

1 VILLAGE OF GREENPORT
2 COUNTY OF SUFFOLK STATE OF NEW YORK
3 -----X

3 VILLAGE OF GREENPORT
4 BOARD OF TRUSTEES
5 -----X

6
7 Third Street Firehouse
8 Greenport, New York

9 June 25, 2012
10 6:00 P.m.

- 11 B E F O R E:
- 12 DAVID NYCE - MAYOR
 - 13 GEORGE HUBBARD JR. - TRUSTEE
 - 14 CHRIS KEMPNER - TRUSTEE
 - 15 DAVID MURRAY - TRUSTEE
 - 16 MARY BESS PHILLIPS - TRUSTEE
 - 17 SYLVIA LAZZARI PIRILLO - CLERK
 - 18 JOSEPH PROKOP - VILLAGE ATTORNEY

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1 MAYOR NYCE: Just a couple of
2 announcements before we begin with the public
3 portion of the meeting. There are no public
4 hearings tonight. Is first announcement is
5 that Hurricane season is upon us. Please have
6 a plan for your personal safety and that of
7 your family members. Also, Please note that
8 Suffolk County Joint Emergency Evacuation
9 Program number is via FRES at 852-4900, that
10 is 631, and also 631-853-8333. That is for
11 the Office with People with Disabilities. We
12 encourage that anyone you know including your
13 family in need of medical assistance during an
14 emergency or needs some sort of ambulatory
15 service, you should contact those numbers, as
16 soon as possible to make sure that they're on

17 the list. The next announcement is that
18 Dances in the Park program will begin next
19 Monday, the 2nd of July. The schedule is
20 available on the Village website at
21 www.villageofgreenport.org. We would also
22 like to encourage everyone to create a Fire
23 Safety program for their family for this
24 upcoming summer season. Please be sure to
25 check your batteries in your smoke and CO

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1 detectors. With that, I will turn it over and
2 ask if there is anyone that wishes to address
3 the Board, you can do so at this time.

4 MR. SWISKEY: William Swiskey, 184
5 Fifth Street. I see you got on the agenda
6 here \$5,000.00 for a party, and that's
7 predicated that you made money, but I got the
8 expenses and revenue ledger from your event,
9 and Mr. Mayor, I think you're incorrect when
10 you said that we made money, because basically
11 you got \$211,000 in income, you should
12 \$198,000.00 in expenses, but you left some

13 items off there. Like \$20,000.00 it costs to
14 join the American Tall Ships Association. I
15 see no money for barricades. I see nothing on
16 here for flags. I know you bought flags. I
17 got the timecards here and the overtime, and
18 it has to be chargeable to this event. Not
19 the department. I think it had to be at least
20 \$10-\$15,000.00 overtime. I think you might be
21 negative by \$20,000.00. So I really wouldn't
22 be scheduling a party on a profit that doesn't
23 even exist. I mean, these are your numbers,
24 not mine. So it's up to you, but I would be a
25 little weary about that. I have an item here,

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1 because I got the abstracts on a regular
2 basis. It seems that we paid Profile
3 Investigations -- we hired a private
4 investigator for -- looks like every
5 department including the fire department for a
6 total of about \$1240.00. Now Profiling
7 Investigations is a company that specializes

8 on spying of the employees. Tell me it ain't
9 so?

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

12 MS. KAPPELL: Eileen Kapell, 225 Fourth
13 Street, Greenport, New York. I would also
14 like to express my dismay of throwing a party
15 after a party. We just had a great party. It
16 was fantastic. If we made any money, and I am
17 assuming this is truthful, we did make money,
18 it should be spent on things that need to be
19 taken care of in the Village. I mean, I am
20 assuming most of you go down First Street, it
21 looks like Bayroot. If you have \$5,000.00 to
22 throw a party, how many potholes would that
23 \$5,000.00 fill? I think it was a great
24 party. At the festival everyone had a great
25 time, but the party is now over. It's time

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1 to take care of some of the needs of the
2 Village.

3 DR. TROWBRIDGE: I am Dr. Richard

4 Trowbridge. I have apprised both attorneys at
5 the front desk that there are laws that are
6 being broken, and nothing us being done to
7 rectify that situation, that I know of. Here
8 is another one. Public Office Law Article VI
9 Section 873-b, says each agency shall maintain
10 a record setting forth the name, public office
11 address title, salary, of every officer or
12 employee of the agency. I asked for that
13 list, and the Village Clerk wrote to me that
14 the Village of Greenport does not have a
15 document in its possession, which is
16 responsive to your request. I appealed that
17 decision of the Board's decision to Attorney
18 Prokop. Attorney Prokop said the same thing.
19 Believe me, I wouldn't be asking for documents
20 that aren't public records. There is really
21 no reason why the public can not have access
22 to these records unless you, the Board, say
23 that they shouldn't be available. So you, as
24 Board members, have to start making a
25 determination as to what you are going to make

1 available and what you are not, and put it
2 in print. If you continue with this abuse of
3 Freedom of Information Law and Open Meetings
4 Law someone is going to get their gander up
5 again, and take you back in Supreme Court
6 again, and sue you. And the second time, I
7 almost guarantee you, the judge is going to
8 come back at you and slap you. And they
9 will put a watch dog on you. I am serious
10 about this. This law was designed for the
11 public because the government is for the
12 people. And if you people on the Board
13 don't understand that, you have to go back
14 to school. If you don't understand the
15 Freedom of Information Law, ask me where you
16 can download a copy of it, and I would be
17 very anxious to give you a copy. It's very
18 easy. Eight pages. It's easy to print up
19 and it's very easy to read. There is really
20 no reason why you as Board members, can't
21 understand what this law is all about.

