

1 STATE OF NEW YORK  
2 VILLAGE OF GREENPORT

2 ----- X

3 BOARD OF TRUSTEES  
4 WORK SESSION MEETING

4 ----- X

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April 15, 2013  
6:00 P.M.

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11 BEFORE:

12 DAVID NYCE - MAYOR

13 GEORGE HUBBARD, JR. - TRUSTEE

14 JULIA ROBBINS - TRUSTEE

15 DAVID MURRAY - TRUSTEE

16 MARY BESS PHILLIPS - TRUSTEE

17

18 SYLVIA PIRILLO - VILLAGE CLERK

19 JOSEPH PROKOP - VILLAGE ATTORNEY

20 DAVID ABATELLI - VILLAGE ADMINISTRATOR

21 CHARLENE KAGEL - VILLAGE TREASURER



17 \$9,000.00. The other is a reimbursement  
18 to a member for his EMT training classes  
19 that happened over the past five years.  
20 They had an agreement with this  
21 gentleman. I guess in the past, they  
22 have, in the past, didn't pay at the time  
23 they completed the classes because they  
24 didn't complete the courses. In this  
25 case, he has completed the course. I

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1 spoke with the clerk about it. I will  
2 speak with the Village Attorney to make  
3 sure this resolution is worded proper.  
4 The money is set aside in the budget  
5 every year to do it.

6 TRUSTEE HUBBARD: I will just  
7 clarify that a little bit. We had in the  
8 past for people who wanted to take  
9 paramedic training, past the classes.  
10 Got a job offering somewhere else and  
11 left them. So this is -- trying to say  
12 that if you are going to sign up for

13 these classes, this is the way that you  
14 are going to do it, but if you get hit  
15 with five people all at once who want to  
16 do it, it's a huge amount of money. Do  
17 it over five years, we are going to get  
18 five years worth of their services. So  
19 that is why it is over five years. This  
20 gentleman took \$7,000.00 out of his own  
21 money for travel expenses and overnight  
22 stays. The paramedic training is very  
23 expensive. There is a lot of stuff  
24 involved in it. We want everyone to do  
25 it. We just want to make sure that we

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1 get the value to do it. So that is why  
2 it's done over five years. If you sign  
3 up for it, no problem.

4 MAYOR NYCE: That makes perfect  
5 sense. Thank you.

6 TRUSTEE HUBBARD: This was not done  
7 the previous year. This was money from

8 last year.

9 MAYOR NYCE: Thank you. Anything  
10 else from the fire department before we  
11 move on?

12 (No Response.)

13 MAYOR NYCE: Thank you for the  
14 additional explanation.

15 TRUSTEE HUBBARD: Sure.

16 MAYOR NYCE: With that, then we can  
17 move on to the Treasurer's Report.

18 TREASURER KAGEL: Okay. I have  
19 lots of stuff. Good evening Members of  
20 the Board, Mr. Mayor. I have a couple of  
21 last minute adjustments going on. I am  
22 requesting from a motion from the Board,  
23 we have some budget mod's. As of last  
24 week, we didn't we receive any and we  
25 have 20.

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1 TRUSTEE PHILLIPS: Can I ask a  
2 question? You ask for budget mod's  
3 earlier in the week. I will be honest

4 with you, it would be nice to see these  
5 before the meeting.

6 TREASURER KAGEL: I think what  
7 happened, to answer your question,  
8 Trustee, as you are pretty much aware,  
9 the deadline for submitting vouchers for  
10 the payment abstract is the Tuesday prior  
11 to the work session. And the deadline  
12 for the work session reports are the  
13 Monday before. The week before the work  
14 session. I think we have people that  
15 wait for the very last minute to submit  
16 their business into the abstract and then  
17 they find out on that Tuesday that there  
18 is not enough money in that account. So  
19 we have to do a budget mod to pay the  
20 bills. So I think that is the nature of  
21 the beast. Like I said, people wait to  
22 the last minute. Hence the budget mod's.  
23 Also, we're coming to the last quarter  
24 in the fiscal year. This is the time  
25 that this usually happens.

1                   MAYOR NYCE: I understand that.  
2                   At least, I was aware would be coming.  
3                   The one that I don't is the GLR150  
4                   Appropriate Fund Balance.

5                   TREASURER KAGEL: That is an  
6                   addendum to my work session report. What  
7                   I would like to do is discuss that at  
8                   this point. We have a Sterling bulkhead,  
9                   which we had budgeted for a principle  
10                  payment of \$29,000.00. There is a typo  
11                  on my report, for principle amount for  
12                  the Sterling bulkhead. It's actually  
13                  \$29,000.00 and not \$23,000.00. On my  
14                  report it is attached. So in any case,  
15                  we had -- Deputy Treasurer Brandt had  
16                  sent out bids last week, as coming due  
17                  today. He scheduled the payment to be  
18                  made. We were to have one final  
19                  schedule payment of \$5,000.00 and you  
20                  will see it on the budget. We received  
21                  zero bids from that. All of the banks

22 that we had sent our \$25,000.00 BAN  
23 bid to, said that the amount was too  
24 small for their portfolio. I had a  
25 conversation with Noah who said that it's

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1 interestingly, because recently this  
2 just happened to Southold as well. They  
3 had a small BAN that they tried to bid  
4 and they had zero bids. So in a sense  
5 what we will do, we paid this off  
6 because it was due. State Finance says  
7 as long as we pay it off, we can't  
8 re-borrow it again. We were supposed to  
9 close these off on Friday. So we paid  
10 the BAN today. So that said, we had to  
11 pay off the entire amount which was  
12 \$54,000.00. We only had \$29,000.00  
13 budgeted this year. So I am requesting a  
14 budget mod where we would be  
15 appropriating fund balance. What will  
16 happen next year, we have this  
17 \$25,000.00 budgeted item, which we

18 don't need. Basically at the end of  
19 Fiscal '14, we will be flushed. It's  
20 just the timing difference. Now we  
21 will be paying this off this year. We  
22 are going to use it from fund balance.  
23 We are not going to use it next year.  
24 It is going to replace our fund balance  
25 this year. Unfortunately, the nature of

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1 the beast, we couldn't get anyone to bid  
2 on the short term funding.

3 MAYOR NYCE: At the June meeting,  
4 the new adopted budget, we would do  
5 another budget modification moving  
6 \$25,000.00 from that line item back into  
7 fund balance?

