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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK: STATE OF NEW YORK

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VILLAGE OF GREENPORT
BOARD OF TRUSTEES

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Third Street Firehouse
Greenport, New York

December 27, 2011
6:05 p.m.

Board Members Present:

DAVID NYCE - Mayor

GEORGE HUBBARD, JR. - Deputy Mayor

MARY BESS PHILLIPS - Trustee

SYLVIA LAZZARI PIRILLO - Village Clerk

DAVID ABATELLI - Village Administrator

JOSEPH PROKOP - Village Attorney

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

5 Allegiance.

6 (Pledge of Allegiance.)

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

10 (Moment of Silence.)

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

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

1

2 Healthy New Year.

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

8 I have an announcement from the

9 BID's Webmaster Harold House who has
10 been doing ongoing training for
11 business owners who have their web
12 sites connected with the BID site. He
13 is at the library on Monday, January
14 2nd, the 9th, the 16th, the 23rd and
15 30th, sounds like every Monday in January.

16 He does 40-minute sessions with
17 three people in each session starting
18 at 5:30. So that's 5:30, 6:15 and
19 7:00. Anyone who is a member of the
20 BID and has a website through that site
21 and wants some training on it, I highly
22 recommend it. It's a very useful site
23 and the more you know about how to link
24 yours to it, the more it will work for
25 you.

1
2 At our next month January board
3 meeting we will have presentation from
4 our auditors, Bollam, Sheedy, Torani
5 and that would be 2010/2011 audit and a
6 report on that.

7 A reminder that I don't like to
8 read, but that vandalism is punishable
9 and disrespectful. We had an uptake in
10 vandalism particularly in Mitchell Park
11 at the start of this winter and I'd
12 like to encourage people to please not
13 destroy our property. It's your money,

14 your parents money, our money, that
15 goes to fix it. It is not a faceless
16 crime.

17 And I'd also like to encourage
18 people to take advantage of the season
19 passes for the ice rink which is also
20 up and running, although I fear that
21 the rain and warm weather today may do
22 some damage to the ice.

23 Under public interest, I'd like to
24 reiterate, we continue to make this
25 announcement, but as the winter season

1
2 comes on and we are likely to get some
3 winter storms. Those with special
4 needs should sign up with the clerk's
5 office and should also call Suffolk
6 County Joint Emergency Evacuation
7 Program at (631) 852-4900 or
8 (631) 853-8333.

9 Also under public interest, the
10 Neighbors in Support of Immigrants is
11 an organization that has been
12 established to assist the successful
13 inclusion of immigrants and their
14 families into the wider East End
15 community. Chairperson Sylvia Baruch
16 can be reached at
17 supportimmigrants@gmail.com.

18 So next is that I would like to
19 read a basic timeline on the house at
20 620 Second Street.

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

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

1
2 On the 11th we received the
3 engineers reports from both the North
4 Fork Housing Alliance's engineer and
5 the Village-hired engineer.

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

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

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

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

22 On the 29th of August interior

23 demolition began to create the -- a
24 building permit was not required for
25 interior work as long as it was not

1
2 structural; removing insulation and
3 drywall, etcetera.

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

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

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

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

19 On the 10th, the completed plan
20 was reviewed.

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

1

2

construction.

3

12/20, I'll paraphrase. The

4

building department wrote here, to the

5

date of the 20th, work relative to the

6

roof repair has been completed. The

7

North Fork Housing Alliance has

8

informed us that it has submitted all

9

required documents to New York State

10

and is awaiting waiting their execution

11

that will authorize them to commence

12

construction. That would be

13

authorization for their funding, the

14

final authorization for their funding.

15

Both places on the Second Street

16

property, they're under the same New

17

York State contract. They say when

18

that approval is granted, they will

19

meet and commence work.

20

The building department has

21

continued to be in touch with them on a

22

regular basis. They've also been

23

advised that the North Fork Housing

24

Alliance has been communicating

25

directly with most of their neighbors

1

2

as to their progress is what they say

3

here. That I can't attest to, not

4

being them.

5

I'd like to add, for this board,

6 that the Village attorney has been and
7 will continue to be in touch with the
8 North Fork Housing Alliance's attorney.
9 We will continue to push for progress
10 to be made.

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

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

25 Because our problem was they

1 started to repair the roof. Our hope
2 was with the permit submitted for a two
3 family instead a three family, that
4 they were going to commence work on the
5 property. They clearly have not. So
6 our next step then is to file the
7 Appearance Tickets which attorney will
8 do, I assume, by the end of the week.
9

10 MR. PROKOP: Yes, that's
11 correct.

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

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

1
2 With that, we would move on to the
3 public portion of the meeting and I'll
4 ask if there's anybody from the public
5 that wishes to address the Board.

6 In the back.

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

13 That's a repair, a blue tarp?
14 I've done roofing. That's a proper

15 thing when there's bad weather because
16 we can't finish the job. If that's
17 what they consider a repair, we're in
18 big trouble. Thank you.