22 Stop relying upon an attorney and a clerk to
23 tell you what it's about, because they don't
24 know what they're talking about. Again,
25 it's arbitrary and capricious, an

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1 application of your understanding of the
2 law. And you have an attorney that is
3 supporting that arbitrary and capricious act.
4 And I am shocked at your Mr. Prokop. You
5 should know this law backwards and forwards.
6 This should be as clear as the back of your
7 hand. The same with the Open Meeting Law,
8 and for you to tell me that that document
9 doesn't exist and to support the Village in
10 that position, is a violation of the law.

11 MR. STRANGE: Harvey Strange, Village
12 of Greenport, residing 221 North Street,
13 corner of North and Third. A few days ago, I
14 got a notice in the mail about grass
15 clippings. And we have been doing that
16 clean-up in our yards and putting that stuff
17 on the road forever, and here you got some

18 news that we got to dump Tuesday and this and
19 that. Well, a lot of times, I see them pass
20 by the house with an empty truck. You got an
21 empty truck, throw them on the truck. You
22 got a big machine coming around. It's true,
23 you got a lot of stuff out there, but what I
24 supposed to do? Clean-up and put it back in
25 the yard and wait. I am on the corner of

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

6 RESOLUTION #6-2012-1 they take care of
7 the cemetery up there. How many men it take
8 to send up there? I mean, it don't even make
9 no sense to me. Like I was saying, I am going
10 to be keep on cleaning up and putting it
11 across the street, like I been doing for the
12 last hundred years. I mean, why change all

13 this now? You got all these Guatemalans out
14 here running these trucks and cleaning up, and
15 putten them in bags and dumping them by the
16 trail. I told Dave about it. I told Jack
17 about it. What you got to do about that?
18 They come into the Village of Greenport and do
19 this. You guys should be doing something
20 about that. The empty lot across from me,
21 looks like a jungle up in there. What you
22 going to do about that. Pretty soon you going
23 to have mice and raccoons up in there and
24 muskrats. When he going to cut that? How
25 much did he get fined for that? How long I

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1 got to keep looking at that. What about the
2 one that got a black piece of tarp up on their
3 house. How long I got to keep looking at
4 that? It looking like a dump. I was telling
5 Dave about it. Another one across the street
6 with the hedge. Not cutting it down. I go
7 over there and "Me no speak no English." You
8 live there don't you? Cut the hedge. But you

9 got that slum landlord up there that tell them
10 what they got to do and they don't do nothing.
11 It's getting to a point where it's ridiculous.
12 Right by me again, there is a tan colored
13 pick-up truck. Every time I come around, he's
14 parked there. It's hard for me and the wife
15 to back out of there. Them kids come down
16 that sidewalk, must be doing about 25 miles
17 and hour, almost got them. If the vehicle
18 make a right-hand turn, it would have wiped
19 them out. What about the sign no parking,
20 people be parking. Sterling Street is loaded
21 with them. Fifth Avenue, got one, where keep
22 from parking, but it's covered. So if a kid
23 get hit there, who is liable for it? Not me,
24 because you have been told. We're getting a
25 point where this is ridiculous. I am getting

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1 sick and tired of it. So I don't know what
2 you going to be doing about these grass
3 clipping but I am going to keep on doing what

4 I been doing. What do I pay \$832.48 taxes for
5 on that corner? Where are they going? Am I
6 paying for nothing? You know, someone start
7 doing stuff. Someone riding around in a
8 pick-up truck with a polo shirt on, and talk
9 junk. Come on now, for crying out loud. I
10 got to work my tail off. I tell you what, not
11 no more. I tell you that right now. Get your
12 business straight, because it's going to be
13 more cars up in that street. I don't need
14 none of this. This is ridiculous.

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

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

24 MAYOR NYCE: We're waiting for some
25 additional monies to come in, and

1 sponsorships, but in all total, it's around
2 \$20,000.00, as a net.

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

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

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

23 do it. Thank you.

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

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1 question. I have a statement about
2 Resolution No. 19. As you have, I have been
3 to every work session meeting where this was
4 discussed. I understand the Board's position,
5 you can't decide who Mobil gets the land.
6 We all understand it. My comment is more --
7 first I think you should vote, no. You
8 said at the work session, it's a no cost
9 item to vote yes. Well, it's a no cost
10 item to vote no. It also shows a lot of
11 peoples displeasure with Mobil, with the
12 Town and with the Peconic Land Trust. The
13 Village is losing \$3,000.00. The schools
14 are losing estimates of somewhere's between
15 \$11,000.00 and \$16,000.00, and the Town loses
16 \$3,000.00. Peconic Land Trust gets the land.
17 It's a two acre lot in Greenport with a six

18 foot barbwire cyclone fence around it. How
19 does that -- how is the population of
20 Greenport not going to be able to use? I
21 think the Peconic Land Trust is being a
22 little self-serving. They don't care about
23 the Village. They don't care about the
24 school. I am not sure if they care about
25 the Town or not. It seems they care more

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1 about Peconic Land Trust. That is a fenced
2 in lot in the middle of Greenport. It can
3 serve anybody's purpose. If we are to
4 believe the Peconic Land Trust, Mobil Oil,
5 DEC, that the land is clear, and doesn't
6 contain any contaminants, then why can't it
7 be for public use? Their statement was,
8 perhaps sometime in the future, they will
9 take the fence down for passover recreation.
10 That's sounds like a pretty vague promise.
11 If we're going to lose the tax dollars, then
12 why can't we use the property. Take the
13 fence down, put a bench in. Mow the lawn

