VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

VILLAGE OF GREENPORT
BOARD OF TRUSTEES

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Third Street Firehouse
Greenport, New York

August 27, 2012
6:00 P.M.

BEFORE:

DAVID NYCE - MAYOR
GEORGE HUBBARD JR. - TRUSTEE
CHRIS KEMPNER - TRUSTEE
DAVID MURRAY - TRUSTEE
MARY BESS PHILLIPS - TRUSTEE
SYLVIA LAZZARI PIRILLO - CLERK
JOSEPH PROKOP - VILLAGE ATTORNEY
MAYOR NYCE: I will call the Village of Greenport Board of Trustees meeting to order.

(Pledge of Allegiance followed by a Moment of Silence.)

MAYOR NYCE: I have a couple of announcements this evening. First, it has been in the news quite a bit, hurricane season is upon us. It's officially hitting Florida and the Gulf Coast tonight. We are reminding everyone to please have a plan for their personal safety and that of your family members. Please take note that the number for the Suffolk County Joint Emergency Evacuation Program is at: 631-852-4900, or 853-8333. That would be the number for anyone that needs some sort of ambulatory care in the event of an emergency, if you need to have a shelter that is guaranteed. Suffolk County provides a service for that. The second announcement is, The Lynx will be in Greenport from August 30th to September 2nd. That is this coming weekend, and also over the Maritime Festival
from September 20th through the 24th. They

will be available for sail-away's to the
public. The public will be able to tour the
ships and do sail away's. We have that
schedule. It will be posted on the Village
website, and at the marina. The Village
Offices will be closed on September 3rd in
observance of Labor Day. We are also
reminding everyone that school is back is
session, please drive carefully. Keep your
eye out for the young one's on their way out
to school. The Maritime Festival will be held
on September 22nd and 23rd, 2012.

Public interests: We would like to
remind people to please create a fire safety
program for your family, while this summer
season is winding down, and as many concerns
about wildfires, going towards the winter
season, people use the wood stoves for heat.
Fires do happen. Please be sure to check the
batteries in your smoke and CO detectors, and
please have an evacuation plan for your family
and your young one's.

There are no public hearings or
presentations. There is also one additional
announcement, the Village Clerk received this

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note. It says, "Dear Sirs, at last month's meeting, I stated an invoice for my business to the Village related to the Tall Ships event had not been paid by the Village. That statement was accurate; however, the invoice had been paid by the Village, in error. Payment was sent to the wrong vendor, and everything has been resolved. Perry Anderson, Harbor Front Deli." I was not at that meeting, and I assumed that he was here.

TRUSTEE HUBBARD: Yes, it was discussed.

MAYOR NYCE: He has sent a letter saying that everything has been worked out.

TRUSTEE HUBBARD: Other presentations. I do actually have, I want to offer a public apology to Jack Naylor, Director of Utilities. At the work session, I had said the poles were not removed. The poles were actually removed. Thank you, Jack. I did not notice it. They did take care of it. I just wanted to publicly say I was wrong when I said they were not taken care of, and they were.
thing I was going to read last month, but I wasn't able to. So I am going to read it now.

"Proclamation dated July 12, 2012. WHEREAS, the Village of Greenport wishes to formally recognize and celebrate certain achievements and milestones of which residents and further commence members of our community that continue to influence and inspire us, and further recognize, that Mayor, David Nyce, having thus far amazingly achieved one half century in birth years, has obtained an important life goal, and WHEREAS, the magnitude of such accomplishment cannot possibly be overstated. THEREFORE, BE IT RESOLVED, that the Village of Greenport Board of Trustees hereby infers upon Mayor David Nyce his proclamation of accommodation with sincerest best wishes for many such more significant celebratory days of a lifetime. By order of Village of Greenport Board of Trustees. Happy Birthday. I just renewed my AARP card --

MAYOR NYCE: Thank you very much.
That's fantastic. Thank you all very much.

With that, we come to the public portion, and ask if there is anyone from the public who wishes to address the Board, they can do so at this time.

MR. KAPELL: Members of the Board.

Good evening. My name is David Kapell. I am here as agent for Blue Canoe, the new restaurant on Third Street. My address for the record is 400 Front Street, Greenport. I just wanted to direct your attention to Item #25, which relates to our operation, and note the presence in which calls for approval for one of the two signs in which we are asking for. That were approved by the Zoning Board of Appeals. So I would ask you to amend this RESOLUTION when the time comes to approve it.

MAYOR NYCE: I will probably do so when we get to doing the agenda. I realize that that typo was made and absolutely, yes, we will make that correction.

MR. KAPELL: Thank you.

MAYOR NYCE: Absolutely. Oh, and by the way, when we get there, I will ask the
Board to take that out of order so you don't have to all sit here this evening to get to that resolution.

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MR. KAPELL: Thank you.

MAYOR NYCE: We will take that out of order. Is there anyone else who wishes to address the Board?