8 TREASURER KAGEL: Correct. The  
9 other thing that we could do it, is just  
10 leave it there without having an actual  
11 expense.

12 MAYOR NYCE: Okay. I would rather

13 and try and keep those accounts straight,  
14 if we can, rather than have monies  
15 floating.

16 TREASURER KAGEL: Absolutely, what  
17 I could -- what we could do is  
18 appropriate debt reserve and then take  
19 the \$25,000.00 budgeted.

20 MAYOR NYCE: That is what I was  
21 going to suggest. That it from our  
22 reserve for debt account and put that  
23 money back in.

24 TREASURER KAGEL: Okay. So what I  
25 will do is take care of a budget

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1 modification. We will amend this  
2 budget modification and use  
3 appropriation of Mitchell Park debt  
4 reserve. I will ask Clerk Pirillo to ask  
5 to put on a resolution for the budget  
6 modification.

7 MAYOR NYCE: That sounds fine.  
8 For the Board, on the sludge removal one,

9 as we determined the \$5500.00 that we  
10 were going to use for presentation  
11 materials. That was going to be split  
12 amongst the funds that it would effect.  
13 The only fund it did not have available  
14 was the sewer fund. So Charlene and  
15 Robert came up with this suggestion.  
16 So that is why that budget mod is  
17 there.

18 TREASURER KAGEL: The recreation  
19 that was sent to payroll. We had  
20 originally budgeted for medical exams  
21 for the fire department, I believe it  
22 was --

23 MAYOR NYCE: George had already  
24 explained.

25 TREASURER KAGEL: Okay.

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1 MAYOR NYCE: With labor counsel, we  
2 work with a retainer basis, which  
3 generally works in our favor. It

4 generally goes to our benefit most of the  
5 time.

6 TRUSTEE PHILLIPS: So is this  
7 particular issue finished with? I am not  
8 to sure.

9 MAYOR NYCE: It is.

10 TRUSTEE PHILLIPS: Okay.

11 TREASURER KAGEL: There is also  
12 one in addition to the debt service  
13 payment. We have paid off the BAN for  
14 the Wastewater Treatment project. As  
15 you recall, we had two previously BAN's.  
16 Last year we paid off one in full and  
17 we paid off \$300,000.00 for the second  
18 one. We carried that one into this  
19 year. We have theoretically paid off  
20 most of the contracts. When that came  
21 due, we paid that off in full. So  
22 that's paid off. In addition to that,  
23 I received an e-mail from Jack this  
24 weekend, having to do with a typo or  
25 some type of a calculation error that

1 was in the original; documentation for  
2 the GIGP grant for the wastewater  
3 improvements. Apparently now, the total  
4 project costs was now \$330,000.00, which  
5 -- Jack did you --

6 MR. NAYOR: I can address later on,  
7 if you want or right now?

8 TREASURER KAGEL: So I was on the  
9 phone for a good portion of the late  
10 afternoon with Katie from EFC.  
11 Apparently, there was some type of an  
12 error on the way that the match was shown  
13 on the budget worksheet. I am not -- who  
14 prepared that?

15 MR. NAYOR: We prepared the first  
16 one. The one that you are talking about,  
17 they prepared and I took issue with them  
18 on how they prepared it and it still has  
19 not been resolved.

20 TREASURER KAGEL: Okay. All right.  
21 So I was under the impression that the  
22 contract was increased and I had to do an

23 amending resolution. My conversation  
24 with them today basically is that \$330 is  
25 the total project costs. So a portion

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1 that we need to have a contract signed by  
2 Wednesday. So I tried to spend a good  
3 portion of the afternoon making the last  
4 few things were tied up.

5 ATTORNEY PROKOP: This was the EFC?

6 TREASURER KAGEL: Yes.

7 ATTORNEY PROKOP: Did I get a copy  
8 of it?

9 TREASURER KAGEL: Jack, did you  
10 e-mail Joe on that e-mail?

11 MR. NAYOR: The agreement was sent  
12 out about a month ago, Joe.

13 TREASURER KAGEL: So I sent them  
14 the last few things in a letter today  
15 indicating that I would think that this  
16 would take care of everything off the  
17 checklist for the contract to be taken

18 care.

19 MAYOR NYCE: Explain again why the  
20 amount changed?

21 TREASURER KAGEL: Well, apparently  
22 from what I saw and I don't have the  
23 documentation in front of me. I wasn't  
24 part of the whole process. I just  
25 received a copy of it. Jack can

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1 probably explain that better. But it  
2 looks like -- if you look at the two  
3 project worksheets one of them had used  
4 the project match as an offset to the  
5 technical account. Mathematically it  
6 doesn't work. So on the next page, it  
7 showed -- the corrected one that the EFC  
8 provided to us, it showed the amount that  
9 has the force labor added to it. The  
10 original documentation had the original  
11 amounts. So I wasn't exactly sure how  
12 this total project cost changed. Was it  
13 before or after. All I know is that

14 they informed me today that the project  
15 is now \$330,000.00 project and our  
16 documents need to be made to reflect  
17 that.

18 MAYOR NYCE: Okay.

19 CLERK PIRILLO: Are we going to run  
20 into timing issues, because we have to  
21 re-notice?

22 TREASURER KAGEL: No, we're not.  
23 We do have to re-notice. When I spoke  
24 with Katie today, she said that the  
25 resolution -- the amended resolution is

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1 not going to impact the bond -- sorry,  
2 the grant contract, which is going to be  
3 executed on Wednesday. We already have  
4 our funding in place. Because our match  
5 is in-kind and we are using the BAN as a  
6 short term funding source and it's not an  
7 issue. So we can proceed with the  
8 contract. They did recommend that we

9 amend this as soon as possible because we  
10 don't want to be in violation of State  
11 Finance Law.

12 MAYOR NYCE: Understood. My  
13 concern is that we're amending it and we  
14 have to start the project. I want to  
15 make sure that we do this once. That we  
16 do this thoroughly. There has been some  
17 points with the EFC from the past, with  
18 the wastewater treatment plant contract  
19 and they had issues. Is this something  
20 that we missed or is this something that  
21 EFC missed?

