

1 VILLAGE OF GREENPORT
2 COUNTY OF SUFFOLK STATE OF NEW YORK
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3
4 BOARD OF TRUSTEES
5 REGULAR SESSION
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7
8 Third Street Firehouse
9 Greenport, New York

10 February 24, 2014
11 6:00 P.M.

12
13 B E F O R E:

14 DAVID NYCE - MAYOR

15 GEORGE HUBBARD, JR. - TRUSTEE

16 DAVID MURRAY - TRUSTEE

17 MARY BESS PHILLIPS - TRUSTEE

18 JULIA ROBINS - TRUSTEE

19

20 JOSEPH PROKOP - VILLAGE ATTORNEY

21 SYLVIA LAZZARI PIRILLO - VILLAGE CLERK

22 DAVID ABATELLI - VILLAGE ADMINISTRATOR

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February 24, 2014 - Regular Session 2

1 MAYOR NYCE: All right. It being six
2 o'clock, I will call this meeting to order.
3 I'll ask you to rise and please join me for the
4 Pledge of Allegiance.

5 (Whereupon, all rose for the Pledge of
6 Allegiance.)

7 MAYOR NYCE: I'll ask you to please
8 remain standing for a moment of silence for
9 Helen Arlene Rutkowski.

10 (Whereupon, a moment of silence was
11 observed.)

12 MAYOR NYCE: Thank you. You may be
13 seated.

14 Good evening. This is the February
15 regular meeting of the Board of Trustees of the
16 Village of Greenport. We have a couple of

17 announcements. They're not on the agenda that
18 you have.

19 The first announcement is the annual
20 tax -- sale of tax certificates will be held on
21 March 11th, 2014 at 10 a.m. in the conference
22 room at Village Hall.

23 Once again, if you are unable to use the
24 stairs, the conference room is upstairs, please
25 go to the front desk and they will make

February 24, 2014 - Regular Session

3

1 arrangements to facilitate your needs.

2 The second announcement is that there
3 will be a special meeting of the Board of
4 Trustees this coming --

5 (Cell phone sounded.)

6 MAYOR NYCE: That's our video guy, I just
7 want everyone to know.

8 (Laughter)

9 MAYOR NYCE: Not to out you, Dave, but
10 he's supposed to be doing the tech stuff.

11 There will be a special meeting of the
12 Board of Trustees this coming Thursday at three

13 p.m. here. It will be between three and up to
14 five o'clock. There's a Planning Board meeting
15 at five o'clock, so we have two hours in this
16 space Thursday.

17 The purpose of the special meeting is to
18 have a presentation from a company, Global
19 Commons, who is an energy -- they're an energy
20 plant or an energy company. They have some
21 affiliates that they're working with. They are
22 responding to an RFP from PSE&G. They have
23 already presented before the Town of Southold.
24 They have inquired if there was any interest in
25 the Village and if we had any property.

February 24, 2014 - Regular Session 4

1 This meeting will be nothing more than an
2 information-gathering. We asked them to come
3 and give information to the Board as just a
4 very preliminary. The only action the Board
5 may take would be to authorize them to use our
6 name in their Letter of Intent, which does
7 not -- which does not bind us in any way, it

8 just starts the information-gathering process.
9 I will make that again clear on Thursday when
10 we meet, but it is a presentation to the Board
11 at that time.

12 The other announcement is that at the end
13 of our working session last week, the Village
14 Board went into an executive session to
15 finalize -- out of executive session, adopted a
16 resolution of an intent to hire Mr. Paul Pallas
17 as the Village Administrator for the Village of
18 Greenport. We are working on the contract, so
19 I can't discuss the terms in their entirety,
20 but I will say that the salary discussed for
21 this position was up to \$150,000.

22 And I will also say that one should take
23 into account that the position is combining the
24 Village Administrator position as it currently
25 is now, with Mr. Abatelli retiring in June, and

February 24, 2014 - Regular Session 5

1 the Director of Utilities' position. Those two
2 salaries combined are nearly \$200,000, so we
3 are well within our ability to pay. More than

4 that, until the contract has been finalized, I
5 cannot discuss. There will likely be a special
6 meeting some time early in March for us to
7 finalize that contract, to execute the contract
8 with Mr. Pallas.

9 This Board spent a considerable amount of
10 time interviewing -- going through resumes,
11 interviewing, trying to find someone
12 appropriate for the position. We feel as if we
13 found a very capable man to fill the position.
14 And speaking for myself, and I guess the rest
15 of the Board, happy to have him on board and
16 can't wait until that's finalized.

17 Those are the announcements. There are
18 liquor license applications out. There's a
19 renewal application for the Triangle Yacht Club
20 at 300 Atlantic Avenue. And there's a new
21 application for Brix and Rye at 300 Main
22 Street.

23 There are no public hearings, or
24 presentations, or Board discussions this
25 evening.

1 The public portion of the Board, public
2 to address the Board, will be now. Is there
3 anyone that wishes to address the Board?

4 MR. SWISKEY: I would.

5 MAYOR NYCE: It was a rhetorical
6 question.

7 MR. SWISKEY: William Swiskey, 184 Fifth
8 Street. I have a couple of questions on a
9 couple of agenda items.

10 The first item is Resolution #8, 2014-8.
11 Is the Village Board by this saying that with
12 all the people we have in the Treasurer's
13 Office and all the money we spend on these
14 people, and salaries, and benefits, we can't
15 even prepare our own budget? This is a little
16 bit like -- that one is a little silly to me.
17 I mean, we got to pay somebody, I guess. It's
18 going to be \$1800 to do something that's always
19 been done inhouse? Even if you don't have a
20 Treasurer, you have an interim Treasurer who's
21 been here long enough, he should be able to

22 prepare this budget. The other -- rest of the
23 budget comes from the Departments. I mean, you
24 have a secretary or accounts clerk. You should
25 be able to put this budget together. Why do we

February 24, 2014 - Regular Session

7

1 have to hire this person? To me, that's a
2 little bit like -- it just is -- it boggles my
3 mind, if you must say.

4 Are you saying that after seven years,
5 you have no qualified people to prepare a
6 budget, Mr. Mayor? What's been going on for
7 seven years? Would anybody, any of the
8 Trustees care to respond, because I know the
9 Mayor won't. I think it's silly.

10 MAYOR NYCE: It's not question and
11 answer, Bill, it's public to address the Board.

12 MR. SWISKEY: Oh, we know that, it's
13 comment, Mr. Mayor. You only answer the
14 questions after nobody can respond, but that's
15 your privilege since you run the dais.

16 The next one is the Resolution 2014-22.
17 Now, I seem to remember this contract being for

18 \$14,000, right? Am I right or wrong on that?
19 It was around \$14,000, I think. And I don't
20 remember in the two-year period the Village
21 Board authorizing any change orders increasing
22 this to almost \$35,000. I mean, he gave us a
23 price, it was \$14,000, and now we're going to
24 pay 35.

25 Mr. Murray, you were involved in this.

February 24, 2014 - Regular Session

8

1 What are we paying for here? We had a design,
2 we accepted this design for "X" amount of
3 dollars, and we put it out to bid and we did
4 the design. But where did he get --

5 TRUSTEE MURRAY: No. Actually, we didn't
6 do his first design. The first design dealt
7 with not only the West -- the East Pier, but
8 the -- all the piers inside the marina. Now,
9 the additional monies came from his future work
10 in the East Pier. When we decided to upgrade
11 the power for the mega-yachts, all right, all
12 the additional monies came from that. He never

13 billed us for the first phase of his work, and
14 we completely changed the East Pier design to
15 handle the mega-yachts. So that's where the
16 additional monies came, is basically from the
17 mega-yachts.