MR. SWISKEY: William Swiskey, 184 Fifth Street. I have a few things. One of them I just received a response from for a FOIL today, I had asked for the redacted version available of the attorney's report that he redact what is privilege and publish what is entitled of the rest. And, the response from the Village Attorney is that his work session report is privileged attorney/client information. Except in the law it's not. There is only nine reasons. And I know I have received these before from the Board and what not, and I have spoken to the people in Albany, and this is just not a fact. The only thing that is privileged in this report is that report is litigation, personnel. So I would ask the Board to maybe get a clarification on exactly what part of
this law he is quoting because, it's not in there. I mean, getting information out of this Village is hard enough, and Mr. Freeman

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will be here. He will explain to the Board -- I know people who have had several conversations with him, and the Village is so far out of whack on the law, it's pathetic. That brings me to another item, that the July 23rd work session, Mr. Braun, who I thought was going to be here tonight to give a presentation to the Board, it appears he is not. He was waiving a report that all the Trustees were in possession of. So two days later, on the 25th, I asked for a copy of that report. And the latest answer to that is, the Village is continuing to look for that report. I mean, how can this report -- and I know you are going to give me an answer by basically -- I guess it's August 31st, but I will probably get another letter that says different. This has gotten a little bit out of hand, if you ask me. I mean, the man was waiving the report, Mr. Mayor. Each member of the Board had a copy of it, yet we can't find a copy to
reproduce? You can waive your hand all you
want, Mr. Mayor, but if it exist. And then I
sent you an e-mail on the 23rd, because I have
been hearing bad things about the power plant,

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and it has been shutdown for over two and a
half months now. And the engineers can't seem
to come to a plan and get it together. So I
asked you in an e-mail, because I was told at
the last public meeting, that I should ask a
Trustee if I have a question. So I am asking
the whole Board. Is the project shutdown? Is
the new transformer online or if the engines
are available for use or not? That would be a
simple yes or no answer from -- I am sure,
Mary Bess, George, the Mayor can answer that.
It's a simple answer. I am sure you're
capable of that. The man is asking for a lot
more work, and I would want the work finished
before they started with more work. Then we
come to sewer spill. The official to the
Village and on the record is 150 gallons, now
we all know better than that. So -- and in
the work session report, it made reference to
two, not one. It referred to a bacteria, a
high count that was discharged to the sound.
So this could have gone on for days. So is the public at this meeting get a little more information. What was the exact nature of the spill? What is the exact nature of the bacteria that is going to the sound? Way back after the spill, I brought up the flow chart which is a chart and so far I have not received it. I have only received two responses that it is pushed to August 31st. So I don't know how bad it was, or what went on, but it don't look good, geez. It's almost beyond my -- the chart, it would be like -- in other words, it has to be there. And I am almost coming to the conclusion, and I don't like to, if it's bad news, that means the Village wants to stall it. It's like the Tall Ships Accounting, how long has that been going on? I mean -- at the work session, the Deputy Treasurer got up and said it had the last of the -- the bills were paid and the contributions were in, then the reports should be generated. I was hoping it was being brought before this meeting, but that doesn't look like it. I mean, we only get one shot a
month to ask these questions, and it would be nice if someone answered them, instead of just sneering at us. It is annoying. The other thing, I have a couple of agenda items. The resolution #8-2012-21, my understanding is that we haven't received the grant yet. So why are we buying the lights? I mean, that's $22,000.00 and it's also coming out of light funds. Now -- you can shrug your shoulders all you want, it just shows -- Oh, I won't mention it. But anyway, if the Village -- general village wants a street light downtown, don't come to the Light Department. The Light Department provides, I think it used to be 6 or 8 basic types of light. If you want to rent one, you can, if not, buy your own. So why are we spending $22,645.00 out of fund balance when we got roof's that leak, we got a capital projet that ain't complete, and we got fuel tanks that need -- this is just somebody's dream. You are not going to save money on this. If you save $1,000.00 a year on these lights, you won't have these lights long enough to justify installing them. Like I said, things are bad at the Light Plant.
From what I understand, the roof is like --
that's it. Every time it rains, it's buckets.
I mean, they had to go to Mike's Hardware to
get extra buckets. And then there was two
other things, RESOLUTION #8-2012-24, I mean, I

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assume this is for how many blocks on First
Street? What about Brown Street? What about
Carpenter Street? What about portions of
Fifth Street? Why are we sticking -- the
CHIPS money from this year and last year,
$85,000.00 and we are throwing it all on three
blocks on First Street. We pay taxes south of
the railroad, a lot of them actually. And
some of us pay more than one tax bill. When
are you going to do about our streets? That
is not going to fix the streets. That just
doesn't help. There is one more item, I asked
Mary Bess and I e-mailed the Board about it,
and it was the Tall Ships, specifically the
Lynx that are coming to Greenport. I mean, we
are giving away free dockage in the park. We
gave away, God knows how much of our park with
that 140 foot tent for the Power Squadron,
yeah we got the marina fees and they didn't
rent the park. The last thing I knew, you
rent a space at the marina, the park don't go
with it. If it does, let me know and I will
bring my boat in and get some friends down
there and have a party, and we can put up a
140 foot tent. Thank you.

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MAYOR NYCE: Is there anyone else that
wishes to address the Board?
MR. SALADINO: John Saladino, Sixth
Street. Are there any other agenda items that
you are going to vote on that the public
should be allowed to comment?
MAYOR NYCE: I am going to ask the
Board, I got information today from Pete
Manwaring, Supervisor of the Road Department,
he just pulled together bidding information
and a bid package for a new street sweeper. I
am going to ask the Board to vote to authorize
him to go out to bid, and we are working on
the finances with the Treasurer's Department
now. So I am going to ask the Board to
authorize the bid package to go out.
MR. SALADINO: If it's okay with you,
can I just ask the other Trustees because I
was kind of lied to the last time? Does any
of the other Trustees have other agenda --

TRUSTEE PHILLIPS: As the Mayor said
before, we have to fix #25. There is an
amendment to #25.

MR. SALADINO: But no additional agenda
items?

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(No Response.)

MR. SALADINO: Thank you. Just to
expand on what my neighbor Bill says, what --
he covered the spill. Was there in fact a
second spill at the Wastewater Treatment
Plant?

