VILLAGE OF GREENPORT

VILLAGE BOARD OF TRUSTEES

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REGULAR MEETING,

MARCH 26, 2012

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236 Third Street
Greenport, New York

March 26, 2012
6:01 p.m.

A P P E A R A N C E S:

JOSEPH W. PROKOP, P.L.L.C
Attorney for the Village Board of
Trustees
267 Carleton Avenue
Central Islip, New York 11722

BY: JOSEPH W. PROKOP, ESQ.

David Nyce - Mayor
Dave Murray - Trustee
Mary Bess Phillips - Trustee
George Hubbard - Trustee
Christine Kempner - Trustee
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MR. NYCE: It is just after 6:00, so I will call this meeting to order.

This is the March 26th Board of Trustees regular meeting for the Village of Greenport. I have several announcements under public interests, then we will have the annual Tree Committee report by Deputy Mayor George Hubbard, and there will be three public hearings at the public hearing, so there will be a public portion so the public can address the Board on any topic. I would ask that you limit the questions regarding those specific public hearing items. After the public portion, we will move into our regular agenda. In an answer prior to the question being asked, there are three agenda items that the Board may take action on tonight that are not on the printed agenda that have to do with the public hearings. The 2% Tax
Cap Override Local Law would have to be adopted prior to us adopting our budget this year. That budget has already been presented. The budget hearing is April 15th, so we will have to take action on that -- April 12th. April 12th will be the public hearing for the budget, but that law has to be in place prior to that budget hearing, so we would likely take action on that tonight, depending on how the Board feels. Also, the removal of the foundation at 510 Madison Avenue, the work has been done, the bills have arrived, and the attorney asked that we take action on that as well. And I will ask the Board -- depending on the permit for the Exxon-Mobil property, we may take action on that as well. Those three agenda items are as an addendum, so we will discuss whether we want to take action on that tonight. With that, the Village
will hold its annual organizational
meeting on April 5th at 6:00 p.m. at the
schoolhouse, downtown, we're gonna use
the red schoolhouse for that meeting.

Brush pickup will begin April 17th.

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Regardless of the fact that it's warm
out early, we're gonna keep it the 17th.
Please, if you have brush, keep it on
your property until the 17th then put it
out at that time. Tickets are available
online at either
greenportvillage.org -- I'm sorry,
thegreenportvillage.org --

MR. PHILLIPS:

Villageofgreenport.org.

MR. NYCE: -- and
greenportvillage.com, the BID site. You
can go to either one of those and follow
the prompts, and tickets are available
for the Tall Ships Event for Memorial
Day. The recreation program is taking
reservations at this time. You can call Village Hall at 477-0248, that's the main number, ask for the Village Administrator at Extension 209 and they will give information to the Clerk's office at Extension 206.

Under public interest, please be aware that fire safety is very important. Please take the time to check the batteries in your smoke detectors and CO detectors, and please ensure you have proper means of egress, and that your children's bedroom windows are well marked. Please create a practice and an escape plan with your family regularly. Seasonal part-time positions are available in the parks and recreation department starting immediately. They are taking applications for the carousel and the marina and at various other parks and recreational jobs. With that, I will
turn it over to Deputy Mayor George Hubbard to give the annual Tree Committee report.

MR. HUBBARD: Good evening, all.

This is the Village of Greenport Tree Committee 2011 annual report to Mayor Nyce and the Trustees. The Village of Greenport Tree Committee is pleased to present this report of activities in 2011. For the fifth year in a row, the Village has earned the Tree City USA designation. Removal of hazardous trees is part of our first mission, safety. There has been more than 84 trees removed since the reestablishment of the Tree Committee in 2007, including 29 in 2011; in addition, 33 tree stumps were removed in 2011. Since 2007, we have vigorously upgraded and diversified the trees planted in the Village and have overseen the planting of over 267 trees,
including 47 in 2011. Maintaining proper pruning and care for the existing trees that grace our Village was a huge task. With our scarce resources we focus on investing in our heritage trees. We were only partly successful in standing up to Tropical Storm Irene in August. Dozens of street trees were promised last year. Our tree census work continued as we chartered new gains and losses of street trees.

Greenport Tree Day/Arbor Day ceremony will be held in honor of Dave Morton at Greenport Cemetery to celebrate the efforts to restore that site. The Committee helped the Class of 2011 plant a senior tree, Greenport High School, and delivered tree stompers and information to the school. The Village has been named a recipient of a new matching grant for $12,000 from the New York State DEC. Funds received in the
previous awards were put to excellent
use. After Irene, we gladly accepted
two generous donations. Ed Dart gave us
eight American Elms and Treemills
(phonetic) gave us an assortment of nine
trees, mostly beaches and Japanese
Maples. A quilt made by Roberta Garris
(phonetic), for us to raffle off, proved
irresistible to residents and visitors
after bringing in almost $2,500 to be
used for trees and tree care.

The Committee thanks Mayor Nyce
and the Board of Trustees for your
continued support. After the dry summer
of 2010, we requested some sort of

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assistance with the heavy burden of
watering newly planted trees. Several
trips around the Village helped the
ever newer trees get established. We also
appreciate the work done by the crew for
tree pruning and removal. Respectfully
submitted, March 26th, 2012, John
Quinlan, the Tree Committee Chair, Holly
Dickson (phonetic), Denise Rathbun and
Trustee George Hubbard. Please join us
at the 2012 Greenport Tree Day/Arbor Day
community celebration in honor of the
efforts of former Mayor George Hubbard
and former Utilities Chief for the
bringing of Greenport, Thursday May 24th
at 10:00 a.m. at the Third Street Park.
I would also like to thank the members
of the Tree Committee for the work that
they do, John out there pruning,
mulching -- the whole Committee, I think
does an excellent job. I just want to
commend them for it.

MR. NYCE: Thank you very much.

Our next order of business will be

the public hearing portion. The first
public hearing we have is the Wetlands
Permit Application as submitted by
Exxon-Mobil for some work removing some
old bulked ing materials. This public hearing is strictly on that item. We will not be discussing the conservation easement going on with the Town; that will be a separate item. This is strictly about the work that they are preparing to do. I will say that this public hearing was properly noticed, and anyone wishing to speak to this can do so at this time, and their comments will be taken down for the record. Prior to that, I would like to state that they do have signed permits from the DEC and they would then get permission from us and after that, the Department of State would file their consistency review at the end. Our Coastal Advisory Council also has reviewed the project, they find that it is within -- that they're -- they found nothing improper.
anchor chain and timbers should not be
disturbed during this project, which I
agree with. That being said, I will ask
if there's anyone who wishes to make
comment on this mass public assembly
permit.

MR. OSINSKI: Michael Osinski, 307
Flint Street, Greenport. My
understanding is that the Board -- we
haven't seen any drawings, but we just
want to remove the stuff -- I'm
concerned about the fence that's been
raised, and as we all know, there's
often people there that sleep overnight.
I'm concerned about people living here.
How are they gonna do that?

