MAYOR NYCE: I call this meeting to order. If you will please rise and join us for the Pledge of
Allegiance.

(Pledge of Allegiance.)

MAYOR NYCE: Please remain standing for a moment of silence for Edith Wight.

(Moment of Silence.)

MAYOR NYCE: Thank you. You may be seated. We have several announcements and I also have -- as promised to I guess a couple of residents, I have an update from our building department as to what's been going on there and what our next recommendation will be and I will do that after the announcements and before the public portion.

The ongoing announcement that our new website is up and running www.villageofgreenport.org. On behalf of the rest of the board, I would like to wish everyone out there a Happy and Healthy New Year.

The Village offices will be closed on January 2, 2012 in celebration of said New Year. We will also -- Village Hall will be closed January 16th in observance of Martin Luther King Jr. Day.

I have an announcement from the
BID's Webmaster Harold House who has been doing ongoing training for business owners who have their web sites connected with the BID site. He is at the library on Monday, January 2nd, the 9th, the 16th, the 23rd and 30th, sounds like every Monday in January. He does 40-minute sessions with three people in each session starting at 5:30. So that's 5:30, 6:15 and 7:00. Anyone who is a member of the BID and has a website through that site and wants some training on it, I highly recommend it. It's a very useful site and the more you know about how to link yours to it, the more it will work for you.

At our next month January board meeting we will have presentation from our auditors, Bollam, Sheedy, Torani and that would be 2010/2011 audit and a report on that.

A reminder that I don't like to read, but that vandalism is punishable and disrespectful. We had an uptake in vandalism particularly in Mitchell Park at the start of this winter and I'd like to encourage people to please not destroy our property. It's your money,
your parents money, our money, that
goes to fix it. It is not a faceless

And I'd also like to encourage

people to take advantage of the season

passes for the ice rink which is also

up and running, although I fear that

the rain and warm weather today may do

some damage to the ice.

Under public interest, I'd like to

reiterate, we continue to make this

announcement, but as the winter season

comes on and we are likely to get some

winter storms. Those with special

needs should sign up with the clerk's

office and should also call Suffolk

County Joint Emergency Evacuation

Program at (631) 852-4900 or

(631) 853-8333.

Also under public interest, the

Neighbors in Support of Immigrants is

an organization that has been

established to assist the successful

inclusion of immigrants and their

families into the wider East End

community. Chairperson Sylvia Baruch

can be reached at

supportimmigrants@gmail.com.
So next is that I would like to read a basic timeline on the house at 620 Second Street.

On the 25th of July the Village Board passed a resolution starting the condemnation process.

On the 5th of August there was a scheduled site inspection.

On the 11th we received the engineers reports from both the North Fork Housing Alliance's engineer and the Village-hired engineer.

On the 15th of that month five Notices of Violation were written by the building department to the owner of that property.

On the 17th the Building Permit Application for roof repairs were applied for and granted.

On the 23rd of August also there was received an Appeal of the Notice of Violations forwarded to the planning board.

On the 25th, the planning board work session determined that four of the five violations were valid requiring moving the construction storage to remedy the violations.

On the 29th of August interior
demolition began to create the -- a
building permit was not required for
interior work as long as it was not
structural; removing insulation and
drywall, etcetera.

The 6th of September, Notice of
Disapproval issued to the
reconstruction of the existing
three-family house.

On the 6th also the North Fork
Housing Alliance withdrew the
application to repair the three-family
house.

Then on the 7th, the permit was
issued for repair of the roof.

On the 5th of October, a new
application was submitted by the North
Fork Housing Alliance for a two-family
dwelling on that property instead of
the three-family that had existed.

On the 10th, the completed plan
was reviewed.

On the 12th, the permit was issued
for the construction of the two-family
dwelling. The permit will allow
construction to correct all the
violations upon completion of
construction.

12/20, I'll paraphrase. The building department wrote here, to the date of the 20th, work relative to the roof repair has been completed. The North Fork Housing Alliance has informed us that it has submitted all required documents to New York State and is awaiting their execution that will authorize them to commence construction. That would be authorization for their funding, the final authorization for their funding.

Both places on the Second Street property, they're under the same New York State contract. They say when that approval is granted, they will meet and commence work.

The building department has continued to be in touch with them on a regular basis. They've also been advised that the North Fork Housing Alliance has been communicating directly with most of their neighbors as to their progress is what they say here. That I can't attest to, not being them.

I'd like to add, for this board,
that the Village attorney has been and will continue to be in touch with the North Fork Housing Alliance’s attorney. We will continue to push for progress to be made.

But as of this time, as no progress has been made, we are asking that the Village attorney do the next step in the process which is filing an Appearance Ticket, not Notices of Violation, with the court to spur action to be taken by the North Fork Housing Alliance.

The next step in the process -- the first one is the Notice of Violation, which are basically fix-it tickets, if you will. Appearance Tickets actually then start court action. This would be next step.

Because our problem was they started to repair the roof. Our hope was with the permit submitted for a two family instead a three family, that they were going to commence work on the property. They clearly have not. So our next step then is to file the Appearance Tickets which attorney will do, I assume, by the end of the week.
MR. PROKOP: Yes, that's correct.

MAYOR NYCE: And that's our update as of this time. I think I can speak for the rest of the board saying we are also frustrated with the pace at which this is moving. We would like for it very much to move a bit faster. We are doing what we can through the legal process to make sure that that happens.

And I would encourage the North Fork Housing Alliance to please step up their progress. I understand that they are looking for funding, but we need them to be a partner in this action.

With that, we would move on to the public portion of the meeting and I'll ask if there's anybody from the public that wishes to address the Board.

In the back.

MR. HELINSKI: My name is Steve Helinski, 625 Second Street. Thank you for your attention to the house on Second Street. I'm kind of amazed that the building department accepts a blue tarp as repair to a roof.

