VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

VILLAGE OF GREENPORT
BOARD OF TRUSTEES

Third Street Firehouse
Greenport, New York

June 25, 2012
6:00 P.m.

BEFORE:
DAVID NYCE - MAYOR
GEORGE HUBBARD JR. - TRUSTEE
CHRIS KEMPNER - TRUSTEE
DAVID MURRAY - TRUSTEE
MARY BESS PHILLIPS - TRUSTEE
SYLVIA LAZZARI PIRILLO - CLERK
JOSEPH PROKOP - VILLAGE ATTORNEY
MAYOR NYCE: Just a couple of announcements before we begin with the public portion of the meeting. There are no public hearings tonight. Is first announcement is that Hurricane season is upon us. Please have a plan for your personal safety and that of your family members. Also, Please note that Suffolk County Joint Emergency Evacuation Program number is via FRES at 852-4900, that is 631, and also 631-853-8333. That is for the Office with People with Disabilities. We encourage that anyone you know including your family in need of medical assistance during an emergency or needs some sort of ambulatory service, you should contact those numbers, as soon as possible to make sure that they're on
the list. The next announcement is that Dances in the Park program will begin next Monday, the 2nd of July. The schedule is available on the Village website at www.villageofgreenport.org. We would also like to encourage everyone to create a Fire Safety program for their family for this upcoming summer season. Please be sure to check your batteries in your smoke and CO detectors. With that, I will turn it over and ask if there is anyone that wishes to address the Board, you can do so at this time.

MR. SWISKEY: William Swiskey, 184 Fifth Street. I see you got on the agenda here $5,000.00 for a party, and that's predicated that you made money, but I got the expenses and revenue ledger from your event, and Mr. Mayor, I think you're incorrect when you said that we made money, because basically you got $211,000 in income, you should $198,000.00 in expenses, but you left some
items off there. Like $20,000.00 it costs to join the American Tall Ships Association. I see no money for barricades. I see nothing on here for flags. I know you bought flags. I got the timecards here and the overtime, and it has to be chargeable to this event. Not the department. I think it had to be at least $10-$15,000.00 overtime. I think you might be negative by $20,000.00. So I really wouldn't be scheduling a party on a profit that doesn't even exist. I mean, these are your numbers, not mine. So it's up to you, but I would be a little weary about that. I have an item here,

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because I got the abstracts on a regular basis. It seems that we paid Profile Investigations -- we hired a private investigator for -- looks like every department including the fire department for a total of about $1240.00. Now Profiling Investigations is a company that specializes
on spying of the employees. Tell me it ain't so?

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

MS. KAPELL: Eileen Kapell, 225 Fourth Street, Greenport, New York. I would also like to express my dismay of throwing a party after a party. We just had a great party. It was fantastic. If we made any money, and I am assuming this is truthful, we did make money, it should be spent on things that need to be taken care of in the Village. I mean, I am assuming most of you go down First Street, it looks like Bayroot. If you have $5,000.00 to throw a party, how many potholes would that $5,000.00 fill? I think it was a great party. At the festival everyone had a great time, but the party is now over. It's time to take care of some of the needs of the Village.

DR. TROWBRIDGE: I am Dr. Richard
Trowbridge. I have apprised both attorneys at the front desk that there are laws that are being broken, and nothing us being done to rectify that situation, that I know of. Here is another one. Public Office Law Article VI Section 873-b, says each agency shall maintain a record setting forth the name, public office address title, salary, of every officer or employee of the agency. I asked for that list, and the Village Clerk wrote to me that the Village of Greenport does not have a document in its possession, which is responsive to your request. I appealed that decision of the Board’s decision to Attorney Prokop. Attorney Prokop said the same thing. Believe me, I wouldn't be asking for documents that aren't public records. There is really no reason why the public can not have access to these records unless you, the Board, say that they shouldn't be available. So you, as Board members, have to start making a determination as to what you are going to make
available and what you are not, and put it in print. If you continue with this abuse of Freedom of Information Law and Open Meetings Law someone is going to get their gander up again, and take you back in Supreme Court again, and sue you. And the second time, I almost guarantee you, the judge is going to come back at you and slap you. And they will put a watch dog on you. I am serious about this. This law was designed for the public because the government is for the people. And if you people on the Board don't understand that, you have to go back to school. If you don't understand the Freedom of Information Law, ask me where you can download a copy of it, and I would be very anxious to give you a copy. It's very easy. Eight pages. It's easy to print up and it's very easy to read. There is really no reason why you as Board members, can't understand what this law is all about.
Stop relying upon an attorney and a clerk to tell you what it's about, because they don't know what they're talking about. Again, it's arbitrary and capricious, an application of your understanding of the law. And you have an attorney that is supporting that arbitrary and capricious act. And I am shocked at your Mr. Prokop. You should know this law backwards and forwards. This should be as clear as the back of your hand. The same with the Open Meeting Law, and for you to tell me that that document doesn't exist and to support the Village in that position, is a violation of the law.