14 there. Let people have a picnic there. If
15 we were to believe them, we believe that the
16 land is clear. If they don't want to do that
17 for a different reason, then perhaps that
18 should be discussed. But I think the
19 Peconic Land Trust is not looking out for
20 anybody other than the Peconic Land Trust,
21 and I again, it's true, Mobil, can give the
22 property to whomever they want, but you
23 don't have to approve this. You don't have
24 to say yeah, it's okay, because it's not okay.
25 It's \$20,000.00 that someone is losing. You

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1 know Mobil can do what they want. They're
2 giving the property away to relieve them
3 self of the tax burden and that is business.
4 They can do that, but your neighbor, Southold
5 Town and Peconic Land Trust shouldn't profer
6 at our expense. They shouldn't get something
7 at our expense. They should look out for us,
8 they should say, we're going to lose the tax

9 dollars, but we should be able to use the
10 land. I don't understand the argue about
11 keeping the fence up. Perhaps, if you chose
12 to explain this later, I don't know. I was at
13 every meeting. I heard their explanations.
14 It doesn't make any sense why they could use
15 the property. The other thing I have to say,
16 I read that report that my neighbor Mr. Bill
17 Swiskey has, and it is your report, and it
18 does show that if you include the
19 \$20,000.00 for the membership, which certainly
20 should be part of the Tall Ship expense --
21 you couldn't have the Tall Ships unless you
22 joined the Tall Ships organization. It's
23 \$20,000.00 to join the association. So
24 whether we use your figures and we made a
25 profit, or we use his figures, and we didn't

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1 make a profit. You just raised my taxes 2
2 percent, \$5,000.00 is 25 percent of that tax
3 increase. You just borrowed \$1.8 million
4 dollars t pay debts because you didn't have

5 the money, and you raised the taxes to set
6 aside, future debt, and now you want the
7 \$5,000.00 for a party. I am going to lend my
8 voice to the rest of the people. I don't
9 think that is right.

10 MS. BURTON: -- Burton, 210 Main
11 Street. I just wanted to thank you for the
12 Tall Ships weekend. On behalf of my tenants
13 and as a landlord, I think it was a really
14 successful weekend. We all like that the
15 streets were closed off. We thought it was
16 fantastic. Our tenants did very well. I take
17 their point about whether the Village made
18 money or not, but certainly, I think the fact
19 that unlike Pirate weekend or the Maritime
20 Festival weekend, where we have outside
21 vendors who don't have any vested interest in
22 the Village or any stake in the Village and
23 who don't care about what is going on here,
24 selling the same kind of junk that they sell
25 aware. It was such a difference to seek our

1 own merchants be able to exploit the time
2 for their own purposes and make money. It
3 was fun getting different kinds of hot dogs
4 from different vendors, as opposed from the
5 grouchy old guys that you can find at any
6 old street fair. So I would just like to
7 say, "Thank You." Hearing people talk about
8 the \$5,000.00 party, from my perspective, I
9 would rather see the \$5,000.00 rolled into
10 fixing some potholes. That would be nice,
11 or rolled into future Tall Ship enterprise.
12 I would encourage the Village to think about
13 closing the pedestrianing (sic) the streets
14 throughout the summer months. Certainly not
15 every single weekend, but every other month.
16 It would be nice. I think it is a little
17 extra effort for the merchants, but certainly
18 my tenants the opportunity and income, and as
19 their landlord, I am glad they're getting it.
20 The Tall Ships were really beautiful, and
21 thank you. It was a big effort. Thank you.

22 MAYOR NYCE: Is there anyone else that

23 wishes to address the Board, before we move
24 onto our regular agenda.

25 MR. WHITECORN: John Whitecorn, 75

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

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

13 (No Response.)

14 MAYOR NYCE: If not, we will move into
15 our regular agenda. Before we get into that,
16 I will give an explanation. Motion No. 21,
17 which potentially is to set aside \$5,000.00
18 for a closing meeting at Mitchell Park, was

19 proposed by me as a thank you to the
20 volunteers that spent that weekend slaving in
21 the hot sun to make that event possible, and
22 also as a give back to the Village residents.
23 They didn't get a chance to use their own park
24 that weekend. It was merely an idea brought
25 by me. I assumed when I put the resolution on

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1 the agenda that I would be the only one voting
2 for it. I don't think the \$5,000.00 was going
3 to be spent. It was an idea that I quoted at
4 the work session. So that is the explanation
5 on the genesis of that. I really do
6 appreciate and understand people's concerns.
7 That money is better spent other places. It
8 was a windfall from that event, and I thought
9 that was a way to say thank you to the
10 volunteers. With that, I will offer a
11 resolution.

12 RESOLUTION #6-2012-1 adopting the
13 June, 2012 agenda as printed.

14 TRUSTEE HUBBARD: Second.

15 TRUSTEE KEMPNER: I think there is
16 some items in the budget that we need to talk
17 about.

18 MAYOR NYCE: They are?

19 TRUSTEE KEMPNER: The one with the
20 fund balance --

21 MAYOR NYCE: The one for the repairs
22 --

23 TRUSTEE KEMPNER: No, I thought we
24 were taking money out and moving it to one
25 another because it shows only money in. So

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1 you're setting a line item for \$19,000.00?

2 MAYOR NYCE: Yes.

3 MR. NAYLOR: That is an unexpected
4 expense in an unexpected income. So they
5 balance them self out. So the net should be
6 zero, not \$19,000.00.

7 TRUSTEE KEMPNER: Right. That one and
8 the Tall Ships, would make \$41,000.00 into the
9 expenditure account but again, it should be

10 negative, right?