MR. NYCE: Absolutely. That will
be part of the other project.
 Basically, they're just removing the
debris that has been exposed from
erosion.

MR. OSINSKI: What about the fence
that's already been destroyed?
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MR. NYCE: That's part of the other portion of the permit. That's part of the planning for that part of the project.

Does anyone else wish to address the Board on the Wetlands Permit Application?

MS. KEMPER: I had to ask, are we pulling something out because there will other things there?

MR. NYCE: They identified specific pieces that are to be removed.

MS. KEMPER: I'd like to see some kind of environmental report.

MR. NYCE: They have environmental -- DEC permits.

MS. KEMPER: Maybe even if it's a survey as to what was there previously or --

MR. NYCE: There are no attachments.

MS. KEMPER: There were never tank barriers there?

MR. NYCE: I mean, I think the
permit is fairly specific as to what
they can do, and anything outside of the
that, they have to come back for
permission.

MR. MURRAY: The permit states
that they're hand-removing all this
stuff.

MS. KEMPNER: Do you know what I'm
saying? I asked if there was any other
report related to it, just because
they're pulling something. It just
seems like it could be attached to
something.

MR. MURRAY: If they pull
something and then find something
they're gonna have to come back for
another permit.

MS. KEMPNER: Maybe we should
include that.

MS. MOBIO: I can clarify. I'm
Kristy Mobio (phonetic). I'm in charge
of the project at Exxon-Mobil. There is
no pulling whatsoever. We're just
simply cutting it down to two feet.

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There's metal left over from the old bulked, it's gonna be torched, cut and carried away. We're hand digging with shovels down to three feet only, and it's just from the bulked, and that's it, just for the tanks and things of that nature. If you look at any of our old reports, you can see the outlines and all that we removed, and they're all -- there were six and they're not by the shoreline.

MR. NYCE: Thank you. Does anyone else wish to address the Board? If not, I would entertain a motion to close the public hearing on this mass permit application.

MR. PHILLIPS: I'd like to close the hearing on the Exxon-Mobil application for a Wetlands Permit.

MR. NYCE: Is there a second?

MR. MURRAY: Second.
MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: That public hearing is

closed. The next one is on a proposed
Local Law of 2012 allowing for an
override of the 2% tax cap. This has
been presented by the Village Attorney.
It was presented to the co-committee who
passed it onto this Board, and the Board
has set this public hearing. The public
hearing has been properly noticed, and
anyone wishing to comment can do so at
this time and their comments will be
taken down for the record. Is there
anyone who wishes to address the board
on this proposed Local Law?

MR. SWISKEY: William Swiskey, 184
Fifth Street, Greenport. I don't even
see why this is on the agenda. The
budget basically says no tax increase,
and if you find something, you go to
20            2% -- I think that any
21            Trustee -- really, just say no, we don't
22            want it because -- I mean, according to
23            your own document, which is the second
24            draft, there's no tax increase needed,
25            and I don't know why we consulted the

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1            C-Core on this -- I assume that costs us
2            money, the attorney's fee cost us money.
3            I don't understand why, why it's even
4            here unless you intend to breach it,
5            basically, you -- I mean, I think it
6            just should be voted down. I
7            mean -- and you made a statement. You
8            can adopt this Local Law right up to
9            the -- in other words, you don't have to
10           adopt the budget until -- you can adopt
11           this one resolution before the budget
12           and reach the cap, that's what the
13           actual law says, but anyway, I don't
14           think you should even consider this. If
15           I were any Trustee, as far as the public
16           hearing -- no, let's not put it on the
agenda. Thank you.

MR. SALADINO: John Saladino, 6th Street. As far as the Local Law is concerned, if you would, when you address it -- is it my understanding that it's only good for one budget year.

MR. NYCE: (Nodding.)

MR. SALADINO: So assuming every

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year we pass a budget, this 2% cap would only be for this particular budget, this particular budget. If the budget shows a negative tax increase, why would we go this late into the year? I mean, the budget is due to be signed April 30th. Unless you intend to raise taxes, this Board, in my opinion, has to know if there's an eminent tax increase, and I kind of feel you should have let us know instead of putting a budget out there. If there's not gonna be a tax increase, why pass this Local Law? I'm sure
you'll explain it to us. Thanks for
listening.

MR. ANGELSON: Perry Angelson, 48
Front Street. If this is true, thank
you. Congratulations. This is really
good. I was reading online
that -- Mayor Nyce, you said something
that the debt service to Mitchell park
was not included in this?

MR. NYCE: It is.

MR. ANGELSON: It is included in

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this? So the debt service to Mitchell
Park is included. I didn't see it, but
I just read it online the other day.
You know, this is like my -- I haven't
done this a whole lot, but there's a lot
of zeros on this annual budget --

MR. NYCE: We're talking
specifically about the 2% tax cap, not
about the budget. This is just on the
Local Law.

MR. ANGELSON: Okay. If it's a
minus tax rate from last year, again,

thank you.

MR. SOLOMON: David Michael

Solomon, 34 Bay Avenue, Greenport. I tend to agree with the price because if the Board is presenting us with a negative budget, it's almost like we're being set up for a blind side to even have a law out there that's gonna forbid the override for the 2%. I think we need the transparency out there now, and the transparency out there now is the budget that's been presented, so if the

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Board is gonna live within the budget, there's no need for a public hearing, so there's no expenses to be incurred at a public hearing, and there's no need for the Village residents to be worrying about what the Board is thinking. To have that thought even if your mind, presenting us the budget with a negative
increase or decrease -- decrease -- so
now if you're presenting a decrease,
which is almost 2% and now you want to
override a potential cap, I'm looking at
4 or 5% that's being played around with,
potentially with the Board's money, but
what I really believe should happen, in
today's time -- this is where the people
will -- most of us have had enough.
Most of us, as hard as it is, as tough
as it is -- I wouldn't want to be
sitting in any of the five seats. It's
time the belts get tighten. It's time
the excess gets cut out, and it's time
people are left to retain what's in
their pockets. We're not a wealthy

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community. There's a lot of hardworking
people in this community, and every
nickel the public has should stay in
their pocket. I agree with this
consensus you have, that there's no need
for a change of a law -- in good faith
you're presenting the budget, then in good faith you should work within the budget presented, and if you can't, adjust it. Don't ask to go ahead and approve, or have the Board approve a provision in the law that's gonna get overrided. Is the Board gonna step up to the plate now and tell us it's done, or is the Board gonna sit here and have a public hearing, and say, well, you know something guys, we tried and we just can't do it. It's time you just do it.

MR. NYCE: Is there anyone else who wishes to address the Board on this proposed Local Law?

MR. OSINSKI: Michael Osinski. I agree with all the other speakers.
commend you, we like that, but if you
say, wait a second, we may want the
ability to raise your taxes in the next
month. You know, it doesn't really sit
too well with the people who have to pay
the taxes. I guess we'll address the
budget on another day. That's all I
have to say.

MR. NYCE: Does anyone else wish
to address the Board on this proposed
Local Law? I entertain a motion to
close this public hearing on this
proposed Local Law?