MR. STRANGE: Harvey Strange, Village of Greenport, residing 221 North Street, corner of North and Third. A few days ago, I got a notice in the mail about grass clippings. And we have been doing that clean-up in our yards and putting that stuff on the road forever, and here you got some
news that we got to dump Tuesday and this and
that. Well, a lot of times, I see them pass
by the house with an empty truck. You got an
empty truck, throw them on the truck. You
got a big machine coming around. It's true,
you got a lot of stuff out there, but what I
supposed to do? Clean-up and put it back in
the yard and wait. I am on the corner of

North and Third, grass clipping -- what I got
to do is take a push broom and sweep it up
and put it in a wheelbarrow. Third Street
the same way. I keep that drain clean. They
don't keep it clean.

RESOLUTION #6-2012-1 they take care of
the cemetery up there. How many men it take
to send up there? I mean, it don't even make
no sense to me. Like I was saying, I am going
to be keep on cleaning up and putting it
across the street, like I been doing for the
last hundred years. I mean, why change all
this now? You got all these Guatemalans out here running these trucks and cleaning up, and putten them in bags and dumping them by the trail. I told Dave about it. I told Jack about it. What you got to do about that? They come into the Village of Greenport and do this. You guys should be doing something about that. The empty lot across from me, looks like a jungle up in there. What you going to do about that. Pretty soon you going to have mice and raccoons up in there and muskrats. When he going to cut that? How much did he get fined for that? How long I got to keep looking at that. What about the one that got a black piece of tarp up on their house. How long I got to keep looking at that? It looking like a dump. I was telling Dave about it. Another one across the street with the hedge. Not cutting it down. I go over there and "Me no speak no English." You live there don't you? Cut the hedge. But you

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got that slum landlord up there that tell them what they got to do and they don't do nothing.

It's getting to a point where it's ridiculous.

Right by me again, there is a tan colored pick-up truck. Every time I come around, he's parked there. It's hard for me and the wife to back out of there. Them kids come down that sidewalk, must be doing about 25 miles and hour, almost got them. If the vehicle make a right-hand turn, it would have wiped them out. What about the sign no parking, people be parking. Sterling Street is loaded with them. Fifth Avenue, got one, where keep from parking, but it's covered. So if a kid get hit there, who is liable for it? Not me, because you have been told. We're getting a point where this is ridiculous. I am getting sick and tired of it. So I don't know what you going to be doing about these grass clipping but I am going to keep on doing what
I been doing. What do I pay $832.48 taxes for on that corner? Where are they going? Am I paying for nothing? You know, someone start doing stuff. Someone riding around in a pick-up truck with a polo shirt on, and talk junk. Come on now, for crying out loud. I got to work my tail off. I tell you what, not no more. I tell you that right now. Get your business straight, because it's going to be more cars up in that street. I don't need none of this. This is ridiculous.

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

MR. ANGELSON: Perry Angelson. First off, I would like to thank the Board for the Tall Ships weekend. It was a huge success. I think all the merchants had a great weekend. Is there a final accounting, number from the weekend? So it was profitable? How much was that figure?

MAYOR NYCE: We're waiting for some additional monies to come in, and
sponsorships, but in all total, it's around
$20,000.00, as a net.

MR. ANGELSON: But it's not completed
yet? That is all I am asking. So there is
still bills coming in?

MAYOR NYCE: There is no bills coming
in. Money is coming in.

MR. ANGELSON: Money coming in. Well,
I agree with the other residents that spoke
about the net. I think we had the party on
Memorial Day weekend. It was really good, but
to take that money and throw a party, and not
fix the roads and keep our taxes down, would
be a lost much more. Secondly, I am a little
disappointed in the Trustees not wanting to
put something out there as far as parking is
concerned. We all know the Mayors feeling on
this. The signs were taken down without you
guys knowing nothing about it. Make the
motion and put the signs back up. It's all --
somebody can do that right? You can do it,
Trustee? I would be happy if somebody could
do it. Thank you.

