shakespeare in the Park program, for the use of Mitchell Park for performances from 5:00 p.m. through 10:00 p.m. on July 25th, 26th and 27th, 2014, and for rehearsals on July 22nd, 23rd, and 24th, 2014.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION

#12-2013-9, RESOLUTION scheduling a
Public Hearing for January 27, 2014 at 6:00 p.m. at the Third Street Firehouse regarding a proposed local law creating section 39-3(H) of the Village of Greenport code, "Animal Waste", and directing Clerk Pirillo to notice the Public Hearing accordingly.

So moved.

MAYOR NYCE: Second.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will offer RESOLUTION #12-2013-10, authorizing the advertising the position of a Village Administrator for the Village of Greenport, and authorizing Clerk Pirillo to notice the position for interested applicants accordingly.
So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: By way of explanation, this does not mean that we're rushing Mr. Abatelli out the door, as discussed at the work session. He will be with us for quite some time.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2013-11, RESOLUTION amending RESOLUTION #11-2013-10 per the Village of Greenport Board of Trustees regular meeting as held on November 25, 2013; to reflect that satellite locations throughout the
Village of Greenport, such as: The sewer plant, road barn, power plant, firehouses, Village Hall, and any other select Village locations, be included in the Request for Proposals for a camera-based video surveillance security system, and directing Clerk Pirillo to notice the request accordingly.

So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #12-2013-12,

RESOLUTION accepting with regret the
resignation of Nathan Phillips as an
employee of the Village of Greenport,
effective November 22, 2013.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: By way of discussion, I
would like to thank Nathan for all his help
throughout the years.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION

#12-2013-13, RESOLUTION hiring Petros
Panagopoulos, as a full-time laborer,
effective December 24, 2013; at an hourly
rate of $14.00, including all applicable
medical and other benefits, and subject to
the requisite six month probationary
period.

So moved.

MAYOR NYCE: Second.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

Welcome aboard, Petros.

I will offer the RESOLUTION
#12-2013-14, authorizing a Request for
Proposals to solicit the services of an
Engineering Firm, for the purpose of
submitting applications and completing any
corresponding requisite paperwork to the
NYSEFC CWSRF for the Storm Mitigation Loan Program and directing Clerk Pirillo to notice the Request for Proposals accordingly.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2013-15, RESOLUTION approving a settlement with the Town of Southold for the claims for outstanding rent for the Scavenger Waste Treatment site in the amount of $39,000.00.

So moved.
TRUSTEE ROBINS: Second.

MAYOR NYCE: That is a long time coming. I would like to thank the Village and the Town Attorney for getting this done. It's nice to see this done. I am interested to see what happens with that.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #12-2013-16, RESOLUTION approving an increase in the hourly pay rate, from $8.25 to $8.75 per hour. For Tristan Mangham, Park Attendant.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #12-2013-17, RESOLUTION hiring the following part-time, seasonal employees:

Eric Izzo, Skate Guard, at an hourly rate of $8.00 per hour. Paige Conforte, Cashier, at an hourly rate of $9.00 per hour and Kelly Hydell, Cashier, at an hourly pay rate of $9.50 per hour as of December 2nd.

So moved.

MAYOR NYCE: Second.

All those in favor.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

RESOLUTION #12-2013-18, is omitted as stated before.

RESOLUTION #12-2013-19, RESOLUTION adopting the attached SEQRA resolution regarding the proposed Local Law of 2013 amending Chapter 142, Wetlands, Floodplains and Drainage, of the Village of Greenport Code - adopting lead agency status, determining the adoption of the Local Law to be an unlisted action, determining that the adoption of the Local Law will not have a significant impact on one or more aspects of the environment and adopting a negative declaration for purposes of SEQRA, as stated in the attached resolution.

So moved.

TRUSTEE PHILLIPS: Second.

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

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2013-20, RESOLUTION adopting the

proposed Local Law of 2013 as attached

amending Chapter 142, Wetlands, Floodplains

and Drainage, of the Village of Greenport

Code.

So moved.

TRUSTEE ROBINS: Second.

TRUSTEE PHILLIPS: Mr. Corwin makes a

valid point.

MAYOR NYCE: He did. I am going to make

a point with the discussion that we had at

Code Committee --
TRUSTEE PHILLIPS: Right.

MAYOR NYCE: He had wanted to set a fee that there is some oversight and some expense to the Village. I would reserve the right to review this in a year or so's time, to see if those prices exist. We do reserve the right to review --

TRUSTEE PHILLIPS: Do you think that it should be added to the RESOLUTION that it can be reviewed at any time?

MAYOR NYCE: I think as it stands, it's fine.

TRUSTEE PHILLIPS: Okay.