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

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

17 MAYOR NYCE: The Tall Ships revenue is
18 a minus number. We're moving money from Tall
19 Ships revenue to TA.7180 to Tall Ships
20 Celebration Expense TA.7180.4. So it's a
21 moving of \$41,000.00 from Tall Ships Revenue
22 into Tall Ships Celebration Expenses, and
23 insurance the same. Insurance recoveries is a
24 minus to a plus. So it's minus \$9,777.13 from
25 E.0268 and a plus into E.0742.110, which

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1 brings the total to a net of zero. With those
2 two changes, I will amend my resolution to
3 adopt the June, 2012 agenda with the two
4 changes in the budget mods, budget mods for

5 insurance companies and the budget mods for
6 Tall Ships. So moved.

7 TRUSTEE HUBBARD: Second.

8 MAYOR NYCE: That is a second to the
9 amend.

10 All those in favor of the amended?

11 TRUSTEE KEMPNER: Aye.

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE MURRAY: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 MAYOR NYCE: Aye.

16 Any opposed or abstentions?

17 (No Response.)

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

20 TRUSTEE HUBBARD: Second.

21 MAYOR NYCE: All those in favor?

22 TRUSTEE KEMPNER: Aye.

23 TRUSTEE HUBBARD: Aye.

24 TRUSTEE MURRAY: Aye.

25 TRUSTEE PHILIPS: Aye.

1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No Response.)

4 MAYOR NYCE: Motion carries.

5 I will ask Trustee Kempner to read

6 Resolution No. 2.

7 TRUSTEE KEMPNER: RESOLUTION

8 #6-2012-2:

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

13 RESOLUTION authorizing the Village of
14 Greenport Tree Committee to submit a grant
15 application to the New York State Department
16 of Environmental Conservation, titled "Urban
17 and Community Forestry Grant Program, Round
18 11', in an amount not to exceed \$12,500 as a
19 matching grant.

20 RESOLUTION allowing the hanging of a
21 3 foot X 20 foot banner on Front Street until
22 end of September 2012, at a location to be
23 determined by the Village of Greenport, for

24 Stirling Historical Society, to promote "The
25 Whaling Ships of Greenport" exhibit at the

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1 Ireland House.

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

9 TRUSTEE HUBBARD: Second.

10 MAYOR NYCE: All those in favor?

11 TRUSTEE KEMPNER: Aye.

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE MURRAY: Aye.

14 TRUSTEE PHILIPS: Aye.

15 MAYOR NYCE: Aye.

16 Any opposed or abstentions?

17 (No Response.)

18 MAYOR NYCE: Motion carries.

19 TRUSTEE HUBBARD: RESOLUTION
20 #6-2012-3:
21 RESOLUTION accepting the monthly
22 reports of the Greenport Fire Department,
23 Village Clerk, Village Treasurer, Village
24 Administrator, Director of Utilities, Village
25 Attorney, Mayor and Board of Trustees. So

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1 moved.

2 TRUSTEE PHILLIPS: Second.

3 MAYOR NYCE: All those in favor?

4 TRUSTEE KEMPNER: Aye.

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE PHILIPS: Aye.

8 MAYOR NYCE: Aye.

9 Any opposed or abstentions?

10 (No Response.)

11 MAYOR NYCE: Motion carries.

12 TRUSTEE MURRAY: RESOLUTION #6-2012-4:

13 RESOLUTION amending the prior

14 authorization to allow the Village of

15 Greenport Fire Department to solicit bids for
16 the purchase of twenty complete sets of
17 turn-out gear and further to direct Clerk
18 Pirillo to notice the bid accordingly. So
19 moved.

20 TRUSTEE PHILLIPS: Second.

21 MAYOR NYCE: All those in favor?

22 TRUSTEE KEMPNER: Aye.

23 TRUSTEE HUBBARD: Aye.

24 TRUSTEE MURRAY: Aye.

25 TRUSTEE PHILIPS: Aye.

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1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No Response.)

4 MAYOR NYCE: Motion carries.

5 TRUSTEE PHILLIPS: RESOLUTION

6 #6-2012-5:

7 RESOLUTION authorizing Treasurer Kagel

8 to perform the attached budget modifications

9 for the following Departments: Fire, General,

10 Road, Electric, and Sewer. So moved.

11 TRUSTEE MURRAY: Second.

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

15 MAYOR NYCE: That would be under
16 general.

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

19 MAYOR NYCE: Any further discussion?

20 TRUSTEE KEMPNER: Does the attorney
21 have anything to say?

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

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1 TRUSTEE KEMPNER: Okay. Then I will
2 make a motion to amend Resolution 2012-5 to
3 separate out the Tall Ships budget mod for
4 \$41,000.00.

5 MAYOR NYCE: Is there a second to

6 amend?

7 (No Response.)

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

10 All those in favor?

11 TRUSTEE HUBBARD: Aye.

12 TRUSTEE MURRAY: Aye.

13 TRUSTEE PHILIPS: Aye.

14 MAYOR NYCE: Aye.

15 Any opposed or abstentions?

16 TRUSTEE KEMPNER: Nay.

17 MAYOR NYCE: Motion carries.

18 TRUSTEE KEMPNER: RESOLUTION

19 #6-2012-6:

20 RESOLUTION approving the Public
21 Assembly Permit application as submitted by
22 George and Elaine Lazaridis, for the use of
23 the Fifth Street Beach on July 1, 2012, from
24 12:00 to 5:00 P.M., for a graduation party.
25 So moved.