MR. SALADINO: John Saladino, Sixth Street. I have a question -- I don't have a

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question. I have a statement about Resolution No. 19. As you have, I have been
to every work session meeting where this was discussed. I understand the Board's position,
you can't decide who Mobil gets the land.
We all understand it. My comment is more -- first I think you should vote, no. You
said at the work session, it's a no cost item to vote yes. Well, it's a no cost
item to vote no. It also shows a lot of peoples displeasure with Mobil, with the
Town and with the Peconic Land Trust. The Village is losing $3,000.00. The schools
are losing estimates of somewhere's between $11,000.00 and $16,000.00, and the Town loses
$3,000.00. Peconic Land Trust gets the land. It's a two acre lot in Greenport with a six
foot barbwire cyclone fence around it. How does that -- how is the population of Greenport not going to be able to use? I think the Peconic Land Trust is being a little self-serving. They don't care about the Village. They don't care about the school. I am not sure if they care about the Town or not. It seems they care more about Peconic Land Trust. That is a fenced in lot in the middle of Greenport. It can serve anybody's purpose. If we are to believe the Peconic Land Trust, Mobil Oil, DEC, that the land is clear, and doesn't contain any contaminants, then why can't it be for public use? Their statement was, perhaps sometime in the future, they will take the fence down for passover recreation. That's sounds like a pretty vague promise. If we're going to lose the tax dollars, then why can't we use the property. Take the fence down, put a bench in. Mow the lawn
there. Let people have a picnic there. If we were to believe them, we believe that the land is clear. If they don't want to do that for a different reason, then perhaps that should be discussed. But I think the Peconic Land Trust is not looking out for anybody other than the Peconic Land Trust, and I again, it's true, Mobil, can give the property to whomever they want, but you don't have to approve this. You don't have to say yeah, it's okay, because it's not okay. It's $20,000.00 that someone is losing. You know Mobil can do what they want. They're giving the property away to relieve them self of the tax burden and that is business. They can do that, but your neighbor, Southold Town and Peconic Land Trust shouldn't profer at our expense. They shouldn't get something at our expense. They should look out for us, they should say, we're going to lose the tax

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14
dollars, but we should be able to use the
land. I don't understand the argue about
keeping the fence up. Perhaps, if you chose
to explain this later, I don't know. I was at
every meeting. I heard their explanations.
It doesn't make any sense why they could use
the property. The other thing I have to say,
I read that report that my neighbor Mr. Bill
Swiskey has, and it is your report, and it
does show that if you include the
$20,000.00 for the membership, which certainly
should be part of the Tall Ship expense --
you couldn't have the Tall Ships unless you
joined the Tall Ships organization. It's
$20,000.00 to join the association. So
whether we use your figures and we made a
profit, or we use his figures, and we didn't

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make a profit. You just raised my taxes 2
percent, $5,000.00 is 25 percent of that tax
increase. You just borrowed $1.8 million
dollars to pay debts because you didn't have
the money, and you raised the taxes to set aside, future debt, and now you want the $5,000.00 for a party. I am going to lend my voice to the rest of the people. I don't think that is right.

MS. BURTON: -- Burton, 210 Main Street. I just wanted to thank you for the Tall Ships weekend. On behalf of my tenants and as a landlord, I think it was a really successful weekend. We all like that the streets were closed off. We thought it was fantastic. Our tenants did very well. I take their point about whether the Village made money or not, but certainly, I think the fact that unlike Pirate weekend or the Maritime Festival weekend, where we have outside vendors who don't have any vested interest in the Village or any stake in the Village and who don't care about what is going on here, selling the same kind of junk that they sell aware. It was such a difference to seek our
own merchants be able to exploit the time
for their own purposes and make money. It
was fun getting different kinds of hot dogs
from different vendors, as opposed from the
grouchy old guys that you can find at any
old street fair. So I would just like to
say, "Thank You." Hearing people talk about
the $5,000.00 party, from my perspective, I
would rather see the $5,000.00 rolled into
fixing some potholes. That would be nice,
or rolled into future Tall Ship enterprise.
I would encourage the Village to think about
closing the pedestrianing (sic) the streets
throughout the summer months. Certainly not
every single weekend, but every other month.
It would be nice. I think it is a little
extra effort for the merchants, but certainly
my tenants the opportunity and income, and as
their landlord, I am glad they're getting it.
The Tall Ships were really beautiful, and
thank you. It was a big effort. Thank you.

MAYOR NYCE: Is there anyone else that
wishes to address the Board, before we move
onto our regular agenda.

MR. WHITECORN: John Whitecorn, 75

Fifth Street. I am also opposed to the party
and the $5,000.00, and I think it could be
used for much better purposes. For our roads,
parks and our streets. I am also -- the
easement issue, I agree with Trustee Kempner
about that they do take this off and the
waterfront area, and being able to use it.
Maybe you should condemn the whole thing. If
that is possible to do legally, sounds like a
plan. Thank you very much.

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

(No Response.)