That's a repair, a blue tarp? I've done roofing. That's a proper
thing when there's bad weather because we can't finish the job. If that's what they consider a repair, we're in big trouble. Thank you.

MAYOR NYCE: I did not say that the roof was complete, did I? Oh, I'm sorry. They said that the roof had been -- thank you very much for pointing that out.

MR. MARRS: Hello. Neil Marrs, 1024 Brown Street. Thank you again,

that was a fantastic list. Two comments, could we get copies, please, of that list? That would be wonderful, with dates and descriptions. Is there a deadline at all in terms of a timeframe?

MAYOR NYCE: The building permit is generally granted for a year, but ordinarily extensions are implied I want to say.

TRUSTEE PHILLIPS: Requested.

MAYOR NYCE: They need to be requested. There are generally not denied unless there are extenuating circumstances. This might be one of those instances where there are extenuating circumstances.
MR. MARRS: So basically it would be one calendar year from October 12th?

MAYOR NYCE: October 12th.

MR. MARRS: Well, thank you. The list of answers is impressive. I think we've been waiting for a long time for something that seemed thorough and thought through, so thank you. And happy holidays, thank you. We're coming every month, so we'll see you in January.

MAYOR NYCE: Okay.

MS. FERRER: Bunny Ferrer for 620 Second Street. Happy holidays to all of you. You're all looking very good.

I just wanted to reiterate that, you know, they put a tarp on half the building's roof, not even the back, which is fairly burned out. And, you know, there's shredding of the old roof. And it has more openings than there were before they tore out the mildew, just so that you know of it.

I think main concern is that, I think, as a citizen I know that if you have you a building permit, normally they'll renew it in a year. And I just really hope that you all think about
what will you do as the board and if
nothing does happen before the year is
out.

I know that all of their building
issues are tied financially, this is
what they've told us. And I know that
they received a permit to build a
building, a new building. And I think
the permit was given in May for that,
which means that they are going to ask
for a renewal in May.

You know, the main issue here is:
Are they going to get funding? And if
they don't get the funding in a year,
you know, I just think it's completely
a desperate situation for us, you know,
our block. It's just a sad site, and
we hope that you'll think about it.

We have some time. I don't think
anything will happen when the ground
freezes. So spring, let's hope for
some action. And if they don't have
funding by May, they're going to
request a renewal on that and it scares
me. There's not a whole lot of a money
in this state, so I just hope that you
keep us in your thoughts. Thanks a lot and Happy New Year.

MAYOR NYCE: I don't want to speak for the North Fork Housing Alliance. I believe that they have their funding. They had to amend the work program because it went from a three-family to a two-family house.

So I don't think they have to entirely -- again, I don't want to speak for them. But I think they had their funding already in place and were looking to move forward. But I would like to get an update from them that so that we can check off against ours to see where we are.

MS. FERRER: We're starting our forth year.

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

MR. SWISKEY: I learned something tonight. William Swiskey, 184 Fifth Street. I've done a few roofs and you know, the shingles. But

I'd like to bid on the next roof the Village puts out because if a blue tarp is acceptable as a roof repair, then, I'm sorry, I just -- it's beyond my comprehension that now somebody could
sit up there and say the roof was
repaired and not even have looked at
the building, I assume.

Because you see the blue tarps.
You see the soffits -- the soffits are
part of the roof structure.
Theoretically they're still wide open.
I mean, there's no repairs there at
all.

And what's the progress on the
condemnation? I understand you won't
answer at this point, but I would have
thought that the Village would have
been following through on that. It
seems to me like that was just a stall
so these people could get their permits
in place.

The Village permits renewals for
one year and it's almost automatic. So

that means that these poor folks on
Second Street are going to look at that
house for two years. And because the
housing allowance is trying to stay --
because I happen to know that there's
no money for that house. You can make
some calls to Albany and find out too.
There's no money for that house.

TRUSTEE KEMPNER: They have
their money.

MR. SWISKEY: Have you seen it?

Have you seen the documents?

MAYOR NYCE: We don't need to get into it.

MR. SWISKEY: Trustee Kempner, ask them to show you the documents. Because when you have the money, the State sends you a document, not a promise, that says you have the money and you can draw on it. Anyway, that was just a thought.

Another thought before I get on is the sign out here. Now I understand maybe I misunderstood, the sign was up for over a month. It was shut down at order of the Village Board. And a lot of people in the fire department and public are under the impression that the issue was going to be settled at this board meeting.

I mean... Anyway, I support the fire department on the sign even though I think it's ugly. It's sad.

You know, the thing with zoning variance and building permits. Well, maybe we better consider shutting down Mitchell Park. There's no Village building permit there. There's no
variances for the things that are close
to the water.

I mean, it's a complete violation
of the Village Code. And if that prior
violation to the Village code has to be
shut down, then Mitchel Park has to be
shut down, Mr. Mayor. You can't have
it both ways, I'm sorry. You can smile
all you want. I like to smile too, but
I usually go with the facts.

The first item I want to ask on
the resolutions is -- there's two of
them here. Their 12-3 basically and
then another resolution 12-18. All
right.

Now, at the work session I
remember the consternation when the
building inspector said, well, the trip
to New York State is going to cost
them, I think it was around $800, I'm
not sure if anybody remembers. And now
it looks like the only thing you're going
to pay for is the cost, she has to pay
for her own housing and everything.
And she is a full-time employee, she
came off the civil service list.

And on Resolution 3 -- or, excuse
me, Resolution 6 is the one. We're
allowing the treasure who is a part-time employee and who is also employed by two other municipalities, it's not a dispute here. So we're going to pay the full $800 for her to go to this conference, yet the benefit is also going to go to the Town of Riverhead and Town of East Hampton.