1 TRUSTEE PHILLIPS: Second.

2 MAYOR NYCE: All those in favor?

3 TRUSTEE KEMPNER: Aye.

4 TRUSTEE HUBBARD: Aye.

5 TRUSTEE MURRAY: Aye.

6 TRUSTEE PHILIPS: Aye.

7 MAYOR NYCE: Aye.

8 Any opposed or abstentions?

9 (No Response.)

10 MAYOR NYCE: Motion carries.

11 TRUSTEE HUBBARD: RESOLUTION

12 #6-2012-7:

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

16 July 2, 2012: No Request Band:

17 \$900.00,

18 July 9, 2012: The Rare Groove Band:

19 \$900.00,

20 July 16, 2012: Barking Men: \$600.00,

21 July 23, 2012: Who Dat Loungers:

22 \$1,000.00,

23 July 30, 2012: Nina Etcetera: \$700.00,

24 August 6, 2012: Winston Irie:
25 \$1,200.00,

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1 August 13, 2012: The Craven Band:
2 \$800.00,

3 August 20, 2012: X-Cession: \$800.00
4 and,

5 August 27, 2012: Lone Sharks:
6 \$1,000.00. So moved.

7 TRUSTEE MURRAY: Second.

8 TRUSTEE KEMPNER: Second.

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

18 All those in favor?

19 TRUSTEE KEMPNER: Aye.

20 TRUSTEE HUBBARD: Aye.

21 TRUSTEE MURRAY: Aye.

22 TRUSTEE PHILIPS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No Response.)

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1 MAYOR NYCE: Motion carries.

2 TRUSTEE MURRAY: RESOLUTION #6-2012-8:

3 RESOLUTION approving the payment of

4 \$1,200.00 total to J.C. Productions, at

5 \$400.00 per night for July 23, 2012;

6 August 6, 2012 and August 20, 2012 for

7 technical and lighting support for the 2012

8 "Dances in the Park" season. So moved.

9 TRUSTEE PHILLIPS: Second.

10 MAYOR NYCE: All those in favor?

11 TRUSTEE KEMPNER: Aye.

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE MURRAY: Aye.

14 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

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1 notice same. So moved.

2 TRUSTEE HUBBARD: Second.

3 TRUSTEE PHILLIPS: I just have one

4 question on this. This public hearing, has

5 the CAC done their review since they changed

6 their application.

7 MAYOR NYCE: They have not. The

8 application has not been submitted yet. They

9 just ask that we change the CAC voted in by

10 prior resolutions to the findings, at least

11 two weeks prior to the public hearing.

12 TRUSTEE PHILLIPS: Okay. Thanks.

13 MAYOR NYCE: All those in favor?

14 TRUSTEE KEMPNER: Aye.

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE PHILIPS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No Response.)

21 MAYOR NYCE: Motion carries.

22 TRUSTEE KEMPNER: RESOLUTION

23 #6-2012-10:

24 RESOLUTION scheduling the Annual

25 Greenport Skate Park Festival on

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1 August 11, 2012, with a rain date of

2 August 12, 2012; and approving the use of the

3 Polo Grounds on Moore's Lane for that purpose.

4 So moved.

5 TRUSTEE HUBBARD: Second.

6 MAYOR NYCE: All those in favor?

7 TRUSTEE KEMPNER: Aye.

8 TRUSTEE HUBBARD: Aye.

9 TRUSTEE MURRAY: Aye.

10 TRUSTEE PHILIPS: Aye.

11 MAYOR NYCE: Aye.

12 Any opposed or abstentions?

13 (No Response.)

14 MAYOR NYCE: Motion carries.

15 TRUSTEE HUBBARD: RESOLUTION

16 #6-2012-11:

17 RESOLUTION approving the Public

18 Assembly Permit Application as submitted by

19 Kefalos Association of New York, for the use

20 of Mitchell Park on August 18, 2012 from 12:00

21 noon to 10:00 P.M., for a celebration of Greek

22 culture. So moved.

23 TRUSTEE KEMPNER: Second.

24 MAYOR NYCE: I want to stipulate for

25 the record, as we discussed during our work

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1 session, what that celebration is going to

2 include so that it is in our minutes. There
3 will be a stage set up in the amphitheater
4 for music and dance demonstrations and a
5 comedy performance. There will be dancing.
6 There will be bands performing in front of
7 that stage in the amphitheater. There will
8 be (1) 20x20 tent, (2) 10x10 tents. The 20x20
9 tent will have food, not prepared on site and
10 for take away. The two 10x10 tents will have
11 souvenir sales. There will be no alcohol at
12 this event. And that is as I understand it.
13 In dealing with that, they asked to hang two
14 banners across Main and Front Street.

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

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

24 TRUSTEE PHILLIPS: I just have a

25 question. Are they having any events at the

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1 church on that day?

2 MAYOR NYCE: Majority of that Saturday
3 is going to be at Mitchell Park. I think we
4 basically set aside some ground rules that
5 every one can work within. I am hoping that
6 this will be a successful event.

7 TRUSTEE MURRAY: I would like to make
8 a comment. I feel that these are some of the
9 things that we have turned down in the past,
10 and this would be against our policy with
11 competition in the park, and sales, if we
12 allow this, we need to get ready to set aside
13 every Saturday night having something on
14 there.

15 MAYOR NYCE: Any further questions or
16 comments?

17 (No Response.)

18 MAYOR NYCE: I will call a vote.

19 All those in favor?

20 TRUSTEE KEMPNER: Aye.
21 TRUSTEE HUBBARD: Aye.
22 MAYOR NYCE: Aye. I am in favor as
23 well.
24 Any those opposed?
25 TRUSTEE MURRAY: Aye.