MAYOR NYCE: If not, we will move into
our regular agenda. Before we get into that,
I will give an explanation. Motion No. 21,
which potentially is to set aside $5,000.00
for a closing meeting at Mitchell Park, was
proposed by me as a thank you to the volunteers that spent that weekend slaving in the hot sun to make that event possible, and also as a give back to the Village residents. They didn't get a chance to use their own park that weekend. It was merely an idea brought by me. I assumed when I put the resolution on the agenda that I would be the only one voting for it. I don't think the $5,000.00 was going to be spent. It was an idea that I quoted at the work session. So that is the explanation on the genesis of that. I really do appreciate and understand people's concerns. That money is better spent other places. It was a windfall from that event, and I thought that was a way to say thank you to the volunteers. With that, I will offer a resolution.

RESOLUTION #6-2012-1 adopting the June, 2012 agenda as printed.
Trustee Hubbard: Second.

Trustee Kempner: I think there is some items in the budget that we need to talk about.

Mayor Nyce: They are?

Trustee Kempner: The one with the fund balance --

Mayor Nyce: The one for the repairs --

Trustee Kempner: No, I thought we were taking money out and moving it to one another because it shows only money in. So you're setting a line item for $19,000.00?

Mayor Nyce: Yes.

Mr. Naylor: That is an unexpected expense in an unexpected income. So they balance them self out. So the net should be zero, not $19,000.00.

Trustee Kempner: Right. That one and the Tall Ships, would make $41,000.00 into the expenditure account but again, it should be
negative, right?

MAYOR NYCE: Yes. So why don't we pull those two budget mod's until we get clarification.

TRUSTEE KEMPNER: There is no authorization to cut the checks until this is approved.

MAYOR NYCE: The Tall Ships revenue is a minus number. We're moving money from Tall Ships revenue to TA.7180 to Tall Ships Celebration Expense TA.7180.4. So it's a moving of $41,000.00 from Tall Ships Revenue into Tall Ships Celebration Expenses, and insurance the same. Insurance recoveries is a minus to a plus. So it's minus $9,777.13 from E.0268 and a plus into E.0742.110, which brings the total to a net of zero. With those two changes, I will amend my resolution to adopt the June, 2012 agenda with the two changes in the budget mods, budget mods for
insurance companies and the budget mods for Tall Ships. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: That is a second to the amend.

All those in favor of the amended?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: I make a resolution to approve the amended resolution. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

I will ask Trustee Kempner to read Resolution No. 2.

TRUSTEE KEMPNER: RESOLUTION #6-2012-2:

RESOLUTION ratifying the following, as already approved by the Board of Trustees at the work session meeting held on June 18, 2012:

RESOLUTION authorizing the Village of Greenport Tree Committee to submit a grant application to the New York State Department of Environmental Conservation, titled "Urban and Community Forestry Grant Program, Round 11", in an amount not to exceed $12,500 as a matching grant.

RESOLUTION allowing the hanging of a 3 foot X 20 foot banner on Front Street until end of September 2012, at a location to be determined by the Village of Greenport, for
Stirling Historical Society, to promote "The Whaling Ships of Greenport" exhibit at the June 25, 2012 Board Meeting

Ireland House.

RESOLUTION allowing the Director of Utilities to attend the Long Island Green Infrastructure Conference and Expo at Brookhaven National Laboratory on June 21, 2012, with the cost of $53.00 to be expensed from Line Item No. A.5110.450 (Miscellaneous Expense). So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.
TRUSTEE HUBBARD: RESOLUTION

#6-2012-3:
RESOLUTION accepting the monthly reports of the Greenport Fire Department, Village Clerk, Village Treasurer, Village Administrator, Director of Utilities, Village Attorney, Mayor and Board of Trustees. So moved.

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

TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: RESOLUTION #6-2012-4:
RESOLUTION amending the prior authorization to allow the Village of
Greenport Fire Department to solicit bids for
the purchase of twenty complete sets of
turn-out gear and further to direct Clerk
Pirillo to notice the bid accordingly. So
moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

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MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE PHILLIPS: RESOLUTION

#6-2012-5:

RESOLUTION authorizing Treasurer Kagel
to perform the attached budget modifications
for the following Departments: Fire, General,
TRUSTEE KEMPNER: Second.

TRUSTEE KEMPNER: I had a question on this. This includes the Tall Ships budget mods. It's rolled into one.

MAYOR NYCE: That would be under general.

TRUSTEE KEMPNER: I have no objection to some of the other small ones, but --

MAYOR NYCE: Any further discussion?

TRUSTEE KEMPNER: Does the attorney have anything to say?

MR. PROKOP: Was that a comment or a motion? If it's a comment, then we just move on. If it's a motion then we need to act on it.

TRUSTEE KEMPNER: Okay. Then I will make a motion to amend Resolution 2012-5 to separate out the Tall Ships budget mod for $41,000.00.

MAYOR NYCE: Is there a second to
amend?

(No Response.)

MAYOR NYCE: We have a motion on the table to "as printed." We have a second.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE KEMPNER: Nay.