MAYOR NYCE: No.

MR. SALADINO: It was in the Director
of Utilities Report to the Board at the work
session. I was at the work session and he
mentioned two upsets at the wastewater
treatment plant. Was the report in error?

You don't know? You think it is something
that -- no? Any of the Board members know?

Nothing, Trustee Kempner, do you know? Did
you read the Director of Utilities?

TRUSTEE KEMPNER: I actually spoke to
the Director of Sewer in Riverhead about it
and he said, that these things happen -- 

MR. SALADINO: I am not asking that question. I am just asking if there was a second spill or not?

TRUSTEE KEMPNER: I think the Director of Utilities is right here.

MAYOR NYCE: It was covered in the work session, John.

MR. SALADINO: I was at the work session. His report --

MAYOR NYCE: It was covered in the work session.

MR. SALADINO: His report said there were two spills.

MAYOR NYCE: There was not two spills. We don't do this like this. You ask a question and we move on.

MR. SALADINO: I know what I read and I know what he said, so I will go with that. Bill mentioned the Lynx, about a fee for the Lynx, are we paying them anything? No, they are free. I have a couple of questions about a few of the resolutions. RESOLUTION #19. It is $4200.00 for this new software. I know it was discussed at the last work session. This
software and another concern. I believe they were both the same price. If you could tell the public, what the direct benefit of this software would be, other than just getting the agenda out? I went to their website, they both had the same, it is for agenda producing software. I think Sylvia does a good job with producing the agenda. This is $4200.00. So if you can perhaps expand on what else you chose to do? Also, if we rent this software for $4200.00 a year, will it help -- will it ease the cost of putting the agenda on the website or will it just be used to produce the agenda? Will there be a cost savings of putting the agenda on the website? Sylvia? I don't know. I know the rules, Mr. Mayor, I know that this is not a question and answer period. My question to that is why not? I kind of feel that this is legitimate questions that the public has a right to ask. I mean, you are spending $4200.00 of our money. It's not -- I don't want to turn it into a debate. It's a question. Perhaps another Trustee could expand on it? Trustees PHILLIPS?
MAYOR NYCE: We will explain it as we get to the Resolution.

MR. SALADINO: I can't ask a Trustee a question, and if she chooses to answer?

TRUSTEE PHILLIPS: Sorry, John. At the work session you got my general gist as to what and how I feel about this resolution.

MR. SALADINO: I was at the work session. My neighbors weren't.

TRUSTEE PHILLIPS: So I think when we get to this resolution, you will probably hear my vote and my reason for why I am doing that vote. It will probably explain where you are headed.

MR. SALADINO: I am not asking you about your vote. I am asking you --

TRUSTEE PHILLIPS: I will explain why I am voting --

MR. SALADINO: Trustee Kempner -- I am sorry for cutting you off. Would there be a cost savings with this software to produce it to the website?

TRUSTEE KEMPNER: I mean, it depends on how you are analyzing a cost savings. Is it a
savings in staff time? I mean, that was part of the efficiency in the software.

TRUSTEE MURRAY: John, I will help answer that. I am on the audit committee as well. We have been talking about this for quite some time. It is huge cost savings. Not only saves Sylvia and the clerk staff three days of putting the agenda together, it will help from different managers in putting the agenda together on -- everybody can help with this on their own computer. So it will be --

MR. SALADINO: That was a great answer. Why was it so hard?

MAYOR NYCE: John, it was said at the last three different work sessions. It has been gone over. We will get to it with an explanation, when we get to the resolution.

MR. SALADINO: I take exception to that. It --

MAYOR NYCE: You are welcome to take exception to it.

TRUSTEE KEMPNER: I just told you pretty much the same answer.
MAYOR NYCE: Can we move on?

TRUSTEE KEMPNER: We are all answering your question.

MR. SALADINO: I had asked Resolution #27, I think it is good that you have a second meeting. I had asked the Village Administrator to perhaps make the time a little more convenient for the public that would like to attend that is not retired. I would ask that you consider that. Instead of 5:30, perhaps, 6:00, 6:30. The last one, will -- all right. Thank you.

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

MR. WINKLER: John Winkler, 175 Fifth Street. I have been attending the last few work sessions for quite a long time, and I notice every time we get the agenda on line and I read the agenda, and we get this paperwork that the public doesn't get. I know the last meeting we had something for the Tall Ships handed out by the Treasurer and then it was never discussed what was in that piece of paper. So I would like to ask, that if he make copies for you, you know, there are only
six or seven people that show up at the work
session, can you make another eight, so we can
see what you are seeing and maybe ask
questions about it at this meeting? We can't
ask questions there. So I just think that we
are entitled to that information. You know, I
wish you could make a few more copies for us
so we could discuss it. I would like to see
it, how much it was. You guys don't even talk

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about it. You get the paper, oh, thank you,
and that is the end of the conversation from
the treasurer. He doesn't discuss to the
public what he just gave you. Thank you.

MAYOR NYCE: Anyone else that wishes to
address the Board?

MR. TROWBRIDGE: Richard Trowbridge,
Dr. Richard Trowbridge, East Marion. Under
RESOLUTION #8-2012-15, confirming the Village
Board ratifying the memorandum of agreement.
Again, that was placed on the clerk's report
to you for the work session, and we have no
knowledge of what's in that understanding or
agreement. And I am sorry, but once the
agreement has been signed by both bodies, it's
public knowledge and should be available to the public.

MAYOR NYCE: It will be after it is signed. It is not signed. It will be after it is ratified.