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

24 MR. MARRS: Hello. Neil Marrs,
25 1024 Brown Street. Thank you again,

1
2 that was a fantastic list. Two
3 comments, could we get copies, please,
4 of that list? That would be wonderful,
5 with dates and descriptions. Is there
6 a deadline at all in terms of a
7 timeframe?

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

12 TRUSTEE PHILLIPS: Requested.

13 MAYOR NYCE: They need to be
14 requested. There are generally not
15 denied unless there are extenuating
16 circumstances. This might be one of
17 those instances where there are
18 extenuating circumstances.

19 MR. MARRS: So basically it
20 would be one calendar year from October 12th?

21 MAYOR NYCE: October 12th.

22 MR. MARRS: Well, thank you.
23 The list of answers is impressive. I
24 think we've been waiting for a long
25 time for something that seemed thorough

1
2 and thought through, so thank you. And
3 happy holidays, thank you. We're
4 coming every month, so we'll see you in
5 January.

6 MAYOR NYCE: Okay.

7 MS. FERRER: Bunny Ferrer for
8 620 Second Street. Happy holidays to
9 all of you. You're all looking very
10 good.

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

19 I think main concern is that, I
20 think, as a citizen I know that if you
21 have you a building permit, normally
22 they'll renew it in a year. And I just
23 really hope that you all think about

24 what will you do as the board and if
25 nothing does happen before the year is

1
2 out.

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

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

18 We have some time. I don't think
19 anything will happen when the ground
20 freezes. So spring, let's hope for
21 some action. And if they don't have
22 funding by May, they're going to
23 request a renewal on that and it scares
24 me. There's not a whole lot of a money
25 in this state, so I just hope that you

2 keep us in your thoughts. Thanks a lot
3 and Happy New Year.

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

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

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

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

22 MR. SWISKEY: I learned
23 something tonight. William Swiskey,
24 184 Fifth Street. I've done a few
25 roofs and you know, the shingles. But

1
2 I'd like to bid on the next roof the
3 Village puts out because if a blue tarp
4 is acceptable as a roof repair, then,
5 I'm sorry, I just -- it's beyond my
6 comprehension that now somebody could

7 sit up there and say the roof was
8 repaired and not even have looked at
9 the building, I assume.

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

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

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

1
2 that means that these poor folks on
3 Second Street are going to look at that
4 house for two years. And because the
5 housing allowance is trying to stay --
6 because I happen to know that there's
7 no money for that house. You can make
8 some calls to Albany and find out too.
9 There's no money for that house.

10 TRUSTEE KEMPNER: They have

11 their money.

12 MR. SWISKEY: Have you seen it?
13 Have you seen the documents?

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

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

23 Another thought before I get on is
24 the sign out here. Now I understand
25 maybe I misunderstood, the sign was up

1

2 for over a month. It was shut down at
3 order of the Village Board. And a lot
4 of people in the fire department and
5 public are under the impression that
6 the issue was going to be settled at
7 this board meeting.

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

11 You know, the thing with zoning
12 variance and building permits. Well,
13 maybe we better consider shutting down
14 Mitchell Park. There's no Village
15 building permit there. There's no

16 variances for the things that are close
17 to the water.

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

1

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

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

18 And on Resolution 3 -- or, excuse
19 me, Resolution 6 is the one. We're

20 allowing the treasure who is a
21 part-time employee and who is also
22 employed by two other municipalities,
23 it's not a dispute here. So we're
24 going to pay the full \$800 for her to
25 go to this conference, yet the benefit

1
2 is also going to go to the Town of
3 Riverhead and Town of East Hampton.

4 Now, I would ask any right-minded
5 member of this board to reduce that to
6 one-third and tell Mrs. Kagel, you want
7 the rest, get it out of the other
8 clients you work for. Why should I
9 have to pay \$600 extra so Riverhead can
10 benefit and East Hampton can benefit?

11 Now they have a lot more money
12 than we do. So I'm asking each trustee
13 to just think about this just in the
14 matter of right is right. We're not
15 her cash register. Let her get it out
16 of Riverhead. She gets 100 bucks an
17 hour there.

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

24 I mean, are we now going to

25 consider the fire chief's vehicles

1

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

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

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

18 And you're supposed to issued them
19 a W9, not a W2. Then you're going to
20 have to pay retirement on the money --
21 their retirement is going to be based
22 on the money that shows as income. You
23 know what, maybe I'm not explaining
24 that. Or each raise they get is going
25 to be based also on the money for the

1

2 truck. That's accounting 100, and I do

3 have a degree in it.

4 Anyway, I think that you should
5 look at that more closely too, please.

6 There's some other resolutions here
7 dealing with:

8 10, dealing with liquid fuels;

9 11, grids and screening;

10 12, sludge;

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

17 I would like an explanation of how
18 these things wound up being that late
19 in the year being issued. These things
20 expire May 31st and it's almost
21 December 31st, that's six months. What
22 happened to that six months? Why did
23 it take six months to get to something
24 that you go to the file cabinet in the
25 Village office, you open the draw, you

1
2 pick this one out, you pick this one
3 out. You get the board to approve the
4 bids and they're out.

