STATE OF NEW YORK
VILLAGE OF GREENPORT

------------------------------------------ X

BOARD OF TRUSTEES
REGULAR MEETING

------------------------------------------ X

August 26, 2013
6:00 P.M.

BEFORE:

DAVID NYCE - MAYOR

GEORGE HUBBARD, JR. - TRUSTEE

JULIA ROBBINS - TRUSTEE

DAVID MURRAY - TRUSTEE

MARY BESS PHILLIPS - TRUSTEE

SYLVIA PIRILLO - VILLAGE CLERK

JOSEPH PROKOP - VILLAGE ATTORNEY

DAVID ABATELLI - VILLAGE ADMINISTRATOR
MAYOR NYCE: I will call this Regular Meeting of the Village of Greenport Board of Trustees to order. Please stand for the Pledge of Allegiance.

(Whereupon, all stood for the Pledge of Allegiance, followed by a moment of silence.)

MAYOR NYCE: This is the August Regular Session for the Board of Trustees for the Village of Greenport. We have a couple of announcements tonight. The first is, the next brush pick-up will be on September 3rd. The next announcement, to be discussed is for the public interest, we discussed at the work session. I would like to read a letter that some of you may have received in the mail with
your billing statement. And then I will give
another brief explanation similar to the one
that I gave at the work session. Billing
information from the Village of Greenport
Electric Department. This notice provides
information on changes in your Purchased Power
Adjustment, beginning with this month's bill.
The operations of the Village's Electric
Department have not changed and the base rates
are remaining the same. However, certain
long-term transmission contracts will expire
on October 31, 2013. Similar contracts, used
in delivery of your purchased power, are more
expensive. These contracts are necessary to
protect the Electric Department's customers
from the high transmission costs caused by the
State's deregulated market for electricity.

Beginning in August of 2013, the
Purchase Power Adjustment will increase your
bulls for a 28-month period. In an effort to
ease the impact on our ratepayer's, the end
result is a cost "pass through" with an
expected average monthly billing increase for
the next 28 months of: $7.75 to $10.69 per
month for our residential customers and $25.12
to $39.77 per month for our commercial
customers. We are continuing to work with the
New York Power Authority to identify other
options to help ease this burden on our
electric customers. Thank you for your
confidence and continued support.

With that read, what I would like to
start by saying is that we're continuing to
work with the New York Power Authority on this
item. They're our regulator. We're
continuing to work with them. In October of
2013 the Village had transmission contracts
with several entities to upstage to us. Those
contracts were due to expire in October.
Those contracts were negotiated along time
ago. They cover the cost of that electricity.
And electricity costs fluctuates based on certain factors. One of the being congestion. Over the last couple of years these agencies have offered what's called a fix TCC or a fixed price for a transmission congestion charge. As our contracts were coming due, the Village was offered the opportunity to buy into a fixed TCC opportunity rather than staying with the transmissions the way it was. Which would congestion charges and etcetera, etcetera. We had both financial and legal consultants look into this for us. Legal being Dunkin, Gengsler and Weinberg and Bollam, Sheedy and Torani our financial advisors. What the, advised to us was that this hedge in congestion charges was a good idea. It was done by other municipalities. It's much success. Given the opportunity to do so, it was a good hedge against particularly summer-time peak congestion charges. In February of this year, we entered
into a contract with New York Power Authority and our other transmission authorities agencies, to purchase pre-purchase these fixed rate TCC's. I say pre-purchase because the fixed rate for the transmission congestion charges were purchased a year in advance and then that is your fixed transmission charge for the year. When this happened in January, we went to the New York Power Authority said we don't have the cash to do this. We need the cash in our account for our working capital and for capital improvements. They said in order to get the contract done, pay the first 25% and we will begin to work with you to figure out a way to recuperate the additional 75% before October 31st, when the final payment is due, which is what we did by RESOLUTION in January of this year. We authorized the contract to be executed and by February we paid that first 25%. Long story short, we had not gotten a satisfactory story with how to recuperate with the New York Power Authority
Authority. So the Village went back to it's financial and legal consultants. We had contended all along that transmission charges are recoupable through the power purchase adjustment portion of the ratepayer's bill. We were reassured that by both legal and financial. So we have begun to recoup that money through here. What we have done is spread it out amongst a 28 month period. That will -- what will happen is, over the next several months, the old transmission charges that had been in there will drop off as of October 31st, and then we will be paying this year's transmission charges and beginning to collect for the prepayment of the following year. This will normalize back to a fairly regular bill after the 28 month period. The problem in this first year, we have to prepay those transmission charges. So there is that little bit of spike. So we're spreading that over those months. Again, we have been
reassured by legal and financial that we can do so. We're not increasing rates. We're increasing our PPA which we're entitled to do our tariff's. We're not self regulating.

Regular Meeting August 26, 2013

We're not doing anything that we're not supposed to be doing. I believe that is what I covered during the work session. I would encourage anyone that has a question about this, to please contact Village Hall.

Everyone in Village Hall is well versed in what's going on. They can help you through the process. So please be aware that those are average numbers. They should be within those numbers. With that, we have -- under next on our agenda. We have public hearing applications that were postponed for this month for lack of information. At this point, the applications are not complete. Which brings us to the public portion of the agenda. I will ask if there is anyone from the public that wishes to address the Board.
MR. BERGSON: My name is David Bergson and I run Glory. And I have been running a childhood foundation called Glory Going Races for 2011, a 501C3.

MAYOR NYCE: Just your address for the record.

MR. BERGSON: Okay. For the record, my address 508 Sterling Place. Anyway, I just wanted to give the Board of Trustees an assessment of what we have done this summer. We have been running an eight week school free program for the fifth graders aboard the Glory one hour a week, with myself and Meg Bennett, Diane Asler. We have done this for free. We have done repeated school programs for science for free. We're going to start our October program again, and I would like to ask the Village for their indulgence so we could use the schoolhouse again. Last year our program was supposed to run two months. It ended up
running six months. I would like to run 9:00 to 10:30. I would like to run later because I would like to sleep later, but I can't. So I would like to say from 9:00 to 11:00, if we could use the school house once again for the children of the community every Saturday morning. I would be much obliged and they would be as well.

MAYOR NYCE: October through?

MR. BERGSON: Last year we went through October 26th through Memorial Day.

MAYOR NYCE: Okay.