22 TREASURER KAGEL: I think that Jack  
23 can better explain that.

24 MAYOR NYCE: I am sure it's a  
25 fairly simple explanation.

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1 MR. NAYOR: Do you want me to  
2 explain that now? The reality, we're not  
3 going to spend --

4 MAYOR NYCE: For the record, Jack

5 Naylor, Director of Utilities.

6 MR. NAYOR: The GIGP project is two  
7 projects. One run by Manor Place, right  
8 by the hospital. And one at Fifth Street  
9 park, which we will intercept water  
10 running down the road and pull it into a  
11 basin and treat it before -- it used to  
12 go run out and right into the harbor. It  
13 will pick up all the dog stuff in the  
14 street and the motor oil and all that  
15 stuff. The nature of the work is such,  
16 that we can do a lot of stuff in-house.  
17 And what has changed is, it's not a  
18 \$320,000.00 or a \$330,000.00 project as  
19 far as checkbook is concerned. We are  
20 only going to spend the grant amount.  
21 Probably way less. What has changed, we  
22 had do a local match. And as a local  
23 match, we are -- we were just doing, I  
24 think it's a 10% match. So we said that  
25 we would do 10% as a local match. When

1 we actually calculated the numbers, we  
2 realized that we are probably going to do  
3 15% actually in-house. So we amended the  
4 technical account to say we are going to  
5 do \$20,000.00 as part of the local match,  
6 and we are going to do \$10,000.00. We  
7 are going to ask for reimbursement under  
8 the \$287,000.00, which is the grant  
9 amount. Instead of subtracting the  
10 \$287, they added the 10 from the 320 and  
11 made it 330. Now my recommendation,  
12 instead of having to go through all of  
13 those changes is that we go into the  
14 construction part of a project, where  
15 we know the other monies are, and  
16 the \$10,000.00 that we are asking them to  
17 reimburse us for, we take it line above  
18 and just have two off-set. It comes back  
19 to the original \$320,000.00 and we don't  
20 have to do anything.

21 MAYOR NYCE: Having dealt with  
22 EFC over the last six years, what you

23 say makes sense, that will come back to  
24 bite us in the you know where. They  
25 want every line to have a check next to

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1 it. Maybe they're recommending the  
2 total project costs be done this way.  
3 Rather than try to outthink the EFC, we  
4 should just follow what they are  
5 recommending.

6 MR. NAYOR: Well, we did have a  
7 conversation today. We came down to the  
8 problem. I said to them, we should just  
9 do the switch. They said, that's fine  
10 but it doesn't matter because of the  
11 \$320 and the \$330, we're going to give  
12 you the grant money regardless of what  
13 the money is. So I called Charlene, I  
14 said, if we are bonding and I really  
15 don't understand this part, we're going  
16 to write checks for \$287,000.00. The  
17 other \$30,000.00 is going to be spent  
18 in-house and not going to incur an

19 additional dime, because it's salaries  
20 that we are already paying. So why are  
21 we bonding when are people are already in  
22 the budget.

23 MAYOR NYCE: Because the grant  
24 requires the bond for the total amount  
25 of the project. This management team

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1 needs to speak with one brain and one  
2 voice. And if we don't, it ends up  
3 getting us in trouble. So they are  
4 recommending that we bond for  
5 \$330,000.00 because that is the total  
6 cost of the project, regardless of what  
7 we're going to be spending for the  
8 matching, that is what we will do. We  
9 will do the project properly.

10 TREASURER KAGEL: Let me just  
11 interject. We plan on only borrowing,  
12 \$287,000.00. That amount does not  
13 change. But in the bond resolution,

14 State Law says it has to be a total  
15 project costs. And because that number  
16 changed, we have to change the bond  
17 resolution. We don't need to borrow  
18 money for our in-house staff. That is  
19 for sure. We only have to borrow for  
20 whatever equipment, outlay of materials  
21 that we have.

22 MAYOR NYCE: Okay.

23 TREASURER KAGEL: So the easiest  
24 thing for us to do and I had this  
25 conversation with Bob Smith and Noah,

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1 would be -- this is the largest of those  
2 projects that we received. We would do a  
3 short term note. We are going to borrow  
4 the money for the capitalization and  
5 outlay that we are going to have to spend  
6 for materials on construction, and  
7 outside contractors etcetera. All the  
8 in-house will just be paid from budgets.  
9 We have those amounts budgeted anyway.

10 So unfortunately New York State  
11 Finance Law requires that every bond  
12 resolution that is passed, has the  
13 total project costs. So even though the  
14 bond doesn't change, the project cost  
15 changes and we need to amend the  
16 resolution and re-notice it and all that  
17 nonsense.

18 MAYOR NYCE: That is why I said if  
19 the EFC says that our total costs is X,  
20 that is what we need to have done in the  
21 resolution.

22 TREASURER KAGEL: So the easiest  
23 way to do it is just do what they say and  
24 have it done the way that they want.

25 MAYOR NYCE: Sounds fine.

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1 TREASURER KAGEL: Sylvia had sent  
2 me an e-mail from NYPA regarding some  
3 questions that they had on our cash  
4 flow, and I responded today. I copied to

5           you.

6                   MAYOR NYCE: Good. I was going to  
7 follow with them this week. I met some  
8 of the representatives at the conference  
9 last week.

10                   TREASURER KAGEL: They had some  
11 questions on some of the numbers and I  
12 copied it to you, and I will wait to hear  
13 what they have to say. I also have a  
14 conference call with Bill Freitag  
15 tomorrow to discuss some of the other  
16 questions that they might have.

17                   MAYOR NYCE: I am going to be  
18 following up with a face-to-face  
19 meeting with them and our auditor Bill  
20 Freitag.

21                   TRUSTEE PHILLIPS: Mr. Mayor, can I  
22 just ask a question? In Jack's report,  
23 he makes mention to some of the  
24 transmission rights. Do we have two  
25 people talking about that?

1                   MAYOR NYCE: No.

2                   TRUSTEE PHILLIPS: He is saying  
3 something about -- has to be clarified  
4 about a response in the next couple of  
5 days. Unfortunately, I don't have copies  
6 of the e-mails.

7                   MAYOR NYCE: When we get to his  
8 report, we can question that.

9                   TRUSTEE PHILLIPS: Okay.

10                  MAYOR NYCE: Anything else for  
11 Treasurer Kagel?

12                  (No Response.)