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1 TRUSTEE PHILLIPS: Aye.
2 MAYOR NYCE: Motion carries, 3-2.
3 TRUSTEE MURRAY: RESOLUTION
4 #6-2012-12:
5 RESOLUTION authorizing Mayor Nyce to
6 sign Change Order Numbers 01B, 03B, 04C, 01E,
7 and 01F for the Power Plant Project, for Task
8 B, Task C, Task E and Task F. These change
9 orders involve an extension of time only, and
10 no increase in monetary value. So moved.
11 TRUSTEE PHILLIPS: Second.
12 MAYOR NYCE: All those in favor?
13 TRUSTEE KEMPNER: Aye.
14 TRUSTEE HUBBARD: Aye.
15 TRUSTEE MURRAY: Aye.

16 TRUSTEE PHILIPS: Aye.

17 MAYOR NYCE: Aye.

18 Any opposed or abstentions?

19 (No Response.)

20 MAYOR NYCE: Motion carries.

21 TRUSTEE PHILLIPS: RESOLUTION

22 #6-2012-13:

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

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1 grant applications:

2 To the New York State Environmental
3 Facilities Corporation Green Storm Water
4 Program, for up to three Storm Water Projects
5 from among the Permeable Pavements,
6 Bio-Retention and Wetland Restoration
7 categories with the required signed and sealed
8 Engineering Feasibility Reports to be provided
9 by Dvirka and Bartilucci, P.C., at a cost not
10 to exceed \$3,500.00 total.

11 To the New York State Department of
12 Environmental Conservation for planning
13 projects for the expansion of the Village of
14 Greenport Sewer District into areas where such
15 expansion is deemed to be feasible, and only
16 when associated costs are strictly within the
17 dollar limit of corresponding grant.

18 To the New York State Department of
19 State for a feasibility study for the
20 replacement of the bulkhead at Mitchell Park,
21 at an engineering cost not to exceed
22 \$2,000.00.

23 To the New York State Office of Parks,
24 Recreation and Historic Preservation to assess
25 the condition of a number of Village-owned

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1 historic properties, at a professional
2 assistance cost not to exceed \$3,000.00.

3 To the New York State Community
4 Development Program for the repair of sewers
5 and drainage areas within the Village, with
6 the application to be prepared by an outside

7 consultant as a cost not to exceed \$10,000.00.

8 So moved.

9 TRUSTEE MURRAY: Second.

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

16 MAYOR NYCE: Absolutely. I think that
17 was the intent. Maybe it makes sense to take
18 these one at a time. Do the Storm Water is
19 going to be split amongst the bond because it
20 affects sewer, water and electric. The sewer
21 would come out of the sewer fund. The
22 \$2,000.00 from Mitchell Park would come out of
23 marina. Office and Park would come out of
24 Park line. The \$10,000.00 would come out of
25 -- let's split that amongst Utilities as well.

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1 I will offer a RESOLUTION authorizing

2 Director of Utilities Naylor and Village
3 Administrator Abatelli to prepare and submit
4 the following grant applications:

5 The New York State Environmental
6 Facilities Corporation Green Storm Water
7 Program, for up to three Storm Water Projects
8 among the Permeable Pavements, Bio-Retention
9 and Wetland Restoration categories with the
10 required signed and sealed Engineering
11 Feasibility Reports to be provided by Dvirka
12 and Bartilucci, P.C., at a cost not to exceed
13 \$3,500.00 total. Total expense to be split
14 amongst the funds. So moved.

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

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

20 MAYOR NYCE: Chris, you read that last
21 one?

22 TRUSTEE PHILLIPS: No, I did.

23 TRUSTEE MURRAY: And I seconded.

24 MAYOR NYCE: Trustee Philips, if you

25 want to offer a motion to rescind, then I can

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1 go through these all at one time or we can
2 just amend --

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

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

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

14 TRUSTEE KEMPNER: Second.

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

17 TRUSTEE KEMPNER: Aye.

18 TRUSTEE HUBBARD: Aye.

19 TRUSTEE MURRAY: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 MAYOR NYCE: Aye.

22 Any opposed or abstentions?

23 (No Response.)

24 MAYOR NYCE: I will read the motion as
25 amended for the record, and I will offer this

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1 motion, RESOLUTION #6-2012-13:

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

6 To the New York State Environmental
7 Facilities Corporation Green Storm Water
8 Program, for up to three Storm Water Projects
9 from among the Permeable Pavements,
10 Bio-Retention and Wetland Restoration
11 categories with the required signed and sealed
12 Engineering Feasibility Reports to be provided
13 by Dvirka and Bartilucci, P.C., at a cost not
14 to exceed \$3,500.00 total, split amongst the
15 funds.

16 To the New York State Department of
17 Environmental Conservation for planning
18 projects for the expansion of the Village of
19 Greenport Sewer District into areas where such
20 expansion is deemed to be feasible, and only
21 when associated costs are strictly within the
22 dollar limit of corresponding grant, any
23 expenses to be coming from the Sewer Fund.

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

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1 replacement of the bulkhead at Mitchell Park,
2 at an engineering cost not to exceed
3 \$2,000.00, to be expensed from the Marina line
4 item.

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

11 To the New York State Community

12 Development Program for the repair of sewers
13 and drainage areas within the Village, with
14 the application to be prepared by an outside
15 consultant at a cost not to exceed \$10,000.00.
16 The expense to be split amongst the Utilities
17 Fund. So moved.

18 TRUSTEE MURRAY: Second.

19 MAYOR NYCE: All those in favor?

20 TRUSTEE KEMPNER: Aye.

21 TRUSTEE HUBBARD: Aye.

22 TRUSTEE MURRAY: Aye.

23 TRUSTEE PHILIPS: Aye.

24 MAYOR NYCE: Aye.

25 Any opposed or abstentions?

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1 (No Response.)