TRUSTEE MURRAY: Dave, I have a question for you? Are you funded for this program or are you still needing assistance?

MR. BERGSON: If I were to say I needed assistance, it would be a grave understatement. In fact, if anyone here has any wear with all they would like to spend for a tax deductible 501C3, I would be much obliged. No. Funding is much appropriated to
do these projects. It can't be done without it. I try and keep an arm's length distance from everybody in the Village so that no one can turnaround and say that I am getting favored treatment or anything. If anyone has any ideas for helping raise money for any of these school programs, I would be much oblige. I appreciate it. If we could have that, we could start planning our programs now. Thank you.

MAYOR NYCE: Thank you.

MR. TASK: Good evening, Mr. Mayor and Members of the Board. I am here on a very good opportunity --

MAYOR NYCE: Name and address for the record, please.

MR. TASK: Arthur Task, 17 Beach Street

in Greenport. My fellow residents on Sandy Beach are all very pleased to learn that the Village is finally taking some concrete steps
to provide sewer service to Sandy Beach and the Beach Road area. We have been waiting for it for 70 years. I can remember in 1945, that several of us in 1945 burned the outhouses on Sandy Beach during the war. So all I can say is that we hope that the RESOLUTION that will be passed -- be respectively passed tonight. So that the Village will provide service. I can say when they come over there, they will be met with a brass band and every resident on Sandy Beach with a checkbook on their hand.

Thank you very much.

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

MR. SALADINO: John Saladino, 6th Street. Are there any RESOLUTION's not on the agenda?

MAYOR NYCE: There are SEQRA RESOLUTION's that go along with the grants and bonding RESOLUTION's that the Village Attorney provided for us after the agenda was complete. And Trustee Phillips has wording for one of
the agenda items that has to do with the bonding.

MR. SALADINO: I have a question about a couple of the RESOLUTION's. RESOLUTION #15, is you're going to adopt a negative declaration for Clark's Beach Green Energy Park. And the RESOLUTION says that you're applying for a grant for a planning and feasibility study. But the SEQRA report says that you have reviewed the completion of the proposed feasibility study. I am not sure I understand. I am reading from your document. Whereas, the Board of Trustees of the Village of Greenport has reviewed the completion of the proposed feasibility study. So I am just confused how you're applying for it --

MAYOR NYCE: You should read the grant application. You should not read the feasibility study. There is no feasibility study.

MR. SALADINO: Well, you can understand I would not know that because I am reading
Is there a cost associated to that? Is that a in-house planning?

MAYOR NYCE: There is no cost.

MR. SALADINO: And No. 20, I was at the work session and I remember you talking about a Tall Ship that wanted to come and perhaps this being a home for Tall Ships in 2015. Is there a cost associated to the taxpayers for that?

MAYOR NYCE: No.

MR. SALADINO: So the RESOLUTION is just saying it's okay for them to come to Greenport? And RESOLUTION #26, I am not sure --

MAYOR NYCE: I will explain that to when we get to it. I'm sorry, I didn't mean to cut you off. I had too much coffee today.

MR. SALADINO: And I hadn't had enough or else I would be interrupting. But just as
a comment, MBE is minority and WBE is women. Just so I am on the same page. I am just not sure why -- it says for the Village to incur. The Village is looking for a waiver because to do business with a minority group or a women's group, it would cost them 194%. Could you explain to us what business the Village is doing?

Regular Meeting August 26, 2013

MAYOR NYCE: It has to do with the grant for the sewer and water runoff project at both Manor Place and Fifth Street. I will clarify that.

MR. SALADINO: That is good that you're going to explain it but in all fairness --

MAYOR NYCE: I will explain it now to you.

MR. SALADINO: The last thing that I would ask, I was at last month's Village Board Meeting and I asked a question of the Board and Trustee Hubbard was nice enough to respond that he didn't know and he was going to get me
information. And he actually did. I am not comfortable calling someone at work or calling their home. So I was wondering if you could, just for the benefit --

TRUSTEE HUBBARD: Sure. Yes. It had to do with a dock permit or a dock lease on the Railroad Dock was his question. And I did not have the answer at the time, and I asked about it. The lease is for a long-term use. So that they're basing a business of the dock. A permit is just someone that is using it on and off. Like a fishing boat is there on and

MR. SALADINO: Okay. So the only

Regular Meeting August 26, 2013
criteria is the length of time that somebody
spends at the time of the dock. So to
eliminate any confusion with the MTA and the
County, it would seem that -- all the Village
would have to do is change the word lease to
permit. And just draw a permit that specifies
yearly or two years. But thanks.

TRUSTEE HUBBARD: Sure.

MR. SALADINO: I had something else but
I know Billy is chopping in.

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

MR. SWISKEY: William Swiskey, 184
Fifth Street, Greenport. Before I get into
what I -- you told John, a permit is for a
year at the dock, right? It's a permanent
thing?

TRUSTEE HUBBARD: It's renewed yearly.

MR. SWISKEY: All right. And the only
difference between a permit and say I wanted
to put a excursion boat at the dock for a
year, could you then issue me a permit and I wouldn't have to have a lease? Because that was my understanding of what was just said.

Perhaps I am a little slow at the uptake but that is what I just heard. So you could issue the FIREBOAT a permit for one year and he could go to the dock because after that you can tell him to leave or he can apply for a permit again. Now, that is what I got out of that whole thing.

MAYOR NYCE: My understanding Bill, and the Village Attorney can correct me if I am wrong, it had to do with the intent of the use. Fishing boats are by their nature, transient. They're not at sea. They have a permit at several different docks throughout there. An excursion boat does not. An excursion boat will come back to the same dock all the time, therefore it would have a permanent location. It has to do with the intent of the use. The FIREBOAT is not
looking for a permit. They do not intend to be at several different docking spaces. They intend to be at this dock.

MR. SWISKEY: Still doesn't make much sense to me and I got other things that I wanted to talk about. Just one other thing, since we're on the subject. It's probably costing us, that 140 foot that that FIREBOAT takes up at the marina -- and I have been doing the calculations and we can rent that space for three days a week, basically it's costing us about $1500.00 a week to be there. It has been there for three months. That's a significant amount of money. What do we plan to do with the FIREBOAT because it's really costing the taxpayers a lot of money.

MAYOR NYCE: It hasn't cost the taxpayers a dime as of yet.