MR. TROWBRIDGE: It says here confirming, it does not say ratify --

MAYOR NYCE: It is not finalized until it has been ratified by this Board, at which point, I --

MR. TROWBRIDGE: If your signature is on it, it has been ratified.

MAYOR NYCE: My signature was on it before it was ratified by anyone. My signature has to --

MR. TROWBRIDGE: Not -- it's no longer a private document. It is now a public document. I am sorry --

MAYOR NYCE: You can argue --

MR. TROWBRIDGE: I have been talking to an attorney about this.

MAYOR NYCE: That's good.

MR. TROWBRIDGE: And he says, once both bodies have the signatures, it's now a public document. It is just like you going to court
and filing papers in court, once they are
filed, I can go to court and get a copy of it,
1-2-3.

MAYOR NYCE: You can fight with our
labor attorney.

MR. TROWBRIDGE: I am not going to go
to your labor attorney, because he is going to
parrot what you want him to say. Read the
Open Meetings Law, and it says that if a
report has been handed to you at a work
session, it's entitled that the public has a
right to have a copy of that report. I don't
know what the problem is with you. You are
hiding information. You are working against
the public's ability to have knowledge about
what you are doing. And that creates mistrust
in the public. And they have a right to
mistrust you, because you are not being open
with them. You go and have these reports
handed out at a work session, one of which has
created a lot of interest, and it's not
available to the public. Even if they FOIL
for it, they won't get it until this meeting.
So how can they intelligently discuss what is
happening? The law requires you to hand out
what is given at these meetings. It must be
made available to the public. Now, if you
don't want to believe it, again, you are
opening yourself up to getting their goat up
and they are going to take you to Court, and
when the judge reads how you run your
meetings, he is going to rule in the person
taking you to court, in their favor. And you
are going to have mud on your face again.
Now, the last issue is, I brought up a point

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in May on an item under the FOIL law. In
response to an e-mail received by a Trustee.
I e-mailed her an e-mail answering her
questions on June 27th --

TRUSTEE PHILLIPS: Mr. Trowbridge --

MR. TROWBRIDGE: I was worried about
raising a hissy-fit and I don't want to have a
hissy fit.

TRUSTEE PHILLIPS: No, we are not going
to have a hissy-fit, because I happen to have
an answer for you, and I decided not to e-mail
you, because I decided to do it in public.

MR. TROWBRIDGE: That's good. We know
why you are doing that. Thank you very much.
TRUSTEE PHILLIPS: Thank you.

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

(No Response.)

MAYOR NYCE: If not, we will move into our regular agenda. Before I read Item #1, I would like to with the Board's permission, add a resolution authorizing Pete Manwaring Supervisor of the Road Department to go out to bid for a street sweeper, and I would also like to amend Motion #25, RESOLUTION #25, to read, Board of Trustees for one roof and one overhanging sign as applied for. With those two additions, if no one has any objections, I will offer a RESOLUTION adopting the August, 2012 agenda as just now amended.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: If there is no further discussion, I will ask all those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.
Motion carries.

If the Board would indulge, I would also like to ask that we take Items #25 and #26 out of order, and I will offer a RESOLUTION approving the application of Blue Canoe to the Board of Trustees for one roof and one overhanging sign, as applied for. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: Seconded by Trustee Kempner. Is there any discussion on this motion?

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I will say, at the work session, because we are short Planning Board members, I asked that if there were any simple and straightforward applications that we can move along. I know that there are some other items that are hanging on with this project and some others, that seem straightforward and simple. That's the explanation for us taking action for the Planning Board.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

I will offer Motion #26, RESOLUTION approving the application of First and South to the Board of Trustees for the replacement of existing directionals signs, as applied for. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: Seconded by Trustee Murray.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

I will ask Trustee Kempner to read Motion #2.
RESOLUTION ratifying the following, as already approved by the Board of Trustees at the public work session meeting held on August 20, 2012:

RESOLUTION approving the request of St. Agnes Church to close Sixth Street between Front and Wiggins Streets, on August 25, 2012 from noon to 3:00 p.m. for the eleventh annual Parish Picnic.

RESOLUTION authorizing the suspension of the open container law of the Village of Greenport, Sections 35-3B and 35-3C of the Greenport Village Code, for the festivals perimeters of the East End Seaport Museum Maritime Festival, from September 21, 2012 through September 23, 2012; per the Public Assembly Permit Application as previously approved on March 26, 2012.

RESOLUTION authorizing the amendment of the Public Assembly Permit Application as previously approved on March 26, 2012 for the East End Seaport Museum Maritime Festival; to include a fireworks display on September 22, 2012, either in Greenport harbor
RESOLUTION awarding the bid for Storm Debris Removal to Trinity Transportation Corporation in the amount of $20,520.00; to be expensed from Line Item Number: A.5110.407 (Trees/Grounds/Subcontracts).

RESOLUTION authorizing the hiring of Doug Jacobs as Power Distribution Lines Mechanic II, at an annual salary of $64,000.00; and noting that Doug Jacobs is "opting out of," and declining, health benefits. So moved.

TRUSTEE HUBBARD: Second.

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MAYOR NYCE: By way of brief explanation, the RESOLUTION that we did for the Storm Debris Removal, there are all aware that that Line Item does not have substantial money in it to cover. There is a RESOLUTION, Budget Modification #9, which moves money from the fund balance into that line item, pending getting money back from FEMA, which will cover all of that expense.

All those in favor?

TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #8-2012-3,

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

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE PHILLIPS: Abstain.

MAYOR NYCE: One abstention. That
motion carries.