5 The bids are back by the middle of
6 May and you approve them by June 1st.

7 That's just incompetence on somebody's

8 part. Whether it's the board for
9 letting it go this far, whether it's
10 the person that was responsible. I
11 just don't know, but I just -- I just
12 really don't know.

13 All right. Now let's go to 12-17,
14 that has to do with Adventure Trex and
15 \$3,400. Now, I asked at a previous
16 meeting what this money was for. It
17 was for, it says, additional duties and
18 -- it mentioned that attachment at the
19 work session that explain it.

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

1
2 know it.

3 Because you just gave them a
4 \$10,000 raise. I mean, so this is --
5 so we're talking \$13,000 here. For what?

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

10 Now we have here Resolution 12-19,
11 appointing a Steering Committee. I

12 don't think that Chief Flatley or
13 whoever this person is from Greenport
14 Public Schools should be on that. But
15 especially Chief Flatley because it's a
16 possible conflict of interest.

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

25 Now here's the one that -- we got

1
2 two resolutions here. One of them is
3 for the contracts with the Town. I
4 went to Village Hall and asked for it,
5 but it wasn't available then. Well,
6 how much money is it going to be for?
7 Will you tell us before you discuss it?
8 How much?

9 MAYOR NYCE: \$35,000.

10 MR. SWISKEY: So \$35,000 and
11 we've already spent 20. So we're
12 60,000 in the hole and we haven't
13 raised fund zero yet, right? That's
14 simple math. I don't even need my
15 fingers to do that. But I think we
16 should look long and hard at that.

17 Oh, and what's the percentage that
18 Wendy Parr from Advertising Concepts
19 from Huntington is going to get from
20 fundraising? Because they usually
21 operate on a percentage. You're not
22 going to tell?

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

1

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

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

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

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

20 And, you know, if it's a written

21 opinion, which is not any secret, it's
22 available under the FOIL Law. Thank you.

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

1

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

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

12 MAYOR NYCE: Thank you.

13 TRUSTEE KEMPNER: We got it.

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

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

21 MR. SALADINO: I do. 6th
22 Street. I just heard you tell Billy
23 Swiskey that contracts before they're
24 executed can't be discussed with the
25 public. Resolution 20 approving the

1

2 attached contract, which we don't have,
3 you just discussed it. You told us how
4 much the contract is for.

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

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

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

13 MR. SALADINO: I'm responding
14 to you.

15 MAYOR NYCE: Please make your
16 comments.

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

25 MAYOR NYCE: I'll explain it

1

2 when you're done.

3 MR. SALADINO: I know how we

4 conduct business here now. You respond
5 to questions that you choose to.
6 There's no back and forth. So the
7 person's asking the questions, and you
8 don't allow questions after the
9 meeting.

10 So the person, myself for
11 instance, who is asking the question
12 doesn't have recourse if you don't
13 answer my question or even choose not
14 to answer, which is your right.

15 So I'm just not sure why this is a
16 secret or even how she got this job or
17 why there is -- it says there's
18 supposed to be an attachment here.
19 There is no attachment. So you might
20 want to address that.

21 And also, I'm not sure how
22 Resolution 14, it was my understanding
23 you're not allowed to barter for
24 services. A private individual is not
25 allowed to barter for services with a

1
2 municipal entity. Actually I kind of
3 read that today.

4 So I don't understand how you can
5 do this, number one. And number two,
6 this is in violation of your own Ethics
7 Policy Conflict of Interest. So
8 according to the State Article 18, in

9 their Conflicts of Interest Policy,
10 even though the trustee recused
11 themselves from the negotiations or
12 voting, it's not enough.

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

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

1
2 And if you could also, just to
3 follow-up on Bill's question. I don't
4 know if you got an answer to this, I
5 apologize, to Resolution 18. At the
6 work section the price was \$880, and
7 the resolution just says the total cost
8 is \$160. So perhaps, if you chose to
9 answer, you could explain that also. Okay.

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

12 DR. TROWBRIDGE: I'm

13 Dr. Trowbridge. Merry Christmas and a
14 Happy New Year.

15 MAYOR NYCE: Address for the
16 record, please.

17 DR. TROWBRIDGE: You have to
18 stop --

19 MAYOR NYCE: Address for the
20 record, please.

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

1
2 of this great Village to represent them
3 to the best of your ability.

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

9 MR. MARRS: Could I add one
10 more thing?

11 DR. TROWBRIDGE: That's
12 arbitrary and capricious.

13 MR. MARRS: I just wanted to
14 say while you're all here that I'm not
15 sure that everyone is fully aware, for
16 example, you stated that the housing
17 alliance has the money.

18 I have the e-mail from Ed Reale
19 who you've met who is the lawyer for
20 the housing alliance. This is an
21 e-mail to me in response to my e-mail
22 to him dated December 22nd.

23 The state agency advises they will
24 be able give us a closing date shortly.
25 We are required to formally close; that

1
2 is, sign all loan and mortgage
3 documents...blah blah blah... before
4 they will provide authorization to
5 proceed and give us the money.