MR. SWISKEY: What? We couldn't rent that 140 foot space? He's lying --

MAYOR NYCE: That's the answer.

Doesn't make it wrong. If it's space that we
needed, it would be gone.

MR. SWISKEY: It's sitting --

MAYOR NYCE: If you don't like the

Regular Meeting August 26, 2013

answer, it doesn't make the answer wrong.

MR. SWISKEY: It doesn't make your

answer right either. Enough said. Skipping

ahead. We have one RESOLUTION here

establishing now -- you know, when certain

Trustees were running for office and I said

they only worked 20 hours a month and they

really shouldn't have any hospitalization.

Well, it seems now we have Trustees that are

jumping into the retirement system and who are

acknowledging by their own thing that they're

only working 20 hours a week. Mary Bess, I am

speaking, please.

TRUSTEE PHILLIPS: Since you're such a

gentleman of wanting straight truth, there is

your answer and the information that goes

along with it.

MR. SWISKEY: I see there is credit
here with the New York State Retirement System for 20 hours a month for two Trustees. What I said was the average. So you take approximately $12,000.00 of salary Trustees receive, and you take the $22,000.00 worth of family benefits because that is not only medical, that's dental and optical, which the average Trustee pays about $50 bucks a month towards it. It's probably what the -- Village picks up the majority on a Tier 4 or 5 retiree, so basically the Village is probably picking up two to three grand a year for these people to belong to the retirement system. When you do all the math -- you can shake your head, George, it's simply math. $125.00 an hour for part-time Trustees. That's what it amounts to. Do the math yourself. You don't have to believe me. We did the math today. I was shocked. Plus, we have a treasurer here who works one day a month and we're
contributing to her retirement. Do you
realize what can happen? Any of these people
-- you're the last public employer. If these
people get retire and get vested in the system
and they retire -- by state law, if it's a
single person, you're going to have to pay 50%
of their hospitalization costs or 35% for a
family. And that's the law. I mean, so this
could be -- this is just outrageous. I mean,
I have been coming to the Village Board
meetings forever. And I have known all the
Trustees and nobody ever did this. This is

just like -- you're stealing from people. I
think you should really just look into it.
All right. I have a next item on here. You
have a bond resolution attached. You're going
to spend another million dollars in the light
plant. Half the stuff don't work right now.
It hasn't worked since you took it apart last
June. You're going back to the same engineer.
And by the way, is there a Board RESOLUTION
hiring him again for this new project because I don't seem to recall one? I go to every work session and every Board meeting, and I mean, this guy just stuck it too you real big time. You know, he spent all your money. He took your money. He got crap and now you're going to hire him again? I saw that list of projects that he had. I actually FOILED for it. Nobody ever looked at it. There was nothing on there. What projects do you want to specifically do? I heard the Mayor say "come back to us with a list, Bob." No, he works for you. You tell him. "I want this done and this done." I haven't seen that. That is no way to run a business. You can smile at it but that's about the stupidest way to run a business I have ever seen. I have some experience in this. I just don't buy it. It's unbelievable to me. Anyway lets get back to this -- what you don't call a rate hike and
I call a rate hike. Now, you just said
something else here at the beginning of this
transmission. You said that these are
congestion charges. Are those congestion
charges above our normal costs? Because
that's what you said.

MAYOR NYCE: No. That's what you
heard.

MR. SWISKEY: The audience heard. But
maybe I am mistaken. What were our
transmission costs last year? Does anybody
know before anyone votes on this? They
weren't any where near that because I get the
papers every month. You're going to be almost
doubling your transmission costs here. I
would advise you until at least the Power
Authority rules on the complaint that has been
made and is in their hands and gives you
permission to do this, I would vote to table
this. Because all you do -- if the Power
Authority comes back and says no, you can't do
this. You're going to have to pay that money back. It's just -- I mean, it's not good business. It's -- I would urge any Trustee that really cares to say, hey, let's hold off on this until we get a final determination from the Power Authority that we can do this. Because believe it or not, there are certain restrictions in writing in which you could put in the PPA. And your lawyer will tell you anything. You pay him. Lawyers have been wrong before in the Village. In other words, it's what your regulator says and that's what it is. I just don't understand it. And for these women and minorities, 194%? Come on. We have all been through these contracts before. It sounds to me like someone doesn't like women and minorities to come up with that. That's not a reasonable explanation at all. In fact. Governor Cuomo was basically on TV the other day and he wants this. He wants this women and minorities and the Village is basically telling them, we can't do -- it has to do with -- it had to -- what
MAYOR NYCE: Can you address the Board, Bill?

MR. SWISKEY: All right. I am addressing you. What project --

TRUSTEE PHILLIPS: -- Manor Place.

MR. SWISKEY: You're talking about the drainage. You're telling me, you can't find an engineering firm who employs minorities --

MAYOR NYCE: It's not the engineering firm. It's the survey crew.

MR. SWISKEY: I could find you that.

This is like you're dissing women. Have a good day.

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

MS. BENDICT: I do. I apologize for being so disruptive but this is like my other appendage. Michelle Bendict. I brought some
other friends from the Greenport Skate park Festival. First off, I just want to thank the Village Board and the Mayor. Thank you for allowing us again to hold the Annual Skate park Festival. It means a lot to us. Like I said in my report, it has been a challenge for us for the last two years for us to do this because we live so far away. It is something that is very dear to us. And I really, really hope that the community can man it together to save the park and make it a priority. And if not, maybe we can look at other alternatives for the park. Maybe tearing it down, but I know a lot of people don't want to see that happen. With that note, I brought a parent and also another young gentleman who loves to skate in the park. Thank you.

MR. THOMAS: Hello. My name is Ron Thomas. I live in Bay Shore, New York. I was a part of the skate festival this year. I have been coming to the park since 2000. And
I bring a lot of family members and friends. I kind of make a lot of band trips out here. My concern was the condition of the skate park. And you know, I know between people in the community and myself who are willing to help, you know, update it and keep it up and everything like that and I am not even from this area. It's one of those skate parks that's really well built. I know people like it. Especially me, at 40. And I guess what I really -- my real concern is the -- what happens at night at that skate park. Like I said, I have a lot of people in my own community that are willing to partake and invest their own money and everything else and own elbow grease to fix that park and help maintain it. It's just a concern if it's going to be able to stay maintained at night. I just want to share that with you. It was my first festival. Thank you very much. I do
love this park. It's an hour drive for me and my friends and family. I like the festival. I hope it can keep getting bigger and bigger. Thank you.