TRUSTEE MURRAY: RESOLUTION #8-2012-4,

RESOLUTION approving the application for
membership of Tiffany M. McKenzie to the
Greenport Fire Department Rescue Squad, as
already approved by the Greenport Fire
Department Board of Wardens on July 18, 2012.
So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?
TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No Response.)

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MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION
#8-2012-5, RESOLUTION approving the
application for membership of Lisa Loper-Lawry
to the Greenport Fire Department Rescue Squad,
as already approved by the Greenport Fire
Department Board of Wardens on July 18, 2012.
So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: Seconded by Trustee
All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION #8-2012-6,

RESOLUTION approving the application for

membership of Nathaniel Richter to the

Greenport Fire Department Rescue Squad, as

already approved by the Greenport Fire

Department Board of Wardens on


TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

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

TRUSTEE HUBBARD: RESOLUTION #8-2012-7,

RESOLUTION approving the application for membership of Martiza Sierra to the Greenport Fire Department Rescue Squad, as already approved by the Greenport Fire Department Board of Wardens on August 15, 2012. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

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MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #8-2012-8,

RESOLUTION awarding the bid for twenty complete sets of fire department bunker gear to South Shore Fire & Safety, in the amount of $46,273.00; per the bid opening as held on
July 26, 2012 at 2:00 p.m. The twenty sets of bunker gear will be expensed from Line Item Number: A.3410.200 (Fire Department Equipment.) So moved.

TRUSTEE HUBBARD: Second.
MAYOR NYCE: All those in favor?
TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)
MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #8-2012-9, RESOLUTION, authorizing Treasurer

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Kagel to perform the attached budget amendment from appropriated fund balance, with the monies to be utilized for the Storm Water Debris Removal Project. So moved.

TRUSTEE MURRAY: Second.
MAYOR NYCE: All those in favor?
TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

By way of discussion, that work has already taken place. A bunch of it was being done today. I want to thank the Road Department again. The Road Department stepped up again, and helped out quite a bit. It's complete. So we will be submitting for that money.

TRUSTEE KEMPNER: RESOLUTION #8-2012-10, RESOLUTION authorizing the Village of Greenport Tree Committee to solicit bids for the removal of seventeen tree stumps and three trees, with the removal of (Tree Committee) and the removal of one stump and one tree to be expensed from Line Item Number: A.7110.400 (Parks.) So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #8-2012-11, RESOLUTION authorizing Treasurer Kagel to transfer the remaining balances from Fiscal Year 2011/2012 to Fiscal Year 2012/2013:

$867.00 in line item number A.1400.200 (Clerk Equipment.)

$4,287.50 in line item number A.1420.400 (Law Contractual Expense.)

$3,840.53 in line item number A.1420.401 (Labor Counsel.)

$2,354.64 in line item number F.1420.400 (Legal Fees.)

$6,361.00 in line item number G.1420.400 (Legal Fees).

$50.67 in line item number R.1420.400 (Legal Fees.)

$50.00 in line item number A.2072 (Greenhill Cemetery.)
$6,829.07 in line item number A.2705 (Arts and Culture Footfalls.)

$2,143.00 in line item number A.2820.2 (Skate Park Festival Committee.)

$4,000.00 in line item number A.8510.201 (Greenport Improvement Committee.)

$1,200.00 in line item number TA.0600.103 (Donations Summer Day Camp), and

$1,570.00 in line item number TA.0600.106 (Friends of Fifth Street Park.)

So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

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MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #8-2012-12, RESOLUTION authorizing that a letter be sent to the New York State Liquor Authority.
regarding the approving for a liquor license
by Bruce Garritano, who is using the address
of 115 Front Street, for which no executed
agreement exists between the Village of
Greenport and Bruce Garritano, and noting that
115 Front Street is the address of Village of
Greenport property. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION

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#8-2012-13, RESOLUTION approving the Public
Assembly Permit application as submitted by
the Greenport Union Free School District, for
the use of Village streets from the IGA to the
school, on October 5, 2012 from 6:00 p.m. to
6:30 p.m. for the annual Homecoming Parade.

So moved.
TRUSTEE MURRAY: Second.
MAYOR NYCE: All those in favor?
TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No Response.)
MAYOR NYCE: That motion carries.
TRUSTEE KEMPNER: RESOLUTION
#8-2012-14, RESOLUTION approving the request
of the Clinton Memorial A.M.E. Zion Church, to
have the Village of Greenport install hand
railings at the emergency drop-off steps in
front of the church, at 614 Third Street, to
be expensed from Line Item Number A.5110.406
(Sidewalks/Curbs). So moved.

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TRUSTEE HUBBARD: Second.
MAYOR NYCE: All those in favor?
TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION

#8-2012-15, RESOLUTION confirming that the Village Board hereby ratifies and approves the Memorandum of Agreement with the Civil Service Employee Association, Inc., Local 100, AFSCME, AFL-CIO, Village of Greenport Unit dated August 27, 2012 settling an employee grievance. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: Just to note, it's Local 1000.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

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MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE PHILLIPS: No.