MR. HUBBARD: So moved.

MR. NYCE: Is there a second?

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or
abstentions? That public hearing is
closed.

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tonight is regarding the removal of the foundation at 510 Madison Avenue. This is a piece of property that we tried to find the property owner on and had very little luck in getting them to work with us, so we took on the expense of bulldozing, filling in foundation and we are now -- in order to complete the process, we need to hold the public hearing on this before we pay the bill to the group that did the work. It was done by Stanley Krezec, and the total price is $5,580. Mr. Prokop, is that the entirety of the bill or is there an additional fee that gets placed on top of it to cover our expenses?

MR. PROKOP: The bill for the work that was done is $5,580. Under the Greenport Village Code, the Village is entitled to add 25% to that cost, which is for the administrative costs, and that includes engineering fees, legal fees, publication fees that the Village
incurred, and that total is the amount
that is the subject of the public
hearing. The work was already
authorized and done. The subject of the
public hearing tonight is whether the
$5,580 plus 25% should be added to the
tax bill for the property owner, and I'd
like to state, for the record, that
under Chapter 90, the Village was
required to provide notice to the
property owner of the Village. I did
provide a notice of the public hearing
to the property owner by both certified
mail and regular mail. We were able to
find an office address in Holbrook, and
notice was provided to them in
accordance with this chapter.

MR. NYCE: So I will state that
this public hearing was properly
noticed, and anyone wishing to comment
can do so at this time, and it will be
taken down for the record. Is there
anyone who wishes to address the Board
on this public hearing? I would
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entertain a motion to close the public hearing.

MR. HUBBARD: So moved.

MS. KEMPER: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? That public hearing is closed.

We will move onto the public portion of the agenda. I know that there are representatives of Northeast Stage who would like to present Shakespeare in the Park, so I'll turn it over to you guys first.

MS. SPONZA: I'm Annie Sponza, President of the Northeast Stage. I live at 63980 Route 48, and I have pretty much grown up in Greenport. I very much appreciate the support that the Village has given Northeast Stage. We've been doing shows in the Village for 30 years, and I think this summer
the Park productions; although, we had
done some private shows. The Village
has always -- as any of you who have
been to any of the productions know
this, you come to a rehearsal, you got
to sit right next to us so you can hear
us. Without microphones, we can't be
heard for the hundreds of -- I'd venture
to guess there's anywhere from 500 to
800 people a night, not to mention all
the people who pass through, and it's
very popular and it brings a lot of
people to the Village, and they all
spend money here, they get their dinner,
they go out afterwards or before and
visit the local shops, and I think it's
a very positive thing that we do. We
provide it for free and, of course, our
budget is about 10,000. Most of that is
technical because without the
sound -- you can't see, you can't hear.

In the past, the Village has supported
our technical budget with a grant of
$4,000. I understand, and believe me,
as a taxpayer myself, we're all pinching
pennies, and we're doing everything we
can to raise the money ourselves. We
applied for grants from the County and
from the State and J.P. Morgan Chase and
we hold fundraisers, and we do mailing
to local residents, and as you'll note
with the attached budget, we didn't
quite make it last year. We're 2,500 in
the hole. If we continue down that
road -- I know that the Greenport
Village Business Improvement District
did step up to the plate, and we're very
grateful for their help because we're
bringing people to their businesses,
which is wonderful. Last year they gave
us $2,050, I'm hoping that they will
approve that same amount again. Our
budget for sound includes about 1,700
and change for the technical
operator -- the person who does the
microphone -- the technician who does
the microphone, but the rental of the
microphone is somewhere in the range of

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$2,500, that's for a week rental, it's a
lot of money, it's most of our budget
and the rest of us are volunteering
hundreds and hundreds of hours to bring
this wonderful opportunity to the
public, to show them Shakespeare and
other classes, so we're respectively
asking that you consider reinstating a
portion of what you used to give, and
that would be a thousand dollars; that
would help us greatly in the production
this year. For the record, we are going
to start a capital fundraising campaign
to purchase microphones so we don't have
this annual -- to lower our costs, but
that's a $20,000 campaign, so to buy 16 microphones and everything that comes with it -- that's the campaign. I know everybody is hurting so it may take a while for us to get this. We need to get -- otherwise I don't know if we can come back here, so I really appreciate your consideration. I have a few members who joined me tonight, and we hope to keep coming back here, and we are very grateful. Thank you for your time.

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hope to keep coming back here, and we are very grateful. Thank you for your time.

MR. NYCE: Thank you. Is there anyone who wishes to address the Board on any of the agenda items. If you want to address any of your concerns, now will be the time to do so.

MR. SWISKEY: William Swiskey, 184 Fifth Street. I have a couple of questions on some of these agenda items. Resolution # 3-2012-4, we're taking $20,000, basically, from the general
fund bankbook to pay Moorings. Is there
any provision to get the money back
since all the money this year from
Mooring -- I see by the budget -- is
going to recreation? Is it gonna go
back to general so we can put this money
back in from earnings or -- I was
wondering if anybody up there knew.

MR. NYCE: As you know this is not
a question and answer --

MR. SWISKEY: I don't expect you

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answer, Mr. Mayor. I thought it was a
legitimate question. It was being
discussed over the years -- I mean, the
Seaport gets free use of the park, I
believe -- last year I know they made
about 18 to 20 grand. We should charge
them at least five for use of the park.
I mean, the taxpayers are hurting and
they subsidize these things and they
block off the streets; it really does
nothing for me. I mean, I have to go to
Southold to shop, I have to spend money
on gas, so I should think that this
Board -- instead of just $50 for the
mass public assembly -- no, we want two
or $3,000, if you don't want that, don't
have your festival, but I guarantee
they'll pay it, and it's something you
should really think about in these
really tight times. Thank you -- oh,
and Resolution 3-2012-12, well, we have
the -- I guess it's the Code Committee,
okay, I can see putting on adjournments
for the Board of Appeals, but the

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president of the BID, I think there's a
real possibility for conflicts of
interest there. You're putting on one
person from the business community to
basically have input to Codes that may
affect the rest of the us in the
Village. How come there isn't an
ordinary citizen? There's 200 taxpayers
that -- tax-paying entities in the BID.

I don't know who owns the property,

whether it's the president of the BID,

whether he owns it or not -- I believe

it may be owned by Costello, I'm not

sure, but anyway, you're putting a

non-taxpaying member on the committee

and I don't quite get -- there's

something just funky about that. I

think if you're gonna do that, you

should -- there are several private

citizens here who wouldn't mind serving

on the Code Committee. I know a couple

of them told me about it. I think you

should consider that before you go to

that one. Oh, now, let's go to the ones

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that were on the draft agenda and are

now on the agenda. I suppose we can

talk about them. One of them is the law

to allow the 2% tax cap. On the thing

it was basically -- it was on the
agenda, then I assume it was taken off because somebody told me it was submitted at the last minute. I would again, urge any Board member here that has any feeling at all for the public, to just vote no, vote no. Three votes will kill it. Live within your budget this year. There's one other thing, and I'm gonna bring it up since the new FOIL policy is attached to the budget and -- not the budget, the agenda -- and it has to do with the December FOIL request I made, and it was very specific. It says specific resolution is mentioned by the Mayor -- blah blah -- authorizing Trustee Hubbard to receive hospitalization. What I got is about seven different resolutions in minutes, and not the specific one. What

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I wanted was the specific resolution.