2 MAYOR NYCE: That amended motion
3 carries.

4 TRUSTEE KEMPNER: RESOLUTION

5 #6-2012-14:

6 RESOLUTION authorizing Director of

7 Utilities Naylor to solicit bids for the
8 removal of debris at the Village of Greenport
9 location known as "the brush yard", and to
10 direct Clerk Pirillo to notice the bid
11 accordingly. So moved.

12 TRUSTEE HUBBARD: Second.

13 MAYOR NYCE: All those in favor?

14 TRUSTEE KEMPNER: Aye.

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE PHILIPS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No Response.)

21 MAYOR NYCE: Motion carries.

22 TRUSTEE HUBBARD: RESOLUTION

23 #6-2012-15:

24 RESOLUTION ratifying the hiring of Ben
25 Hallock and Scott DeLong at \$7.25 per hour as

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1 seasonal, part-time Marina/Park attendants,
2 effective June 9, 2012. So moved.

3 TRUSTEE PHILLIPS: Second.

4 MAYOR NYCE: All those in favor?

5 TRUSTEE KEMPNER: Aye.

6 TRUSTEE HUBBARD: Aye.

7 TRUSTEE MURRAY: Aye.

8 TRUSTEE PHILIPS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No Response.)

12 MAYOR NYCE: Motion carries.

13 TRUSTEE MURRAY: RESOLUTION

14 #6-2012-16:

15 RESOLUTION ratifying the hiring of
16 Danielle Depalma at \$8.50 per hour as
17 seasonal, part-time Carousel Cashier; and Evan
18 Van Duzer, Julia Orlando and Meghan Murray at
19 \$7.25 per hour as seasonal, part-time Carousel
20 staff, effective June 22, 2012. So moved.

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

24 MAYOR NYCE: He can read the
25 resolution, but he will have to abstain.

1 There is a motion and has been seconded by
2 Trustee Philips.

3 MAYOR NYCE: All those in favor?

4 TRUSTEE KEMPNER: Aye.

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE PHILIPS: Aye.

7 MAYOR NYCE: Aye.

8 Any opposed or abstentions?

9 TRUSTEE MURRAY: Aye.

10 MAYOR NYCE: Trustee Murray is
11 abstaining. Motion carries.

12 TRUSTEE PHILLIPS: RESOLUTION

13 #6-2012-17:

14 RESOLUTION authorizing the hiring of
15 Janet Bellezza and Corie Clark as seasonal,
16 part-time Summer Camo Counselors at \$8.00 per
17 hour; and Margarite Yuelys as Recreation
18 Center Swimming Instructor and secondary 5th
19 Street Beach Lifeguard at \$12.00 per hour; and
20 Brenton gross as primary 5th Street Beach

21 Lifeguard at \$12.00 per hour. All above
22 mentioned hiring's are effective
23 June 22, 2012. So moved.

24 TRUSTEE HUBBARD: Second.

25 MAYOR NYCE: All those in favor?

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1 TRUSTEE KEMPNER: Aye.

2 TRUSTEE HUBBARD: Aye.

3 TRUSTEE MURRAY: Aye.

4 TRUSTEE PHILIPS: Aye.

5 MAYOR NYCE: Aye.

6 Any opposed or abstentions?

7 (No Response.)

8 MAYOR NYCE: Motion carries.

9 TRUSTEE MURRAY: RESOLUTION

10 #6-2012-18:

11 RESOLUTION by the Board of Trustees
12 adopting the annexed resolution regarding
13 SEQRA, whereby the Board of Trustees adopts
14 lead agency status for purposes of SEQRA with
15 regard to the approval and execution of the
16 proposed Conservation Easement for the

17 Exxon-Mobil property on Fourth Street,
18 designating the adoption of the Easement
19 agreement, as an unlisted action for purposes
20 of SEQRA, and determining that the adoption
21 and execution of the Conservation Easement
22 will not have a significant impact on the
23 environment, and adopting a Negative
24 Declaration for purposes of SEQRA. So
25 moved.

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1 TRUSTEE PHILLIPS: Second.

2 MAYOR NYCE: Any discussion on the
3 motion?

4 (No Response.)

5 MAYOR NYCE: All those in favor?

6 TRUSTEE KEMPNER: Aye.

7 TRUSTEE HUBBARD: Aye.

8 TRUSTEE MURRAY: Aye.

9 TRUSTEE PHILIPS: Aye.

10 MAYOR NYCE: Aye.

11 Any opposed or abstentions?

12 (No Response.)

13 MAYOR NYCE: Motion carries.

14 TRUSTEE HUBBARD: RESOLUTION

15 #6-2012-19:

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

22 TRUSTEE PHILLIPS: Second.

23 MAYOR NYCE: Any discussion on this
24 motion?

25 (No Response.)

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1 MAYOR NYCE: All those in favor?

2 TRUSTEE HUBBARD: Aye.

3 TRUSTEE MURRAY: Aye.

4 TRUSTEE PHILIPS: Aye.

5 MAYOR NYCE: Aye.

6 Any opposed or abstentions?

7 TRUSTEE KEMPNER: I will abstain.

8 MAYOR NYCE: 4 in the affirmative and
9 one in abstention. Motion carries.

10 TRUSTEE MURRAY: RESOLUTION
11 #6-2012-20:

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

18 TRUSTEE HUBBARD: Second.

19 MAYOR NYCE: By way of discussion, the
20 only discussion that we have had with Peconic
21 Bay Jitney is the loading and unloading of
22 passengers. It is not for overnight docking.
23 And this offer of a resolution should be no
24 way in construed as additional privileges for
25 them to dock overnight. The agreement that

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1 you would be signing only has them for loading
2 and unloading of passengers.