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #8-2012-16,

RESOLUTION approving the hiring of Deborah
Boyle as Clerk Typist, effective August 28, 2012 at a rate of $14.28 per hour, with all applicable medical and other benefits, and including a twenty-six week probationary period. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: Seconded by Trustee Kempner.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION

#8-2012-17, RESOLUTION approving the request of the North Fork Women's Softball League for the use of the Polo Grounds softball field from 11:00 a.m. to 7:00 p.m. on September 30, 2012; for the Inaugural Alex S. Mele Memorial Softball Tournament. So moved.
TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION

#8-2012-18, RESOLUTION correcting RESOLUTION

#12-2011-8, to read that the date for the

Public Assembly the Permit Application as

submitted by Dennis O'Donnell, on behalf of

the Wounded Warrior Project, is to be

September 1, 2012 instead of


TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION

#8-2012-19, RESOLUTION approving the purchase of the IQM2 agenda creation software, per the proposed contract at a cost of $350.00 per month, to be divided monthly among the funds as follows:

A.1010.400 - Board of Trustees Contractual Expense - $30.00.

A.1210.400 - Mayor Contractual Expense - $20.00.

A.1324.400 - Treasurer Contractual Expense - $40.00.

A.1410.400 - Clerk Contractual Expense - $100.00.

E.0801.200 - Miscellaneous General Expense - $40.00.

F.8310.414 - Miscellaneous General Expense - $40.00.

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$40.00. So moved.

TRUSTEE KEMPNER: Seconded.

MAYOR NYCE: Seconded by Trustee Kempner.

By way of explanation, the first one, the enterprise funds using Miscellaneous Expense, I had asked the Treasurer to put something else, instead of Miscellaneous Expense, because I prefer not to use them. They could not. In next years budget, this will be -- assuming this resolution passes, will be budgeted for. So it reads that there will be a budget line for this sort of software. These were the best ones that we could fine. The second explanation is to reiterate what we discussed at the work session's, this software was identified by the Clerk's Office, a need for this type of software was identified first by the Clerk's Office nearly a year ago, and what the Board asked at that time, was that it go through Audit Committee and what the Audit Committee has been trying to make sure, if we make purchases of software that we are not just buying a random piece of software. That it
either integrates with what we already have, 
that we don't have something already existing, 
that serves the same purpose. In this case, 
there were two software companies that 
provided this type of service. There is some 
tie into a computer program that is part of 
the grant of the Southold Town that we are 
using, that being a municipality. This 
function of this software is entirely 
different than the municipality. They do not 
-- they are not necessarily compatible nor 
were they supposed to be. This is specific 
to --

TRUSTEE PHILLIPS: Excuse me, Mayor.

That is your opinion.

MAYOR NYCE: Excuse me and allow me to 
give my explanation and then you can chime in 
as soon as I am done. While this software was 
identified to work specifically for the 
Clerk's Office to set agendas for the Village 
Board and those items necessary for the

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Village Board. It is interactive, whereby, 
management can log-in in realtime, so that 
there is not the e-mails back and forth trying
to set up the agenda. Set up most like a KBS software, where as if someone logs in they are authorized to use the software and work their way through it. There is a substantial time savings with this. Again, there were two different programs that were identified. This one from our understanding, has the better customer service side to it, and this one is being recommended by the Audit Committee, and finalize, the municipality program is specifically set Building Department's, and engineering. It's much more GIS in it's mapping, tax mapping and deal with Building Department issues. I will leave that as the explanation for now. Trustee Phillips?

TRUSTEE PHILLIPS: As I said from before, from the beginning of this process, there has been a communication breakdown between all the departments. Part of the goal in looking through the Audit Committee was to find programs that would interact with all of the other programs. So that we weren't spending money on things down the road. I am extremely disappointed that this is only creating agendas. This is not getting -- we
already had the confusion today dealing with a
Building Department issue that could have
probably been resolved, if there had been some
better communication between the Building
Department and the Village Clerk's Office in
generating resolutions. I feel strongly that
this is not the way to go. I have said it
from the beginning. I am not secure in what I
saw as information coming from the Village
Clerk. It's not the first time I have said
it, and it's not going to be the last time I
said it. I do believe that the whole
programming of looking at all of our computer
software was to make it compatible so that the
whole Village would become interactive with
each other and that we would not have all the
confusion that has gone on for the past six
months, and that is what I have to say. As
far as being cost effective, I really don't
think that is going to happen.

MAYOR NYCE: Any further discussion on
this motion?

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(No Response.)

MAYOR NYCE: I will call the vote, all
those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed?

TRUSTEE PHILLIPS: No.

MAYOR NYCE: Motion carries.

TRUSTEE MURRAY: RESOLUTION #8-2012-20, RESOLUTION allowing Village Clerk Pirillo to attend the "Preparing an Employee Handbook" seminar in Bethpage, New York, sponsored by the Long Island Forum for Technology; from 8:00 a.m. to 10:00 a.m. on September 12, 2012.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE PHILLIPS: RESOLUTION

#8-2012-21, RESOLUTION awarding the Bid for Lighting Fixtures to U.S. Lighting Technologies in the amount of $22,645.00 per the bid opening on July 12, 2012 at 4:00 p.m.; to be expensed from line item number E.0372 (Street Lighting and Signals), subject to approval of the submitted grant and receipt of corresponding funds. So moved, but I have a question?

TRUSTEE MURRAY: Second.

MAYOR NYCE: Question?

TRUSTEE PHILLIPS: In this RESOLUTION, we have already received the contract for the grant that was in process --

MAYOR NYCE: It's in processing.

TRUSTEE PHILLIPS: So this should really say approved?

MAYOR NYCE: We don't have the sign approved -- we have a commitment from the County that it is on the desk for signature.

TRUSTEE PHILLIPS: Because the word "submitting grant" means to me that it was --

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it's confusing to me. I would rather see some
different word before that --

TRUSTEE KEMPNER: Awarded.

MAYOR NYCE: Would you prefer to amend
the resolution from "submitted" to "awarded?"

TRUSTEE PHILLIPS: Yes.