Now, would someone care to come here, just point to one page and say, this is
the page, Bill; otherwise, this is not fulfilled, and I think the attorney knows that, even though he ignores appeal. He doesn't answer the letter, but I would like to know, Mr. Mayor, which one of these resolutions is it, because it's $42,000 a year out of the taxpayers' money now, so which one is it? You can make smile all you want. I'll stand here until hell freezes over. Which resolution is it? I think that's a fair question. I'm not hollering. Would anybody on the Board care to review it and tell me? I didn't think so.

MS. FERRER: Hi. I'm Bunny Ferrer, 631 2nd Street. I'm just here to keep bringing up the issue that we've been dealing with at 620 2nd Street, Part of our group went to your work session, and I think the understanding
is that now the housing alliance is
requesting we tear down the building,
which is sort of something that's been
obvious to all of us for a very long
time, and we had to suffer for
their -- but we've been suffering for
three and a half years because of it.
Now, we understand -- I don't know if
it's correct, but they would like to
leave the foundation, and what we would
like to know is, is there a limit that
the Village is going be giving them on
how long they could have a hole there
without building on it, and, ironically,
we're talking about 510 Madison Avenue
at the same time, and having a hole
isn't the greatest thing, and in the
summertime it collects water and so on
and so forth, so we wanted to know, is
there a time limit. And, also,
requesting if the Village Attorney
Prokop could ask the Housing Alliance if
they do have this funding because Mr.
Prokop asked them at a meeting and they
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had to confess that they didn't have
that at that time, and I just feel that
if you're gonna proceed in giving them
permits to do one thing or the other, I
think, the community that suffered, that
you get an idea if they have the funding
or not because you can't build a house
if you don't have funding, so I just
wanted to know about that time limit. I
do believe one of our members suggested,
or mentioned, that Mayor Nyce had said
that there would be a joint meeting, and
we just wanted to request if you could
make a date for that meeting, because
obviously, rumors are not the greatest.
It's better to know what the facts are
and what the concerns are. We want to
get us out of your hair. You know,
let's get this over with. Thank you.

MS. MARTIN: Amy Martin, 318 Fifth
Street and business is at 211 Main
Street. I just have two things I'd like
to mention, and one has to do with the
use of the park for the Maritime
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Festival, and I'd just like -- I know it's a fundraiser and it's important for them to do that, and I'm not -- I understand that we asked several people about the -- my concern is not about the fee, but the use of it, and for years we've been trying to ask them, the Business Improvement District, to just keep the commercial entities out of the park. There shouldn't be a Mister Softee Truck, there shouldn't be a Maryland Crab Cake -- it should be -- if the boy scouts want to be there, they should be there instead of in a bank parking lot. It should be community organizations, it should be local -- the hospital auxiliary, all the people who give back to the community should be the only people allowed in the park; the commercial stuff should be elsewhere, and that's my input on that, and there was one other thing. It's about
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the Village. As a business person, on Main Street, there are no street lights between the corner of Front and Adams Street, so when the businesses are closed or when the trees are in full bloom, it is a very dangerous place for people to walk, so, basically, the businesses have been supplementing the Village, at our own expense, to keep the place safe, so I'd really like to see attractive street lights in that area.

Thank you.

MR. NYCE: Thank you. Is there anyone else who wishes to address the Board?

MR. CLARKE: My name is Peter Clark. I live at 806 Main Street in Greenport. In the interest of transparency, I wanted to speak about Resolution 3-2012-12. I appreciate the
opportunity to serve on the Code Committee because, as I've said to the Board before, I believe that what makes the Village of Greenport special is that it is both a great place to live and work, and that those two constituents need to work closely together in order to make sure that we have codes that protect all residents and visitors of Greenport. For the Business District, it makes sense to me that request to include the Business District into the Code Committee, and furthermore, I know that the other boards and chairpersons include many citizens of Greenport, and I wanted the public record -- to share with everyone that I am a Village resident and taxpayer. My business property is owned by John Costello, and I rent there. Thank you very much for your attention.
MR. TROWBRIDGE: Bear with me so I can get some exhibits out. Mr. Mayor, Trustees, executive officers of the Village of Greenport. I'm Dr. Trowbridge. I used to be the recording secretary, transcriptionist, for the Village of Greenport. I replaced Ms. Brown shortly after her untimely demise, and I think the Mayor has seen quite a dramatic change in the disposition of the Village since that, that was 2008 September of 2008. No one showed up at the meetings, except you folks sitting at that table. They were quite contentious at times because Mr. Swiskey was on the Board, and he expressed his opinions quite vociferously, dramatically at times, and the Mayor had his hands full trying to maintain control of all of those Village Board meetings. He did so remarkably well and then we go on, and now we'd gotten to
the point where he would ask why people weren't attending, why people weren't expressing opinions and asking for input. He was worried about the lack of attention and interest in the happenings of Village Hall, and now we've reached the point where all he can do is sit at that table and smile or sneer, or whatever he'd like to call it, in

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response to the public making comments and asking questions. Well, what happens when that happened was that the people were forced to use the Pre-limit Information Law to try to get information out of Village Hall, to find out what was going on inside Village Hall. Now, it's my understanding that Ms. Kempner is an attorney and the Village Attorney, also, is an officer of the court. As of an officer of the court -- may I remind you -- it's your
obligation to promote justice under the
effective operation of the judicial
system. As officers of the court,
attorneys have an absolute ethical duty
to tell the truth, to avoid dishonesty
and avoid the -- the first principle
duty of an attorney is to be true to the
court. The second responsibility is to
be true to the laws of the land. I think
that's -- what -- law school 101, giving
you the ethics and responsibilities of
an attorney.

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MS. KEMPER: The way I live my
life.

MR. TROWBRIDGE: It is a big
responsibility, and it goes on after the
bachelors degrees to get an advanced
degree and make some major commitment,
and usually when they get that degree,
they make some decision as to what the
rest of their life is going to be. Some
wish to remain in the profession they
chose, others wish to use their professions as a steppingstone to move on. It doesn't matter, they have the basis of what that legal degree gives them and that should provide them with that basis for the rest of their life.

As a result of one single FOIL request that was submitted in January of 2011, the response from the Village Clerk was 122 documents on this size paper (indicating). As I thumb through, you'll be able to see that most of these documents are black. They redacted everything out of these documents.