MAYOR NYCE: Thank you.

MR. DIAMOND: Hi, How are you going doing? My name is Mike Diamond. I live 628 Second Street. I actually just moved back to Greenport. My family moved away when I was young. I just got back into skating. I love the park. I skate almost every day. I am local. So I guess the big issue for these guys, they run the festival but live pretty far away. I am kind of a local guy that is dedicated to the park. So anything that I can do to help to involve myself in. Anything that I can do for maintenance or improvements, anything. I am super flexible to support the park. Thank you for listening.

MAYOR NYCE: Thank you.

TRUSTEE HUBBARD: Let me just add onto
that. We did talk about at the work session and the festival at the park in general. Mike is going to be a very big help. We're trying to set-up a committee of local people to try and get involved and get the locals more involved. Like we did a few years ago. I appreciate you volunteering and I will be in contact with you. We haven't set up the committee yet up but we will keep in touch. We really appreciate you guys volunteering and keeping it up. We really don't want to tear it down. So that's the intentions. So we're trying to get something bigger going. Thanks for coming.

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

MR. WINKLER: John Winkler, 175 Fifth Street. I just have some follow-up questions. I know there was -- we have a situation with our water tester. I see that you're sending
someone to school, and the gentleman that was
going to do it, backed out of it.

MAYOR NYCE: We have the current person
doing it.

MR. WINKLER: Because I know there are
dines if there is not someone representing us.
The question that I asked at the last meeting,
the FIREBOAT came here and two of you agreed
to have the boat come in. From what I am told
there is a lease problem with Suffolk County.
Maybe they don't want to put it there. You're
going to some issues there. Why wasn't this
done before you brought it here? Why wasn't
there approval before you brought it here?
It's sitting here and taking up space that we
just spent -- I saw in the paper, $400,000.00
in upgrades. It makes no sense. And I just
wanted to know why wasn't that done before you
brought here or if that was your intention?
So I would like an answer to that. Thank you.

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

(No Response.)
MAYOR NYCE: Okay. With that, I will answer a couple of questions. In response to that, Mr. Winkler, we allowed the FIREBOAT to come here on a temporary dockage basis while asking the County for an interpretation. The County has been dragging it's feet for almost a year. And we still haven't gotten a straight answer. At no point did we promise the FIREBOAT dockage. At no point, did we say they could be there full-time. As I recall, they could be there from winter of last year, with the stipulation where we had room, that they could not stay there and that we would be asking the County for an interpretation prior to a license or sublicense on the commercial dock. To make sure that we can do that. So we did not bring a boat here not knowing where it's going to go. We gave them a temporary dockage with the idea that we would ask the County for an interpretation. And that is where this is. As far as the other ones, we
will be getting to them as the RESOLUTION's
come up. I will go through them quickly. The
grant application with the SEQRA. I will ask
the Village Attorney to look at that. That
should be just for the grant application and
not for the project itself. For the home
court, RESOLUTION, no there is no cost
associated with hat. This RESOLUTION is just
to allow the Tall Ships America know that
we're interested and everything else would be
worked out. If we don't make no offer. No
ships will come here. As far the MBE and WBE
RESOLUTION, with that grant application, as
the Director of Utilities was explaining to
the work session Dvirka and Bartilucci
submitted a bid and part of that bid included
a bid for surveying services. Subsequent to
that, a surveying service solicited the
Village for the very same project at a
significantly lesser amount of money. There
is a certain dollar threshold which is not an
ME and WE requirement. The cost of this bid
is 194% -- excuse me, reduces the bid by that
amount of money. We're looking at a waiver to
subsequent that bid. It does not mean that
it's going to be granted. It allowed under
the law because it's under the threshold. I
hope that explains that. The other one is
RESOLUTION #5. Establishes a standard work
day. It does not say that anyone is going to
work six hours a day. The New York State

Retirement system requires that we make a
RESOLUTION every year that sets a standard
work day. In order to do that, part-time, a
standard work day is six hours. That's all
that it's doing. The other thing that
everyone else should know that is that if you
work for ten consecutive years, and to pay
into the pension program you cannot recover
from the program. So Mr. Swiskey, yes, your
math is always shocking to me too.
MR. SWISKEY: Yes, just shocking.

MAYOR NYCE: You had your opportunity, please be quiet.

MR. SWISKEY: You shot the remark --

MAYOR NYCE: Mr. Swiskey, please be quiet. You shot plenty of remarks at me that I have not shot back at.

There are several SEQRA RESOLUTION's that are affiliated with this bonding and grant RESOLUTION's. So those will be added. RESOLUTION #4 for the bonding, the wording will be for 2013 improvements to the Electrical Department facilities in the $1,500,000.00. With that, I have a presentation that I would like to give to the

Regular Meeting August 26, 2013

Board. Mark Wagner from Cameron Engineering came out here last month and the Village of Greenport has been awarded through Cameron Engineering, a platinum award for engineering excellence for the Wastewater Treatment
Project. He brought this out to us. Cameron Engineering is very proud of it. I am very proud of the engineering as is the Board. By looking at the numbers, doing fantastic. Nitrogen reduction. We're very happy with it. It's been a long time coming. With that, we will change gears a little bit and I will open for Board discussion on the residential rental regulations. I will stipulate to the audience that this will not be voting on. It was a long work session for those of you that were there. I apologize for not discussing it at the meeting. We will likely renotice the public hearing for this September and likely depending on the outcome of the Board’s discussion, have it as an agenda item in September regular agenda. I am saying that because we generally don't take up items on the same night as a meeting. We may do that in this case. It's a technicality. The Village Attorney is saying that we should
renote. With that, I will open it up for
Board discussion. Start with Trustee Murray.

TRUSTEE MURRAY: As many of you know, I
was in favor of the rental permit and have it
progress, as it has. I do agree with many of
you that some issues need to be addressed as
far as definitions and the number of people
considered for a rental. I am still in favor
of this. I still feel that we're getting much
closer to this. I am a fan of this proposal.
I think we need it in the Village. We heard
from many of you that -- there was one
gentleman who was speaking, I will not say his
name but he is exactly who we need this permit
for. He doesn't want us in his apartments and
I think we need this to protect the citizens
of Greenport. I know there is a lot of people
who don't like this but need this for the
Village. We need to be able to get in there
and make sure this is safe. So I am in favor
of moving this forward. That is my stand.