MAYOR NYCE: Motion carries.

TRUSTEE KEMPNER: RESOLUTION #6-2012-6:

RESOLUTION approving the Public Assembly Permit application as submitted by George and Elaine Lazaridis, for the use of the Fifth Street Beach on July 1, 2012, from 12:00 to 5:00 P.M., for a graduation party.

So moved.
TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: RESOLUTION 

#6-2012-7:

RESOLUTION approving the following performance and payment schedule for the 2012 season of the "Dances in the Park" program:

July 2, 2012: No Request Band: $900.00,

July 9, 2012: The Rare Groove Band: $900.00,

July 16, 2012: Barking Men: $600.00,

July 23, 2012: Who Dat Loungers: $1,000.00,

July 30, 2012: Nina Etcetera: $700.00,
August 6, 2012: Winston Irie:
$1,200.00,

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August 13, 2012: The Craven Band:
$800.00,

August 20, 2012: X-Cession: $800.00

and,

August 27, 2012: Lone Sharks:

$1,000.00. So moved.

TRUSTEE MURRAY: Second.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: Seconded by Trustee Murray. As a note, I would like to thank the B.I.T for their contribution, and IGA for their contributions to this. This program is again being funded by contributions and not tax dollars. It's contributions raised from last years events, and from those that have stepped up to graciously fund it. I would like to send our thanks to them.

All those in favor?

TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

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MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: RESOLUTION #6-2012-8:

RESOLUTION approving the payment of $1,200.00 total to J.C. Productions, at $400.00 per night for July 23, 2012; August 6, 2012 and August 20, 2012 for technical and lighting support for the 2012 "Dances in the Park" season. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.
15 MAYOR NYCE: Aye.
16 Any opposed or abstentions?
17 (No Response.)
18 MAYOR NYCE: Motion carries.
19 TRUSTEE PHILLIPS: RESOLUTION
20 #6-2012-9:
21 RESOLUTION scheduling a public hearing
22 on July 23, 2012 at 6:00 P.M. at the Third
23 Street Firehouse, regarding the Wetlands
24 Permit Application as submitted by the Osprey
25 Zone, Inc., and directing Clerk Pirillo to
26 June 25, 2012 Board Meeting
27
28 notice same. So moved.
29 TRUSTEE HUBBARD: Second.
30 TRUSTEE PHILLIPS: I just have one
31 question on this. This public hearing, has
32 the CAC done their review since they changed
33 their application.
34 MAYOR NYCE: They have not. The
35 application has not been submitted yet. They
36 just ask that we change the CAC voted in by
37 prior resolutions to the findings, at least
two weeks prior to the public hearing.

TRUSTEE PHILLIPS: Okay. Thanks.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE KEMPNER: RESOLUTION #6-2012-10:

RESOLUTION scheduling the Annual Greenport Skate Park Festival on

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August 11, 2012, with a rain date of

August 12, 2012; and approving the use of the Polo Grounds on Moore's Lane for that purpose.

So moved.

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

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: RESOLUTION #6-2012-11:

RESOLUTION approving the Public Assembly Permit Application as submitted by Kefalos Association of New York, for the use of Mitchell Park on August 18, 2012 from 12:00 noon to 10:00 P.M., for a celebration of Greek culture. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: I want to stipulate for the record, as we discussed during our work session, what that celebration is going to
include so that it is in our minutes. There
will be a stage set up in the amphitheater
for music and dance demonstrations and a
comedy performance. There will be dancing.
There will be bands performing in front of
that stage in the amphitheater. There will
be (1) 20x20 tent, (2) 10x10 tents. The 20x20
tent will have food, not prepared on site and
for take away. The two 10x10 tents will have
souvenir sales. There will be no alcohol at
this event. And that is as I understand it.
In dealing with that, they asked to hang two
banners across Main and Front Street.

TRUSTEE MURRAY: Did they say what
kind of food they would be selling?

MAYOR NYCE: It's all Greek food.
It's specialty Greek food. Most of the food
will be already prepared food. It is also
specialty foods that you can not get in the
area. They will be preparing some food at the
church and bringing steam trays to keep the
food hot for people to eat on site.

TRUSTEE PHILLIPS: I just have a
question. Are they having any events at the

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church on that day?

MAYOR NYCE: Majority of that Saturday

is going to be at Mitchell Park. I think we

basically set aside some ground rules that

every one can work within. I am hoping that

this will be a successful event.

TRUSTEE MURRAY: I would like to make

a comment. I feel that these are some of the

things that we have turned down in the past,

and this would be against our policy with

competition in the park, and sales, if we

allow this, we need to get ready to set aside

every Saturday night having something on

there.

MAYOR NYCE: Any further questions or

comments?

(No Response.)

MAYOR NYCE: I will call a vote.