These documents are unintelligible, but what's even more remarkable is that she stood at a copy machine and fed normal size paper into it and didn't stop the copier when she saw it was pouring off this paper. Throw it in the trash bucket and redo it on normal size paper.
She obviously had a bad day, and I would give her a lot of credit for doing what she did, it's tough being in that position and being responsible, and responsive, in a meaningful way, but the second mistake was providing documents that were so terribly redacted that they had no intelligible information on them, and then, providing another set of documents on one individual that had everything available, the information, the social security numbers, home telephone, everything, all right. I was astounded. When I saw these, I was literally astounded. We appealed getting these documents to Mr. Prokop. Mr. Prokop didn't have the courtesy to respond. We appealed again --- again, he failed to respond. As a consequence, there was a decision that had to be made. Do we allow the Village to get away with this? The person that asked
for those documents had a right to have
those documents, whether she was an
employee of the Village or not, it
didn't matter. The FOIL Law does not
make any distinction as to whether or
not you're entitled to those documents,
and yet someone on this Board and in
that department said, no, they're not
gonna get the documents. As a result,
that person said let's put an Article 78
together and take this Village to court,
that's what happened, all right. Now,
someone engineered, on this Board, to
have the Village Clerk provide a set of
documents at a work session that was,
maybe, 18 inches thick. I made this
this morning and it's three and a half
inches thick, and it's not complete,
there's another half an inch sitting in

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my house, but I didn't want to tie it
and bring it. Now, you folks are coming
to us with a new FOIL document. What
are you doing? What are you stupid?
You're trying to improve what the State
has already created? Give me a break.

It was posted on the Village
bulletin board, a procedure for getting
access to the Village documents and it
referred to the document that you're
gonna pass tonight, the policy, the
freedom of information policy. I FOILed
for that policy on August 19th of last
year. There's the procedure that was
posted; it refers to the policy. I
FOILed for the policy. On August 26th,
the clerk responded I'd have the policy
on September 28th; that's the first
response. On September 29th, she said
I'd have the document on October 14th,
second response. I waited and I sent to
Mr. Prokop, an appeal because she didn't
respond to my request by the time she
said she would. He didn't even respond

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to the appeal. He's in violation of the FOIL. On October 17th the Clerk writes another letter saying I'll have the document on November 9th. On November 9th I get another letter from the Village Clerk saying I'll have the document on November 30th. On November 30th I get a letter from the Village Clerk that I'll have the document on December 28th. On December 28th I get another letter from the Village Clerk saying I'll have the document on January 12th. On January 12th I get another letter from the Clerk saying I'll have the document on January 27th. On January 27 --

MR. NYCE: I assume you're going to come to a point pretty soon.

MR. TROWBRIDGE: Yes. I'm making the point -- thank you -- by telling you how many replies I've gotten on this.

MR. NYCE: You could just give us a number.

MR. TROWBRIDGE: I don't have to.
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On January 27th she writes another
letter saying I'll get the document on
February 15 -- February 15th, I'll have
it on February 29th. Finally, on
February 29th she provides me with a
document that's supposedly the Village
Freedom of Information Policy; it's not,
it's Village Records Access Procedure.
Good show. Now, you're putting before
the Board a resolution to approve a
policy they didn't have on the books for
the public to review to make sure that
it's legal, and you're gonna try to pass
it over our heads, just like you did
with the FOIL application form. You
expected people to sign off on it and
relinquish all the rights the State Law
gives them. Sorry folks, you got to go
back to school. If you're an attorney,
you should be seriously questioning
what's happening on this Board. I think
you're being buffaloed. I think you're
being bamboozled. And, if there's any
retaliation that comes down as a result
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of what I'm saying tonight, you'll be answering to me over it. Thank you.

VILLAGE CLERK: Is that a threat?

MR. MURRAY: Sounded like a threat to me.

MR. NYCE: Is there anyone else who wishes to address the Board?

MR. OSINSKI: Michael Osinski, 307 Flint Street. I missed the public hearing last week. I was busy and I didn't see the notice --

MR. NYCE: There will likely be another one as well.

MR. OSINSKI: That's fine. I know the Mayor did say people could send a letter in. I just wanted to read that into the record, if you don't mind.

Honorable Mayor, members of Board, I'd like to mention my concern about the recently announced plans for a ferry to Sag Harbor. My concerns about the ferry are twofold. One, as an oyster farmer,
I must be ever vigilant against pollution in the bay, which could ruin my business and, two, the safe placement of a potential ferry, dock and its landing. Regarding the first concern, I insist that the new ferry from the Village provide me and other oyster farmers in Greenport harbor -- there are currently three permitted by the Village -- reimbursement of the overcrowding of the harbor by a ferry vehicle causing the DEC to close waters. I insist on an indemnity for any losses caused by pollution stemming from this new ferry. This is no longer a trivial matter, as we ship over a ton of oysters every week into the City, and during the season. I think it is in the best interest of all Villages with any new vehicle using the bay, or Greenport Harbor, be required not to pollute the
pristine waters of Greenport Harbor,

which, for centuries have produced some

of the world's finest oysters. My wife,

children, employees and I have labored

ten years to rebuild the reputation of

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the Greenport oyster. We worked in all

weathers and all seasons. We plan to

expand and hope to see 50 men and women

working in the oyster business here in

Greenport. I welcome any new business

to Greenport and hope -- I sincerely

hope Sag Harbor prospers, I really do.

I think it is a good idea. I hope they

prosper, but their success must not

impair our harbor. Secondly -- and I

think as a Board, it should be a

combination for everything, I strongly

suggest that the new Sag Harbor ferry be

docked on the east pier of the marina,

which was originally built to service

ferries. If you notice, the office

looks so unusual because it was supposed
to be a ferry -- you know, to get
tickets for a ferry. Any other location
is un parallel to navigation -- imagine,
you have two or more large ferries
intersect each other's routes during a
snowstorm, a nor'easter or a bank of
fog. My children are right there. My

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children are right there working on
that -- in that water. I don't want to
see another two or more ships going in
and out on a regular basis. It would be
dangerous to dock the second ferry west
of the Shelter Island Ferry and have
them intersect their routes continually,
all day, especially hard up on a working
oyster farm. Thanks for your attention.
Thank you for giving me your time.

MS. KAPEL: Eileen Kapell, 225
4th street. I notice here that there's
a resolution to add lighting to the
Village, and I'm wondering if, by
chance, you're gonna use any recommendations that were in the parking study, that suggested lighting in those areas that would make it more --

MR. NYCE: Yes.

MS. KAPELL: Thank you. That's all I have.

MR. SALADINO: John Saladino, 6th Street. When you address -- I would as the Board. When you address -- if there's gonna be a discussion about the 2% tax cap, if you choose to discuss -- if you choose to discuss it, could you at least take into consideration that there are some people here that are concerned about taxes going up, so if you choose to discuss it, just be honest with us.

MR. NYCE: Ladies and gentlemen, when have we not been honest?