18 MR. SWISKEY: So --

19 TRUSTEE MURRAY: Am I correct?

20 MAYOR NYCE: Yeah.

21 TRUSTEE MURRAY: That is what --

22 MR. ABATELLI: It totally changed.

23 MAYOR NYCE: And we did change --

24 MR. ABATELLI: The contract changed from
25 the original job.

February 24, 2014 - Regular Session

9

1 TRUSTEE MURRAY: Yeah, we changed the --

2 MAYOR NYCE: And that was the change.

3 MR. SWISKEY: So someplace --

4 TRUSTEE MURRAY: So hold on, I'm going to
5 explain it. So I asked the same question. I
6 said, you know, "What happened with this?" I
7 did not know, because I think that was prior to
8 my term, that the 14,000 was all before the

9 East Pier project.

10 MAYOR NYCE: That was the boating and
11 infrastructure, right.

12 TRUSTEE MURRAY: Right, that was the
13 boating infrastructure monies that he finally
14 billed us for.

15 MR. SWISKEY: I seem to remember, maybe
16 I'm wrong, too, like you're saying, Mr. Murray,
17 that I don't remember -- I remember 14,000, and
18 I remember a plan coming for the East Pier. I
19 remember seeing that plan.

20 TRUSTEE MURRAY: And you're correct in
21 saying that, but it did not include really what
22 we ended up doing.

23 MAYOR NYCE: Right.

24 TRUSTEE MURRAY: It was -- we completely
25 changed the specs for the electrical, you know,

February 24, 2014 - Regular Session

10

1 for all the boxes, yeah.

2 MR. SWISKEY: But was there a Board
3 resolution changing that, because I don't

4 recall a Board resolution.

5 TRUSTEE MURRAY: Well, we bonded for the
6 \$400,000 for the --

7 MAYOR NYCE: It included -- right. And
8 that -- it included both.

9 TRUSTEE MURRAY: And that included that.

10 MR. SWISKEY: Yeah, but what I'm saying
11 here is there was a Board resolution
12 authorizing us to pay H -- well, Bob
13 Holzmacher, who's a good guy, so much money.
14 Now, suddenly, we're putting out that we spend
15 34,000. We're passing a resolution to cover
16 our butts.

17 Who was the Treasurer at the time that
18 let this happen? This kind of thing is not
19 supposed to happen. It should have come up at
20 a public meeting long ago, before we -- when we
21 switched to the East Pier. I'd say the
22 Treasurer, or whoever was in charge of that, or
23 in charge of the project, was not doing their
24 job. That's --

25 MAYOR NYCE: It did come up.

1 Mr. Holzmacher did not submit his bill for the
2 first portion of it for well over a year. He's
3 now submitted a bill for the entire amount. We
4 are bonded for --

5 MR. SWISKEY: I'm not talking about --
6 I'm not talking about bills. I'm talking about
7 public discussion where the Board discussed --

8 MAYOR NYCE: Which happened, and I'm
9 explaining to you that it did happen.

10 MR. SWISKEY: But he -- I come to every
11 meeting.

12 MAYOR NYCE: What meeting?

13 MR. SWISKEY: You can shake your head all
14 you want. I come to every meeting. I keep
15 track of the minutes. This was never
16 discussed.

17 MAYOR NYCE: I know you do, but you seem
18 to have a completely different recollection
19 than we do. So, that being --

20 MR. SWISKEY: Yeah. Like the \$108,000 is
21 a lot of money, yeah.

22 MAYOR NYCE: That being said, we're not

23 going to go in a back and forth. Mr. Murray
24 has explained what this --

25 MR. SWISKEY: Well, you're making --

February 24, 2014 - Regular Session 12

1 you're making things up as you go. That makes
2 me go back and forth, yeah.

3 MAYOR NYCE: Mr. Swiskey.

4 MR. SWISKEY: That really does make me --

5 MAYOR NYCE: Mr. Swiskey.

6 MR. SWISKEY: I have the --

7 MAYOR NYCE: Mr. Swiskey:

8 MR. SWISKEY: I have the floor,
9 Mr. Mayor. You chose to answer. If you don't
10 want to answer, don't answer, but I have the
11 floor, and that's the way you're running these
12 meetings.

13 MAYOR NYCE: You had the floor until you
14 relinquished it to Mr. Murray.

15 MR. SWISKEY: As a courtesy, and you've
16 been butting in.

17 MAYOR NYCE: No, sir, I did not.

18 MR. SWISKEY: Yes, you did.

19 MAYOR NYCE: Sir, as the person running
20 the meeting, I don't butt in. Okay?

21 MR. SWISKEY: Well, you don't butt -- all
22 right, Mr. Mayor.

23 MAYOR NYCE: So, that being said, the
24 situation has been explained, certainly not to
25 your satisfaction, but the situation has been

February 24, 2014 - Regular Session

13

1 explained. Can we please move on? Thank you.

2 MR. SWISKEY: All right. Well, I have
3 something else that -- and I wasn't going to
4 bring this up, but I will tonight.

5 MAYOR NYCE: I'm sure you will.

6 MR. SWISKEY: I sent an email to Trustee
7 Phillips and the rest of the Board asking for a
8 basic explanation on the \$108,000 charge. I
9 sent that way back -- I thought I had it. No, I
10 do have it with me, excuse me. It's stuck here
11 in my ripped coat lining. Anyway, I asked for
12 a basic explanation on the 108,000, because
13 what we were getting out of the Village and the

14 public, it was just not much. Anyway, last
15 week, after two weeks of holding it, she turned
16 it over to you. I mean, I'm a citizen. I
17 asked a question, I asked a nice legitimate
18 question by email. Am I ever going to get an
19 answer or not?

20 MAYOR NYCE: Sure.

21 MR. SWISKEY: When?

22 MAYOR NYCE: This email?

23 MR. SWISKEY: Yeah.

24 MAYOR NYCE: I'll answer it in a little
25 while. How's that?

February 24, 2014 - Regular Session

14

1 MR. SWISKEY: Well, you'll do what you
2 want anyway. But I have to read something,
3 since you're going to answer it, which is --
4 all right. This way -- goes way back to the
5 Suffolk Times, December 19th, 2013. Those
6 girls over there do a good job.

7 "There was an additional independent
8 service operator charge that happened this

9 month. This additional charge we're passing
10 on, we're still working on it with the Power
11 Authority. This has nothing to do with our
12 congestion charges."

13 Basically, there was nothing ever
14 explained in here until we got the emails from
15 the Power Authority, which -- oh, by the way, I
16 also FOIled the same emails from the Village,
17 because I asked for them. I still haven't
18 gotten those and it's past the 25-day limit.
19 It's amazing, the Power Authority could do this
20 in less than five days. In the Village, with
21 their great obedience to the FOIL Law, can't
22 even produce -- I'd like those emails, or at
23 least an answer to tell me they doesn't exist
24 or something, but that FOIL was out there.

25 MAYOR NYCE: Okay.

February 24, 2014 - Regular Session

15

1 MR. SWISKEY: And I'd like an answer to
2 it. I mean, that explanation is the first many
3 customers have heard. I mean, it's like the
4 Village of Greenport is unable to explain, and

1 Greenport.

2 The definition of a complaint is a
3 dissatisfaction. And this is not a criticism.
4 I'm talking about the condition of the streets
5 during all of these snow storms. And I have
6 praise for the men who are out night and day,
7 but you have got to make this Village user
8 friendly; it is not now.

9 I live on 4th Street. I use the park to
10 walk through, and I'll just, like I did before,
11 take you for a little walk. I did it in the
12 summertime when everything was not in good
13 condition.

14 You get to the railroad and you're
15 supposed to walk from -- you get off the train
16 and you go to a walkway. The walkway is so
17 loaded with ice, there's no way to get out of
18 that. People were trying to find out the other
19 day -- Saturday, there was a lot of people
20 coming here, and I said, "You can't go that
21 way, you have to go down to the ferry and make
22 your way out there."

23 MAYOR NYCE: I'm sorry, not to interrupt,
24 Renee. I'm trying to figure out, you're coming
25 across from the museum to that little -- where

February 24, 2014 - Regular Session 17

1 the beginning of the turnaround for the -- for
2 the ferry line is? That bit of sidewalk by the
3 parking lot is what you're talking about?