13                  MAYOR NYCE: Thanks, Charlene.

14                  The next report will be from the  
15 Village Attorney, Joe Prokop.

16                  ATTORNEY PROKOP: Thank you. A few  
17 of the things that I wanted to discuss is  
18 the EFC grants that we are working on.  
19 And not to beat it any further, but there  
20 are some aspects that I am working with  
21 Jack and the Clerk, and that is moving  
22 forward.

23                  MAYOR NYCE: Good.

24                   ATTORNEY PROKOP: Doesn't seem like  
25 any issues that I need to bring to your

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1                   attention. We are looking to bring the  
2 fireboat to the railroad dock. That  
3 involves the County. So you have to  
4 contact the County in regards to that. I  
5 helped assist with that.

6                   MAYOR NYCE: We have a  
7 sub-agreement with the County. The  
8 County has to authorize. We are putting  
9 that request and we will see where that  
10 goes.

11                  ATTORNEY PROKOP: I am working with  
12 Dave Abatelli in this Local Law regarding  
13 parking on Sterling. And there is  
14 several issues that came up, that the  
15 Board had addressed.

16                  MAYOR NYCE: It's next week.

17                  ATTORNEY PROKOP: Yes.

18                  MAYOR NYCE: Please make sure that

19           it's on the website and the announcement  
20           goes out.  If it's late, at the very  
21           least, make sure the people who live in  
22           that area know.  Whether it's by phone  
23           call or whatever, let's let them know  
24           that the official amended law is  
25           available so that they could comment.

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1           ATTORNEY PROKOP:  The Village is  
2           defending a small claims and we got some  
3           good news on that.

4           MAYOR NYCE:  Excellent.

5           TRUSTEE PHILLIPS:  On the FOIL  
6           appeals, have they all been straighten  
7           out?

8           ATTORNEY PROKOP:  Yes.  There were  
9           two FOIL appeals that were outstanding.  
10          One appeal was outstanding due to an  
11          error.  I drafted an appeal.  And the  
12          second one was responded to.  They both  
13          have gone out.  I got some feedback  
14          from the requester -- the requesting

15 party. The Lighting Grant, the request  
16 for additional information from the  
17 County for Dave Abatelli. We took care  
18 of it.

19 Are there any questions regarding  
20 my report?

21 (No Response.)

22 MAYOR NYCE: Thank you very much.

23 ATTORNEY PROKOP: All right.

24 Thanks.

25 MAYOR NYCE: Our next report will

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1 be from Village Clerk, Sylvia Pirillo.

2 CLERK PIRILLO: Good evening  
3 everyone. We have come to the point of  
4 the roof re-bid, the re-estoppel. I have  
5 some motions requested, and that is for  
6 the SCVOA training. The cost is \$55.00  
7 per person. That would come from  
8 Clerk Contractual, which is line item  
9 1410.400.

10                   MAYOR NYCE: That has been put out  
11 to other Boards as well?

12                   CLERK PIRILLO: It has. I believe  
13 we are asking for 10.

14                   MR. ABATELLI: I believe we have  
15 six that are confirmed. There are some  
16 that are still vague.

17                   MAYOR NYCE: Okay. That's  
18 fantastic.

19                   CLERK PIRILLO: Any Trustee that  
20 would like to join us or yourself,  
21 Mr. Mayor, please just let us know.

22                   MAYOR NYCE: Okay.

23                   CLERK PIRILLO: The next resolution  
24 is regarding the awarding of the vendor  
25 contract for the video. We went out for

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1 RFP, which was recommended by State  
2 Comptroller some time ago. We had two  
3 responded. One is our current company,  
4 who has been with us for quite some  
5 time. And second is a company that is

6 new to us and is local. I have asked  
7 both companies if they have the same  
8 capabilities as our current supplier.  
9 They said, yes. I would like to re-ask  
10 the question one more time. I called  
11 Southold Town and asked them what their  
12 requirements are, they have -- they  
13 have to submit a VHS tape and they also  
14 have to submit in a DVD format. Okay.  
15 In addition to that, in case anyone has  
16 any questions, we had technical  
17 difficulties last month. We have  
18 approximately half a meeting on tape. I  
19 have asked Southold Town to create a  
20 notification at the bottom of the  
21 meeting, that it was problematic and we  
22 had technical difficulties.

23 MAYOR NYCE: Okay.

24 CLERK PIRILLO: Only the beginning  
25 of our meeting was captured.

1 TRUSTEE ROBBINS: You have received  
2 another video proposal from this other  
3 person detailing what they will provide  
4 and comparing the other services?

5 CLERK PIRILLO: Yes, I have. They  
6 are slightly cheaper. Our current source  
7 said that they would match their price.  
8 It's a different of \$10.00 and plus an  
9 overtime rate. So that is where we are.  
10 I had a conversation with our current  
11 source today and he thanked us for  
12 letting us know.

13 MAYOR NYCE: Good.

14 CLERK PIRILLO: Also the difficulty  
15 that comes of it, as I understand it,  
16 because of the VHS tape, it's such an old  
17 technology. We can't get it that  
18 evening. We will have it the next  
19 morning.

20 MAYOR NYCE: Okay. To be clear for  
21 everybody. This is not because we were  
22 dissatisfied with the services that were  
23 being provided. It was suggested by the

24 Comptroller's Office that every now and  
25 again, we go and check this and see if

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1 we can get a better price. In this case,  
2 we did it and so be it.

3 CLERK PIRILLO: Mr. Mayor, on the  
4 Memorandum of Understanding, I understand  
5 that you wanted to vote on it this  
6 evening because it's a little bit time  
7 sensitive. This Memorandum of  
8 Understanding is between the Village of  
9 Greenport and the County Department of  
10 Labor. It is for Dave Abatelli's  
11 programs. The after-school programs.  
12 What we have is County pay for some  
13 of -- some of the young adults that  
14 help.

15 MAYOR NYCE: This program has been  
16 really good for us and the local kids  
17 as well. And I mentioned to Sylvia, I  
18 thought it might be worth looking into  
19 it. Basically, it's a first come and

20 first serve basis. So if you guys don't  
21 mind, I would like to take action on  
22 this tonight and ratify it at next week's  
23 meeting.

24 So I will offer a motion  
25 authorizing Mayor Nyce to sign the

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1 Worksite Memorandum of Understanding  
2 through the Village of Greenport and  
3 Suffolk County Department of Labor. So  
4 moved.