All those in favor?
TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

MAYOR NYCE: Aye. I am in favor as well.

Any those opposed?

TRUSTEE MURRAY: Aye.

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TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Motion carries, 3-2.

TRUSTEE MURRAY: RESOLUTION #6-2012-12:

RESOLUTION authorizing Mayor Nyce to sign Change Order Numbers 01B, 03B, 04C, 01E, and 01F for the Power Plant Project, for Task B, Task C, Task E and Task F. These change orders involve an extension of time only, and no increase in monetary value. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.
TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE PHILLIPS: RESOLUTION

#6-2012-13:

RESOLUTION authorizing Director of Utilities Naylor and Village Administrator Abatelli to prepare and submit the following

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grant applications:

To the New York State Environmental Facilities Corporation Green Storm Water Program, for up to three Storm Water Projects from among the Permeable Pavements, Bio-Retention and Wetland Restoration categories with the required signed and sealed Engineering Feasibility Reports to be provided by Dvirka and Bartilucci, P.C., at a cost not to exceed $3,500.00 total.
To the New York State Department of Environmental Conservation for planning projects for the expansion of the Village of Greenport Sewer District into areas where such expansion is deemed to be feasible, and only when associated costs are strictly within the dollar limit of corresponding grant.

To the New York State Department of State for a feasibility study for the replacement of the bulkhead at Mitchell Park, at an engineering cost not to exceed $2,000.00.

To the New York State Office of Parks, Recreation and Historic Preservation to assess the condition of a number of Village-owned historic properties, at a professional assistance cost not to exceed $3,000.00.

To the New York State Community Development Program for the repair of sewers and drainage areas within the Village, with the application to be prepared by an outside
consultant as a cost not to exceed $10,000.00.

So moved.

TRUSTEE MURRAY: Second.

TRUSTEE KEMPNER: I am going to ask that if we can split these. I think they are all very good projects but they don't necessarily apply to each agency as this is set up. So we're actually applying to each agency.

MAYOR NYCE: Absolutely. I think that was the intent. Maybe it makes sense to take these one at a time. Do the Storm Water is going to be split amongst the bond because it affects sewer, water and electric. The sewer would come out of the sewer fund. The $2,000.00 from Mitchell Park would come out of marina. Office and Park would come out of Park line. The $10,000.00 would come out of -- let's split that amongst Utilities as well.

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I will offer a RESOLUTION authorizing
Director of Utilities Naylor and Village Administrator Abatelli to prepare and submit the following grant applications:

The New York State Environmental Facilities Corporation Green Storm Water Program, for up to three Storm Water Projects among the Permeable Pavements, Bio-Retention and Wetland Restoration categories with the required signed and sealed Engineering Feasibility Reports to be provided by Dvirka and Bartilucci, P.C., at a cost not to exceed $3,500.00 total. Total expense to be split amongst the funds. So moved.

DR. TROWBRIDGE: Is there a motion on the floor that has been seconded?

TRUSTEE PHILLIPS: That is what I was just going to say. This was just an amendment.

MAYOR NYCE: Chris, you read that last one?

TRUSTEE PHILLIPS: No, I did.

TRUSTEE MURRAY: And I seconded.

MAYOR NYCE: Trustee Philips, if you
want to offer a motion to rescind, then I can
go through these all at one time or we can
just amend --

TRUSTEE PHILLIPS: Yes, why don't we
just amend. That is what I was going to say.
I don't think we need to have any comments
from the public telling us what to do.

MAYOR NYCE: I will ask the public to
allow us to do our job. Thank you. Please.
Thank you.

I will offer a RESOLUTION to amend
Trustee Philips motion to add where the
expenses are to be placed. I will offer a
motion to amend. Is there a second?

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor of the
motion to amend?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: I will read the motion as amended for the record, and I will offer this motion, RESOLUTION #6-2012-13:

RESOLUTION authorizing Director of Utilities Naylor and Village Administrator Abatelli to prepare and submit the following grant applications:

To the New York State Environmental Facilities Corporation Green Storm Water Program, for up to three Storm Water Projects from among the Permeable Pavements, Bio-Retention and Wetland Restoration categories with the required signed and sealed Engineering Feasibility Reports to be provided by Dvirka and Bartilucci, P.C., at a cost not to exceed $3,500.00 total, split amongst the funds.
To the New York State Department of Environmental Conservation for planning projects for the expansion of the Village of Greenport Sewer District into areas where such expansion is deemed to be feasible, and only when associated costs are strictly within the dollar limit of corresponding grant, any expenses to be coming from the Sewer Fund.

To the New York State Department of State for a feasibility study for the

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replacement of the bulkhead at Mitchell Park, at an engineering cost not to exceed $2,000.00, to be expensed from the Marina line item.