4 MS. CAREY: All right. Come off --

5 MAYOR NYCE: Just to the south of --

6 MS. CAREY: Come off the train.

7 MAYOR NYCE: Right.

8 MS. CAREY: Come off the train and go
9 down the ramp.

10 MAYOR NYCE: Yup.

11 MS. CAREY: Make a left.

12 MAYOR NYCE: Yup.

13 MS. CAREY: And you should be able to go
14 right to --

15 MAYOR NYCE: Go straight across.

16 MS. CAREY: Yeah.

17 TRUSTEE MURRAY: Up to the 4th.

18 MAYOR NYCE: Right.

19 MS. CAREY: And then there is a place --

20 MAYOR NYCE: And there's a crosswalk,
21 right.

22 MS. CAREY: -- where you should be able
23 to cross.

24 MAYOR NYCE: Okay.

25 MS. CAREY: It is so loaded with ice and

February 24, 2014 - Regular Session 18

1 snow, there's no way out of the there.

2 MAYOR NYCE: All right.

3 MS. CAREY: Okay? And the next thing is,
4 when you get on the corner by the ferry, and
5 it's that empty lot that must belong to
6 somebody, completely covered with ice and snow.

7 And another part I think should be taken
8 care of is the boardwalk. When that boardwalk
9 gets wet, it's just like walking on the ice
10 rink.

11 MAYOR NYCE: Yeah.

12 MS. CAREY: If somebody would just take
13 -- when they're doing the street, give one path

14 down there. A lot of the parents that bring
15 their children to the carousel and to the ice
16 rink, they use the parking lot over there
17 behind the Hampton Jitney area. And it would
18 be a lot of walking to go all the way down, but
19 that's never cleared. It's awful.

20 And then you get to the corner of 3rd and
21 Front and you try to get down there. I
22 complained about this. The movies, then Front,
23 completely covered. Now this guy could care
24 less that there's snow on his property.

25 And then another spot was the walkway

February 24, 2014 - Regular Session

19

1 between Noah's and the next store. I tried to
2 get to the post office by parking in the back
3 parking lot. There was no way to get through
4 that alleyway. I went into the liquor store
5 and I said, "Do you know who owns this?" "No,
6 we don't. We have so many complaints about
7 this," she said, "that we would love to know
8 and we would love to see it cleaned out."

9 And then the next thing is, the next spot

10 that I think is very important, it's the
11 pharmacy. They opened up a spot for people to
12 come in, but the part that's not clear is the
13 corner of South Street and 1st Street.

14 MAYOR NYCE: Yup.

15 MS. CAREY: I had to have John Williams
16 help me over a mound of ice there last week,
17 because a car had blocked and parked right
18 where the drugstore had cleaned out.

19 You know, if the Village can't do this,
20 why don't you get the Business Improvement
21 District to get an interest in this and make
22 this Village user friendly, people friendly,
23 because look how many people were in Greenport
24 over this past weekend. I'd just love them to
25 come out here, sit on the benches, do this, and

February 24, 2014 - Regular Session 20

1 then we have to put up with this kind of stuff.

2 And the crews, yes, maybe they don't have
3 enough time, but you got to buy a plow, and
4 maybe you could even offer to the merchants who

5 don't live here and who don't open their shops
6 during this kind of weather, offer them a
7 program where you would plow their snow when
8 they're not here and send them a bill. And
9 there's got to be a solution, because it's
10 very -- ooh, I hate to think about it.

11 Everyone that I talk to feels the same way.

12 MAYOR NYCE: Understood. I'll go down
13 your list. Unfortunately, most of them, other
14 than boardwalk, are private pieces of property
15 that need to be taken care of by the property
16 owner.

17 MS. CAREY: All right.

18 MAYOR NYCE: I have suggested --

19 MS. CAREY: Who owns the one on -- where
20 it's all fenced in next to the Blue Canoe?

21 MAYOR NYCE: I'd have to go and talk to
22 the real estate agent that's holding it now.

23 MS. CAREY: The State doesn't own that?

24 MAYOR NYCE: No. No, that's -- that
25 property owner --

1 MS. CAREY: Okay. Okay.

2 MAYOR NYCE: That's the property owner
3 and we've dealt with them in the past. I will
4 say that we have gone out and given summonses
5 to I think all of the places that you listed,
6 and the -- between Noah's and that bodega is
7 owned by those two property owners. I walk
8 through there every day. No, it's not
9 shoveled, but that is -- it's not -- it's not a
10 Village right-of-way, it's actually private
11 property. I'd love to see it taken care of as
12 well.

13 I have suggested to the BID that they
14 make that part of what they do as a service;
15 they haven't. They have a very small budget.
16 They've recoiled against doing that. I brought
17 it up almost every year; I intend to bring it
18 up again. They tend to not want to go that
19 direction, and that's up to them. They're a
20 separate Board, they raise separate tax monies.

21 I agree, I think it would be a nice -- a
22 nice service for, you know, someone to do all
23 of the district. It would be done more

24 thoroughly, and then they could cover it. They
25 have not wanted to do that. So, at this point,

February 24, 2014 - Regular Session

22

1 it's being done by each individual property
2 owner.

3 We have stepped up issuing summonses to
4 those that have not taken care of their
5 properties, more this year than last year, more
6 last year than the year before. We intend to
7 keep increasing that pressure, because I agree,
8 walking around -- this was also an inordinately
9 difficult winter to try and gauge getting the
10 snow out.

11 MS. CAREY: Of course.

12 MAYOR NYCE: Well, because, ordinarily,
13 if there's a snowstorm of eight inches or more,
14 we'll go downtown and we'll take everything
15 out. We'll send the crews down there, because
16 it's worth the taxpayer dollars to take the
17 machinery and the men down there to do it. If
18 it's less than that, it tends not to be worth

19 it, because it will tend to melt and everything
20 else.

21 We got caught this year in that it had
22 melted out a couple of times. Then we got a
23 snow and it froze and it all froze right there.
24 So this winter was tough, and we've had a bunch
25 of differently storms.

February 24, 2014 - Regular Session

23

1 MS. CAREY: Definitely.

2 MAYOR NYCE: But I will say, most of the
3 places that you're talking about, with the
4 exception of the boardwalk, the boardwalk has
5 its own degree of difficulty. Being somebody
6 that works with wood and having built a bunch
7 of decks, wood is notoriously horrible, a
8 notoriously horrible surface in ice and snow.
9 Once it gets -- even if it's wet, it's slick.
10 So when you couple that with ice and/or snow,
11 you can't salt it, because the salt -- if the
12 salt affects the snow, it also affects the
13 wood, it rots it away. It's a difficult
14 surface to go on.

15 So what we've done is we send them --
16 when we do the park, we send the crew down to
17 clear a path. We suggest people go around,
18 unfortunately. It's just a -- it's a horrible
19 surface to work with. We're doing the best we
20 can with that boardwalk. I don't know what
21 else we're going to do because of the surface
22 itself, short of putting mats down at some
23 point, you know, which is -- you know, at some
24 point, maybe we'll have the budget to do that,
25 but, you know, then that has its own degree of

February 24, 2014 - Regular Session

24

1 difficulty when you put the mats down, once it
2 snowed, or before it snowed, and have you deal
3 with a snowblower and all the rest of that.

4 So I understand and appreciate, and your
5 list is very similar to the list that we were
6 looking at. Trustee Robins went around. I had
7 a bunch --

8 TRUSTEE ROBINS: I got photos all over my
9 phone.

10 MAYOR NYCE: Right.

11 TRUSTEE ROBINS: You know, I've been
12 around the Village. I've been stopping in to
13 talk to businesses owners, encouraging them to
14 shovel. Sylvia will tell, I go in all the time
15 with my --

16 MAYOR NYCE: Right.

17 TRUSTEE ROBINS: -- latest photos, you
18 know.

19 MS. CAREY: It's got to be more --

20 TRUSTEE ROBINS: So I've been trying;
21 it's been difficult.

22 MS. CAREY: It's got to be more timely,
23 though. I just don't want to come here next
24 month and say the same thing and you say,
25 "Well, we tried." If you don't do it -- you

February 24, 2014 - Regular Session

25

1 have to do it.

2 MAYOR NYCE: Right.

3 MS. CAREY: And with all this money
4 that's floating around in my head tonight that
5 I've listened to, take some of that money and

6 do that job. Send the people the bill. Add it
7 to their taxes if they don't pay.

8 MAYOR NYCE: Understood. The other thing
9 that I will say, we're in the budget cycle now.
10 I have told this Board it is my intent to have
11 money in this budget to hire a Code Enforcement
12 Officer. That will be their job, is to go
13 around and make sure people are clearing their
14 walks, not just Business District, Residential
15 District as well. The entire Village should be
16 walkable, crosswalks should be passable,
17 sidewalks should be passable.