TRUSTEE HUBBARD: All right. My
feeling on it, we have laws on the book and we
should just enforce what we have. I think an overall package of the rental law is going to be hard to enforce. It's going to be costly. I don't know if we have the manpower and the people to do it. I think we should follow the laws on the books. I think this should be a year round thing. I think it needs more work. That is my opinion on it.

MAYOR NYCE: Trustee Robbins?

TRUSTEE ROBBINS: I will say that I do support this law. I have experience in the building issues for many years and now working as a realtor, I am aware of the fact that there are a number of rental of units in this Village that are substandard. I have seen some of them myself. It's very important for us as a Village to protect the interest of those that are seconded homeowner. When you're a primary homeowner, the Building Department is going to come in and regulate.
They are going to inspect your house. Even though I am aware of the housing codes of the Village, I feel that we do need a uniform rental law to encompass all of these things. I do believe there is some language in here that needs to be defined. I do not believe there should be imprisonment. But I absolutely support the spirit of the law and I hope that we can continue to do a few minor changes. Thank you.

MAYOR NYCE: Thank you.

TRUSTEE PHILLIPS: As being part of the code committee and discussing this, questions were asked, we already have code on the books in the State of New York. Are we enforcing that now? The second question was how are we going to pay for this? What plan of action are we going to take? Our Building Department has been struggling since I was first elected many years ago, I had proposed to the Mayor and the Board that we should come up with a
plan of action. This is just going to add to
the stresses. I do have a problem with some
of the definitions. One of the problems I
have is the Licensing Review Board. I do
agree with Trustee Hubbard. I understand and
I have been around the Village and being a
Chair for the ZBA, I saw a lot. I do believe
there should be a responsibility on the
property owner and the tenant or tenants. I
think there should be a compromise to that. I

think that people should take pride in their
home. We have a very diverse community.
That's all I have to say.

MAYOR NYCE: Thank you. I appreciate
the comments. I really do. I appreciate the
process of this. That this started four years
ago where it was brought up the idea. It has
gone through Code Committee once and sent
back. At this point, I think we have a fairly
good piece of it. I agree with the
imprisonment. I looked through this again
after last's month meeting. I looked at the
definition of family. Read it again. It's
very broad. It doesn't say one relative. It
says people that are connected other then by.
Families do support each other. So I am in
ongoing support of this. So I ask that you
read that again. The other thing that
occurred to me, that there are a lot of
apartments that already meet the criteria,
would they meet the exception from this
program. That is something that I can discuss
with the Village Attorney. The other thing
that this does, it allows the tenants to bring
complaints against the property owner, and

allows the property owner to bring complaints
against the tenant. It's very difficult to
convict a tenant. I would like the Village
Attorney to review the penalty portion and
rather do a fine rather than imprisonment. As
far as how to pay for it. I think there is a
big myth out there that thousands of people are going to be coming in. First of all, most people are not. They're going to wait for us to come and find this. So I think that this is the right thing to do. Get Code Enforcement and get together and do it. This is much less evasive if you will. It doesn't ask for tenants names. As far as the Licensing Review Board, that's in there, if there is a complaint, we want there to be a place for the inspection. If there is a problem with the inspection, we want there to be another Board other than the Village Board. I like to believe that it's not that political and that people are going to do it for the right reasons. It doesn't have to be appointed by the Mayor. I am open to suggestions.

UNKNOWN SPEAKER: What about safety issues?
MAYOR NYCE: I am sorry, this is not open discussion. That was why the Code Committee opted not to. So I am going with what the Code Committee decided and I am okay with it all the way.

With that, do you have the changes?

MR. PROKOP: Yes, I do.

MAYOR NYCE: With that, I will ask that the Village Attorney make those changes and submit it back to the Board as soon as possible. That the draft document be available to the public prior to that meeting to be able to comment at the September meeting.

I will now move us into our regular agenda. You know what, I am going to skip RESOLUTION #1 because there is a lot of small little changes. We will add the SEQRA RESOLUTION's as we need it.

I will offer a RESOLUTION to skip RESOLUTION #1.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?
TRUSTEE MURRAY: Aye.

Regular Meeting August 26, 2013

TRUSTEE HUBBARD: Aye.
TRUSTEE ROBBINS: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will ask Trustee Murray to read RESOLUTION #2.

TRUSTEE MURRAY: RESOLUTION #08-2013-2, RESOLUTION accepting the monthly reports of the Greenport Fire Department, Village Clerk, Village Treasurer, Village Administrator, Director of Utilities, Village Attorney, Mayor and the Board of Trustees.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.
TRUSTEE HUBBARD: Aye.
21               TRUSTEE ROBBINS: Aye.
22               TRUSTEE PHILLIPS: Aye.
23               MAYOR NYCE: Any opposed or
24 abstentions?
25 (No Response.)

Regular Meeting August 26, 2013

1               MAYOR NYCE: That motion carries.
2               TRUSTEE HUBBARD: RESOLUTION #08-2013,
3 RESOLUTION ratifying the following resolutions
4 previously approved by the Board of Trustee at
5 the Trustees' work session held on August 19,
6 2013:
7 RESOLUTION approving the request of St.
8 Agnes Church to close Sixth Street between
9 Front and Wiggins Street, on August 24, 2013
10 from noon to 3:00 p.m. for the Twelfth Annual
11 Parish Picnic.
12 RESOLUTION authorizing Mayor Nyce to
13 attend the New York Association of Public
14 Power August meeting in Riverhead, New York on
15 August 20, 2013 and August 21, 2013 at a cost
of $150.00 plus all applicable travel costs, 

to be expensed from line item number 

A.1210.400 (Mayor Contractual Expense.)

So moved.

TRUSTEE MURRAY:  Second.

MAYOR NYCE:  All those in favor?

TRUSTEE MURRAY:  Aye.

TRUSTEE HUBBARD:  Aye.

TRUSTEE ROBBINS:  Aye.

TRUSTEE PHILLIPS:  Aye.

Regular Meeting August 26, 2013

MAYOR NYCE:  Any opposed or 

abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

I will read RESOLUTION #4 because I 

have the wording in front of me.