To the New York State Office of Parks, Recreation and Historic Preservation to assess the condition of a number of Village-owned historic properties, at a professional assistance cost not to exceed $3,000.00. To be expenses from the Park line item.

To the New York State Community
Development Program for the repair of sewers and drainage areas within the Village, with the application to be prepared by an outside consultant at a cost not to exceed $10,000.00. The expense to be split amongst the Utilities Fund. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

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(No Response.)

MAYOR NYCE: That amended motion carries.

TRUSTEE KEMPNER: RESOLUTION #6-2012-14:

RESOLUTION authorizing Director of
Utilities Naylor to solicit bids for the removal of debris at the Village of Greenport location known as "the brush yard", and to direct Clerk Pirillo to notice the bid accordingly. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: RESOLUTION #6-2012-15:

RESOLUTION ratifying the hiring of Ben Hallock and Scott DeLong at $7.25 per hour as seasonal, part-time Marina/Park attendants, effective June 9, 2012. So moved.
TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: RESOLUTION #6-2012-16:

RESOLUTION ratifying the hiring of Danielle Depalma at $8.50 per hour as seasonal, part-time Carousel Cashier; and Evan Van Duzer, Julia Orlando and Meghan Murray at $7.25 per hour as seasonal, part-time Carousel staff, effective June 22, 2012. So moved.

TRUSTEE PHILLIPS: I will second that, but I think Member Murray is related to one of the persons. Should he read that resolution?

MAYOR NYCE: He can read the resolution, but he will have to abstain.
There is a motion and has been seconded by Trustee Philips.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Trustee Murray is abstaining. Motion carries.

TRUSTEE PHILLIPS: RESOLUTION #6-2012-17:

RESOLUTION authorizing the hiring of Janet Bellezza and Corie Clark as seasonal, part-time Summer Camo Counselors at $8.00 per hour; and Margarite Yuelys as Recreation Center Swimming Instructor and secondary 5th Street Beach Lifeguard at $12.00 per hour; and Brenton Gross as primary 5th Street Beach
Lifeguard at $12.00 per hour. All above mentioned hiring's are effective June 22, 2012. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

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TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: RESOLUTION #6-2012-18:

RESOLUTION by the Board of Trustees adopting the annexed resolution regarding SEQRA, whereby the Board of Trustees adopts lead agency status for purposes of SEQRA with regard to the approval and execution of the proposed Conservation Easement for the
Exxon-Mobil property on Fourth Street,
designating the adoption of the Easement
agreement, as an unlisted action for purposes
of SEQRA, and determining that the adoption
and execution of the Conservation Easement
will not have a significant impact on the
environment, and adopting a Negative
Declaration for purposes of SEQRA. So
moved.

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TRUSTEE PHILLIPS:  Second.

MAYOR NYCE:  Any discussion on the
motion?

(No Response.)

MAYOR NYCE:  All those in favor?

TRUSTEE KEMPNER:  Aye.

TRUSTEE HUBBARD:  Aye.

TRUSTEE MURRAY:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?
MAYOR NYCE: Motion carries.

TRUSTEE HUBBARD: RESOLUTION #6-2012-19:

RESOLUTION approving the proposed conservation easement between the Village of Greenport, the Town of Southold and the Peconic Land Trust for Exxon-Mobil property on Fourth Street in the Village of Greenport. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: Any discussion on this motion?

(No Response.)

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MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE KEMPNER: I will abstain.
MAYOR NYCE: 4 in the affirmative and
one in abstention. Motion carries.

TRUSTEE MURRAY: RESOLUTION

#6-2012-20:

RESOLUTION approving the Pilot
Agreement between the Village of Greenport and
the Peconic Bay Water Jitney, for the use of
Village property for docking only, and to
authorize Mayor Nyce to sign and execute the
Pilot Agreement. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: By way of discussion, the
only discussion that we have had with Peconic
Bay Jitney is the loading and unloading of
passengers. It is not for overnight docking.
And this offer of a resolution should be no
way in construed as additional privileges for
them to dock overnight. The agreement that
you would be signing only has them for loading
and unloading of passengers.
TRUSTEE PHILLIPS: Can I ask a question? Have they made other arrangements since their request?

MAYOR NYCE: No, I have heard nothing back since my e-mail to them. So I have to assume that they have made other arrangements to dock the boat overnight, and if not, there will be some sort of subsequent agreement. This agreement is strictly for the loading and unloading of passengers.

TRUSTEE PHILLIPS: Okay.

TRUSTEE KEMPNER: Is this the same agreement that we have seen?

MAYOR NYCE: The same agreement.

TRUSTEE KEMPNER: Is there a reason why it is not attached?

MAYOR NYCE: No.