18 Our code states that you have 24 hours
19 after the end of the snowfall, I believe is the
20 wording, to clear. So, after that point, we
21 would then be sending people around, or a
22 person that we hire, to take care of that.
23 They would also be responsible for doing brush
24 removal, you know, people to put their brush
25 piles out early, and all of the rest of the

1 code enforcement stuff, that right now we have
2 our Building Department and our Village
3 Administrator doing.

4 I'm hoping that next year will be better,
5 because we will have somebody doing that as
6 their job, so we won't have the same
7 discussion.

8 MS. CAREY: Well, a young man that I know
9 got a ticket for leaving his -- it's a
10 container that he keeps equipment in on Center
11 Street, I believe it is. He got a ticket this
12 year. It wasn't in the Business District, it
13 wasn't --

14 MAYOR NYCE: Right.

15 MS. CAREY: -- blocking people walking,
16 or anything. But, you know, if he got a
17 ticket, there's got to be other tickets given
18 out.

19 MAYOR NYCE: Mr. Abatelli just informed
20 us, we talked about a Jeep that was parked
21 somewhere at our work session, it was towed
22 this week. We are -- again, with vehicles,
23 we're doing the same thing we're doing with

24 snow removal on sidewalks. Each year we're
25 getting it a little bit more -- we're enforcing

February 24, 2014 - Regular Session 27

1 it a little bit more. There was none seven
2 years ago. We just sort of -- very little was
3 being done. So each year we're getting a
4 little bit more forceful with it, and, I will
5 say, people are getting better about it.

6 On my street, when it snows now, people
7 actually don't park in the street, they go and
8 park in the municipal lot. I'm lucky I live
9 near a municipal lot. But I think
10 Village-wide, it's slowly getting a little bit
11 better. And keep letting us know where the
12 spots are.

13 MS. CAREY: All right. Speed it up a
14 little bit. Okay?

15 MAYOR NYCE: We will do it.

16 MS. CAREY: I mean that.

17 MAYOR NYCE: The wheels of government
18 spin very quickly.

19 MS. CAREY: I mean, I don't have enough

20 praise for the crews, because my husband worked
21 for this Village for over 30 years.

22 MAYOR NYCE: Absolutely.

23 MS. CAREY: And he had a pride in this
24 Village and I have a love for this Village.
25 It's my Village, and I hate people complaining

February 24, 2014 - Regular Session 28

1 about it --

2 MAYOR NYCE: I agree.

3 MS. CAREY: -- that don't live around
4 here or just come for a weekend. And, anyway,
5 thank you very much.

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

8 MR. SALADINO: John Saladino, 6th Street.
9 I would also like to echo Mrs. Carey, what she
10 said. But to expand on it a little bit, to
11 take it out of the Business District, to go to
12 the residential areas, especially with a
13 snowstorm, you don't want -- we all live close
14 to shop and you don't want to take your car, so

15 you walk. Some of the sidewalks are shoveled,
16 some aren't. Because of the way the plows
17 work. Some people have curbs, some people
18 don't, the streets are a whole lot narrower.
19 So people, instead of walking through the snow,
20 are walking on the cleared side. They just
21 tend to walk in the street, making it
22 dangerous.

23 MAYOR NYCE: Absolutely.

24 MR. SALADINO: I love that idea, that,
25 you know, hire guys, hire snow shovelers and

February 24, 2014 - Regular Session

29

1 pay them whatever they want. Put it on their
2 tax bills

3 MAYOR NYCE: There's a time with that.
4 We have to give people notification. We have
5 to give them the opportunity to comply with the
6 law first, and that -- usually, in that amount
7 of time, the snow's gone. That's the overall
8 problem with that the first time I explored it.
9 I'll look into it again with the Village
10 Attorney. I agree, because I do the same

11 thing, I walk everywhere.

12 MR. SALADINO: You still have the same
13 thing. It snows two inches, I mean, you're not
14 going to expect a guy to schlepp from New York
15 City to come and shovel a sidewalk or pay
16 somebody to do it, but --

17 MAYOR NYCE: But he should. That's what
18 the code says.

19 MR. SALADINO: He should make
20 arrangements --

21 MAYOR NYCE: Yes.

22 MR. SALADINO: -- to get somebody to do
23 it. I mean, landscapers, they're either
24 growing grass or shoveling snow. I mean,
25 there's a million of these guys that would do

February 24, 2014 - Regular Session

30

1 it. You came from the City, you kind of know.
2 I mean, the City used to hire guys at 15 bucks
3 an hour to shovel snow, shovel --

4 MAYOR NYCE: Never in front of my place,
5 oddly enough.

6 MR. SALADINO: What?

7 MAYOR NYCE: Never in front of my place,
8 oddly enough.

9 MR. SALADINO: Well, that's because you
10 didn't know how to ask. Short arms and deep
11 pockets. You got to know how to ask these
12 guys.

13 MAYOR NYCE: Yeah, I never had either of
14 those.

15 MR. SALADINO: So, other than that, but,
16 yeah, I think that's a great idea, put it on
17 somebody's tax bill, because it was crazy. It
18 was crazy, and in the Business District
19 especially. You know, the residential areas,
20 you say, "Well, you know, the guy's not around
21 and stuff." But a guy, if he's open for
22 business and the sidewalk is not shoveled, I
23 mean, that's just -- that's just mean.

24 MAYOR NYCE: I agree.

25 MR. SALADINO: You know. I have two

2 be an executive session this evening?

3 MAYOR NYCE: No. Not one planned, no.

4 MR. SALADINO: Are there any -- are there
5 any resolutions --

6 MAYOR NYCE: Nope.

7 MR. SALADINO: -- that are on the agenda?

8 I have a question about -- well, let me
9 see -- let me do this one first while it's
10 still fresh in my mind.

11 I don't want to get into with Holzmacher.
12 I thought he did a great job and stuff. I
13 remember at the work session, the bill that he
14 presented for the \$14,000 was from 2011, and
15 I'm sure it's honest. My question is, isn't
16 there some kind of time limit that a guy --
17 well, you get a check, if it's 90 days old,
18 they don't honor it. If your insurance
19 company -- if the hospital or a doctor sends a
20 claim to your insurance company that's more
21 than six months old, they don't honor it. This
22 is 2014, you got the bill for 2011. At some
23 point, you got to say it's too long, you know.

24 MAYOR NYCE: Except, by contract, we

25 agreed to pay, so.

February 24, 2014 - Regular Session

32

1 MR. SALADINO: I understand

2 MAYOR NYCE: And there's no sunset on
3 that contract if there's a --

4 MR. SALADINO: I understand that. So
5 perhaps in the future, so you don't get bills
6 from 2007, you know, or 2011, three years old,
7 only because -- only because you budget for
8 certain things. So, if you get a bill that you
9 thought you paid in 2011 and there's a
10 budget --

11 MAYOR NYCE: It's encumbered anyhow.
12 It's in its own separate category.

13 MR. SALADINO: Yeah, but then you're
14 going to spend it someplace else.

15 MAYOR NYCE: We have encumbered money for
16 that project, which is what Mr. Murray was
17 saying before. That money was allocated.

18 MR. SALADINO: The other question I have
19 is about Resolution 23. Is there an issue

20 between the Village and Front Row -- Front -- I
21 don't have my glasses. Services to Row on
22 Front Street, where there's a property dispute?
23 Is there an easement being questioned or --
24 MAYOR NYCE: Yes. That is the bait shop.
25 That property -- Joe.

February 24, 2014 - Regular Session

33

1 MR. PROKOP: Well, basically, there's --

2 MAYOR NYCE: You can interrupt me if I'm
3 getting out of -- there was an action whereby
4 White's Bait Shop was looking for the upland
5 property from the bulkhead to be turned over to
6 them from the State. It is State property.
7 Okay? And the Village filed in that saying
8 that we would like an easement across that so
9 that there would walkability across the
10 property.

11 MR. SALADINO: Wasn't that resolved?

12 MAYOR NYCE: It was not resolved. The
13 State --

14 MR. SALADINO: That's still there, with
15 the guy who wanted to open a restaurant there a

16 couple of years ago?