MR. SALADINO: I was walking home -- I won't say that, Dave, 'cause I
don't want to embarrass you. You put
out a budget that's negative. You want
to pass a law that allows you to raise
the budget, the taxes higher than what's
allowed by law. I don't understand, but
there's a lot of things I don't
understand. I don't understand how you
can tell me, when have we not been
honest with you. If you choose to
discuss it in front of public, and I
assume you're gonna vote on it tonight,
I would ask you to be honest, give us

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your opinion, give us your informed
opinion if the taxes are gonna be
raised, instead of just saying here's
the budget document. We don't know what
the future holds the. The law -- the
budget has to be in place in a month. I
mean, you really should pack it up.
What's gonna happen down the road, a
month from now? Everybody here has a
household budget. They all know what's happening next month, except if their taxes are going up, so I would ask you just to be honest with the public and give us your informed opinion about our taxes. There was something else I wanted to mention, but thanks.

MR. NYCE: Is there anyone else who would like to address the Board? We will close the public portion of the meeting and move onto our regular agenda. I will ask the Board if -- I have prepared three resolutions, which would be resolution 26, 27 and 28 that we would like to take out of order. I did not put these on the regular agenda -- to answer one of the questions -- because of the perception of being on an agenda at a public hearing means we already thought about it and, basically, considered it as a done deal; that is not the case.
Because of the timing involved, the 510 Madison Avenue foundation -- no one spoke to it -- is likely not going to be a pretentious issue. As far as the 2% tax cap, with all do respect, Mr. Saladino, we have always been very much honest. We're on the edge with the same thing every year. We tried to present a balanced budget, and the only time we don't hear about the debt that's out there is during budget time, and every year I have said I will announce the budget, I will cut excess, but still provide the services we need provided, but I have also always left the potential out there for doing an additional assessment as a set aside for future debt. In 2014, there's a bunch of money due that we don't have the money for, and I have said every year a little bit set aside adds up, and it
gives us money to pay off the principle and interest down the road. The idea of having this 2% tax cap legislation is to give the Board the option to discuss amending the budget as presented. The budget as presented deals with the day-to-day operation of the Village for the next fiscal year. What it does not deal with is the outstanding debt that's coming in 2014, and no one ever wants to discuss that at budget time, and I can tell you that's the only time we should be discussing it because it's part of the overall budget. The debt service is included in that budget, the debt service for this year. What it's not looking at is the overall, down the road, so I wanted this Board -- we did this last year, the very same way and the year before, the very same way. We put in the budget, as paired down as we can, and then discussed an additional
procreation to set aside as a reserve
for debt for when that money is due down
the road, so the idea to adopt this
legislation is to allow us to have that
conversation, and it has always been
part of our budget conversation. If
anyone had been paying attention last
year, the year before, it has always
been a piece of the conversation, and I
would imagine somebody read it on a
website somewhere. I spoke to a
reporter from the Suffolk Times and said
exactly the same thing. It's been the
same thing every year. The members of
this Board can attest to it. We had a
very heated conversation last year
about -- I think it was a 2.5% tax
increase as a reserve for debt on a zero
increase operating budget. I would do
the same again, but I don't want
to -- that conversation is up to the
Board to discuss. This legislation
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gives us the tool to do so; it does not
guarantee that we will use it, but it
gives us the opportunity to do so.

Anyone that is looking at these budgets
down the road needs to be asking
themselves where the money's comes from
in 2014, and that, from day one I had
said -- what I wanted to do, starting in
2007 was an extreme increase, which we
did, we cut it in half each year, making
the additional money and setting it
aside as a reserve for debt; that did
not happen. The economy tanked. We got
beaten up, and we reduced our tax
increases more than I wanted to, which
left us with less money to reserve for
debt, so, consequently, it's still a big
portion of our conversation; that's the
reason for it. With that, I passed out
these resolutions. I would ask the
Board, prior to us going into our
printed agenda -- if the Board feels
that we want to take up these three
resolutions, I would offer the first one
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being on the Madison Avenue house. I
don't think anyone has an issue with
that. If that's the case, I will offer
Resolution # 3-2012-26 -- I'm sorry,
first, I need to offer a motion to take
the agenda out of order.

MS. KEMPER: So moved.

MR. MURRAY: Second.

MR. NYCE: All in favor?

THE BOARD: Aye.

MR. NYCE: I will offer Resolution
3-2012-26. Resolution to assess the cost
of correction of the nuisances at 510
Madison Avenue by the removal of the
foundation, grading and cleanup in the
amount of $5,580 for the cost of the
work, plus an administrative fee in the
amount of $1,395. dollars, which is 25%
of the costs, for a total amount of
$6,975 to put a lien against the
property at 510 Madison Avenue, SCTM #
1001-4-1-9 to be billed and collected in
the next Village tax bill for that
property. So moved.
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MR. PHILLIPS: Second.

MR. NYCE: Is there any discussion on the motion? All those in favor?

THE BOARD: Aye.

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

The next one, I believe -- I'll ask the Village Attorney. If we are going to adopt the local law, we'll be dealing with SEQRA first; is that correct?

MR. PROKOP: This is correct.

MR. NYCE: Is the Board interested in taking up -- I'm sorry, there is an additional one, Number 29. If we are interested, we can also take the wetlands permit application for Exxon-Mobil and deal with it at this time as well, so we don't ordinarily -- we tend not to act on items immediately after the public
hearing because we would need time to
think about them. In this case, again,
if there's no -- if we don't have an

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issue with it, we can take that one up
as well. Do we want to take the 2% tax
law at this time?

MS. PHILLIPS: Well, I have a
question. We just received that
budget -- what was it, last Friday?

MR. NYCE: Yes.

MS. PHILLIPS: Contrary to -- we
only just had a chance to look it over
with all of the public hearing -- the
information was set up. We weren't
aware of what the amount of the tax
level was going to be. Time wise, are
we at the point where -- we have a
budget hearing on April 12th?

MR. NYCE: Uh-hum.

MS. PHILLIPS: Is this something
we need to decide tonight -- to hear
from the community to --
MR. NYCE: Again, adopting this
local law doesn't mean we need to use
it. It's a tool that we can use. It
still takes a majority of the Board to
amend the budget.

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MS. PHILLIPS: But the problem is
that last year and part of it was -- I
think Trustee Kempner will agree with
me, that we were all discussing one
portion of it and then at the last
minute we had a changed amount put on,
and the public didn't have an
opportunity to comment; is that not what
happened last year?

MS. KEMPNER: I don't recall.

MR. PHILLIPS: That's my concern.

As far as preparing for the public
hearing, everyone should have the
opportunity to say yay or nay, and we
don't get that information, except for
listening at a public hearing. The
budget hearing is coming up and it's a
tight budget, but I would like to
hear -- you're right, the debt service
is a problem and it needs to be -- all
of the past discussions of what should
have been, what didn't happen, whatever,
is really something we have to close the
doors on, and we need to look at it.
for debt, and I would submit a budget
that was a zero increase budget. I had
said all the way through that I intended
to put through a motion to amend the
budget to include a reserve for debt, so
this is, basically, the same thing. I'm
not putting a number to it. We can
discuss the number as we go. There may
not even be a motion to amend the
budget. This is strictly a local law

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that will allow us to do so.