3 TRUSTEE PHILLIPS: Can I ask a
4 question? Have they made other arrangements
5 since their request?

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

13 TRUSTEE PHILLIPS: Okay.

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

16 MAYOR NYCE: The same agreement.

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

19 MAYOR NYCE: No.

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

24 MAYOR NYCE: You are approving the one
25 that you have seen. I have not heard back

1 from them. So any additional negotiations
2 would have to happen outside of that.

3 TRUSTEE KEMPNER: I was just asking.

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

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

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

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

18 (No Response.)

19 MAYOR NYCE: All those in favor?

20 TRUSTEE HUBBARD: Aye.

21 TRUSTEE MURRAY: Aye.

22 TRUSTEE PHILIPS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 TRUSTEE KEMPNER: I am actually going

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1 to abstain. There was one change that I
2 asked the attorney to make, that you
3 agreed you were going to make?

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

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

8 MR. PROKOP: I will make that
9 change.

10 TRUSTEE KEMPNER: That should be
11 included.

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

14 TRUSTEE PHILLIPS: RESOLUTION

15 #6-2012-21:

16 RESOLUTION authorizing Mayor Nyce to

17 schedule a closing meeting and celebration at
18 Mitchell Park, utilizing up to \$5,000.00 from
19 the Tall Ships event line item, with the date
20 and time to be announced. So moved.

21 TRUSTEE KEMPNER: Second.

22 TRUSTEE PHILLIPS: Dave, I in all
23 honesty think that if anyone is going to be
24 forking any money to celebrate the Tall Ships
25 and to thank the residents and the business

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1 community to have a great weekend, I think
2 it's them, that the business community to be
3 giving back to the residents, for the
4 crowding, parking issues and giving back to
5 the Town. I think if any excess funding
6 coming from that should be put, as one of
7 the residents said, to some portion to hold
8 another event down the road or infrastructure.
9 I think it is the business community should
10 be funding this to give back to the residents
11 for their support.

12 TRUSTEE KEMPNER: I would just like to

13 say that I think we did a very excellent job
14 of throwing an event. It was very difficult.
15 I think to give back to all the volunteers and
16 as I understand what you intended to do here
17 and give back, it's very valid. It was a
18 great event and you did do a very good job
19 organizing it. I just don't think that we
20 should be taking the funds and throwing a
21 party.

22 MAYOR NYCE: If there was an overage
23 that it would be put into debt. When we have
24 that exact number, I will bring that number
25 back to the Board and we can determine where

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1 we want to put that number. We will see
2 what is overage to pay down debt. So we may
3 do that. We may do put that towards debt. I
4 understand and I appreciate the comments. As
5 I said, this was an idea, and understand that
6 this is likely not to pass, and I am fine with
7 that. So be it. With that, I will ask that

8 if there is anyone that is in favor of this
9 motion other than myself?

10 (No Response.)

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

14 TRUSTEE KEMPNER: RESOLUTION
15 #6-2012-22:

16 RESOLUTION approving all checks over
17 the Voucher Summary Report dated
18 June 21, 2012, in the total amount of
19 \$462,332.42 consisting of: All regular checks
20 in the amount of \$327,08.21. All prepaid
21 checks in the amount of \$135,245.21. So
22 moved.

23 TRUSTEE HUBBARD: Second.

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

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1 MAYOR NYCE: Seconded by Trustee
2 Hubbard.

3 TRUSTEE PHILLIPS: I would like to

4 make a clarification as to one of the comments
5 that was made during the public section for
6 one of the abstract and one of the vendors
7 that we were paying. That is not towards
8 investigating employees. This has been moving
9 around Town since the abstract was a draft
10 form. That has been used to serve notices on
11 several of the lawsuits, which if some of the
12 other Trustees will remember during the work
13 session that I asked, that we have some type
14 of a meeting to discuss what's going on with
15 those fees. That those fees were -- some of
16 these were for the DEC and on a variety of
17 other things. So I just wanted to make a
18 clarification on that, it was not for
19 servicing on employees.

20 MAYOR NYCE: Thank you.

21 MAYOR NYCE: Any further discussion on
22 the motion?

23 (No Response.)

24 MAYOR NYCE: All those in favor?

25 TRUSTEE HUBBARD: Aye.

1 TRUSTEE MURRAY: Aye.

2 TRUSTEE PHILIPS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 TRUSTEE KEMPNER: I am going to
6 abstain.

7 (No Response.)

8 MAYOR NYCE: Motion carries. That is
9 four in the affirmative and one abstention.

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

12 TRUSTEE PHILLIPS: Second.

13 MAYOR NYCE: All those in favor?

14 TRUSTEE KEMPNER: Aye.

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE PHILIPS: Aye.

18 MAYOR NYCE: Aye.

19 We're adjourned. Thank you.

20

21 (Whereupon, the meeting concluded.)

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

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5

STATE OF NEW YORK)

6

) SS:

7

COUNTY OF SUFFOLK)

8

9

I, Jessica DiLallo, a Court Reporter and

10

Notary Public for and within the State of New

11

York, do hereby certify:

12

THAT, the above and foregoing contains a true

13

and correct transcription of the proceedings, all

14

of which occurred in open court or in chambers,

15

and were reported by me.

16

I further certify that I am not related to

17

any of the parties to this action by blood or

18 by marriage and that I am in no way interested
19 in the outcome of this matter.

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

22

23

24 (Jessica DiLallo)

25