MAYOR NYCE: I will offer a motion to
amend this RESOLUTION. Is there a second to
amend?

TRUSTEE KEMPNER: Second.

MAYOR NYCE: The amendment is to strike
the word "submitted" with "awarded."

All those in favor of that amendment?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed?

(No Response.)

MAYOR NYCE: Motion carries.

And I will offer a RESOLUTION to amend
RESOLUTION #8-2012-21 as amended.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: It makes it a little clearer to the public and it makes it seem like we don't have the money for this yet.

TRUSTEE KEMPNER: RESOLUTION #8-2012-22, RESOLUTION accepting the proposal from Dvirka and Bartilucci extending the Resident Project Representatives services, in an amount not to exceed $10,000.00; for the period of time from April 1, 2012 through the close-out of the Waste Water Treatment Plant Project. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE HUBBARD:  RESOLUTION #8-2012-23, RESOLUTION ratifying the hiring of Daniel Lopez and Joseph Leonard a $7.25 per hour as seasonal, part time park attendants, effective August 11, 2012. So moved.

TRUSTEE KEMPNER:  Second.

MAYOR NYCE:  All those in favor?

TRUSTEE KEMPNER:  Aye.

TRUSTEE HUBBARD:  Aye.

TRUSTEE MURRAY:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE MURRAY:  RESOLUTION #8-2012-24, RESOLUTION approving a contract with Corazzini Asphalt, per the submitted proposal prices as based upon the existing, in force Suffolk County contract for grinding (roadway milling) and Southold Town contract for paving, with
costs of:

$75.00 per ton of installed asphalt.
$71.00 per ton of installed asphalt,
over 500 tons and,

$4.75 per square yard of road milling,
at a total cost not to exceed $85,000.00; to
be expensed from line item number A.5110.451
(CHIPS Expenditures.) So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: By way of explanation, we
had planned on doing this last summer, and
Southold Town contract -- I'm sorry, their bid
had expired. So we were not able to do that
project at that time. So we waited for them
to get their new bid in place, which we have.
This would take me from -- George --

TRUSTEE HUBBARD: From Steamboat Corner
all the way down to South Street, First and
South. And I agree with Mr. Swiskey, I wish
we could do a lot more roads, Bill, it took
almost two years to try and get this done in
splitting money up. There is a lot of roads
that need repair. This is a very traveled
road. We had more complaints about that road
and that road is in the worst condition. More
than other roads. Other roads, will be gotten
to as soon as possible. This is taking three
years to try and get the quotes in, the prices
in and get the work done. We have a
commitment for the week after Maritime
Festival, that Dave Abatelli had worked with
Rich Corazzini. So that will be done the last
week of September this year, and at least it's
one road that will be taken care instead of
talking about it. It's very frustrating
talking about it, a month after month and
getting no answers. We got an answer. It's
scheduled for the last week of next month, by
the next meeting hopefully it will be taken
care of. Then we will move to the next roads
as money become available. All those in
favor.

MR. SWISKEY: It's a great
accomplishment --

MAYOR NYCE: Mr. Swiskey, please you
are out of order. Mr. Swiskey, you are out of
order.

TRUSTEE PHILLIPS: I was going say that
I agree with George. First Street has been
one of those streets that I have heard the
most complaints about from people traveling
into the Village. It is probably one of the
roads that is taken the most. It has taken a
lot of tractor trucks. So it has taken a
beating. So to see those roads with a lot of
holes, I am sure I would -- we would all like
the roads in front of our houses done. In
this point, First Street is the one that I
hear when I go to other communities.

MAYOR NYCE: Is there is no further
discussion on this motion, I will call a vote.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

We covered #25 and #26, the next one
will be #27.

TRUSTEE PHILLIPS: RESOLUTION

#8-2012-27, RESOLUTION authorizing Village

Administrator and to schedule a final LWRP
meeting for September 20, 2012 at 5:30 at the
Third Street Firehouse and directing Clerk
Pirillo to notice the hearing accordingly. So
moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: I just had one
discussion on that, can we change the time to
6:00, that way it's like our regular meeting.
Is that something that he can do, Dave?

MR. ABATELLI: I think there may be a
conflict with the firehouse.

MS. PIRILLO: There is Department
training that night.

TRUSTEE HUBBARD: 5:30 is tough for me.

TRUSTEE KEMPNER: And me.

MAYOR NYCE: I will offer a motion to
amend RESOLUTION #27. Is there a second to
amend?

TRUSTEE MURRAY: I'll second that.

MAYOR NYCE: What I would like to amend
is that the time be changed to 6:00 p.m. and
the place be the red schoolhouse. So the
amended RESOLUTION will read final LWRP
meeting September 12, 2012 at 6:00 p.m. at the
red schoolhouse.

All those in favor of that amendment?

TRUSTEE KEMPNER:  Aye.
TRUSTEE HUBBARD:  Aye.
TRUSTEE MURRAY:  Aye.
TRUSTEE PHILLIPS:  Aye.
MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

I will offer a RESOLUTION to adopt

RESOLUTION #27 as amended.

TRUSTEE HUBBARD:  Second.

MAYOR NYCE:  Seconded by Trustee Hubbard.

All those in favor?