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

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

12 MAYOR NYCE: I didn't say they
13 have the money. They have the
14 commitment for the money. You don't
15 have the money until you have the
16 check. They have a commitment for the
17 money and it's unlikely is that the
18 state would remove that and give it to
19 someone else. But, again, those
20 questions should go to the housing
21 alliance, not to us.

22 MR. MARRS: I was just bringing
23 it up.

24 TRUSTEE KEMPNER: Sometimes you
25 don't have the money until you spend

1
2 the money. So you're not even
3 guaranteed to be reimbursed. I mean
4 that's just the way some companies
5 work. So you don't get a check ahead
6 of time. So with all the things that
7 are up in the air, it's logical that
8 they would respond especially --

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

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

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

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

23 (No response.)

24 MAYOR NYCE: Then at recluse of
25 being arbitrary and capricious, which

1

2 we are not. And if you speak while I'm
3 speaking, you will be out of order. I
4 encourage you not to do so. Thank you.

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

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

23 A brief explanation on Resolution
24 Number 22. It is a contract for
25 services, professional services. No

1

2 RFP is required. Which reached out
3 locally. There were no firms locally
4 that wished to do it. We reached out

5 by e-mail to other firms. There was no
6 response.

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

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

1
2 negotiation for the Village.

3 Therefore, we would not discuss it.

4 Again, I understand that there are
5 a lot of these that say "as attached".
6 That's a typo. It's a miscommunication
7 between myself and the clerk. There
8 will not be attached contract documents
9 that have not been voted on and signed

10 because they are not public record
11 until they are voted on, passed, and
12 then executed by whoever is authorized
13 to execute them. That's when they
14 become a public document.

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

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

25 The IRS ruling requires us to now

1
2 put the use of a vehicle on people's
3 earnings because it is deemed by the
4 Internal Revenue Service as part of
5 their overall pay. My argument with
6 them and will continue to be with
7 them -- the treasurer and I are
8 drafting a letter, I agree -- you may
9 find this hard to believe, I agree with
10 Mr. Swiskey.

11 My initial comment was:

12 Our utilities personnel are on
13 call 24/7 and therefore should get a

14 vehicles in order to respond. The IRS
15 has said that utilities vehicles, the
16 only ones they consider to be emergency
17 vehicles are bucket trucks. Why would
18 we send someone back to Mattituck, if
19 they live in Mattituck, in a bucket
20 truck when we can send them home in a
21 fuel efficient small car. And this is
22 my argument to the IRS.

23 The IRS only deems emergency
24 vehicles to be police and fire. Not
25 utilities. We're going to argue that

1
2 with them. We may or may not win.

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

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

17 MR. SWISKEY: Are we going to
18 shut the park down?

19 MAYOR NYCE: Mr. Swiskey, your
20 time is done.

21 MR. SWISKEY: Just asking.

22 MAYOR NYCE: With that -- oh,
23 I'm sorry. I did want to make one
24 other point and that is after last
25 month's meeting, there was a bunch of

1
2 back and forth, in public and in the
3 papers as well, regarding the Mattituck
4 assembly permit that had been submitted
5 by San Simeon.

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

15 I have met with both Nancy Morrow
16 who is the person who has been doing
17 the public relations for San Simeon.
18 They understand. They feel it's
19 unfortunate, obviously they wish that
20 they could. But they understand the
21 situation. The Village board fully
22 supports San Simeon and their efforts.

23 With that, we will move into our
24 regular agenda. I will request that
25 Trustee Murray be excused this evening.

1

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

5 TRUSTEE HUBBARD: Second.

6 TRUSTEE KEMPNER: Did you say
7 something was attached?

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

15 Is there a second on the amended?

16 TRUSTEE HUBBARD: Second.

17 MAYOR NYCE: All those in
18 favor?

19 (Chorus of ayes.)

20 MAYOR NYCE: Any opposed or
21 abstentions.

22 (No response.)

23 MAYOR NYCE: Motion carried.

24 Trustee Kempner is going to read
25 Resolution 2.

1

2 TRUSTEE KEMPNER: Resolution
3 12-2001-2. Resolution accepting the
4 monthly reports of the Greenport Fire
5 Department, Village Clerk, Village
6 Treasurer, Village Administrator,
7 Director of Utilities, Village
8 Attorney, Mayor and the Board of
9 Trustees. So moved.

10 TRUSTEE HUBBARD: Second.

11 MAYOR NYCE: All those in
12 favor.

13 (Chorus of ayes.)

14 MAYOR NYCE: Any opposed or
15 abstentions?

16 (No response.)

17 MAYOR NYCE: The motion
18 carries.

19 TRUSTEE HUBBARD: Resolution
20 12-2011-3. Resolution ratifying the
21 attached resolution as approved by the
22 Village of Greenport Board of Trustees
23 during the work session meeting held on
24 December 19, 2011, cancelling public
25 hearings pending review by the Planning

1
2 Board, Zoning Board of Appeals and
3 Historic Preservation Commission. So
4 moved.

5 TRUSTEE KEMPNER: Second.

6 MAYOR NYCE: All those in
7 favor?

8 (Chorus of ayes.)

9 MAYOR NYCE: Any opposed or
10 abstentions?

11 (No response.)