17 MAYOR NYCE: No. It went back to the
18 Department of State, and my understanding is
19 the State is looking to grant the property to
20 the owners of White's Bait Shop. We are
21 looking to make sure that we have that easement
22 across that property.

23 MR. SALADINO: Okay. Do we got a shot?
24 Are we going to keep it?

25 TRUSTEE HUBBARD: We hope so.

February 24, 2014 - Regular Session

34

1 MAYOR NYCE: We hope so, yeah.

2 MR. SALADINO: I thought you guys --
3 okay.

4 TRUSTEE MURRAY: I think they're giving
5 us an easement and we're looking for a bigger
6 one.

7 MAYOR NYCE: Right, we're looking for a
8 larger one. By right, we're allowed an
9 easement because of our LWRP, and all of the
10 rest of that. There -- we're allowed a certain

11 easement. We're looking for a larger one,
12 because we want to make sure that we can get
13 emergency vehicles through, that there's plenty
14 of room for people to pass, etcetera, etcetera.
15 So we're looking -- that's what we're
16 challenging. We would like the easement to be
17 larger than the one that's given as of right.

18 MR. SALADINO: The only thing -- the only
19 other thing --

20 TRUSTEE PHILLIPS: You're saying it was
21 only six feet. I'm sorry.

22 MR. SALADINO: I'm sorry. The only other
23 thing I would ask about that, I remember -- I
24 remember when the last issue about that came
25 up, it was before the Planning Board, there was

February 24, 2014 - Regular Session

35

1 a lot of stuff going on. There seemed to be
2 someone else that was interested in the outcome
3 of that. Are these the only two -- are you
4 guys the only two parties involved, Front
5 Row -- the Front Row --

6 MAYOR NYCE: As far as I know. I know

7 that the --

8 MR. SALADINO: Because I know a neighbor
9 was concerned also.

10 MAYOR NYCE: Was very concerned. I don't
11 think they -- I think they've been sort of
12 eased out of the process. They don't have any
13 right to the property, but I can't speak to
14 that intelligently.

15 MR. SALADINO: And the last thing I would
16 ask is the last time you and I spoke at a
17 public meeting, we talked about the penalty. I
18 know it's old news, but it's a lot of money.
19 We talked about the penalty from the Power
20 Authority for the power plant not working, and
21 I had asked you -- you and I went back and
22 forth about who should pay or what should pay.
23 I felt somebody else should be responsible,
24 other than the taxpayers. You made the good
25 point that we got a bill, we got to pay it, and

1 I agreed to that. But I also said that I

2 thought it was unfair that the taxpayers should
3 be resolved without somebody going after these
4 guys, and your response to me was, "What makes
5 you think we aren't?" And I was distracted by
6 another question, or maybe, so I would ask you
7 now. Do we have intentions of trying to recoup
8 that money for the taxpayers? Do we have any
9 intentions of trying to get that money back
10 from somebody, that I think everybody agrees is
11 probably -- I think out of everyone involved,
12 all the parties involved, whether it's
13 contractor, engineer, Village, NYPA, resident
14 taxpayer, ratepayer, that the resident,
15 taxpayer or ratepayer is probably the guy least
16 guilty in this. He's probably the guy least
17 responsible for any of what went on, and he's
18 the guy that's paying the bulk of the freight.

19 So I understand we have to pay the bill,
20 we can't be deadbeats. You maybe could have
21 gotten the money from somebody else, but I
22 don't know who. But we -- you and I, we talked
23 about it and you were nice enough to respond,
24 but I was sidetracked, or whatever, and you

25 said, "What makes you think we're not going" --

February 24, 2014 - Regular Session

37

1 so I would ask you now, do we have any
2 intentions of doing that? It's a lot of money
3 and it might happen again, you know, so --

4 MAYOR NYCE: It might happen again, yes.
5 If, in fact, the Village at some point in the
6 future does not pass it's DMNC test, yes, it
7 might happen again. It's --

8 MR. SALADINO: Okay. So let's forget the
9 future and let's talk about the money.

10 MAYOR NYCE: What happened. The reason I
11 did not come out in September and say this has
12 happened and why was because I was
13 investigating what our options were legally.
14 And what I -- when I said -- at the last
15 meeting, I don't know that I said we are going
16 to look into it, I said we have looked into it.
17 I have not been able to find a legal recourse,
18 other than we have to pay the bill. I could
19 not find -- working with our Counsel, I could
20 not find an ironclad legal method by which we

21 could recoup that money from anywhere else.
22 Ultimately, what happens is there is -- there
23 was responsibility. The Village is ultimately
24 responsible for making sure that test gets run.
25 And the fact that it didn't get run ends up

February 24, 2014 - Regular Session

38

1 falling to us, regardless of whether or not
2 information from NYPA was misleading or not,
3 regardless of whether or not the engineer that
4 we hired to run the test was unable to run the
5 test. The ultimate responsibility comes down
6 to we had to run that test and we did not. We
7 did not run and pass that test in the time that
8 we were supposed to do so.

9 MR. SALADINO: And we were -- I certainly
10 understand that. And we were ultimately
11 charged, or fined, or --

12 MAYOR NYCE: Yes.

13 MR. SALADINO: -- we had to take a
14 reduction that we didn't --

15 MAYOR NYCE: And I agree with you, that

16 the ratepayers, the person --

17 MR. SALADINO: My point is -- my point
18 is --

19 MAYOR NYCE: Yes.

20 MR. SALADINO: My point is, is that
21 there's other people involved that -- because
22 that test wasn't run. There was a supervisor
23 that was involved that the test wasn't run.
24 There's an engineer involved, that perhaps the
25 reason is the test wasn't run. We all --

February 24, 2014 - Regular Session

39

1 David, we could -- you know, there's an 800
2 pound gorilla in the room. We know that the
3 wrong switch gear was built or designed and --

4 MAYOR NYCE: No, the wrong switch gear
5 was not designed.

6 MR. SALADINO: That's contrary to what --
7 all the other information that's out there. I
8 mean, even stuff we've all agreed on in the
9 past, now all of a sudden it's not true. He
10 gave you a three-year-old design for switch
11 gear that wasn't in production anymore. They

12 changed it. They put it in, they couldn't get
13 it to work. The digital didn't talk to the
14 analog. I mean, like you tell me often, "John,
15 we've been through this already," and we have,
16 we've been through this. This is -- this is --
17 these are the facts, and for most people
18 they're undisputed, except here and now between
19 you and I. All of a sudden, now it's
20 different.

21 Whatever the reason, somebody other than
22 the Village, somebody other than the ratepayer
23 should have to bear the burden. You say you
24 don't have an ironclad 100%. Nothing is
25 guaranteed. Throw the dice. I mean --

February 24, 2014 - Regular Session

40

1 MAYOR NYCE: Here's the problem with
2 that, John. That test --

3 MR. SALADINO: Joe will work for free.

4 MAYOR NYCE: John, that test was run
5 twice after with the same switch gear not
6 functioning the way it's supposed to. Okay?

7 We ran the test twice in September, a makeup
8 and after that, with the same switch gear that
9 still needed to be rebuilt. There was a
10 replacement done by the contractor that didn't
11 match with what the engineer did, it didn't
12 function.

13 The problem in the spring was that the
14 test was scheduled at the very last minute and
15 something went wrong, so we didn't pass the
16 test. Now, it was scheduled the very last
17 minute because the person working for the
18 Village thought we had more time than we did.
19 That's where the information that I said got
20 sketchy between our regulator and us. Okay?

21 That switch gear, as is, or as was,
22 because it has not been rewired, passed the
23 DMNC test twice after that. The problem was we
24 missed the window, and we missed the window
25 because it was scheduled improperly. It was

February 24, 2014 - Regular Session

41

1 scheduled improperly, not because the engineer
2 screwed up, it wasn't scheduled improperly

3 because the contractor screwed up, it was
4 scheduled improperly because the Village didn't
5 schedule it properly. And I'm saying "the
6 Village" and nobody wants to hear me say who at
7 the Village, because, ultimately, nobody wants
8 to hear that. That's fine. But that comes
9 down to -- that is the problem. That is what
10 happened during that test. Okay? So the only
11 thing I had to go on, because the engineer's
12 not responsible. They could run the test;
13 we've proven that twice since. The
14 contractor's not responsible.