Now, I would ask any right-minded member of this board to reduce that to one-third and tell Mrs. Kagel, you want the rest, get it out of the other clients you work for. Why should I have to pay $600 extra so Riverhead can benefit and East Hampton can benefit? Now they have a lot more money than we do. So I'm asking each trustee to just think about this just in the matter of right is right. We're not her cash register. Let her get it out of Riverhead. She gets 100 bucks an hour there.

All right. Now this other one, this is really getting to me. Now supervisor Rick Bertonelle had people that are on-call that have always been given a vehicle by the Village to take home. That was never considered income.

I mean, are we now going to
consider the fire chief's vehicles

income? You know, they're 24 hour responders same as Jack and the other people that are on this. Who put this on there? Where did this come from? This is just over the top.

I think that resolution should just be killed. In other words, if Jack has to be called out in the middle of the night or somebody else, you give them a vehicle. It's been that way forever.

I know, I used to be superintendent, all right? Now you're going make these people basically count these vehicles as income and pay taxes on them.

And you're supposed to issued them a W9, not a W2. Then you're going to have to pay retirement on the money -- their retirement is going to be based on the money that shows as income. You know what, maybe I'm not explaining that. Or each raise they get is going to be based also on the money for the truck. That's accounting 100, and I do
have a degree in it.

Anyway, I think that you should look at that more closely too, please. There's some other resolutions here dealing with:

10, dealing with liquid fuels;
11, grids and screening;
12, sludge;

These things are about seven months old. I mean these things should have been improved at the June 1st meeting. These are standard contracts that the Village has used for before I was even in the Village.

I would like an explanation of how these things wound up being that late in the year being issued. These things expire May 31st and it's almost December 31st, that's six months. What happened to that six months? Why did it take six months to get to something that you go to the file cabinet in the Village office, you open the draw, you pick this one out, you pick this one out. You get the board to approve the bids and they're out.

The bids are back by the middle of May and you approve them by June 1st. That's just incompetence on somebody's
part. Whether it's the board for
letting it go this far, whether it's
the person that was responsible. I
just don't know, but I just -- I just
really don't know.

All right. Now let's go to 12-17,
that has to do with Adventure Trex and
$3,400. Now, I asked at a previous
meeting what this money was for. It
was for, it says, additional duties and
-- it mentioned that attachment at the
work session that explain it.

Well, I asked in the clerk's
office and I never got it. So I don't
feel that you should be -- this one
should be tabled unless you can get to
the public some documentation of what
the extra duties are. I just don't

know it.

Because you just gave them a
$10,000 raise. I mean, so this is --
so we're talking $13,000 here. For what?

As a member of the public tax
payers, I pay too. I just paid some
Southold taxes today, that just struck
me, but what are you going to do.

Now we have here Resolution 12-19,
appointing a Steering Committee. I
don't think that Chief Flatley or
whoever this person is from Greenport
Public Schools should be on that. But
especially Chief Flatley because it's a
possible conflict of interest.

I don't think the Town would even
go forward with this without a permit.
Did you ask Chief Flatley if he could
be officially appointed to this
committee? Because I don't believe
that the town, government --
governments don't like that, but that's
between him and them.

Now here's the one that -- we got
two resolutions here. One of them is
for the contracts with the Town. I
went to Village Hall and asked for it,
but it wasn't available then. Well,
how much money is it going to be for?
Will you tell us before you discuss it?
How much?

MAYOR NYCE: $35,000.

MR. SWISKEY: So $35,000 and
we've already spent 20. So we're
60,000 in the hole and we haven't
raised fund zero yet, right? That's
simple math. I don't even need my
fingers to do that. But I think we
should look long and hard at that.
Oh, and what's the percentage that Wendy Parr from Advertising Concepts from Huntington is going to get from fundraising? Because they usually operate on a percentage. You're not going to tell?

MAYOR NYCE: I cannot discuss a contract with the public before the contract this is executed.

MR. SWISKEY: Actually you can. I have an opinion from the state on that.

MAYOR NYCE: I'm just going to just go with our Village attorney's opinion.

MR. SWISKEY: Well, fine. I'll bet the opinion from the state overrides and you're getting ready to vote on it. It's not a secret anymore, Mr. Mayor.

Now, you can have your attorney -- oh, you know what I'll do? I will come tomorrow in FOIL and ask for a copy of the village's attorney's opinion on that because that's not privileged. That's a document that's supposed to be available to the public. Thank you. I just hit on something there.

And, you know, if it's a written
opinion, which is not any secret, it's available under the FOIL Law. Thank you.

Oh, and a couple other items. Did anybody get a copy of this? I'm asking the board members. Did you all get a copy?

MAYOR NYCE: It's not a question and answer, Mr. Swiskey. Please make your comments.

MR. SWISKEY: It's an appeal of a FOIL request and it came with attachments. It went to the clerk with instructions to CC the board members. It can't be withheld from you. I just want you to know that you can go to the Village Hall tomorrow and get it.

MAYOR NYCE: Thank you.

TRUSTEE KEMPNER: We got it.

MR. SWISKEY: As long as everybody gets it so that they all know what's going on, including Mr. Murray, that would be good. And have a Happy New Year.

MAYOR NYCE: Does anyone else wish to address the board?

MR. SALADINO: I do. 6th Street. I just heard you tell Billy Swiskey that contracts before they're executed can't be discussed with the public. Resolution 20 approving the
attached contract, which we don't have, you just discussed it. You told us how much the contract is for.

MAYOR NYCE: I'm not telling the terms of the contract.

MR. SALADINO: The price that they're charging to come here is not a term of the contract, Mr. Attorney?

MAYOR NYCE: John, it's not a question and answer. Please make your comments.

MR. SALADINO: I'm responding to you.

MAYOR NYCE: Please make your comments.