12 MAYOR NYCE: Motion carries.

13 Offer Resolution 12-2011-4.
14 Resolution approving the Length of
15 Service Awards Program for the
16 Greenport Fire Department as amended to
17 include stand-by points for
18 participating Rescue Squad members, as
19 approved by the Greenport Fire
20 Department Board of Wardens on December
21 21, 2011. So moved.

22 TRUSTEE PHILLIPS: Second.

23 MAYOR NYCE: All those in
24 favor?

25 (Chorus of ayes.)

1

2 MAYOR NYCE: Any opposed or
3 abstentions?

4 (No response.)

5 MAYOR NYCE: Motion carried.

6 TRUSTEE PHILLIPS: Resolution
7 12-2011-5. Resolution authorizing
8 Treasurer Kage1 to perform the budget
9 modifications as attached. So moved.

10 MAYOR NYCE: I'll second and

11 make the comment that that is attached
12 because there is not a pending contract.

13 All those in favor?

14 (Chorus of ayes.)

15 MAYOR NYCE: Any opposed or
16 abstentions?

17 (No response.)

18 MAYOR NYCE: Okay, motion
19 carries.

20 TRUSTEE KEMPNER: 12-2011-6.
21 Resolution authorizing Treasurer Kagel
22 to attend the New York State Government
23 Financial Officers' Association Annual
24 Conference in Albany, New York from
25 April 3rd to 5th, 2001 at a cost not to

1

2 exceed \$800, to be expensed from line
3 item number A.1325.400, Treasurer
4 Contractual Expense. So moved.

5 TRUSTEE PHILLIPS: Second.

6 MAYOR NYCE: All those in
7 favor?

8 (Chorus of ayes.)

9 MAYOR NYCE: Any opposed or
10 abstentions?

11 (No response.)

12 MAYOR NYCE: The motion
13 carries.

14 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

20 employees W2 statement. Now therefore
21 be it;

22 Resolved that the Village Board
23 authorizes the commuting use of all
24 on-call vehicles assigned to
25 Supervisory personnel subject to the

1
2 conditions stated. So moved.

3 TRUSTEE PHILLIPS: I'll second.
4 But I, in all honesty, don't think this
5 is good at all. One of the speakers
6 was speaking about of these people who
7 are paid a very high amount of salary.
8 We have employees who work for the
9 Village who do not get paid for
10 commuting.

11 We don't have a record of the
12 number of call outs. We have no
13 accountability for their use of the
14 vehicle. I think that as far as the
15 tax payers paying for their gas, the
16 gas the vehicle uses as far as them
17 commuting back and forth to work I find
18 difficult, I'm sorry, and I am not
19 going to vote for this one.

20 MAYOR NYCE: That's fine. Are
21 there any other comments?

22 (No response.)

23 MAYOR NYCE: All those in

24 favor?

25 (Chorus of ayes.)

1

2 MAYOR NYCE: Any opposed?

3 TRUSTEE PHILLIPS: One.

4 MAYOR NYCE: The motion

5 carries.

6 I will offer Resolution 12-2011-8.

7 Resolution approving the Mass Public

8 Assembly Permit Application as

9 submitted by Dennis O'Donnell, on

10 behalf of the Wounded Warrior Project,

11 for the use of Mitchell Park on

12 September 2, 2012 from 7 a.m. to 9:30

13 a.m., as the opening ceremonies for the

14 annual cycling event. So moved.

15 TRUSTEE KEMPNER: Second.

16 MAYOR NYCE: By way of

17 discussion, this is on Labor Day

18 weekend. I have had discussions with

19 both the supervisors' office and the

20 chief of police. The chief of police

21 is -- I'm sorry, the Town Board, I

22 believe, approved this very same

23 resolution pending our approval of the

24 resolution.

25 I spoke with Chief Flatley who

1

2 seems to feel that based on the time,

3 his manpower should be able to handle
4 it and did not have any issues. He
5 said he would let us know if he felt
6 that there were issues, but he had no
7 problem with us approving the mass
8 public assembly permit. All those in
9 favor?

10 (Chorus of ayes.)

11 MAYOR NYCE: Any opposed?

12 (No response.)

13 MAYOR NYCE: The motion
14 carries.

15 TRUSTEE PHILLIPS: Resolution
16 12-2011-9. Resolution authorizing
17 Mayor Nyce to sign Change Order Number
18 3C as attached in the amount of
19 \$7,151.00 for the Village Greenport
20 Power Plant Upgrade "Work Package C".
21 So moved.

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

24 MAYOR NYCE: No, it is not for
25 the same reason. The amount has been

1
2 discussed at length, but because it is
3 a change order, it opens up the entire
4 contract and until it's signed and
5 delivered, it is considered --

6 TRUSTEE KEMPNER: Can we list

7 it as circulated or something or just
8 take that out just because it's not
9 attached.

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

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

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

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

1

2 TRUSTEE KEMPNER: I'll second.

3 MAYOR NYCE: All those in
4 favor?

5 (Chorus of ayes.)

6 MAYOR NYCE: And also a motion
7 to accept the resolution as a whole?
8 Is there a second?

9 MR. HUBBARD: Second.

10 MAYOR NYCE: All those in
11 favor?

12 (Chorus of ayes.)