5 TRUSTEE PHILLIPS: Second.

6 MAYOR NYCE: All those in favor?

7 TRUSTEE HUBBARD: Aye.

8 TRUSTEE ROBBINS: Aye.

9 TRUSTEE MURRAY: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 MAYOR NYCE: Aye.

12 Any opposed or abstentions?

13 (No Response.)

14 MAYOR NYCE: That motion carries.

15 CLERK PIRILLO: The tree committee  
16 has provided us with an updated listing  
17 of the various trees that need removal  
18 and stumps that need removal. They have  
19 also announced to us that Arbor Day will  
20 be held at the Fifth Street Beach. That  
21 is on the 23rd of May at ten o'clock. So  
22 that is the annual Arbor Day.

23 MAYOR NYCE: Please make sure that  
24 it's included in the announcements.

25 CLERK PIRILLO: Yes. The monthly

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1 addition is authorizing the Village  
2 Administrator and myself to attend the  
3 Suffolk County Academy of Law Conference  
4 that was postponed. It's the workplace  
5 conference. That has been rescheduled  
6 for June 7th. The event location has  
7 changed to Hauppauge.

8 MAYOR NYCE: Any questions for  
9 Sylvia's Report?

10 TRUSTEE MURRAY: Yes, I do.

11 Everyone's report, are they all now on  
12 the program?

13 CLERK PIRILLO: Yes, they are.  
14 They are all on the IQM2 System. Yes.  
15 Thank you for asking. Everyone is on the  
16 IQM2 system, which you can access  
17 electronically if you would like. This  
18 coming Monday's agenda will be generated  
19 by the IQM2 system.

20 MAYOR NYCE: Will the work session  
21 reports be generated through the same  
22 format as well?

23 CLERK PIRILLO: Yes, they will.

24 TRUSTEE MURRAY: So how long will  
25 it take you to make the agenda?

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1 CLERK PIRILLO: After our long  
2 evening, I can't answer that. The  
3 company tells us it's a matter of five  
4 minutes. I can't be that optimistic  
5 because it has taken so long for everyone

6 to do it this way. So I would like to  
7 tell you after I do it. Thank you.

8 Thank you for asking.

9 MAYOR NYCE: Anything else for  
10 Sylvia?

11 (No Response.)

12 MAYOR NYCE: Thank you.

13 CLERK PIRILLO: Thank you.

14 MAYOR NYCE: Our next report will  
15 be from Director of Utilities, Jack  
16 Naylor. Good evening, Jack.

17 MR. NAYOR: Good evening. Welcome.  
18 I read about your interest in the Power  
19 Plant and the wastewater Treatment Plant,  
20 so please give me a call if you have any  
21 questions. Going through the list, I  
22 will start with Capital improvements.  
23 Over the last two weeks, we have been  
24 working diligently with the power plant  
25 and talking with Scott to get things

1 started up. It's been a long day

2           today. They are doing very, very well  
3           with getting things going. We are  
4           still working on some things. All the  
5           matching, we're very happy with the  
6           progress that has taken place over  
7           the last two weeks. There is a change  
8           order, I mentioned last month. The  
9           contractor submitted a price for the  
10          door. I requested some additional  
11          information with regards to what is  
12          pertaining to that number. After getting  
13          that, we pretty much eliminated close to  
14          half of that number and there is a change  
15          order for \$4,481.00. Coupled with  
16          No. 6 --

17                   MAYOR NYCE: DNC tests were run  
18                   this weekend?

19                   MR. NAYOR: Yes. We ran them this  
20                   Saturday. It was more of a demonstration  
21                   type thing. They were run one at a  
22                   time.

23                   The NYPA conference, there is just  
24                   for some informational there. Some

25 funding. We did propose something that

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1 they have never seen before and they have  
2 a general concept of the program for  
3 efficiency improvements.

4           MAYOR NYCE: On No. 10, their  
5 concern was, we have been in electric  
6 fund. We got a rate increase in 2007.  
7 It was instituted in 2008. We have been  
8 putting aside cash for that being that we  
9 have a major improvement. One half was  
10 just wrapped up. The other, we will  
11 have -- I cannot express, I want it by  
12 next week. I know they are very anxious  
13 for us to complete the capital project.  
14 We have not borrowed the full amount.  
15 That is why I am anxious to get the next  
16 phase done. When I go back to the Power  
17 Authority, I can say here is Phase II and  
18 this is what it is.

19           MR. NAYOR: When Genesis is here,

20 we spent a good time addressing that.  
21 You know, we sat down and talked about it  
22 and spent a good part of the day  
23 talking about it. Unfortunately, we have  
24 a very old power plant, 1960's. You know,  
25 moving from an analog to a digital. At

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1 the time of the project started, the  
2 analog was available. When the  
3 project was bid, just right about that  
4 time, the manufacturer discontinued it.  
5 They redesigned everything to fit the  
6 digital. So that took a lot of time.  
7 If we would had done the project a  
8 couple of years earlier, it would had  
9 been analog. A year later, it would  
10 have been digital. We just got caught  
11 right in the middle. There is not  
12 enough analog business out there.

13 MAYOR NYCE: The bottom line is,  
14 this project is taking way too long. So  
15 when I speak to Mr. Braun I will make

16           sure that when he does his presentation,  
17           he does his first Phase I. And then take  
18           a break and then do Phase II.

19                       TRUSTEE PHILLIPS: There seems to  
20           be a lot of talk about confusion and the  
21           last outage was our fault. It is still  
22           a lot of money. There is a lot of  
23           questions. People want answers. I  
24           made a promise to myself after being  
25           reelected, that I was going to bring

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1           these issues up and get this done and  
2           get some presentations from some of  
3           these contractors.

4                       MR. NAYOR: Moving on to the  
5           wastewater treatment facility. One of  
6           the major issues, we have not entered the  
7           sludge in a while. We are going to have  
8           to empty the entire two tanks in order to  
9           get to those tanks and repair it. So I  
10          am going to speak to Charlene about that.

11 So that should be coming up in the next  
12 week or two. Most of the other items are  
13 either small punch list items, paperwork  
14 items or landscaped items.

15 MAYOR NYCE: I had a conversation  
16 with Mr. Wagner from Cameron engineering  
17 this week regarding closing out this  
18 project, which needs to be done promptly.  
19 I am getting real tired of saying that.