MR. SALADINO: My comment is that you just told us a term of this contract, but yet when you were asked about the price that this woman -- I'm guessing Wendy Parr is a woman -- would charge for her services, that somehow becomes privileged. I don't understand that.

MAYOR NYCE: I'll explain it when you're done.

MR. SALADINO: I know how we
conduct business here now. You respond

to questions that you choose to.

There's no back and forth. So the

person's asking the questions, and you
don't allow questions after the

meeting.

So the person, myself for

instance, who is asking the question
doesn't have recourse if you don't
answer my question or even choose not
to answer, which is your right.

So I'm just not sure why this is a

secret or even how she got this job or

why there is -- it says there's

supposed to be an attachment here.

There is no attachment. So you might

want to address that.

And also, I'm not sure how

Resolution 14, it was my understanding

you're not allowed to barter for

services. A private individual is not

allowed to barter for services with a

municipal entity. Actually I kind of

read that today.

So I don't understand how you can
do this, number one. And number two,
this is in violation of your own Ethics
Policy Conflict of Interest. So

according to the State Article 18, in
their Conflicts of Interest Policy,
even though the trustee recused
themselves from the negotiations or
voting, it's not enough.

It's not enough just to do that.
You can't have it both ways. You can't
be the benefit of this and a trustee.
So perhaps you might want to discuss
that too.

But just about the other thing,
you're hiring somebody without an RFP,
without -- you know, it's almost like,
you know, I like this person, I'm going
to give him the job and we're not
allowed to know what the deal is. I
mean, there might be somebody out there
with a better deal.

And if you could also, just to
follow-up on Bill's question. I don't
know if you got an answer to this, I
apologize, to Resolution 18. At the
work section the price was $880, and
the resolution just says the total cost
is $160. So perhaps, if you chose to
answer, you could explain that also. Okay.

MAYOR NYCE: Is there anyone
else who wishes to address the board?

DR. TROWBRIDGE: I'm
Dr. Trowbridge. Merry Christmas and a
Happy New Year.

MAYOR NYCE: Address for the
record, please.

DR. TROWBRIDGE: You have to
stop --

MAYOR NYCE: Address for the
record, please.

DR. TROWBRIDGE: East Marion,
New York. You have to stop being
arbitrary and capricious when you
conduct business on behalf of the
people. You were elected by the people

of this great Village to represent them
to the best of your ability.

And one of the things you have to
remind yourself of when you are
conducting business for the people is
to not do it arbitrarily and
capriciously.

MR. MARRS: Could I add one
more thing?

DR. TROWBRIDGE: That's
arbitrary and capricious.

MR. MARRS: I just wanted to
say while you're all here that I'm not
sure that everyone is fully aware, for
example, you stated that the housing
alliance has the money.
I have the e-mail from Ed Reale who you've met who is the lawyer for the housing alliance. This is an e-mail to me in response to my e-mail to him dated December 22nd.

The state agency advises they will be able give us a closing date shortly. We are required to formally close; that is, sign all loan and mortgage documents...blah blah blah... before they will provide authorization to proceed and give us the money.

So they don't have the money. I think that's one of the good things about us all meeting.

TRUSTEE KEMPNER: They have a commitment for closing. They have a commitment for the money.

MAYOR NYCE: I didn't say they have the money. They have the commitment for the money. You don't have the money until you have the check. They have a commitment for the money and it's unlikely is that the state would remove that and give it to someone else. But, again, those questions should go to the housing alliance, not to us.
MR. MARRS: I was just bringing it up.

TRUSTEE KEMPNER: Sometimes you don't have the money until you spend the money. So you're not even guaranteed to be reimbursed. I mean that's just the way some companies work. So you don't get a check ahead of time. So with all the things that are up in the air, it's logical that they would respond especially --

MR. MARRS: What we have done is to write to them personally. The response has come because we initiate the questions. And that's a good thing because their responses don't come otherwise. So that I found very interesting. He's a lawyer. He's their lawyer.

TRUSTEE KEMPNER: I know that. I work with him at my day job.

MR. MARRS: Thank you very much and happy holidays.

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

(No response.)

MAYOR NYCE: Then at recluse of being arbitrary and capricious, which
we are not. And if you speak while I'm speaking, you will be out of order. I encourage you not to do so. Thank you.

Where should we start? First of all, Mr. Saladino, what we do is we accept comments from the public. If there is something that requires additional explanation, that's what we do. It either gets explained as were talking about the resolutions individually, or sometimes, if it seems that it warrants more explanation, I would do that at this portion of the meeting.

We do not get into a discussion back and forth at this meeting. It's a public comment portion, which is what we have done and that's what we will continue to do. It has nothing to do with whether or not we choose to answer your question or not. Okay?

A brief explanation on Resolution Number 22. It is a contract for services, professional services. No RFP is required. Which reached out locally. There were no firms locally that wished to do it. We reached out
by e-mail to other firms. There was no response.

This was a recommend firm, a woman who is the executive director of Long Island North Shore Heritage area. I have worked with this person in the past. This person did this very same event in 2004 in Glen Cove. They come very highly recommended.

On that same item, as far as me telling you what the fee is for the Bounty as posted in the contract, appearance fees for these ships are public record already. They post them. So my telling you what that fee is is not endangering our negotiation of that contract. My telling you what is in the negotiation with CAC, if this resolution is not adopted, it has now put the Village in awkward position in that negotiation and could hinder that negotiation for the Village.

Therefore, we would not discuss it.

Again, I understand that there are a lot of these that say "as attached". That's a typo. It's a miscommunication between myself and the clerk. There will not be attached contract documents that have not been voted on and signed.
because they are not public record

until they are voted on, passed, and

then executed by whoever is authorized
to execute them. That's when they
become a public document.

Adventure Treks, we went over
again and again. That is a bill
submitted for additional services
rendered when the part-time harbor
manager resigned his position.