15 MR. SALADINO: But you ran the test in
16 September. The test was due in May.

17 MAYOR NYCE: We could have -- we could
18 have run it any time up until then. But by the
19 time --

20 MR. SALADINO: But I was privy to
21 every --

22 MAYOR NYCE: John, please let me finish.
23 By the time it was done and we missed, it
24 didn't matter anymore, so we could run it at
25 any point. So, at that point, it was going to

1 be sent out to be fixed, come back, we'd run
2 the DMNC test. That also didn't happen because
3 of a person that was in a position that didn't
4 get that done either. So, at the point that
5 the Fall came around, I decided that,
6 regardless, we needed to run the two DMNC tests
7 and they ran them.

8 In the meantime, again, the contractor
9 was not responsible, the engineer was not
10 responsible for scheduling that when they did.
11 The only recourse that we might have had was
12 that the information that our individual was
13 working on might have been faulty from NYPA, so
14 I was trying to negotiate with NYPA, would they
15 accept some responsibility. We could not get
16 that to happen. So there you have it.

17 MR. SALADINO: Mr. Mayor, we're talking
18 -- we're talking that was then and this is now.
19 I'm not talking one minute past the DMNC test
20 in May. If you'll at least admit that I'm

21 privy to all these -- I've been to at least as
22 many meetings as you guys. I've been watching
23 this ongoing dispute between switch gear,
24 engineer, Director of Utilities, Jack -- and
25 I'm not afraid to mention his name -- Director

February 24, 2014 - Regular Session

43

1 of Utilities, Jack Naylor, Greenport Power and
2 Light. I've been watching that go on for a
3 year prior to this test being missed. One year
4 prior to that doesn't work, it doesn't work.
5 We're talking -- the computer doesn't talk to
6 this. We've got to bring more people in for
7 "X" amount of dollars more to write a new
8 program. So you're leaving out all that.
9 You're leaving out that there was a problem up
10 until the day that there was supposed to be
11 this test.

12 MAYOR NYCE: That test --

13 MR. SALADINO: There was a problem and we
14 missed the test.

15 MAYOR NYCE: And the problem was supposed
16 to have been solved. The problem was supposed

17 to have been solved. They had the new piece
18 in. They had it installed in the switch gear.
19 They were going to run the test and everything
20 was going to work fine, except it didn't, and
21 they waited until the very last minute to do
22 it. Again, has nothing do with -- the
23 contractor did what they were supposed to do.

24 MR. SALADINO: But you said it didn't.
25 It was supposed to work and it didn't.

February 24, 2014 - Regular Session

44

1 MAYOR NYCE: And it didn't. That's not
2 the responsibility of the contractor,
3 because --

4 MR. SWISKEY: Is it?

5 MAYOR NYCE: -- if we had had two more
6 days, they could have found a way to bypass the
7 switch gear and run the test anyhow, but they
8 didn't, they had that day. That's the problem.

9 MR. SALADINO: Mr. Mayor, if you buy a
10 car --

11 MR. SWISKEY: (Inaudible.)

12 MR. SALADINO: Billy.

13 MR. SWISKEY: Sorry.

14 MR. SALADINO: If you buy a car and it
15 doesn't work, and you say, "Well, if you would
16 have been here two days from now, it would have
17 worked." I mean, you drive out of the showroom
18 with a new car.

19 MAYOR NYCE: If you needed to drive off
20 the lot, yes. If you didn't need to drive off
21 the lot that day, it wouldn't have been a
22 problem.

23 MR. SALADINO: Yeah, but a warranty --

24 MAYOR NYCE: The warranty is fine; the
25 piece is being fixed. The fact of the matter

February 24, 2014 - Regular Session

45

1 is we have a window within which to run the
2 test. We didn't get the test run.

3 I'm done with the conversation. We've
4 gone over it. As you said, I've said, we've
5 spoken to this to death. There is a window
6 that we missed in that test and that's the end
7 of it.

8 MR. SALADINO: And there's no one being
9 held responsible except us?

10 MAYOR NYCE: At this point, that's
11 exactly it.

12 MR. SALADINO: But if we would have did
13 the test two days later, it's like the email
14 said, like the Director of Utilities Naylor
15 said, "Well, I thought I had until the 31st,"
16 and NYPA said, "No, you don't." So, if we
17 would have listened to someone, or if you ran
18 the test in -- you don't hear what you're
19 saying. You ran the test in time and it didn't
20 work.

21 MAYOR NYCE: Right.

22 MR. SALADINO: You ran the test within
23 the proper time limit -- and excuse me for
24 raising my voice. You ran the test during the
25 proper time limit, within the time limit

February 24, 2014 - Regular Session

46

1 allowed, and it didn't work.

2 MAYOR NYCE: Right, which means we didn't

3 pass the test

4 MR. SALADINO: That's not this guy's
5 fault. That's not my fault --

6 MAYOR NYCE: Didn't say it was.

7 MR. SALADINO: -- or the ratepayer.

8 MAYOR NYCE: Didn't say it was.

9 MR. SALADINO: It's the guy that turned
10 the key that didn't do it right. The whole
11 thing, it doesn't work.

12 MAYOR NYCE: And, John, conversely, when
13 it does work, you're not responsible for it
14 either. So when it does work, and we get --

15 MR. SALADINO: Really? Who's paying that
16 bond, Mr. Mayor? Who's paying that bond if I'm
17 not responsible for it working?

18 MAYOR NYCE: It's fine.

19 MR. SALADINO: Come on, Dave.

20 MAYOR NYCE: It's the way it goes, John.
21 I'm sorry, that's the way it is.

22 MR. SALADINO: Thank you. Thank you.

23 MAYOR NYCE: Not a problem. Is there
24 anyone else that wishes to address the Board?

25 MR. HELINSKI: Hi. My name is Steve

1 Helinski. I live and pay taxes at 625 2nd
2 Street in Greenport.

3 I'd like to thank Mr. Saladino and the
4 other people that spoke. I think there's a lot
5 of issues in Greenport, one of which especially
6 is this fiasco going on with the power plant.

7 I still don't understand how people are
8 charged certain purchase power rates. Where
9 does that -- where does that figure come from?
10 Is it a percentage of that month? Is it --

11 MAYOR NYCE: Yeah, it's a function --
12 it's a function of --

13 MR. HELINSKI: Is it something that
14 somebody decides they like one guy and they
15 don't like another guy? I guess I'd like just
16 to know how that figure is coming back.

17 MAYOR NYCE: The PPA is the Purchase
18 Power Adjustment. Let me wait until the truck
19 is in. No, we cannot bill randomly. There is
20 a Purchase Power Adjustment fee on each bill
21 that is figured each month based on the cost of

22 transmission to -- for the incremental power
23 and our purchased power to the customer.

24 MR. HELINSKI: So you're telling me --

25 MAYOR NYCE: And it's calculated each

February 24, 2014 - Regular Session

48

1 month.

2 MR. HELINSKI: So you're telling me that
3 somebody like Claudio's, who uses a lot of
4 power all summer long, but closes during the
5 winter, didn't pay anything like what I paid,
6 who uses the same amount of power all year
7 long?

8 MAYOR NYCE: You paid based on your
9 usage, yes.

10 MR. HELINSKI: So some people who close
11 during the winter don't pay any purchase power
12 like I paid?

13 MAYOR NYCE: They got a bill for the
14 September -- the September bill covers your
15 August usage, so they very -- they very much
16 got a big bill.

17 MR. HELINSKI: Yeah, but I got -- my big
18 bill was like in November or December --

19 MAYOR NYCE: November's bill --

20 MR. HELINSKI: -- which is much later
21 than September and August.

22 MAYOR NYCE: The November bill that you
23 got was the billing from September, which was
24 the use in August. There's a lag, and then
25 there's a lag until you get your bill. Your

February 24, 2014 - Regular Session

49

1 November bill was high because of the September
2 bill. Okay?

3 The December bill, as I explained at last
4 month's meeting, there was a misbilling. There
5 will be a correction in the next bill coming.