TRUSTEE KEMPNER: I mean, I have no problem with it overnighting there with the things that we discussed. I just want to make sure that I am approving --

MAYOR NYCE: You are approving the one that you have seen. I have not heard back
from them. So any additional negotiations would have to happen outside of that.

TRUSTEE KEMPNER: I was just asking.

MAYOR NYCE: Understood. I actually have not heard anything additional from there. Otherwise, there would be additional monies and so forth. This is just for loading and unloading of passengers. If they want to amend it later, they can amend it later. Perhaps have a subsequent agreement.

TRUSTEE KEMPNER: Is there a copy that the attorney has that we can put on record?

MR. PROKOP: There is a copy on record at the Clerk's Office. It was distributed last week.

MAYOR NYCE: We will attach a copy with the minutes. Any further discussion?

(No Response.)

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.
TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE KEMPNER: I am actually going to abstain. There was one change that I asked the attorney to make, that you agreed you were going to make?

MR. PROKOP: I'm sorry, what was the change?

TRUSTEE KEMPNER: Acts or omissions by the Village to make our indemnification.

MR. PROKOP: I will make that change.

TRUSTEE KEMPNER: That should be included.

MAYOR NYCE: That motion carries, 4 in the affirmative and one abstained.

TRUSTEE PHILLIPS: RESOLUTION #6-2012-21:

RESOLUTION authorizing Mayor Nyce to
schedule a closing meeting and celebration at Mitchell Park, utilizing up to $5,000.00 from the Tall Ships event line item, with the date and time to be announced. So moved.

TRUSTEE KEMPNER: Second.

TRUSTEE PHILLIPS: Dave, I in all honesty think that if anyone is going to be forking any money to celebrate the Tall Ships and to thank the residents and the business community to have a great weekend, I think it's them, that the business community to be giving back to the residents, for the crowding, parking issues and giving back to the Town. I think if any excess funding coming from that should be put, as one of the residents said, to some portion to hold another event down the road or infrastructure. I think it is the business community should be funding this to give back to the residents for their support.

TRUSTEE KEMPNER: I would just like to
say that I think we did a very excellent job of throwing an event. It was very difficult. I think to give back to all the volunteers and as I understand what you intended to do here and give back, it's very valid. It was a great event and you did do a very good job organizing it. I just don't think that we should be taking the funds and throwing a party.

MAYOR NYCE: If there was an overage that it would be put into debt. When we have that exact number, I will bring that number back to the Board and we can determine where we want to put that number. We will see what is overage to pay down debt. So we may do that. We may do put that towards debt. I understand and I appreciate the comments. As I said, this was an idea, and understand that this is likely not to pass, and I am fine with that. So be it. With that, I will ask that
if there is anyone that is in favor of this 
motion other than myself?

(No Response.)

MAYOR NYCE: No. So I am just going 
to say one in the affirmative and four in the 
negative. And that motion does not carry.

TRUSTEE KEMPNER: RESOLUTION

#6-2012-22:

RESOLUTION approving all checks over 
the Voucher Summary Report dated 
June 21, 2012, in the total amount of 
$462,332.42 consisting of: All regular checks 
in the amount of $327,082.1. All prepaid 
checks in the amount of $135,245.21. So 
moved.

TRUSTEE HUBBARD: Second.

TRUSTEE PHILLIPS: Second it, and I 
would like to make a comment.

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MAYOR NYCE: Seconded by Trustee 
Hubbard.

TRUSTEE PHILLIPS: I would like to
make a clarification as to one of the comments that was made during the public section for one of the abstract and one of the vendors that we were paying. That is not towards investigating employees. This has been moving around Town since the abstract was a draft form. That has been used to serve notices on several of the lawsuits, which if some of the other Trustees will remember during the work session that I asked, that we have some type of a meeting to discuss what's going on with those fees. That those fees were -- some of these were for the DEC and on a variety of other things. So I just wanted to make a clarification on that, it was not for servicing on employees.

      MAYOR NYCE: Thank you.

      MAYOR NYCE: Any further discussion on the motion?

      (No Response.)

      MAYOR NYCE: All those in favor?

      TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE KEMPNER: I am going to abstain.

(No Response.)

MAYOR NYCE: Motion carries. That is four in he affirmative and one abstention.

And at 7:04, I will offer a motion to adjourn.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILIPS: Aye.

MAYOR NYCE: Aye.

We're adjourned. Thank you.

(Whereupon, the meeting concluded.)
CERTIFICATION

STATE OF NEW YORK

) SS:

COUNTY OF SUFFOLK

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

THAT, the above and foregoing contains a true and correct transcription of the proceedings, all of which occurred in open court or in chambers, and were reported by me.

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

IN WITNESS WHEREOF, I have hereunto set my
hand this day, July 5, 2012.

(Jessica DiLallo)