MR. HUBBARD: I think the
perception of what everybody says, that
we scheduled the public hearing before
the budget was even out, so say we had
the public hearing just because we
didn't have much to look at, with time
constraints -- I mean, we're gonna have
a lot of serious work to do this whole
year, conserving money, coming up with
new ways to increase revenue or come up
with the money we'll need for the following year, 2014. Last year we did 2 1/2%, reserved for debt, kept it under the 2%, put 2% away for future debt and not have to go through with this, I think would be a good thing for everybody. The 2% is only a half percent less than we did last year, and the paperwork that came out -- everybody -- we all have the same paperwork. Just -- we got to come up with some way to fund the future debt.

MR. NYCE: The other point I want to make is that this public hearing was supposed to have been on the 18th, but because of a mixup, there was supposed to be a resolution on the February Board meeting, so it was not supposed to be at tonight's meeting. It was supposed to be weeks ago that we were gonna have this this public hearing on the 2% tax cap. Do we want to vote on it tonight
or -- I'm going to read the resolution in.

MR. PROKOP: Can I clarify something? I think tonight's the night, unless we want to have a -- there are regulations, I believe, that require us to notify the Controller's Office prior to the hearing as to whether or not we adopted this local law. It has nothing to do with the amount of the budget, just whether or not the local law has been approved or not, and that's my understanding. Once the local law is adopted, there's a filing procedure with New York State, and it would be prudent to let this law pass tonight because it cannot be adopted on the same night or close to the same night as the budget.

MR. NYCE: With that, I'll offer Resolution #3-2012-27. Resolution adopting lien agency status, for the
Board of Trustees, for the purposes of
SEQRA pending action on the adoption of
a Local Law of 2012 authorizing
2012/2013 Village budget to exceed
limitations of the General Municipal Law
Section 3C determining that the adoption
of a local law will not have a
significant impact on the environment
and adopting a negative declaration for
purposes of SEQRA. So moved.

MR. HUBBARD: Second.

MR. NYCE: All those in favor?

MR. MURRAY: Aye.

MS. KEMPNER: Aye.

MR. HUBBARD: Aye.

MR. NYCE: Opposed?

MR. PHILLIPS: Nay.

MR. NYCE: Motion carries.

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With that, I’ll offer Resolution
3-2012-28. Resolution adopting local
law of 2012 authorizing the 2012/2013
Village budget to exceed the limitation
of General Municipal Law Section 3C. So

moved.

MR. MURRAY: Second.

MR. NYCE: Is there any discussion

on this motion? All those in favor?

MR. MURRAY: Aye.

MR. NYCE: Aye.

Opposed?

MR. HUBBARD: No.

MS. KEMPER: No.

MS. PHILLIPS: Nay.

MR. NYCE: That motion does not

carry.

How do we feel about the Wetlands

Permit Application as submitted by

Exxon-Mobil. Can we take action on that

tonight? I will offer Resolution

3-2012-29, motion to approve the

Wetlands Permit Application submitted by

Exxon-Mobil for the property on 4th

Street for the removal of old bulked
material. So moved.

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

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

There were a couple comments I'd like to address or correct. As far as the use of park for the Maritime Festival, we have encouraged and requested that there be no food vendors in the park and we encouraged them to only have non-for-profits in the park during the Maritime Festival. We requested they not have -- definitely not food vendors, that would be commercial and cultural groups that are in the park. Second Street, yes, there are time limits on the permits. You have a certain amount of time from which you are supposed to complete work on your house or property, and their funding, as I understand it, is a matching funding from the State.
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through the Federal Government, I believe it's through HUD, which means they have to expend the money first and the money's reimbursed to them, so they have their funding, they don't have the physical check until after they spend their money; that's my understanding. The due, to and from, there is no separation between the rec and the general fund portion of general fund. The rec is a portion of the general fund. Any expenditures within are still part of the general fund; that has always been the case. I, several years ago, in 2007 separated it off to make sure we understood that the expenses that were -- the money that was being expended for the park itself, we matched income to the expenses to find out if that park, in fact, does manage itself; in fact, it does, absent the debt. That was the reason for doing that. It was not set up as -- there's no interest fund transfers. It is still and always
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has been part of the general fund, so
money that is moved to and from Moorings
are still in the general fund. As far
as the Code Committee, I believe it's
appropriate to have the President of the
BID represented on the Code Committee.

Local laws that we adopt or amend affect
the business district somewhat
differently than they do residential
districts at times, and to have someone
from the BID present, I think is
worthwhile and helpful. The members of
the chairs of the other statutory boards
are by, law, residents of Village;
therefore, residents are represented on
the Code-Committee, not only members of
the Board -- this Board -- but members
of the statutory boards, Zoning,
Planning and Historic Commission. FOIL
Law, the Village is adopting FOIL
policies in accordance with the State
regulations on the laws. The Village
has and will continue to apply those
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have done in the past.

With that, I need to make a note
on Resolution 3-2012-7. The dates are
incorrect. It should be August 3rd,
August 4th and August 5th and rehearsal
on July 31st and August 1st, so with
that simple correction and adding
Resolution # 30, which will now be the
motion to adjourn -- so it will jump to
30, as we had Resolution 26, 27 28 and
29, so I will offer a motion to adopt
the March 2012 agenda as printed with
the one noted typo change. So moved.

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

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

MS. KEMPER: Resolution #
3-2012-2. Resolution accepting the
monthly reports of the Greenport Fire
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Mayor and Board of Trustees. So moved.

MR. HUBBARD: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. HUBBARD: Resolution #3-2012-3. Resolution authorizing Treasurer Kagel to perform the attached budget modifications. So moved.

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. MURRAY: Resolution #3-2012-4. Resolution authorizing Treasurer Kagel to fund the Morring
Expense line item (A.720.450), in the amount of $20,000.00, from Appropriated Fund Balance (line item number A.5990).

So moved.

MS. KEMPER: Second.

MR. NYCE: By way of explanation,

this is money that was authorized prior and we had identified the fund balance as a place to procreate the funds to fix these Moorings. Mooring income has been, in the past, just floated into the Maritime fund. No work has been done on those Moorings for years. We started replacing them, I believe half of them have been replaced at this point, and we intend to get the majority done this season.

All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. PHILLIPS: Resolution#
3-2012-5. Resolution approving the public Assembly Permit of the Floyd Memorial Library for the use of Mitchell Park on August 2, 2012 from 5 p.m. to 8 p.m. for the annual North Fork Libraries Summer Children's Concert. So moved.

MR. MURRAY: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MS. KEMPER: Resolution #

3-2012-6. Resolution approving the Public Assembly Permit Application as submitted by Greenport High School All Class Reunion Committee for the use of the Fifth Street Beach/Park on July 14, 2012 from 9 a.m. to 8 p.m. for a reunion of all the classes. So moved.

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?
THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carried.