20 MR. NAYOR: Yes. Some of our  
21 issues and their addresses. We went out  
22 and addressed some of the issues and got  
23 that worked out. So thank you for that.  
24 I did get an e-mail requesting a  
25 conference call also on Friday. I

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1 called them back and asked them when  
2 that might but I have not gotten answer  
3 yet.

4 TRUSTEE PHILLIPS: No. 9 on the  
5 punch list.

6 MAYOR NYCE: There is two things

7 with that also. There is a conference  
8 call with EFC. When we started this  
9 project, EFC required that we put in the  
10 work order every single grant that we  
11 got. I said at the time, it has nothing  
12 to do with it. They said that every  
13 grant had to be in there. Now, they are  
14 saying, that didn't have to be. So there  
15 are two things. That grant has no  
16 bearing on the construction or the  
17 running of the plant. That grant was to  
18 study new technology. I think EFC can  
19 write that out and we can pursue closing  
20 that out on our own.

21 MR. NAYOR: I did get -- EFC did  
22 accept No. 4.

23 MAYOR NYCE: Which is the last of  
24 the items. That has been accepted from  
25 Gary from the EFC.

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1 MR. NAYOR: The rest of the items

2 for the most are routine.

3 MAYOR NYCE: I assume you are going  
4 to accept the resignation and start to  
5 look for another person?

6 MR. NAYOR: Yes. Trustee Phillips  
7 had requested something --

8 TRUSTEE PHILLIPS: Jack, that is  
9 something that I spoke to the Mayor about  
10 it and that is something that is a  
11 contract issue and tabled for Executive  
12 Session.

13 MR. NAYOR: Okay.

14 TRUSTEE PHILLIPS: Last month, you  
15 contacted the Village Treasurer on some  
16 funding for the roof?

17 MR. NAYOR: Yes, I was a little  
18 surprised to know that the bid documents  
19 went out for th roof. We spoke about  
20 that today. Charlene and I sat down  
21 today and spoke about a couple of  
22 different documents. We are going to  
23 follow-up with that.

24 TRUSTEE PHILLIPS: Jack, I am

25 looking forward seeing that.

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1 MR. NAYOR: Yes. Once I get the  
2 documents and see them and then I will  
3 be able to tell you what would be the  
4 correct amount of money.

5 MAYOR NYCE: Do you have any idea  
6 of when that is going to be?

7 MR. NAYOR: I don't have the  
8 changes yet. I just have the other one.  
9 We had gotten --

10 MAYOR NYCE: Jack, we did this  
11 twice. Both times they came in well over  
12 our budget. If we have an idea of what  
13 we want to budget for, that is fine.  
14 Let's keep it simple.

15 MR. NAYOR: Okay.

16 MAYOR NYCE: With the Treasurer  
17 Department you should be able to  
18 identify some line items of where we  
19 could take. That is the idea. Nice and  
20 simple.

21 Anything else for Mr. Naylor?

22 (No Response.)

23 MAYOR NYCE: Thank you, Jack.

24 Our next report will be from the  
25 Village Administrator, David Abatelli. I

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1 do apologize for the noise. The Chief's  
2 are having a meeting. If you could  
3 please move up a little bit closer.  
4 You can still hear the voices from here.  
5 We have some additional things to deal  
6 with in the other room. We're doing the  
7 best that we can. Thank you.

8 MR. ABATELLI: I don't have too  
9 many actual requests. I do have two  
10 new things. One is the Building  
11 Department, they have a training on  
12 May 8th. There is a training on  
13 May 8th. Somewhere in Suffolk County. I  
14 am not exactly sure where yet. It's  
15 free.

16                   MAYOR NYCE: Sounds good already.  
17                    Congratulations on a successful ice  
18 rink season.

19                   MR. ABATELLI: Thank you.  
20                    Considering the challenges we had, we did  
21 good. My official report for the  
22 resolutions. One is for the Mitchell  
23 Park maintenance. Mike has been a really  
24 nice addition.

25                   MAYOR NYCE: He has been a nice

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1                    addition and also to the Highway  
2 Department as well.

3                    MR. ABATELLI: Mike does work on  
4 the fields. He can work on the  
5 campgrounds. There is a lot that he can  
6 do. He is also good for a lot of the  
7 things that we have working for right  
8 now.

9                    MAYOR NYCE: And also he has the  
10 expertise, whereas, Jack would have to  
11 call up someone. It's a plus for both

12 departments.

13 MR. ABATELLI: There is a mention  
14 here. We approved \$2500.00 for the  
15 cemetery. So that increased. The first  
16 amount was based on what FEMA approved.  
17 We felt that there was some other work  
18 that should have been done. It was  
19 decided that we do that after we did  
20 this.

21 MAYOR NYCE: That sounds great.  
22 It's very cool.

23 MR. ABATELLI: It opened it up in  
24 there. We took some trees down. It  
25 looks nice.

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1 MAYOR NYCE: I have a question.  
2 There is some Choke Cherry Trees that  
3 have grown up to be just weed trees. It  
4 would be nice to clear those out.  
5 Because they were never trimmed or cut,  
6 they have just grown up to be the size.

7 Fantastic.

8 TRUSTEE MURRAY: I didn't see  
9 anything on your report about the  
10 Eagle Scout, are they still going to do  
11 that?

12 MR. ABATELLI: Yes, they are. I  
13 think They intended to do it. They have  
14 about 25% left to do.

15 TRUSTEE MURRAY: I have been  
16 noticing a lot of kids down there.

17 TRUSTEE PHILLIPS: Dave, it's nice  
18 to see the kids playing down there  
19 but --

20 TRUSTEE MURRAY: Shouldn't we start  
21 that?

22 MAYOR NYCE: I think before the  
23 season -- let's bring it up because  
24 it's nice to get that done for the  
25 season.

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1 MR. ABATELLI: Okay.

2 MAYOR NYCE: Also, I would like to

3 get some pricing on the bulkheading for  
4 the railroad docking. While they are  
5 there, let's do that?

6 MR. ABATELLI: Okay.

7 MAYOR NYCE: The rest of this seems  
8 straightforward. The campground.

9 TRUSTEE HUBBARD: When do you plan  
10 on doing --

11 MR. ABATELLI: I spoke to Angelo  
12 who did tell me he has a plan.

13 MAYOR NYCE: I know Costello is  
14 well behind because of the tragedy  
15 that they had. So if Nathan is there,  
16 let's try and get all of this stuff  
17 done.