13 MAYOR NYCE: All right, we got

14 it.

15 TRUSTEE KEMPNER: Resolution

16 12-2011-10. Resolution directing Clerk

17 Pirillo to advertise for bids for the

18 delivery of liquid fuels, per the bid

19 specifications as prepared and provided

20 by the Director of Utilities Naylor.

21 So moved.

22 MR. HUBBARD: Second.

23 MAYOR NYCE: All those in

24 favor?

25 (Chorus of ayes.)

1

2 MAYOR NYCE: Any opposed or

3 abstentions?

4 (No response.)

5 MAYOR NYCE: The motion is

6 carried.

7 TRUSTEE HUBBARD: Resolution

8 12-2011-11. Resolution directing Clerk

9 Pirillo to advertise for bids for grit

10 and screenings removal, per the bid

11 specification as prepared and provided

12 by Director of Utilities Naylor. So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR NYCE: All those in

15 favor?

16 (Chorus of ayes.)

17 MAYOR NYCE: Any opposed or
18 abstentions?

19 (No response.)

20 MAYOR NYCE: Motion carried.

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

1

2 moved.

3 TRUSTEE HUBBARD: Second.

4 MAYOR NYCE: All those in
5 favor?

6 (Chorus of ayes.)

7 MAYOR NYCE: Any opposed or
8 abstentions?

9 (No response.)

10 MAYOR NYCE: The motion is
11 carried.

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

17 Jose Gonzalez and Justin Kirinic
18 at \$7.50 per hour.

19 Kevin Erdman at \$8.00 per hour,
20 and.

21 Chris Kirinic at \$8.25 per hour.

22 So moved.

23 MAYOR NYCE: Second that. All
24 those in favor?

25 (Chorus of ayes.)

1

2 MAYOR NYCE: Any opposed or
3 abstentions?

4 (No response.)

5 MAYOR NYCE: Motion carried.

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

9 TRUSTEE KEMPNER: 12-2011-14.
10 Resolution entering into a formal
11 agreement between Mark Phillips and the
12 Village of Greenport, whereas Mark
13 Phillips will provide services to the
14 Village of Greenport in the form of
15 installing and removing speed buoys
16 throughout the Village of Greenport
17 waters on a seasonal basis as necessary
18 and required in exchange for the
19 Village of Greenport providing dockage
20 space for the F/V Illusion; with said
21 agreement to be reviewed and approved
22 on an annual basis, per season. So
23 moved.

24 TRUSTEE HUBBARD: Second.

25 MAYOR NYCE: By way of comment

1
2 this is a benefit to the Village
3 financially overall. We went out and
4 got quotes on putting these speed buoys
5 in and taking them out. It's
6 substantially more than the cost of the
7 transient dockage that is paid.

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

11 MR. SWISKEY: Oh, I'm sorry.

12 MAYOR NYCE: Thank you. As
13 Mr. Saladino's comment before, I have
14 absolutely no idea as to what he's
15 talking about as far as barter and the
16 State. Obviously, if we're doing
17 something that is improper, that would
18 be correct. It is not our
19 understanding that we are doing so,
20 that we are legally allowed to enter
21 into this agreement and are doing so to
22 the benefit of the tax payers in
23 there's less money spent for the
24 service that are being rendered.

25 TRUSTEE KEMPNER: To the

1
2 Village attorney, this is the way to do
3 it? It seems to me this is really a

4 code.

5 (No response.)

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

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

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

17 MAYOR NYCE: Absolutely.

18 TRUSTEE HUBBARD: Okay.

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

22 (Chorus of ayes.)

23 MAYOR NYCE: Any opposed or
24 abstentions?

25 (No response.)

1

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

5 TRUSTEE PHILLIPS: I was away
6 from the table.

7 MAYOR NYCE: All right. Thank

8 you.
9 TRUSTEE HUBBARD: I'll offer
10 Resolution Number 12-2011-15.
11 Resolution authorizing Village
12 Administrator Abatelli to request a six
13 month extension from the New York State
14 Department of State for the Local
15 Waterfront Revitalization Program grant
16 (contract number C006525), extending
17 the end date from March 31, 2012 to
18 September 30, 2012. So moved.

19 TRUSTEE PHILLIPS: Second.

20 MAYOR NYCE: By way of
21 explanation for both this one and the
22 next one, we are very close on the Red
23 School House Interpretative Center
24 grant. But in the interest of making
25 sure we have everything tucked away

1
2 neatly, we are going to go for the
3 extension now. We can always submit
4 final paperwork early. So that's the
5 explanation. All those in favor?

6 (Chorus of ayes.)

7 MAYOR NYCE: Any opposed or
8 abstentions?

9 (No response.)

10 MAYOR NYCE: The motion
11 carries.

12 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.)