RESOLUTION #08-2013-4, RESOLUTION 

approving the attached bond resolution dated 

August 23, 2013 whereas approved, the Village 

Board electrical generation facilities in the 

amount of $1,050,000.00 as prepared by
Fulbright and Jaworski.
So moved.

TRUSTEE ROBBINS: Second.

MAYOR NYCE: We will call a roll call because this is a RESOLUTION that needs a majority. I will ask the Village Clerk to call the roll.

CLERK PIRILLO: Trustee Murray?

TRUSTEE MURRAY: Yes.

CLERK PIRILLO: Trustee Hubbard?

TRUSTEE HUBBARD: Yes.

CLERK PIRILLO: Trustee Robbins?

TRUSTEE ROBBINS: Yes.

CLERK PIRILLO: Trustee Phillips?

TRUSTEE PHILLIPS: Yes.

CLERK PIRILLO: Mayor Nyce?

MAYOR NYCE: Yes.

CLERK PIRILLO: Thank you.

MAYOR NYCE: That motion is carried. I will ask Trustee Robbins to read RESOLUTION
TRUSTEE ROBBINS: RESOLUTION #08-2013-5, RESOLUTION adopting the following: Be it resolved that the Village of Greenport hereby establishes the standard work day of six hours for elected officials and seven hours for appointed officials, for retirement purposes, and that the Village will report that information on the attached RS2417A and B forms.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: I explained this before. Trustee Hubbard?

TRUSTEE HUBBARD: I would just like to make a comment on this. If you look at the form that is on there, you will see my name. I did opt in the retirement system the first year I was on the Board, per the recommendation of the Treasurer at that time.

To date, it has been six years, I tried opting
out like four times. The credit that I get, I am getting 4.2 years of credit for every year. So to get -- I would have to work for 20 years before the Village would have to pay any monies towards mine. The only money that gets taken out is the money that is out of my paycheck. The Village has put in nothing and I don't plan on being on the Board for 20 years. I tried to opt out. They will not let me. Once you get started, you can't get out. But it will cost me 20 years before the Village starts paying any money and I don't plan on being on the Board for that long. When I get off the Board, any money that came out of mine, I will get back and pay taxes on it at that time. So you won't get anything until you're fully vested. So that's five years. Do the math, that's like 20 years. I just wanted to explain that. I did try and opt out four times and I can't.

TRUSTEE PHILLIPS: Thank you for explaining that. I tried doing the same thing.
MAYOR NYCE: And I appreciate that.

It's my understanding that it's ten years of full-time. Thank you.

MAYOR NYCE: If there is no further discussion, I will call a vote.

All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #08-2013-6, RESOLUTION authorizing a two-year extension of the agreement between the Village of Greenport and Bollam, Sheedy, Torani & Co., LLP, for independent audit services through the audit of fiscal year 2014/2015 in
accordance with the firms proposal and with an
RFP for audit services to be noticed
thereafter.

So moved.

TRUSTEE MURRAY: Second.

Regular Meeting August 26, 2013

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: I know the intention
of this but there is no fees associated with
this. We're doing this for them to approve
the gaps in there. There is no mention of the
price of the software in there.

MAYOR NYCE: The discussion is ongoing.

TRUSTEE HUBBARD: Are we buying the
$2800.00 software?

MAYOR NYCE: She has already bought the
software.

TRUSTEE HUBBARD: I thought that this
was going to be a more elaborate RESOLUTION.
It doesn't explain what we're going to be
doing with this.

MAYOR NYCE: I understand. If I wasn't
at the work session and read this, I would
think the same thing.

TRUSTEE HUBBARD: I think everyone
needs to know why we're extending the
agreement.

MAYOR NYCE: How about I do this. How
about I ask the Clerk to attach the extension
agreement to this RESOLUTION so that if anyone
goes to search, they will find the updated

RESOLUTION.

TRUSTEE HUBBARD: Yes. So that they
know we're compliant and it's there.

MAYOR NYCE: If there is no further
discussion. I will call a vote.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.
Regular Meeting August 26, 2013

12 MAYOR NYCE: Any opposed or abstentions?
13 (No Response.)
14 MAYOR NYCE: That motion carries. Thank you.
15 
16 TRUSTEE MURRAY: RESOLUTION #08-2013-7,
17 RESOLUTION authorizing Deborah Boyle to attend the New York Conference of Mayors Fall Training School in Saratoga Springs, New York from September 9, 2013 through September 13, 2013, at a cost of $1,557.24 for lodging and conference, plus all applicable travel costs; to be expensed from line item number A.1410.400 Clerk Contractual Expense.

1 So moved.
2 TRUSTEE HUBBARD: Second.
3 MAYOR NYCE: All those in favor?
4 TRUSTEE MURRAY: Aye.
5 TRUSTEE HUBBARD: Aye.
6 TRUSTEE ROBBINS: Aye.
7 TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I would like to thank Deborah for stepping up for this. It's nice to see.

TRUSTEE HUBBARD: RESOLUTION #08-2013-8,

RESOLUTION authorizing the attendance of:

Daniel Prindle and Stephen Rutkowski at a laboratory training seminar for the purposes of completing requirements for a Class D Operator License, to be held at the H2M Laboratories in Huntington, New York on September 5, 2013 from 8:00 a.m. to 4:30 p.m.; at a cost of $75.00 per person, to be expensed from line item number F.8318.410-Employee Training.

So moved.

Regular Meeting August 26, 2013

TRUSTEE ROBBINS: Second.

MAYOR NYCE: All those in favor?
TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBBINS: RESOLUTION #08-2013-9, RESOLUTION allowing Clerk Pirillo to designate on the official Village schedule the dates of August 1st though August 3, 2013 as the dates of the United States Power Squadrons District 3 Rendezvous, with the finalized Public Assembly Permit details to follow at a later date.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Any opposed or abstentions?
(No Response.)
MAYOR NYCE: That motion carries.
TRUSTEE PHILLIPS: RESOLUTION #08-2013-10, RESOLUTION approving the Public Assembly Permit Application as submitted by Christopher Hamilton for the use of the Fifth Street Beach/Park on September 14, 2013 from 10:00 a.m. through 8:00 p.m., with a rain date of September 15, 2013, for the annual Jeremy Hamilton Memorial Scholarship Fund event. So moved.
TRUSTEE MURRAY: Second.
MAYOR NYCE: All those in favor?
TRUSTEE MURRAY: Aye.
TRUSTEE HUBBARD: Aye.
TRUSTEE ROBBINS: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Any opposed or abstentions?
MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION

#08-2013-11, RESOLUTION authorizing Mayor Nyce to sign and execute the Green Innovation Grant Program Agreement-Clear Water State Revolving Fund between the Village of Greenport and the New York State Environmental facilities Corporation for SRF Project Number C1-5121-06-00/GIGP Application Number 702.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)
MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: Dave, can you give a little explanation on this?