6 MR. HELINSKI: Because there were
7 restaurants that closed at Labor Day.

8 MAYOR NYCE: I understand.

9 MR. HELINSKI: So I'm paying their share?

10 MAYOR NYCE: No.

11 MR. SWISKEY: Yeah. Basically, yeah.

12 MAYOR NYCE: No, you're not, not for --

13 not for the one that we're discussing, no.
14 They were all open. That was for August's
15 usage.

16 MR. HELINSKI: I don't feel that the
17 Board is giving the Village a proper
18 explanation of what's going on, and I don't
19 necessarily feel that the Board is always
20 giving the Village a good reasoning for some of
21 the decisions they make.

22 And I thank some of the people that come
23 to the meeting and stand up and question the
24 Board. And I think it's the duty of the
25 citizens of Greenport to try to make the

February 24, 2014 - Regular Session

50

1 meetings. And, unfortunately, we have to
2 question the Board, because there's a lot of
3 stuff that's going on unexplained, and
4 unanswered, and unappreciated. You know, maybe
5 if we had more information, we would appreciate
6 it then. Thank you.

7 MAYOR NYCE: May I suggest that you visit

8 with our Billing Clerk, Stephen Gaffga, at some
9 afternoon. He will explain your bill in its
10 entirety with all the intricacies. He's very
11 good at it. He will answer any question you
12 have regarding your bill.

13 MR. HELINSKI: Great. Thank you

14 MAYOR NYCE: Absolutely. Is there anyone
15 else that wishes to address the Board?

16 (No Response.)

17 MAYOR NYCE: If not, that will move us
18 into our regular session.

19 And I will offer RESOLUTION adopting the
20 February 2014 agenda as printed. So moved.

21 TRUSTEE ROBINS: Second.

22 MAYOR NYCE: All those in favor?

23 TRUSTEE HUBBARD: Aye.

24 TRUSTEE MURRAY: Aye.

25 TRUSTEE ROBINS: Aye.

February 24, 2014 - Regular Session

51

1 TRUSTEE PHILLIPS: Aye.

2 MAYOR NYCE: Any opposed or abstentions?

3 (No Response.)

4 MAYOR NYCE: That motion carries.

5 TRUSTEE MURRAY: RESOLUTION #02-2014-2,
6 RESOLUTION accepting the monthly reports of the
7 Village Fire Department, Village Clerk, Village
8 Treasurer, Village Administrator, Director of
9 Utilities, Village Attorney, Mayor and the
10 Board of Trustees. So moved.

11 TRUSTEE HUBBARD: Second.

12 MAYOR NYCE: All those in favor?

13 TRUSTEE HUBBARD: Aye.

14 TRUSTEE MURRAY: Aye.

15 TRUSTEE ROBINS: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 MAYOR NYCE: Aye.

18 Any opposed or abstentions?

19 (No Response.)

20 MAYOR NYCE: The motion carries.

21 TRUSTEE HUBBARD: RESOLUTION #02-2014-3,
22 RESOLUTION accepting the application for
23 membership of Harley Britt to the Standard Hose
24 Company #4 of the Greenport Fire Department, as
25 previously approved by the Greenport Fire

1 Department Board of Wardens on February 19,
2 2014. So moved.

3 TRUSTEE ROBINS: Second.

4 MAYOR NYCE: All those in favor?

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE ROBINS: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No Response.)

12 MAYOR NYCE: That motion carries.

13 TRUSTEE ROBINS: RESOLUTION #02-2014-4,
14 RESOLUTION approving the Preventive Maintenance
15 Agreement with Commander Power Systems, to
16 perform preventive maintenance on wastewater
17 system generators, at a cost not to exceed
18 \$4,075.00, and authorizing Mayor Nyce to
19 execute the agreement between Commander Power
20 Systems and the Village of Greenport. So
21 moved.

22 TRUSTEE PHILLIPS: Second.

23 MAYOR NYCE: All those favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

February 24, 2014 - Regular Session

53

1 TRUSTEE ROBINS: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No Response.)

6 MAYOR NYCE: Motion carries.

7 TRUSTEE PHILLIPS: RESOLUTION #02-2014-5,

8 RESOLUTION authorizing Adam Hubbard to attend

9 the Grade Three Supervision and Technical

10 Operations Course in Morrisville, New York,

11 from June 9th, 2014 through June 13th, 2014, at

12 a cost of \$950 plus travel and mileage

13 expenses, to be expensed from line item number

14 G.8110.407 (Employee Training). So moved.

15 TRUSTEE MURRAY: Second.

16 MAYOR NYCE: Under discussion on this,

17 Sylvia, do you have the wording from Labor

18 Counsel? This Board is fully aware that when
19 we do these educational things, that it leads
20 to a merit clause within. This is a course of
21 study, which is why there is no additional
22 language on this resolution specifically. Once
23 Mr. Hubbard has completed the course of study,
24 he would be eligible for --

25 TRUSTEE HUBBARD: Yes.

February 24, 2014 - Regular Session

54

1 MAYOR NYCE: -- the merit clause in the
2 contract. Just we need to confirmed that with
3 Labor Counsel. That's how we'll do them in the
4 future, so that we are consistent. If it's an
5 individual course that leads to an increase in
6 duties, so be it, it would be on here. If it's
7 a course of study, which this is, it's at the
8 conclusion of the course of study.

9 TRUSTEE PHILLIPS: Do we know what the
10 course of study times -- I mean, how many
11 courses are involved in this?

12 MAYOR NYCE: I don't off the top of my

13 head. I think there's two or three, but I'm
14 not positive. I know there's this, there's a
15 lab, and I think there's another follow-up
16 before the test, but I'm not absolutely
17 positive. And the time frame is fairly open.
18 He takes it at his own pace.

19 TRUSTEE PHILLIPS: Okay. So he is aware
20 that it's --

21 MAYOR NYCE: (Nodded yes.)

22 TRUSTEE PHILLIPS: So there is no
23 confusion? It's not really written this way.

24 MAYOR NYCE: Understood. That's what the
25 contract says --

February 24, 2014 - Regular Session

55

1 TRUSTEE PHILLIPS: Okay.

2 MAYOR NYCE: -- is course of study.

3 TRUSTEE HUBBARD: I had questioned this
4 at the work session. We were talking with Lamb
5 and Barnosky, Labor Counsel. To put the
6 wording in there that we had suggested would be
7 premature, because it hasn't happened yet, and
8 you can't dictate the future. So Labor Counsel

9 told us to leave it out, and we'll deal with
10 that when it comes up in the future.

11 MAYOR NYCE: Right.

12 TRUSTEE HUBBARD: I just want to say, I'm
13 very thankful that Adam is going to get his 3A
14 license.

15 MAYOR NYCE: Me, too.

16 TRUSTEE HUBBARD: We'll have two on
17 staff. It's a progress that's going over
18 several years. And I want to really, you know,
19 commend him for taking the initiative and going
20 and taking these classes. He'll be away from
21 his family for the four days, but it's really
22 going to be a benefit to us.

23 MAYOR NYCE: Absolutely.

24 TRUSTEE HUBBARD: I think it's a really
25 good thing. And the wording, we will deal with

February 24, 2014 - Regular Session

56

1 his raise when the time comes. But, at this
2 point, they said not -- it's not proper to put
3 anything in the wording of the resolution. And

4 so he's comfortable, we're comfortable with
5 what it is. And when he gets his 3A license,
6 then we'll deal with taking care of him.

7 TRUSTEE PHILLIPS: Right. Well, we had
8 confusion of miscommunication between his
9 previous supervisor and --

10 TRUSTEE HUBBARD: Yeah.

11 MAYOR NYCE: Well, not his previous --
12 not his supervisor.

13 TRUSTEE PHILLIPS: Well, his previous --

14 MAYOR NYCE: His supervisor's supervisor.

15 TRUSTEE PHILLIPS: Whatever we want to
16 call him.

17 TRUSTEE HUBBARD: Right. No, it's a good
18 move forward, and everything will be taken care
19 of once he completes his 3A license.