1

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

17 Treks, Ltd. So moved.

18 TRUSTEE KEMPNER: Second.

19 TRUSTEE PHILLIPS: I wish to
20 comment on this because originally I
21 had some reservations about this. But
22 in asking questions, my understanding
23 is that when the harbor manager at the
24 time resigned, that there was
25 discussions between the Mayor and the

1

2 Village administrator as to how the
3 deal with the situation at the moment.

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

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

16 MAYOR NYCE: Yes.

17 TRUSTEE PHILLIPS: So I just
18 have to say that because I originally
19 was against this, but having heard the
20 explanation and having rejected it
21 twice on the abstracts, I am going to

22 call the vote now.

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

1
2 board sooner. I thought it was well
3 understood that there would be
4 additional moneys for this.

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

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

21 It went better than anticipated
22 and I thank him for his additional
23 service. Oh, yes, this is wrapped into
24 the updated contract that we just
25 finalized two months ago. So this is

1

2

going back to cover for the period

3

prior to that new contract. All those

4

in favor?

5

(Chorus of ayes.)

6

TRUSTEE PHILLIPS: Any opposed

7

or abstentions?

8

(No response.)

9

MAYOR NYCE: The motion

10

carries.

11

TRUSTEE KEMPNER: Resolution

12

12-2011-18. Resolution allowing Eileen

13

Wingate to attend the training classes

14

as offered by the New York State

15

Association of Towns, on February 21,

16

2012, at total cost of \$160.00, to be

17

expensed from line item A.3620.400

18

(Safety Inspector Contractual Expense).

19

So moved.

20

TRUSTEE PHILLIPS: I'll second

21

and ask a question, how come the change

22

in the numbers from the original

23

discussion at the work session?

24

MAYOR NYCE: I assumed she's

25

attending one day.

1

2

MR. ABATELLI: She's attending

3

one day and so she's just commuting in

4

the morning, doing one full day, and

5 coming back.

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

8 MAYOR NYCE: Because it was
9 \$600, wasn't it?

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

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

15 All in favor?

16 (Chorus of ayes.)

17 MAYOR NYCE: Any opposed or
18 abstentions?

19 (No response.)

20 MAYOR NYCE: The motion
21 carries.

22 TRUSTEE HUBBARD: Resolution
23 12-2011-19. Resolution appointing the
24 following as members of the Steering
25 Committee for the Tall Ships event, to

1
2 be held during the Memorial Day
3 weekend, 2012:

4 David Berson, as the
5 representative from the Business
6 Improvement District, to represent the
7 business community;

8 Jeff Goubeaud, as the

9 representative from the Village of
10 Greenport Marina;
11 Chief Martin Flatley of the
12 Southold Town Police Department;
13 Todd Gulluscio of the Greenport
14 Public Schools;
15 Trustee David Murray;
16 Mayor David Nyce; and,
17 Ronald Breuer, as President of the
18 East End Seaport Museum, and as a
19 representative of the local museums and
20 historical societies. So moved.

21 TRUSTEE PHILLIPS: Second.

22 TRUSTEE KEMPNER: Second.

23 MAYOR NYCE: By way of
24 explanation to this. This upcoming
25 event is a huge event. And in

1
2 discussions with this board, at work
3 sessions, etcetera, etcetera, and with
4 discussions with the BID, it occurred
5 that what we should do is have a small
6 Steering Committee that would then have
7 a subcommittee.

8 And what we want to do is identify
9 those individuals that could reach out
10 to the other areas within the Village
11 that we want to have included.

12 Absolutely we want the Business
13 Improvement District included in this,

14 not from their outreach standpoint, but
15 from the expertise that they can bring
16 in helping to set up this festival.

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

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

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

1
2 be the liaison to the Steering Committee.

3 The same would be applied to the
4 Greenport School. That would be
5 superintendant of the schools.
6 Mr. Gulluscio as he was identified by
7 the superintendant as the person who
8 should be their contact.

9 The reason I want the Greenport
10 schools involved is because this
11 event -- I would like this event to be
12 a much -- I want it to be a true
13 maritime festival and I want there to
14 be as much education, I want historical
15 and cultural events happening
16 throughout the Village. And to have
17 the entire school.

18 Ordinarily the NJR or DC is
19 involved, but I want the entire school
20 to be involved because this event, as a
21 celebration of the 200-year anniversary
22 of the War of 1812, there's historical
23 significance surrounding it. I'd like
24 the school to be involved in this.
25 They actually are very excited to be

1
2 involved.

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

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

15 We want to make sure we're
16 showcasing our culture, our maritime
17 heritage and history. So that was why
18 this group was identified. We may also
19 put in once sort of at large member
20 from the community. I don't want to
21 say, I haven't spoken to them, but we
22 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

1

2 those in favor?

3 (Chorus of ayes.)

4 MAYOR NYCE: Any opposed or
5 abstentions?

6 (No response.)

7 MAYOR NYCE: The motion
8 carries.

9 I'll offer Resolution number
10 12-2011-20. Resolution approving a
11 contract between the HMS Bounty and the
12 Village of Greenport. So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR NYCE: All those in
15 favor?

16 TRUSTEE KEMPNER: That's as
17 amended, right?

18 MAYOR NYCE: No, I didn't say
19 "as attached" when I read it.

20 TRUSTEE KEMPNER: Oh, okay.
21 Right, right.

22 MAYOR NYCE: I'm one step ahead
23 of you this time.

24 TRUSTEE KEMPNER: Okay.

25 (Laughter.)