18 TRUSTEE HUBBARD: When you drive  
19 around the Seaport Museum, that Citgo  
20 there, has four foot of asphalt. So if a  
21 wide truck goes through there, going to  
22 get stuck in that wide sinkhole.

23 MAYOR NYCE: Lets get whatever we  
24 can and get this started this week.

25 TRUSTEE HUBBARD: All right.

1 Before the season gets going. Let's get  
2 that started.

3 MAYOR NYCE: Absolutely.

4 TRUSTEE ROBBINS: On Adams Street  
5 across from the IGA area --

6 MR. ABATELLI: I think they filled  
7 that in there today.

8 MAYOR NYCE: There was some work  
9 during this winter, between Christmas and  
10 New Year's. It was before it froze.  
11 That was before to get the waterline to  
12 get connected between First and Third  
13 Street.

14 TRUSTEE ROBBINS: I can see it.

15 MR. ABATELLI: The one that was  
16 really bad was done today. Some of it  
17 was done today. Not all of it.

18 TRUSTEE PHILLIPS: No. 2, is that  
19 something that the Village Attorney is  
20 recommending being sent to Code Committee

21 or is that something that is an in-house  
22 procedure?

23 MAYOR NYCE: That is an in-house  
24 procedure.

25 MR. ABATELLI: That is more of

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1 State Code.

2 TRUSTEE PHILLIPS: I was just  
3 asking.

4 MAYOR NYCE: That is something that  
5 should be done --

6 TRUSTEE PHILLIPS: By the  
7 Department?

8 MAYOR NYCE: Yes. Anything else  
9 for Mr. Abatelli?

10 (No Response.)

11 MAYOR NYCE: Thanks, Dave.

12 Committee Reports, I just want to  
13 get into that before we do Trustee  
14 Reports. The BID had request of us.  
15 They will meet next Thursday. Activity  
16 working to promote the Village for this

17 coming season. They are collecting all  
18 the different events that are happening,  
19 instead of doing advertising for each  
20 individual events, they are going to do  
21 more along advertising all of that. The  
22 BID will take that on. And then press  
23 releases for individual activities to be  
24 happening. They seem very excited for  
25 this upcoming season. They have just

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1 about spent their budget. They are  
2 holding some for reserves for  
3 Christmas and Halloween and towards the  
4 end of the winter season. They have  
5 been a much more active group since  
6 before. Last summer it was very good  
7 for most people, and they are looking  
8 forward for this summer being the same.  
9 The Spring, with the sun out, there is an  
10 increase in activity. So they are all  
11 very encouraged. Audit Committee did not

12 meet this week. They will meet next  
13 week. Code Committee did meet. As I  
14 said, at 3:00 and not 3:30, when I showed  
15 up. The Code Committee has discussed  
16 over the last summer months, a re-work of  
17 the permits. Proposed law. They voted  
18 today and voted -- two of the members  
19 voted to have a public hearing. What I  
20 would like to do, rather than do it  
21 quickly, I would like to set the  
22 public hearing for June, rather than  
23 May. To give people plenty of time to  
24 get people to get the proposed law out  
25 there. The Code Committee also asked

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1 that the Village Attorney and the  
2 Village Administrator get together for  
3 what would be to look at the applications  
4 that they would be receiving. That was  
5 the only recommendation to the Board from  
6 the Code Committee. Before we go into  
7 reports from Mayor and Trustees, we had

8 two public hearings that we can discuss  
9 now. The first public hearing was  
10 discussed about Merger of Land and  
11 Subdivision. I believe there were not  
12 public comments. This amends our local  
13 code, which was silent on the subdivision  
14 of properties in the Village. When we  
15 went through this the Code Committee also  
16 realized that it was silent on the  
17 merger of land in the Village, which had  
18 been mentioned in the LWRP years ago.  
19 So all this amendable law does it just  
20 put out a process by which these things  
21 would happen and send them to  
22 Planning Board. Is there any further  
23 discussion?

24 TRUSTEE HUBBARD: It would just be  
25 the same as other towns. It would be the

1 same as Southold Town now, from my  
2 interpretation of it, and New York

3 State.

4 MAYOR NYCE: Right. At least,  
5 instead of being an immediate variance,  
6 there is going to be a discussion. If  
7 people are not happy with how the  
8 Planning Board determined, they can  
9 still go for a variance. The Village  
10 Attorney had noted that we had no  
11 language and recommended that we go  
12 through these.

13 TRUSTEE PHILLIPS: There is one of  
14 them that keeps coming to the Zoning  
15 Board, and when they start seeing that  
16 many of them coming through, it is part  
17 of the Zoning Board's process to bring  
18 that forward to us.

19 TRUSTEE HUBBARD: And we have a  
20 moratorium on subdivisions until this  
21 month, I believe. Once this passes, they  
22 can appeal the moratorium. I think it  
23 expires in April, I believe.

24 MAYOR NYCE: Do you want to do  
25 this, if this resolution does not pass,

1 we can extend the moratorium. We can  
2 put this on for next week, we can still  
3 meet in April, we still have time to  
4 talk.

5 TRUSTEE HUBBARD: So if this does  
6 pass, then we go through the next  
7 process.

8 TRUSTEE PHILLIPS: Can we check  
9 with the Village Attorney on this if we  
10 pass the Local Law?

11 MAYOR NYCE: Yes. We will check  
12 with the Village Attorney. Sylva, if you  
13 could contact the Village Attorney?

14 CLERK PIRILLO: Yes.

15 MAYOR NYCE: The next one was an  
16 amendment to Chapter 115, sidewalks,  
17 which dealt with curb-cubs and rules and  
18 stuff for maintenance. Again no one  
19 spoke --

20 TRUSTEE PHILLIPS: Yes, we did  
21 have somebody that spoke. Mr. Corwin

22 spoke about road surfaces being  
23 restored.

24 TRUSTEE HUBBARD: I think the  
25 48 hours is realistic for it to

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1 settle.

2 MAYOR NYCE: I'm sorry. Yes.  
3 Absolutely, he made a comment. I think  
4 that this is a suggestion of how it  
5 should be done. As you can see,  
6 it is going to have to be redone. We're  
7 not signing off on it until it is  
8 complete.