Adventure Trex -- he was not fired. He
resigned his position. Adventure Treks
took over the additional duties. That
is a bill submitted for taking on those
additional duties.

The IRS ruling requires us to now

put the use of a vehicle on people's
earnings because it is deemed by the
Internal Revenue Service as part of
their overall pay. My argument with
them and will continue to be with
them -- the treasurer and I are
drafting a letter, I agree -- you may
find this hard to believe, I agree with
Mr. Swiskey.

My initial comment was:

Our utilities personnel are on
call 24/7 and therefore should get a
vehicles in order to respond. The IRS has said that utilities vehicles, the only ones they consider to be emergency vehicles are bucket trucks. Why would we send someone back to Mattituck, if they live in Mattituck, in a bucket truck when we can send them home in a fuel efficient small car. And this is my argument to the IRS.

The IRS only deems emergency vehicles to be police and fire. Not utilities. We're going to argue that with them. We may or may not win.

As far as the fire department sign. The fire department sign has not been here for months. It was here shortly and it is in violation of the Village Code. Therefore this board would not override any other board.

It has to go through the process which I explained when we have a the public meeting with the Warden later and we're going to explain to them that it's Village property and even as Village property we require that we follow our own code. I believe that covers most of it.

MR. SWISKEY: Are we going to shut the park down?
MAYOR NYCE: Mr. Swiskey, your time is done.

MR. SWISKEY: Just asking.

MAYOR NYCE: With that -- oh, I'm sorry. I did want to make one other point and that is after last month's meeting, there was a bunch of back and forth, in public and in the papers as well, regarding the Mattituck assembly permit that had been submitted by San Simeon.

I just want to reiterate that this board in no way has any sort of opinion on this. San Simeon is an organization, he's a pillar of the community. We fully support they're San Simeon and their efforts. What we did is stay on consistent with the not having annual private fundraisers on public property.

I have met with both Nancy Morrow who is the person who has been doing the public relations for San Simeon. They understand. They feel it's unfortunate, obviously they wish that they could. But they understand the situation. The Village board fully supports San Simeon and their efforts.
With that, we will move into our regular agenda. I will request that Trustee Murray be excused this evening.

I will offer a resolution adopting the December 2011 agenda as printed. So moved.

TRUSTEE HUBBARD: Second.

TRUSTEE KEMPNER: Did you say something was attached?

MAYOR NYCE: Let me modify this resolution to note my comment earlier that the items that say "as attached" where they are not attached, they are not attached for the reason that they cannot be as they are pending contracts not executed.

Is there a second on the amended?

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions.

(No response.)

MAYOR NYCE: Motion carried.

Trustee Kempner is going to read Resolution 2.
TRUSTEE KEMPNER: Resolution 12-2001-2. 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 HUBBARD: Second.

MAYOR NYCE: All those in favor.

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: The motion carries.

TRUSTEE HUBBARD: Resolution 12-2011-3. Resolution ratifying the attached resolution as approved by the Village of Greenport Board of Trustees during the work session meeting held on December 19, 2011, cancelling public hearings pending review by the Planning Board, Zoning Board of Appeals and Historic Preservation Commission. So moved.

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

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: Motion carries.

Offer Resolution 12-2011-4.

Resolution approving the Length of Service Awards Program for the Greenport Fire Department as amended to include stand-by points for participating Rescue Squad members, as approved by the Greenport Fire Department Board of Wardens on December 21, 2011. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: Motion carried.

TRUSTEE PHILLIPS: Resolution 12-2011-5. Resolution authorizing Treasurer Kagel to perform the budget modifications as attached. So moved.

MAYOR NYCE: I'll second and
make the comment that that is attached because there is not a pending contract. All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: Okay, motion carries.

TRUSTEE KEMPNER: 12-2011-6. Resolution authorizing Treasurer Kagel to attend the New York State Government Financial Officers' Association Annual Conference in Albany, New York from April 3rd to 5th, 2001 at a cost not to exceed $800, to be expensed from line item number A.1325.400, Treasurer Contractual Expense. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: The motion carries.

TRUSTEE HUBBARD: Resolution
15            12-2011-7. Resolution approving the
16            following:
17            Whereas: For the proper operation
18            of all Village's Utilities, there is a
19            need for Utility Supervisory Personnel
20            to be "ON-Call" 24/7, and report to the
21            plant in the event of a power outage or
22            other utility emergency AND
23            Whereas: A result of this
24            requirement, the Village has assigned
25            vehicles to these Supervisors, which

1
2            may or may not be used to commute to
3            their homes. Although these vehicles
4            can be used for commuting purposes, no
5            personal use of these Village vehicles
6            is permitted other than noted in the
7            Internal Revenue Publication 15A
8            guidelines for de minimis use. All
9            Supervisors assigned a Commuting
10            Vehicles will comply with applicable
11            New York State Vehicle and Traffic Laws
12            AND
13            Whereas: All Supervisory
14            Employees are directed to submit a
15            year-end statement of commuting
16            activities to the Treasury Department
17            by December 10th of each year. The
18            value of Commuting benefit will be
19            taxable fringe benefit included on the
employees W2 statement. Now therefore
be it;
Resolved that the Village Board
authorizes the commuting use of all
on-call vehicles assigned to
Supervisory personnel subject to the
conditions stated. So moved.
TRUSTEE PHILLIPS: I'll second.
But I, in all honesty, don't think this
is good at all. One of the speakers
was speaking about of these people who
are paid a very high amount of salary.
We have employees who work for the
Village who do not get paid for
commuting.
We don't have a record of the
number of call outs. We have no
accountability for their use of the
vehicle. I think that as far as the
tax payers paying for their gas, the
gas the vehicle uses as far as them
commuting back and forth to work I find
difficult, I'm sorry, and I am not
going to vote for this one.
MAYOR NYCE: That's fine. Are
there any other comments?
(No response.)
MAYOR NYCE: All those in
favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed?