MAYOR NYCE: As part of the discussions, I would like the record to reflect that we discussed this and that this be taken up for review. If there is no further discussion, I will call a vote.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #12-2013-21, RESOLUTION adopting the attached SEQRA RESOLUTION regarding the proposed Local Law of 2013 amending Chapter 150, Zoning, of the Village of Greenport Code amending the definition of family, adopting lead agency status, determining the adopt of the Local Law to be an unlisted action, determining that the adoption of the Local Law will not have a significant impact on one or more aspects of the environment and adopting a negative declaration for purposes of SEQRA, as stated in the attached resolution.

So moved.
TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #12-2013-22, RESOLUTION adopting the proposed Local Law of 2013 as attached amending the Chapter 150 of the Village of Greenport Code, Zoning, amending the definition of "family."

So moved.

MAYOR NYCE: Second.

By way of discussion, this is to match our existing code and make it more consistent.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will offer RESOLUTION #12-2013-23, adopting the attached SEQRA resolution regarding the proposed Local Law of 2013 amending Chapter 150 of the Village of Greenport Code, Zoning, creating the position of two alternate members for the Zoning Board of Appeals and Planning Boards, adopting lead agency status, determining the adoption of the Local Law will not have a significant impact on one or more aspects of the environment and adopting a negative declaration for purposes of SEQRA, as stated in the attached resolution.

So moved.

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

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2013-24, RESOLUTION adopting the proposed Local Law of 2013 as attached amending Chapter 150, Zoning, of the Village of Greenport Code, to create the positions of two alternate members for the Zoning Board of Appeals and the Planning Boards.

So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: Is there any discussion on this motion?
17 (No Response.)

18 MAYOR NYCE: All right. I will call a

19 vote.

20 All those in favor?

21 TRUSTEE HUBBARD: Aye.

22 TRUSTEE ROBINS: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 MAYOR NYCE: Any opposed or abstentions?

25 I am opposed.

1 That motion carries.

2 TRUSTEE ROBINS: RESOLUTION

3 #12-2013-26, RESOLUTION authorizing Mayor

4 Nyce to sign the Request for Work

5 Authorization as submitted by Duncan,

6 Winberg, Genzer and Pembroke, P.C.,

7 regarding the New York Association of


9 So moved.

10 TRUSTEE HUBBARD: Second.

11 MAYOR NYCE: All those in favor?

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

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE HUBBARD: RESOLUTION #12-2013-27, RESOLUTION authorizing Mayor Nyce to sign the Memorandum of Agreement dated December 12, 2013 between the Village of Greenport and an employee.

So moved.

MAYOR NYCE: Second.

All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE ROBINS: Aye.
TRUSTEE PHILLIPS: No.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)
MAYOR NYCE: I will vote Aye because I have to. That motion carries.

TRUSTEE PHILLIPS: I'm sorry. I just have to vote, no. I just can't. I'm sorry. I am allowed and that is how I feel.

MAYOR NYCE: RESOLUTION #12-2013-28, RESOLUTION authorizing Mayor Nyce to sign and execute the First Amendment to the Agreement between Dvirka and Bartilucci Engineers and Architects, P.C., and the Village of Greenport, as requested by the New York State Environmental Facilities Corporation.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: That is to include the MBE and WBE plan in there.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2013-29, RESOLUTION amending RESOLUTION #1-2013-9, which determined that the application for the EFC funding and completion of studies of the feasibility if an eastern extension and a western extension of the Greenport Village Sewer District is an unlisted action for EFC funding and completion of studies of the feasibility of an eastern extension and western extension of the Greenport Village Sewer District is a Type II action for purposes of SEQRA.

So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

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

Any opposed or abstentions?
(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE ROBINS: RESOLUTION

#12-2013-30, RESOLUTION appointing Chris Dowling as a member of the Village of Greenport Planning Board, to fill the unexpired term of Linnea Atkinson-Loveless, which ends on April 3, 2014.

So moved.

TRUSTEE HUBBARD:  Second.

MAYOR NYCE: I would like to welcome Chris and thank you for volunteering.

All those in favor?

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

Any opposed or abstentions?
MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #12-2013-31, RESOLUTION approving all checks per the Voucher Summary Report dated December 20, 2013 in the total amount of $865,332.02 consisting of: All regular checks in the amount of $680,420.31, and All prepaid checks, including wire transfers, in the amount of $184,911.71.

So moved.

MAYOR NYCE: Second.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I would like to wish everyone a very
Merry Christmas and a Happy New Year.

I will offer a motion to adjourn.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: We're adjourned.

(Whereupon, the meeting concluded.)
CERTIFICATION

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this day, January 7, 2014.

____________________

(Jessica DiLallo)

*        *        *

*        *        *