MAYOR NYCE: It's the east-west studies.

TRUSTEE MURRAY: East-west studies.

MAYOR NYCE: Yes.

MR. PROKOP: I believe it's the stormwater studies.

TRUSTEE MURRAY: This is the grant for RESOLUTION #22?

MAYOR NYCE: Yes.

All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

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

TRUSTEE HUBBARD: RESOLUTION #08-2013-12, RESOLUTION authorizing Mayor Nyce to sign the agreement dated August 14, 2013 between the Village of Greenport and a Village employee.

So moved.

TRUSTEE PHILLIPS: I will second that but this is a vague RESOLUTION. As I said in the work session --

MAYOR NYCE: This is as per labor counsel. It has to be written like this.

TRUSTEE PHILLIPS: I have seen other municipalities that have some other kind of tracking for this.

MAYOR NYCE: There is a date and the RESOLUTION follows.

Is there any other discussion on the motion?
MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBBINS: RESOLUTION #08-2013-13, RESOLUTION rejecting the lowest bid for Liquid Sludge removal as submitted by Go Green, for just cause on the recommendation of the Village Attorney, per the bid opening on July 12, 2013.

So moved.

TRUSTEE PHILLIPS: Second.

Regular Meeting August 26, 2013
TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #08-2013-14, RESOLUTION awarding the contract for Liquid Sludge Removal to Russell Reid Waste Hauling at a cost of $169.00 per thousand gallons and $67,600 per 400,000 gallons per year, per the bid opening on July 12, 2013.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

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

TRUSTEE MURRAY: RESOLUTION #08-2013-15, RESOLUTION adopting lead agency status and adopting a negative declaration for the purposes of SEQRA with respect to Clark's Beach Green Energy Park planning grant application for a planning/feasibility study.

So moved.

TRUSTEE HUBBARD: Second.

TRUSTEE PHILLIPS: Isn't this the SEQRA that had the wording that was brought to our attention?

MAYOR NYCE: Yes.

MR. PROKOP: The RESOLUTION of Clark's Beach speaks about the planning grant and only the planning grant. It's in the package.

MAYOR NYCE: Yes. Correct. He's right.

MR. PROKOP: The top of the RESOLUTION --

TRUSTEE PHILLIPS: That's not what I
saw. I don't have that in my packet.

MAYOR NYCE: Apparently there is two.

We're just passing the SEQRA RESOLUTION that has to do with the grant.

TRUSTEE PHILLIPS: So this I should not have?

MAYOR NYCE: No. It's not applicable.

TRUSTEE PHILLIPS: Okay.

MAYOR NYCE: If there is no further discussion.

All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #08-2013-16, RESOLUTION hiring Derryl Baumer,
effective September 9, 2013 as a full-time engineering aide, at a pat rate of $16.00 per hour, for a forty hour work week and including all applicable benefits, and the standard six month probationary period.

So moved.

TRUSTEE ROBBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBBINS: RESOLUTION #08-2013-17, RESOLUTION adopting lead agency status and adopting a negative declaration for the purposes of SEQRA with respect to the...
Regular Meeting August 26, 2013

TRUSTEE PHILLIPS: RESOLUTION #08-2013-18, RESOLUTION adopting the attached Inter-Municipal Agreement forming the Peconic Estuary Protection Committee, at an annual cost to the Village of $3,000.00 to be expensed from line item number A.8745.201 and further authorizing Treasurer Kagel to perform the following corresponding budget
modification: $3,000.00 from line item

A.8510.201, Greenport Improvement Committee to
A.8745.201 Peconic Estuary Program.

So moved.

TRUSTEE MURRAY: Second.

TRUSTEE PHILLIPS: Dave, as I said
during the work session, I didn't like the way
that this was worded.

MAYOR NYCE: What about if we make the
stipulation that the $3,000.00 is awarded to
Greenport Improvement Committee?

TRUSTEE PHILLIPS: I thought that was
the original intent?

MAYOR NYCE: It was. So therefore
adopting this RESOLUTION with the stipulation
that the Greenport Improvement Committee would
be funded from another line item as they go

through the grant process to complete the
jailhouse. I would ask that the record show
that this RESOLUTION show that.
All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #08-2013-19,

RESOLUTION authorizing the Village of Greenport, in conjunction with Southold Town, to request the assignment of grant monies from the Peconic Estuary Program grant for improvements to Moores Drain specifically for the remediation or replacement of the existing nonfunctional 21" HDPE pipe with alternatives which provides for better flow characteristics, to improve drainage throughout the Silver Lake/Moores Drain area.

So moved.

TRUSTEE HUBBARD: Second.
MR. PROKOP: Before you vote on this, there is a SEQRA RESOLUTION attached to this. And I believe this RESOLUTION acts as a grant money, that it would be advisable to adopt a SEQRA RESOLUTION adopting lead agency status and a negative declaration.

MAYOR NYCE: Do we have to do that prior to adopting this RESOLUTION?

MR. PROKOP: Yes, I would do that.

MAYOR NYCE: So how about we table this and then do the SEQRA?

MR. PROKOP: Yes.

MAYOR NYCE: I will offer a motion to table RESOLUTION #19, while we take up the SEQRA RESOLUTION for same.

TRUSTEE ROBBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or
abstentions?

(No Response.)

MAYOR NYCE: That motion is tabled.

Regular Meeting August 26, 2013

I will offer a motion to adopt SEQRA RESOLUTION as attached regarding the assignment of grant monies from the Peconic Estuary for Moores Drain. Adopting both lead agency status and a negative declaration as attached.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That SEQRA RESOLUTION is
I will offer a motion to reopen RESOLUTION #19 as read previously.

TRUSTEE ROBBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #08-2013-20, RESOLUTION authorizing the Village of Greenport to participate in the 2015 Tall Ships Challenge as a Home Port.

So moved.