TRUSTEE PHILLIPS: One.

MAYOR NYCE: The motion carries.

I will offer Resolution 12-2011-8.

Resolution approving the Mass Public Assembly Permit Application as submitted by Dennis O'Donnell, on behalf of the Wounded Warrior Project, for the use of Mitchell Park on September 2, 2012 from 7 a.m. to 9:30 a.m., as the opening ceremonies for the annual cycling event. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: By way of discussion, this is on Labor Day weekend. I have had discussions with both the supervisors' office and the chief of police. The chief of police is -- I'm sorry, the Town Board, I believe, approved this very same resolution pending our approval of the resolution.

I spoke with Chief Flatley who

seems to feel that based on the time,
his manpower should be able to handle
it and did not have any issues. He
said he would let us know if he felt
that there were issues, but he had no
problem with us approving the mass
public assembly permit. All those in
favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed?

(No response.)

MAYOR NYCE: The motion
carries.

TRUSTEE PHILLIPS: Resolution
12-2011-9. Resolution authorizing
Mayor Nyce to sign Change Order Number
3C as attached in the amount of
$7,151.00 for the Village Greenport
Power Plant Upgrade "Work Package C".
So moved.

TRUSTEE KEMPNER: Second. This
is not attached. I saw it was circulated.

MAYOR NYCE: No, it is not for
the same reason. The amount has been
discussed at length, but because it is
a change order, it opens up the entire
contract and until it's signed and
delivered, it is considered --

TRUSTEE KEMPNER: Can we list
it as circulated or something or just
take that out just because it's not
attached.

MAYOR NYCE: Well, I had said
in our first resolution if it's a
contract and it says as attached, that
it wouldn't be attached, to ignore it.
Would be based on resolution number one
that I read in. All right?

TRUSTEE KEMPNER: It's going to
be as amended, right?

TRUSTEE PHILLIPS: How about we
clarify it. We'll just take a second
and removed -- remove change order
number 3.

MAYOR NYCE: Okay, so we have a
motion to amend Resolution Number 9.
Strike the words "as attached" made by
Trustee Phillips.

TRUSTEE KEMPNER: I'll second.

MAYOR NYCE: All those in
favor?

(Chorus of ayes.)

MAYOR NYCE: And also a motion
to accept the resolution as a whole?

Is there a second?

MR. HUBBARD: Second.

MAYOR NYCE: All those in
favor?
(Chorus of ayes.)

MAYOR NYCE: All right, we got it.

TRUSTEE KEMPNER: Resolution 12-2011-10. Resolution directing Clerk Pirillo to advertise for bids for the delivery of liquid fuels, per the bid specifications as prepared and provided by the Director of Utilities Naylor. So moved.

MR. HUBBARD: Second.

MAYOR NYCE: All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: The motion is carried.

TRUSTEE HUBBARD: Resolution 12-2011-11. Resolution directing Clerk Pirillo to advertise for bids for grit and screenings removal, per the bid specification as prepared and provided by Director of Utilities Naylor. So moved.

TRUSTEE PHILLIPS: Second.

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

(No response.)

MAYOR NYCE: Motion carried.

I offer resolution 12-2011-12. Resolution directing Clerk Pirillo to advertise for bids for liquid sludge hauling as prepared and provided by Director of Utilities Naylor. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: The motion is carried.

TRUSTEE PHILLIPS: Resolution 12-2011-13. Resolution ratifying the hiring of the following as part-time ice rink employees effective December 16, 2011:

Jose Gonzalez and Justin Kirinic at $7.50 per hour.

Kevin Erdman at $8.00 per hour, and.
Chris Kirinic at $8.25 per hour.

So moved.

MAYOR NYCE: Second that. All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: Motion carried.

(At this time Trustee Phillips removed herself from the meeting prior to resolution # 12-2011-14 being read.)

TRUSTEE KEMPNER: 12-2011-14.

Resolution entering into a formal agreement between Mark Phillips and the Village of Greenport, whereas Mark Phillips will provide services to the Village of Greenport in the form of installing and removing speed buoys throughout the Village of Greenport waters on a seasonal basis as necessary and required in exchange for the Village of Greenport providing dockage space for the F/V Illusion; with said agreement to be reviewed and approved on an annual basis, per season. So moved.

TRUSTEE HUBBARD: Second.
Mayor Nyce: By way of comment

this is a benefit to the Village financially overall. We went out and got quotes on putting these speed buoys in and taking them out. It's substantially more than the cost of the transient dockage that is paid.

Therefore, in my opinion, this is a benefit to the Village to have this done. If you will please not comment.

Mr. Swiskey: Oh, I'm sorry.

Mayor Nyce: Thank you. As Mr. Saladino's comment before, I have absolutely no idea as to what he's talking about as far as barter and the State. Obviously, if we're doing something that is improper, that would be correct. It is not our understanding that we are doing so, that we are legally allowed to enter into this agreement and are doing so to the benefit of the taxpayers in there's less money spent for the service that are being rendered.

Trustee Kempner: To the

Village attorney, this is the way to do it? It seems to me this is really a
code.

(No response.)

TRUSTEE KEMPNER: So this is the way to do it, Mr. Village Attorney?

MR. PROKOP: At this point, I would recommend that the board approve this as proposed and if there is a change in the wording that's necessary, we'll adopt it at the next meeting.

TRUSTEE HUBBARD: This will all be reviewed so there's no conflict of interest or anything else before we sign the agreement?

MAYOR NYCE: Absolutely.

TRUSTEE HUBBARD: Okay.

MAYOR NYCE: If there's no further discussion, I'll call the vote. All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

(At this time, Trustee Phillips returned to the meeting after the vote was taken on resolution # 12-2011-14. )

TRUSTEE PHILLIPS: I was away from the table.