9 Is there any further discussion on  
10 that?

11 (No Response.)

12 MAYOR NYCE: We will put that on  
13 the agenda to get voted on next week.  
14 The next portion of our agenda is the  
15 reports from the Trustees and the  
16 Mayor. Trustee Hubbard?

17 TRUSTEE HUBBARD: Okay. We had a  
18 public hearing next week on no parking on  
19 Sterling Street. If we can have  
20 somebody go down there and actually mark  
21 out where the no parking spots are going  
22 to be. I am confused of exactly where  
23 the no parking is going to be. I know  
24 the neighbors are concerned. They want  
25 to know exactly where it is. I am not so

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1 sure myself. Two flags or something  
2 so that we know it's from here and  
3 here.

4 MAYOR NYCE: Its a great thing to  
5 just go mark it out.

6 TRUSTEE HUBBARD: Just a little  
7 sign. Just put up two flags, a sign, so  
8 people can go look at it. We have had  
9 letters about it already. Just so we are  
10 all clear about what we're talking about  
11 before we have the public hearing. Just  
12 so I, myself, know exactly where they

13 are talking about. We have had some  
14 plantings going in. I had another 20  
15 trees donated. We need to find some  
16 homes for them. So if anyone has an  
17 idea of where they could go.

18 MAYOR NYCE: Yep.

19 TRUSTEE HUBBARD: So we are working  
20 on that. Also, you saw the list of take  
21 down's and stump grinding that is going  
22 out to bid. Before we go out to bid,  
23 there are some stumps that I would like  
24 to add to the list. And if anybody saw  
25 any stumps that are not on the list,

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1 let us know before we go out to bid and  
2 add that to it. I noticed a couple of  
3 them that are not on there. Maybe  
4 Sylvia can add that to the announcements.  
5 We mentioned the Arbor Day, which is the  
6 23rd of May. The Tree Committee is going  
7 out to meet with the 4th graders and

8 doing a little presentation. And that is  
9 about it.

10 MAYOR NYCE: Thank you very much.  
11 Trustee Robbins, I am assuming you have a  
12 long list.

13 TRUSTEE ROBBINS: There are a  
14 couple of things that I am doing. I am  
15 going to be taking tours around our  
16 facilities and get a better idea of what  
17 is going on there. Looking at the budget  
18 and getting myself familiar with it. I  
19 look forward to getting to know  
20 everything. That's it.

21 TRUSTEE MURRAY: My report. The  
22 Dances in the Park is going to be really  
23 a great year. We have some great bands.  
24 That is going to be in June, I think. So  
25 they do a great job. The roof bid, I

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1 have talked with two contractors. I hope  
2 to see a couple of local guys --  
3 hopefully we will get some good bids.

4 May 9th is when they are coming back. So  
5 I am hoping that they will come back a  
6 lot better. That's it.

7 MAYOR NYCE: Thanks. Trustee  
8 Phillips?

9 TRUSTEE PHILLIPS: A while ago,  
10 Dave Abatelli and I had a discussion  
11 about Memorial Day and had asked the  
12 after school program to be open. The  
13 idea was to incorporate the kids to give  
14 some ideas, have an understanding about  
15 what Memorial Day is. The Carousel  
16 Committee has been good. May 9th, they  
17 have a member of the National carousel  
18 Association coming to Greenport. We felt  
19 that Dave Abatelli be included in this  
20 meeting. That we also think that the  
21 Mayor should be present. We think it's a  
22 great opportunity. We are trying to find  
23 out if it's during the Maritime Festival.  
24 It's in September. This gentleman is  
25 coming out a year a head of time to

1 discuss the activities.

2 MR. ABATELLI: If I may  
3 interject? I got an e-mail today and I  
4 think the date that they have them coming  
5 is a Thursday before the Maritime  
6 Festival.

7 TRUSTEE PHILLIPS: So it's before  
8 Maritime Festival. So we have a year in  
9 advance to work with it. We do need to  
10 do a repair in 2013. They are asking for  
11 two things. They are asking someone be  
12 at the next budget planning meeting. So  
13 what they are saying, to be proactive,  
14 which I have been trying to push. The  
15 other thing that they would like to do is  
16 work with the Village Treasurer and maybe  
17 come up with a certain percentage each  
18 year for the Carousel Committee. So I  
19 will talk to Charlene about some of  
20 this.

21 MAYOR NYCE: Cool.

22 TRUSTEE PHILLIPS: So those are  
23 some of the ideas.

24 MAYOR NYCE: I am sure it's not a  
25 substantial amount. As I said in the

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1 e-mail, we would approve the amount that  
2 they wanted to do. Cool. I don't have  
3 a whole heck of a lot else to report.  
4 After our presentation of the Green  
5 Energy Park concept, it was a good  
6 opportunity that we had. I went to  
7 New York Power and had some further  
8 discussions. There appears to be some  
9 good ideas and some great  
10 opportunities to go for some Grant  
11 opportunities. I am looking forward to  
12 this next year. I will be putting a  
13 resolution on next week's agenda  
14 regarding the Fiscal Year 2012/2013 as  
15 proposed. We didn't have any  
16 additional comments at the hearing, or  
17 any grave faults on the budget. So I

18 am going to ask that that be put on next  
19 weeks meeting.

20 TRUSTEE PHILLIPS: Will that be  
21 placed on the website? I really want  
22 that to be one of my goals this year to  
23 get information more on the website. Is  
24 there enough funding?

25 MAYOR NYCE: I think there is

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1 enough funding in the budget to do what  
2 we have to do that.

3 TRUSTEE PHILLIPS: Okay.

4 MAYOR NYCE: All right. At 8:11, I  
5 will offer a motion to adjourn.

6 TRUSTEE HUBBARD: Second.

7 MAYOR NYCE: All in favor?

8 TRUSTEE HUBBARD: Aye.

9 TRUSTEE ROBBINS: Aye.

10 TRUSTEE MURRAY: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 MAYOR NYCE: Aye.

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(Whereupon, the meeting was  
adjourned.)

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

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

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

THAT the within transcript is a true record of

9 the testimony given by said witness(es).

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

14 IN WITNESS WHEREOF, I have hereunto set my  
15 hand this day, April 25, 2013.

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19 (Jessica DiLallo)

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