TRUSTEE ROBBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.
TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBBINS: RESOLUTION

#08-2013-21, RESOLUTION awarding the contract for Storm Debris Removal to Mattituck Environmental at a cost of $100.00 per cubic yard; $40,000 per 100 cubic yards; $2,500 per day; $3,300 as a container loading price and a total cost of $42,000; per the bid opening on July 17, 2013 and authorizing Mayor Nyce to execute the contract on behalf of the Village of Greenport.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: By way of explanation,
$40,000 is for four containers. Just so everyone understands what it is.

All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #08-2013-22, RESOLUTION accepting the proposal from Dvirka and Bartilucci for the services as proposed in an amount not to exceed $74,964.50; for the Village of Greenport Water Quality Improvement Bio-Retention Basins and Related Improvements and further authorizing Mayor Nyce to execute the agreements related to the proposals on behalf of the Village of Greenport.
So moved.

TRUSTEE MURRAY: Second.

TRUSTEE PHILLIPS: Clarification.

Taking place at Manor Place.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #08-2013-23, RESOLUTION accepting the proposals from Young & Young for services as described in the NYSERDA grant agreement of $7,500.00 for the Eastern Greenport Study and $7,500.00 for the Western Greenport Study, with an additional $100 budget for reimbursable expenses, subject to obtaining
waiver confirmation from NYSERDA.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #08-2013-24, RESOLUTION authorizing Mayor Nyce to sign Change Order 2E with a value of $3,990.00 for the reinstallation and programming of the two MultiLin units at the Power Plant.

So moved.

TRUSTEE ROBBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.
MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBBINS: RESOLUTION #08-2013-25, RESOLUTION accepting the proposals from Dvirka and Bartilucci in the amount of $18,000.00 for the Eastern Greenport Study and $15,800.00 for the Western Greenport Study and authorizing Mayor Nyce to execute the related contract on behalf of the Village of Greenport.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION

#08-2013-26, RESOLUTION requesting from

Regular Meeting August 26, 2013

NYSDEC/NYSEFC waiver for the MBE/WBE requirements due to the large increased cost, 194% which the Village would incur for compliance with these requirements.

So moved.

MAYOR NYCE: Is there a second?

TRUSTEE HUBBARD: Second.

MAYOR NYCE: Again, by way of explanation, we got the cost for surveying and was significantly less. This would be the amount extra that would be paid to above Young & Young's cost. So therefore, we're saving that money for a waiver from the DEC and EFC
because of the waiver of threshold requirements.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION

Regular Meeting August 26, 2013

#08-2013-27, RESOLUTION accepting the proposal from Cameron Engineering for the services as described in the NYSERDA grant agreement, in the amount of $28,500 with an additional $100 for reimbursable expenses and authorizing Mayor Nyce to execute related contract on behalf of the Village of Greenport.

So moved.

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

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #08-2013-28, RESOLUTION ratifying the hiring, effective August 5, 2013; of the following park and recreation center staff:

Taylor Hart at a pay rate of $9.00 per hour, Shauna Scholl at a pay rate of $9.00 per hour, Marianne Naleski at a pay rate of $8.50 per hour, Elizabeth Corwin at a pay rate of $7.25 per hour, Courtney Kart at a pay rate of $7.25 per hour and John J. Kinsey at a pay rate of $7.25 per hour.
So moved.

TRUSTEE ROBBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBBINS: RESOLUTION #08-2013-29, RESOLUTION ratifying the wage rates for the following: $10.00 per hour for Kerstan Pringle, effective June 24, 2013, $10.00 per hour for Emily Fingerle, effective July 22, 2013 and $10.00 per hour for Audre Allen, effective July 22, 2013.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?
TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #08-2013-30, RESOLUTION approving the Memorandum of Agreement dated August 15, 2013 between the Village of Greenport and the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO regarding the arbitration agreement between the Village of Greenport and the CSEA.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #08-2013-31, RESOLUTION approving all checks per the Voucher Summary Report dated August 22, 2013, in the total amount of $881,796.24 consisting of:

All regular checks in the amount of $803,106.14 and all prepaid checks, including wire transfers in the amount of $78,690.10.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or
abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

MR. PROKOP:  Can I just interrupt please?

MAYOR NYCE:  There is a SEQRA RESOLUTION attached, because we changed the

Regular Meeting August 26, 2013

name of the RESOLUTION -- bond RESOLUTION on August 23, 2013, we need to approve the rest of the language that was attributed to that. It's required that we adopt this RESOLUTION. This RESOLUTION adopts lead agency status and also adopts a negative declaration.

MAYOR NYCE:  Do we need to revote on the bond --

MR. PROKOP:  I was going to recommend that.

MAYOR NYCE:  Okay. I will offer a motion to accept the SEQRA RESOLUTION regarding bond RESOLUTION dated August 23, 2013, adopting lead agency status and adopting
a negative declaration per the bonding with regards to SEQRA, as attached to this agenda. So moved.

TRUSTEE ROBBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

Regular Meeting August 26, 2013

(No Response.)

MAYOR NYCE: That motion carries. I would like to reoffer a motion on RESOLUTION #08-2013-4, post SEQRA RESOLUTION approving the attached bond RESOLUTION dated August 23, 2013 for the approval of the Villages electrical distribution facility in the amount of $1,050,000.00 as prepared by bond counsel, Fulbright & Jaworski.
So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: I will ask the Clerk to please call the roll.

CLERK PIRILLO: Trustee Murray?

TRUSTEE MURRAY: Yes.

CLERK PIRILLO: Trustee Hubbard?

TRUSTEE HUBBARD: Yes.

CLERK PIRILLO: Trustee Robbins?

TRUSTEE ROBBINS: Yes.

CLERK PIRILLO: Trustee Phillips?

TRUSTEE PHILLIPS: Yes.

CLERK PIRILLO: Mayor Nyce?

MAYOR NYCE: Again, yes.

CLERK PIRILLO: Thank you.

MAYOR NYCE: This has been quite an adventure. At 7:48, I will offer a motion to adjourn to Executive Session to discuss personnel disciplinary matter. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?
TRUSTEE MURRAY: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Any opposed or abstentions?

(No Response.)

MAYOR NYCE: We're adjourned.
CERTIFICATION

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

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

THAT the within transcript is a true record of the testimony given by said witness(es).

I further certify that I am not related either by blood or marriage to any of the parties to this action; 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, September 8, 2013.

_______________
(Jessica DiLallo)

* * * *