MAYOR NYCE: All right. Thank
TRUSTEE HUBBARD: I'll offer Resolution Number 12-2011-15. Resolution authorizing Village Administrator Abatelli to request a six month extension from the New York State Department of State for the Local Waterfront Revitalization Program grant (contract number C006525), extending the end date from March 31, 2012 to September 30, 2012. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: By way of explanation for both this one and the next one, we are very close on the Red School House Interpretative Center grant. But in the interest of making sure we have everything tucked away neatly, we are going to go for the extension now. We can always submit final paperwork early. So that's the explanation. All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: The motion carries.

I'll offer Resolution number
13 12-2011-16. Resolution authorizing
14 Village Administrator Abatelli to
15 request a six month extension from the
16 New York State Department of State for
17 the Mitchell Park Interpretive Center
18 grant (contract number C006524),
19 extending the end date from December
20 31, 2011 to January 30, 2012. So
21 moved.
22 TRUSTEE PHILLIPS: Second.
23 MAYOR NYCE: All those in
24 favor?
25 (Chorus of ayes.)

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2 MAYOR NYCE: Any opposed or
3 abstentions?
4 (No response.)
5 MAYOR NYCE: The motion
6 carries.
7 TRUSTEE PHILLIPS: Resolution
8 12-2011-17. Resolution approving
9 voucher number 2749 per the invoice as
10 submitted by Adventure Treks, Ltd to
11 allow for the payment of $3,400.00 for
12 additional services performed from
13 July 1, 2011 through October 31, 2011,
14 which was outside of the specifications
15 as outlined in the contract between the
16 Village of Greenport and Adventure
Treks, Ltd. So moved.

TRUSTEE KEMPNER: Second.

TRUSTEE PHILLIPS: I wish to comment on this because originally I had some reservations about this. But in asking questions, my understanding is that when the harbor manager at the time resigned, that there was discussions between the Mayor and the Village administrator as to how the deal with the situation at the moment.

Most employees, not employees, but most contractors, when they're given additional duties, have the opportunity to receive additional funding.

My only desire or what I'd like to see was that this was brought back to us in July and August when this took place because it does make it look likes he's getting another raise. Although the contract, to my understanding, has taken this into consideration.

MAYOR NYCE: Yes.

TRUSTEE PHILLIPS: So I just have to say that because I originally was against this, but having heard the explanation and having rejected it twice on the abstracts, I am going to
call the vote now.

    MAYOR NYCE: I'd like to, if I may, I appreciate the comment and, yes, it probably should have come to the

board sooner. I thought it was well understood that there would be additional moneys for this.

    We were in the season. We were looking at the July 4th weekend when the resignation took place. And in order for there not to be a lapse in service at our marina and in the Morning Field etcetera, etcetera, yes, I made a judgement call to make sure those things were covered.

    It is still well within and well under our budgeted money for both the harbor manager and Adventure Treks. So it was still a benefit to us and I'm glad that Adventure Treks and Jeff Goubeaud was willing and able to step in and take care of the additional duties.

    It went better than anticipated and I thank him for his additional service. Oh, yes, this is wrapped into the updated contract that we just finalized two months ago. So this is
going back to cover for the period
prior to that new contract. All those
in favor?

(Chorus of ayes.)

TRUSTEE PHILLIPS: Any opposed
or abstentions?

(No response.)

MAYOR NYCE: The motion
carries.

TRUSTEE KEMPNER: Resolution
12-2011-18. Resolution allowing Eileen
Wingate to attend the training classes
as offered by the New York State
Association of Towns, on February 21,
2012, at total cost of $160.00, to be
expensed from line item A.3620.400
(Safety Inspector Contractual Expense).
So moved.

TRUSTEE PHILLIPS: I'll second
and ask a question, how come the change
in the numbers from the original
discussion at the work session?

MAYOR NYCE: I assumed she's
attending one day.

MR. ABATELLI: She's attending
one day and so she's just commuting in
the morning, doing one full day, and
coming back.

TRUSTEE PHILLIPS: Okay. So that's the reason why the change.

MAYOR NYCE: Because it was $600, wasn't it?

MR. ABATELLI: It was $250 a night so --

MAYOR NYCE: Please pass on a thank you for being sensitive to the money issues.

All in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: The motion carries.

TRUSTEE HUBBARD: Resolution 12-2011-19. Resolution appointing the following as members of the Steering Committee for the Tall Ships event, to be held during the Memorial Day weekend, 2012:

David Berson, as the representative from the Business Improvement District, to represent the business community;

Jeff Goubeaud, as the
representative from the Village of Greenport Marina;

Chief Martin Flatley of the Southold Town Police Department;

Todd Gulluscio of the Greenport Public Schools;

Trustee David Murray;

Mayor David Nyce; and,

Ronald Breuer, as President of the East End Seaport Museum, and as a representative of the local museums and historical societies. So moved.

TRUSTEE PHILLIPS: Second.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: By way of explanation to this. This upcoming event is a huge event. And in discussions with this board, at work sessions, etcetera, etcetera, and with discussions with the BID, it occurred that what we should do is have a small Steering Committee that would then have a subcommittee.

And what we want to do is identify those individuals that could reach out to the other areas within the Village that we want to have included. Absolutely we want the Business Improvement District included in this,
not from their outreach standpoint, but
from the expertise that they can bring
in helping to set up this festival.

So I'm sure that Mr. Berson will
have a subcommittee in dealing with this.

TRUSTEE PHILLIPS: Just in the
way of carnifications, the business
improvement district had voted at their
last meeting to reach out to the Board.

MAYOR NYCE: Absolutely. I
sorry, I skipped that step. That they
at first had been identified by BID to

be the liaison to the Steering Committee.