1

2 MAYOR NYCE: Again, by way of
3 explanation, there are several ships
4 that we're inviting to this port for
5 this event. And we are fundraising and
6 attracting ships all at the same time.

7 So it is nagging that there will
8 be an apparent outlay of money prior an
9 income. In order for us to
10 successfully pull this event off, we're
11 going to have to do it that way. We
12 negotiated with Bounty. They did shave
13 some off their appearance fees.
14 Everyone is. All the ships that we've
15 been dealing with have been very
16 accommodating. All those in favor.

17 (Chorus of ayes.)

18 MAYOR NYCE: Any opposed or
19 abstentions?

20 (No response.)

21 MAYOR NYCE: The motion
22 carries.

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

1

2 MAYOR NYCE: That's attached,
3 yes.

4 TRUSTEE PHILLIPS: Approving
5 the attached collections procedure

6 polity, as submitted by the Village of
7 Greenport Billing Department, and as
8 vetted through the Village of Greenport
9 Audit Committee. So moved.

10 TRUSTEE KEMPNER: Second.

11 MAYOR NYCE: All those in
12 favor?

13 (Chorus of ayes.)

14 The witness: Any opposed or
15 abstentions?

16 MAYOR NYCE: The motion
17 carries.

18 TRUSTEE KEMPNER: Resolution
19 12-2011-22. Resolution hiring Wendy
20 parr of Creative Advertising Concepts,
21 to assist with the marketing and
22 sponsorship of the Tall Ships event to
23 be held during the Memorial Day
24 weekend, 2012. So moved.

25 TRUSTEE PHILLIPS: Second.

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2 MAYOR NYCE: I don't mean to
3 beat this to death, but I did in fact
4 reach out to everyone that I could
5 think of in the local area. We did
6 e-mail different places. This person
7 came very highly recommended. They are
8 in fact recouping their fee from a
9 percentage of the fundraising efforts.

10 There is also -- I'll leave it at
11 that. The overall concept, again, so
12 that everyone understands this event,
13 is that it should be a net zero dollar
14 to the Village event. We are going to,
15 between a combination of fundraising
16 and ticket sales, fund the entire
17 event. We have a budget. The
18 shortfall between fundraising and that
19 ultimate budget is going to determine
20 the ticket sales.

21 When we did this event in 2004,
22 they counted 50,000 people coming
23 through the Village for event. That's
24 well over seven years ago. I think
25 that we're using that as a very

1
2 conservative number for what we might
3 expect on Memorial Day.

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

12 Ultimately, all things being equal
13 and all things going well, we will have
14 a complete net zero and maybe actually

15 a small in the plus.

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

20 All those in favor?

21 (Chorus of ayes.)

22 MAYOR NYCE: Any opposed or
23 abstentions?

24 (No response.)

25 MAYOR NYCE: Motion passed.

1

2 TRUSTEE HUBBARD: Resolution
3 12-2011-23. Resolution approving the
4 release of \$141,500 of the \$283,000
5 retainage presently being held by the
6 Village of Greenport under the contract
7 with Phillip Ross, Industries, Inc.
8 Pursuant to Section 14-11 Partial
9 Utilization of that contract, that
10 amount being 50 percent of the
11 retainage held as the Village of
12 Greenport has commenced a partial
13 utilization of approximately 50 percent
14 of the constructed waist water
15 treatment plant. So moved.

16 TRUSTEE KEMPNER: Second.

17 MAYOR NYCE: I'd like to thank
18 the Village attorney for working on

19 this on this. He and the director of
20 utilities worked very hard to get this
21 taken care of before we contracted.
22 I'd also like to thank the contractor
23 for stepping up work in the last couple
24 months. We've gotten quite a bit
25 accomplished over the last months and

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2 the plant is humming. All those in
3 favor?

4 (Chorus of ayes.)

5 MAYOR NYCE: Any opposed or
6 abstentions?

7 (No response.)

8 MAYOR NYCE: The motion
9 carries.

10 TRUSTEE PHILLIPS: Resolution
11 12-2011-24. Resolution approving all
12 checks per the check approval list
13 dated 12/22/11, in the total amount of
14 \$708,111.09 consisting of:

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

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

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

21 So moved.

22 TRUSTEE HUBBARD: Second.

23 MAYOR NYCE: All those in

24 favor?

25 (Chorus of ayes.)

1

2 MAYOR NYCE: Any opposed or
3 abstentions?

4 (No response.)

5 MAYOR NYCE: Motion carried.

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

11 TRUSTEE HUBBARD: Second.

12 MAYOR NYCE: All those in
13 favor?

14 (Chorus of ayes.)

15 (Whereupon the meeting entered
16 Executive Session.)

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

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CERTIFICATION

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I, REBECCA WOOD, a Notary Public in

6

and for the State of New York, do hereby

7

certify:

8

THAT the foregoing is a true and

9

accurate transcript of my stenographic

10 notes.

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15

REBECCA WOOD

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