TRUSTEE KEMPNER:  Aye.
TRUSTEE HUBBARD:  Aye.
TRUSTEE MURRAY:  Aye.
TRUSTEE PHILLIPS:  Aye.
MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE HUBBARD:  Hopefully we will get
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1 a good turnout.
2 MAYOR NYCE: Absolutely.
3 TRUSTEE KEMPNER: RESOLUTION
4 #8-2012-28, RESOLUTION accepting the
5 boiler-plate contracts for capital projects as
6 created by Village Attorney Prokop, and as
7 vetted through, and recommended by, the Audit
8 Committee. So moved.
9 TRUSTEE HUBBARD: Second.
10 MAYOR NYCE: Seconded by Trustee
11 Hubbard.
12 All those in favor?
13 TRUSTEE KEMPNER: Aye.
14 TRUSTEE HUBBARD: Aye.
15 TRUSTEE MURRAY: Aye.
16 TRUSTEE PHILLIPS: Aye.
17 MAYOR NYCE: Aye.
18 Any opposed or abstentions?
19 (No Response.)
20 MAYOR NYCE: That motion carries.
21 TRUSTEE HUBBARD: RESOLUTION
22 #8-2012-29, RESOLUTION adopting a moratorium
23 on sub-division and subdivision applications
24 and approvals, effective August 27, 2012 until
November 30, 2012 or such later date as may be set by the Board of Trustees, pending Board of Trustees' review of proposed sub-division regulations. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #8-2012-30, RESOLUTION approving the request of the Business Improvement District, allowing the inclusion of Business Improvement District promotional materials in the same envelope/"mailers" as Village of Greenport utility bills. So moved.

TRUSTEE KEMPNER: Second.

TRUSTEE MURRAY: I have a question?

MAYOR NYCE: Sure.

TRUSTEE MURRAY: Is there going to be a
limit for us? Because this could get a little heavy?

MR. SWISKEY: (In Audible).

MAYOR NYCE: Bill, you are out of order again.

MR. SWISKEY: When --

MAYOR NYCE: Bill, you are out of order. One more time, and I will ask you to leave. You can be next Mr. Trowbridge. You can leave too.

It has to be covered by First Class standards.

Any further discussion on that motion?

TRUSTEE KEMPNER: I think it's great.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: Motion carries.

TRUSTEE PHILLIPS: RESOLUTION
#8-2012-31, RESOLUTION directing Village Clerk Pirillo to schedule a presentation by Robert Freeman of the Committee on Open Government, to take place during and open public meeting of the Board of Trustees of the Village of Greenport. So moved.

TRUSTEE MURRAY: Second.

TRUSTEE PHILLIPS: By way of discussion, and to answer Mr. Trowbridge's e-mail, during the process of researching a lot of the FOIL requests with a lot of paperwork flying back and forth, there is a time when paperwork is being faxed, denials. There has been confusion. There has been confusion all over the place as far as communication of the Open Meeting Law. Many of us have called Mr. Freeman. I think I have had a whole year's discussion every time something comes up, and I think it's time that all people get an understanding as to what that basis is and what can be done and what can't be done, to put aside some of the stress that has been happening, not only to me, but the residents and the taxpayers, and also the staff having to deal with the numerous FOIL
requests that are coming in from all different directions. Whatever purposes, there are some that are coming from people who are little detailed and then there are some that are so detailed, that it takes months to be done. And some of them that we need to check with the attorney. So he has agreed to explain this. So that some of the drama can end.

MAYOR NYCE: Any further discussion on this motion?

(No Response.)

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION #8-2012-32, RESOLUTION approving all checks per the Voucher Summary Report dated August 16, 2012, in the total amount of
$1,175,772.57 consisting of:

All regular checks in the amount of $444,311.77.

All prepaid checks in the amount of $286,332.05, and,

All wire transfers in the amount of $44,128.75. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: Seconded by Trustee Phillips.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I have one additional RESOLUTION. I will offer a RESOLUTION #8-2012-33, RESOLUTION to authorize Pete Manwaring, Supervisor of the Road Department to go out to bid for a new street sweeper. So moved.

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

TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.

AUGUST 27, 2012 BOARD OF TRUSTEES

TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

I would like to very briefly, yes, the Lynx is coming in, and it will be here for these two stays. We are not paying any appearance fee. They are staying at the dock. They are going to offer tours and sail away's, and they are going to submit back to the Village, a portion of the proceeds with what they make while they are here. That is the arrangement that we made with the Ships on Memorial Day, and they are during a similar thing with the Lynx. The idea of long term with this, if we can tie some of the ships back here during the Maritime Festival, if they make money while they are here. I will be asking the Village Attorney to put that
very quick agreement together. The Power Plant is fine. It is operational. We are awaiting, there are two doors that cover the switch gear that needed to be altered. We are waiting for those to be fabricated and sent in. We have hooked up to the transformer. We are able to generate in an emergency. Now we can make whatever connections are necessary and we can generate in any sort of an emergency. As to the Spill Report from the Waste Water Treatment Plant, there was a Spill Report that the Director of Utilities had submitted. There have been a couple of pick-up's with bringing that new system online. As Trustee Phillips eluded to, these things will happen. There was some additional backflow. A lack of oxygen in the system. A lack of airway in the system. That has been remedied. There were some clogs that were happening, which created a situation whereby we lost bacteria. The DEC is well aware of it and what is going on. They have been involved in every step of this. They were here for the Spill Report. I will make sure that the Spill Report from the DEC is available at the
Clerk's Office. That should cover that.

With that, I will offer a motion to adjourn to Executive Session to hear and briefly finalize a personnel issue. So moved.

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TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

(Whereupon, the meeting concluded.)
CERTIFICATION

STATE OF NEW YORK  )
) SS:
COUNTY OF SUFFOLK  )

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

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

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

IN WITNESS WHEREOF, I have hereunto set my
hand this day, September 9, 2012.

(Jessica DiLallo)