The same would be applied to the
Greenport School. That would be
superintendent of the schools.
Mr. Gulluscio as he was identified by
the superintendent as the person who
should be their contact.

The reason I want the Greenport
schools involved is because this
event -- I would like this event to be
a much -- I want it to be a true
maritime festival and I want there to
be as much education, I want historical
and cultural events happening
throughout the Village. And to have
the entire school.
Ordinarily the NJR or DC is involved, but I want the entire school to be involved because this event, as a celebration of the 200-year anniversary of the War of 1812, there's historical significance surrounding it. I'd like the school to be involved in this. They actually are very excited to be involved.

I spoke to both the supervisor and Chief Flatley and he said he may identify somebody in his place, but for the meantime he said absolutely that he would like to be involved.

Mr. Breuer as an incoming president of the East End Seaport Museum will be charged with the job of reaching out to all of the museums and all of the historical societies in the general area for the same reason for the schools to be involved.

We want to make sure we're showcasing our culture, our maritime heritage and history. So that was why this group was identified. We may also put in once sort of at large member from the community. I don't want to say, I haven't spoken to them, but we may add another member in as just a
23 basic resident who's into sailing and
24 has done it in the past. With that
25 going along with the explanation. All

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those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or

abstentions?

(No response.)

MAYOR NYCE: The motion

carries.

I'll offer Resolution number

12-2011-20. Resolution approving a

contract between the HMS Bounty and the

Village of Greenport. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in

favor?

TRUSTEE KEMPNER: That's as

amended, right?

MAYOR NYCE: No, I didn't say

"as attached" when I read it.

TRUSTEE KEMPNER: Oh, okay.

Right, right.

MAYOR NYCE: I'm one step ahead

of you this time.

TRUSTEE KEMPNER: Okay.

(Laughter.)
MAYOR NYCE: Again, by way of explanation, there are several ships that we’re inviting to this port for this event. And we are fundraising and attracting ships all at the same time. So it is nagging that there will be an apparent outlay of money prior an income. In order for us to successfully pull this event off, we’re going to have to do it that way. We negotiated with Bounty. They did shave some off their appearance fees. Everyone is. All the ships that we've been dealing with have been very accommodating. All those in favor. (Chorus of ayes.)

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

MAYOR NYCE: The motion carries.

TRUSTEE PHILLIPS: 12-2011-21. Resolution approving the collections procedure policy -- that is attached?

MAYOR NYCE: That's attached, yes.

TRUSTEE PHILLIPS: Approving the attached collections procedure
polity, as submitted by the Village of Greenport Billing Department, and as vetted through the Village of Greenport Audit Committee. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

(Chorus of ayes.)

The witness: Any opposed or abstentions?

MAYOR NYCE: The motion carries.

TRUSTEE KEMPNER: Resolution 12-2011-22. Resolution hiring Wendy Parr of Creative Advertising Concepts, to assist with the marketing and sponsorship of the Tall Ships event to be held during the Memorial Day weekend, 2012. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: I don't mean to beat this to death, but I did in fact reach out to everyone that I could think of in the local area. We did e-mail different places. This person came very highly recommended. They are in fact recouping their fee from a percentage of the fundraising efforts.
There is also -- I'll leave it at that. The overall concept, again, so that everyone understands this event, is that it should be a net zero dollar to the Village event. We are going to, between a combination of fundraising and ticket sales, fund the entire event. We have a budget. The shortfall between fundraising and that ultimate budget is going to determine the ticket sales.

When we did this event in 2004, they counted 50,000 people coming through the Village for event. That's well over seven years ago. I think that we're using that as a very conservative number for what we might expect on Memorial Day.

That's what we're going to use as sort of a base number. But, like I said, we will have an overall budget. What the ships will cost, what the entire festival is going to cost. We'll be able to do the fundraising. The difference will be made up by ticket sales.

Ultimately, all things being equal and all things going well, we will have a complete net zero and maybe actually
a small in the plus.

And Ms. Parr, I would like to
thank her for her candor. I'm sorry to
the Board that it took as long to get
you as it did, but, that being said.

All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or
abstentions?

(No response.)

MAYOR NYCE: Motion passed.

TRUSTEE HUBBARD: Resolution
12-2011-23. Resolution approving the
release of $141,500 of the $283,000
retainage presently being held by the
Village of Greenport under the contract
with Phillip Ross, Industries, Inc.
Pursuant to Section 14-11 Partial
Utilization of that contract, that
amount being 50 percent of the
retainage held as the Village of
Greenport has commenced a partial
utilization of approximately 50 percent
of the constructed waist water
treatment plant. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: I'd like to thank
the Village attorney for working on
this on this. He and the director of utilities worked very hard to get this taken care of before we contracted. I'd also like to thank the contractor for stepping up work in the last couple months. We've gotten quite a bit accomplished over the last months and

the plant is humming. All those in favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: The motion carries.

TRUSTEE PHILLIPS: Resolution 12-2011-24. Resolution approving all checks per the check approval list dated 12/22/11, in the total amount of $708,111.09 consisting of:

All regular checks in the amount of $494,724.69;

All wire transfers in the amount of $38,445.00;

All prepaid checks in the amount of $213,386.40;

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in
favor?

(Chorus of ayes.)

MAYOR NYCE: Any opposed or abstentions?

(No response.)

MAYOR NYCE: Motion carried.

I'd like to, on behalf of the board, wish everyone a very Happy, Healthy New Year. And I offer a motion to adjourn into executive section to discuss a personnel issues briefly.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

(Chorus of ayes.)

(Whereupon the meeting entered Executive Session.)

(Time noted: 7:11 p.m.)
CERTIFICATION

I, REBECCA WOOD, a Notary Public in and for the State of New York, do hereby certify:

THAT the foregoing is a true and accurate transcript of my stenographic notes.

REBECCA WOOD