MR. HUBBARD: Resolution #3-2012-7. Resolution approving the Public Assembly Permit Application a submitted by the Northeast Stage for the use of Mitchell Park, for the annual Shakespeare in the Park productions; on August 4, 2012, August 5, 2012 and August 6, 2012; from 12:00 noon to 10:00 p.m.; and for rehearsals on August 2, 2012 and August 3, 2012. So moved.

MR. MURRAY: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. MURRAY: Resolution #3-2012-8. Resolution approving the Public Assembly Permit Application as submitted by the East End Seaport Museum
for the use of the Mitchell Park and
specific Village Streets, for the annual
Maritime Festival; from 9 a.m. to 5 p.m.
on September 22, 2012 and September 23,
2012. So moved.

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or
abstentions? Motion carries.

MR. PHILLIPS: Resolution #

3-2012-9. Resolution allowing the New
York State Department of Environmental

Conservation to establish a monitoring
station at the Greenport Village Dock,
which would involve possibly suspending
mesh bags of mussels on black nylon
lines, to continue sampling into
mid-July 2012; dependent upon the result
or monitored phytoplankton samples. So
moved.
MR. HUBBARD: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.


MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. HUBBARD: Resolution #

3-2012-11. Resolution approving to the Green approving the refund of the $50.00 Public Assembly permit fee to the Greenport Farmers' Market, as a result of the withdrawal by the Greenport Farmers' Market of the Public Assembly
Permit Application. So moved.

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. MURRAY: Resolution #3-2012-12. Resolution amending the attached resolution from the Village of Greenport regular meeting of the Board of Trustees as held on April 26, 2010; to include the Chairpersons of the: Zoning Board of Appeals, Historic Preservation Commission, and Planning Board, as well as the President of the Business Improvement District. The Code Committee will therefore now consist of: Mayor, two appointed Trustees as

ratified by the Board of Trustees, and the appointed Chairpersons of the above-named Boards, as also ratified by
the Board of Trustees. So moved.

MS. KEMPER: Second.

MR. NYCE: That date is correct.

All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. PHILLIPS: Resolution # 3-2012-13. Resolution approving Change Order Numbers 11G and 8E for the Wastewater Treatment Plant Project, extending the contract completion date by 76 days, to May 31, 2012; with no increase to the cost of the contract. So moved.

MR. MURRAY: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MS. KEMPER: Resolution #

March 26, 2012

3-2012-14. Resolution approving the
following rates for the Village of Greenport summer camp: $700.00 for eight
weeks when paid in full, or $100.00 per week if paid on a weekly basis. So
moved.

MR. HUBBARD: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. HUBBARD: Resolution #

3-2012-15. Resolution authorizing the advertising of open seasonal, part-time
positions in all of the Village of Greenport Recreation Department Facilities. So moved.

MS. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. MURRAY: Resolution #

3-2012-16. Resolution approving the
March 26, 2012

renewal of the annual Pump-Out Boat
agreement with the Town of Southold, as
attached. So moved.

MS. KEMPER: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or
abstentions? Motion carries.

MR. PHILLIPS: Resolution #

3-2012-17. Resolution authorizing
Village Clerk Pirillo to advertise for
the bids for lighting fixtures for the
Village of Greenport streets and parking
lots, per the Suffolk County Downtown
Revitalization Grant, Round 9. So
moved.

MR. MURRAY: Second.

MR. PHILLIPS: I am glad it's
finally going somewhere.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or
abstentions? Motion carries.

MS. KEMPER: Resolution #
March 26, 2012

3-2012-18. Resolution approving the contract between Kathleen McDowell and the Village of Greenport for Campground Management services at the Village of Greenport McCann Campgrounds, at a total contract amount of $9,333.33, for work to be performed from April 1, 2012 through October 31, 2012. So moved.

MR. HUBBARD: Second.

MR. NYCE: By way of discussion, this is for additional time. We're extending the number of months that she works as well.

All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. HUBBARD: Resolution # 3-2012-19. Resolution scheduling a public hearing to be held on April 23, 2012 at 6:00 p.m., on a proposed local law of 2012 amending Chapter 150 (Zoning), Section 27 notice the public
March 26, 2012

MS. KEMPER: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. MURRAY: Resolution #3-2012-20. Resolution scheduling a public hearing to be held on May 29, 2012 at 5:00 p.m. on a proposed local law of 2012 amending Chapter 105 (Sewers), Article IV (Building Sewers and Connections) of the Village of Greenport Code, and directing Village Clerk Pirillo to notice the public hearing accordingly. So moved.

MR. PHILLIPS: Second.

MR. NYCE: I'm sorry, May 29th, the time should be 6:00. Is that a regular meeting in May? It should be 6:00, not 5:00.
March 26, 2012

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. PHILLIPS: Resolution # 3-2012-21. Resolution scheduling a public hearing to be held on July 23, 2012 at 6:00 p.m. on a proposed local law of 2012 creating a new Chapter 103 of the Greenport Village Code containing regulations regarding rental permits and directing Village Clerk Pirillo to notice the public hearing accordingly.

So moved.

MR. MURRAY: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.
MS. KEMPNER: Resolution #

3-2012-22. Resolution scheduling a public hearing to be held on April 23, 2012 at 6:00 regarding the proposed conservation easement between the Peconic Land Trust, the Town of Southold

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and the Village of Greenport for the property located at Fourth Street in the Village of Greenport, as owned by Exxon-Mobil Corporation. So moved.

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. HUBBARD: Resolution #

3-2012-23. Resolution scheduling the 2012/2013 Budget Hearing of the Board of Trustees of the Village of Greenport regarding the tentative Village of Greenport budget for the 2012/2013
Fiscal Year to be held on April 12, 2012 at 6:00 p.m., and directing Village Clerk Pirillo to notice the public hearing accordingly. So moved.

MR. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

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MR. MURRAY: Resolution # 3-2012-24. Resolution allowing Mayor Nyce, Clerk Pirillo, Trustee Phillips and any other interested Trustee or manager to attend the SCVOA Legislative Dinner and Awards Night, on April 24, 2012 from 6:00 p.m. to 9:00 p.m. at a cost of $45.00 per person. This cost will be expensed from line item # A.1210.4 (Mayor Contractual Expense) for Mayor Nyce and line item # A.1410.4 (Clerk Contractual Expense) for Clerk Pirillo. Trustee Phillips will be
invoiced separately and personally for attendance. So moved.

MR. HUBBARD: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.

MR. PHILLIPS: Resolution # 3-2012-25. Resolution approving all checks per the Voucher Summary Report dated 3/15/2012, in the total amount of

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$523,805.68 consisting of: All regular checks in the amount of $406,610.49, all prepaid checks in the amount of $97,657.69 and all wire transfers in the amount of $19,537.50. So moved.

MR. HUBBARD: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: Any opposed or abstentions? Motion carries.
MR. NYCE: I will offer a motion to adjourn.

MS. PHILLIPS: Second.

MR. NYCE: All those in favor?

THE BOARD: Aye.

MR. NYCE: We are adjourned.

Thank you.

(Whereupon, the meeting adjourned at 7:34 p.m.)