20 MAYOR NYCE: Absolutely.

21 TRUSTEE PHILLIPS: Thanks.

22 MAYOR NYCE: If there's no further
23 discussion, I'll call the vote.

24 All those in favor?

25 TRUSTEE HUBBARD: Aye.

1 TRUSTEE MURRAY: Aye.

2 TRUSTEE ROBINS: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 MAYOR NYCE: Aye.

5 Any opposed or abstentions?

6 (No Response.)

7 MAYOR NYCE: That motion carries.

8 TRUSTEE MURRAY: RESOLUTION #02-2014-6,

9 RESOLUTION announcing the open position of

10 Village Deputy Treasurer, and requesting

11 applications accordingly, and directing Village

12 Clerk Pirillo to notice the public -- open

13 position. So moved.

14 TRUSTEE HUBBARD: Second.

15 MAYOR NYCE: Also, by way of discussion,

16 it should be noted that this is an exempt

17 position in the Village. Deputy Treasurer is

18 an exempt position in civil service.

19 All those in favor?

20 TRUSTEE HUBBARD: Aye.

21 TRUSTEE MURRAY: Aye.

22 TRUSTEE ROBINS: Aye.

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

February 24, 2014 - Regular Session 58

1 (No Response.)

2 MAYOR NYCE: That motion carries.

3 TRUSTEE HUBBARD: RESOLUTION #02-2014-7,
4 RESOLUTION authorizing Stephen Gaffga and Linda
5 Topalian to attend the three day Basic
6 Accounting School sponsored by the New York
7 State Office of the Comptroller at the Town of
8 Brookhaven Hall on March 19th to 21st, 2014 at
9 a cost of \$100.00 per person, plus applicable
10 mileage expenses, to be expensed from line item
11 number A.1325.400 (Treasurer's Contractual
12 Expenses). So moved.

13 TRUSTEE ROBINS: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE ROBINS: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 MAYOR NYCE: Aye.

20 Any opposed or abstentions?

21 (No Response.)

22 MAYOR NYCE: That motion carries.

23 TRUSTEE ROBINS: RESOLUTION #02-2014-8,
24 RESOLUTION authorizing the hiring of East End
25 Accounting Services, Inc. To provide budget

February 24, 2014 - Regular Session

59

1 preparation and accounting consulting services
2 at a rate of \$60.00 per hour, not to exceed 30
3 hours, to be expensed from line item A.1325.100
4 (Treasurer's Personnel Services). So moved.

5 TRUSTEE PHILLIPS: Second.

6 MAYOR NYCE: By way of explanation, we
7 had Charlene Kagel as our Treasurer. She
8 decided she wanted to retire a little early
9 because she has a new grandbaby and wanted to
10 spend more time with that grandbaby. Our
11 arrangement with her through her retirement --
12 she was planning to retire at the end of this
13 budget cycle, at year-end close this coming

14 year. She decided she wanted to retire early.
15 I asked that she be available to us to help us
16 through the budget cycle. While Treasurer
17 Brandt is very capable, I wanted to make sure
18 he had as much support as possible.

19 This will be a budget-neutral in that we
20 will not be paying her salary to be here. So
21 any monies that we're spending for the
22 consulting services for her to help support
23 Robert through this process will not be an
24 additional budget item to the Village. We're
25 not paying her salary when she is not here.

February 24, 2014 - Regular Session

60

1 But in order for her to still do work for the
2 Village, legally, we need to have a way to pay
3 her. And so that is what this is in relation
4 to.

5 TRUSTEE HUBBARD: Okay. Just one other
6 thing. This is a one-shot deal.

7 MAYOR NYCE: Yes.

8 TRUSTEE HUBBARD: She is going to finish

9 the training with Robert with the budget. He's
10 doing it, she's going to consult him on it.

11 MAYOR NYCE: Yes.

12 TRUSTEE HUBBARD: But it won't be -- in
13 the future, it won't be. It's one shot and
14 done.

15 I've always had an issue, when somebody
16 retires or leaves, to hire them back after
17 they've retired. And I just -- you know, I
18 want to make sure this is just to help this one
19 budget cycle and then it's done.

20 MAYOR NYCE: Yes.

21 TRUSTEE HUBBARD: Okay.

22 MAYOR NYCE: After that point, as we
23 discussed at the work session, and with
24 Charlene, when she was here at other work
25 sessions, I want to make sure that whoever's in

February 24, 2014 - Regular Session

61

1 the position has all the support that they can
2 get.

3 TRUSTEE HUBBARD: Yeah.

4 MAYOR NYCE: We have other people that

5 can help Mr. Brandt as well. The idea was,
6 again, that Charlene was going to be on payroll
7 here through this cycle. It didn't happen that
8 way. Mr. Brandt has Munistat to help, he has
9 Bollam, Sheedy and Torani, who we already pay
10 for that sort of help.

11 TRUSTEE HUBBARD: Right.

12 MAYOR NYCE: I would imagine he will use
13 those services. If Mr. Brandt were to come to
14 us in the future and say, "I need some
15 additional consulting help I'd like to hire,"
16 that would be for us to decide at that point.

17 TRUSTEE HUBBARD: Okay.

18 MAYOR NYCE: And that's -- yeah, that's
19 how we were all expecting this to move forward.
20 This is just to get us through this budget
21 cycle.

22 TRUSTEE HUBBARD: Okay.

23 TRUSTEE PHILLIPS: And this is not
24 something that -- if I remember correctly,
25 we've had it before when we had the change of

1 Treasurers --

2 MAYOR NYCE: Yes.

3 TRUSTEE PHILLIPS: -- because Susan
4 Pisano was working for a little while when
5 there was a transition --

6 MAYOR NYCE: Yes.

7 TRUSTEE PHILLIPS: -- between getting the
8 budget done. So this is --

9 MAYOR NYCE: Yeah, Mr. Brautigam.

10 TRUSTEE PHILLIPS: Right. This has been
11 done before. So it's just that I do believe
12 that what we have here isn't saying that it's
13 consulting. So most of the budget work I'm
14 sure has been pretty much well started back in
15 December, so there probably -- we're just fine
16 tuning it at this point.

17 MAYOR NYCE: Absolutely.

18 TRUSTEE PHILLIPS: So I don't think
19 exceeding -- I doubt it will exceed 30 hours or
20 less.

21 MAYOR NYCE: Yeah, I don't imagine it
22 will.

23 If there's no further discussion, I'll
24 call the vote. All those in favor?

25 TRUSTEE HUBBARD: Aye.

February 24, 2014 - Regular Session

63

1 TRUSTEE MURRAY: Aye.

2 TRUSTEE ROBINS: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 MAYOR NYCE: Aye.

5 Any opposed or abstentions?

6 (No Response.)

7 MAYOR NYCE: That motion carries.

8 TRUSTEE PHILLIPS: RESOLUTION #02-2014-9,
9 RESOLUTION authorizing Interim Treasurer Brandt
10 to perform the attached budget amendment in the
11 total amount of \$21,000.00, to amend the Fiscal
12 Year 2013/2014 budget to cover an increase in
13 the appropriations for bond counsel and
14 financial advisor accounts in the Recreation,
15 Electric and General Funds, per Budget
16 Adjustment Form #1021. So moved.

17 TRUSTEE MURRAY: Second.

18 MAYOR NYCE: Again, by way of

19 explanation, this is a budget amendment, which
20 is why, when you go to the other page, there
21 are no minuses on it. But it is a \$10,500
22 increase in one line, and we're taking it from
23 a revenue source, which is why there is not a
24 minus in front of the 8820 and the 420 adding
25 up to it.

February 24, 2014 - Regular Session

64

1 Anyhow, if no further discussion on that,
2 I'll call the vote. All those in favor?

3 TRUSTEE HUBBARD: Aye.

4 TRUSTEE MURRAY: Aye.

5 TRUSTEE ROBINS: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 MAYOR NYCE: Aye.

8 Any opposed or abstentions?

9 (No Response.)

10 MAYOR NYCE: The motion carries.

11 TRUSTEE MURRAY: RESOLUTION #02-2014-10,
12 RESOLUTION authorizing Interim Treasurer Brandt
13 to perform the attached budget transfer as

14 follows:
15 - Decreasing appropriations by \$600.00
16 for line item number A.1325.200 (Treasurer
17 Equipment) and increasing appropriations by
18 \$600.00 for line item number A.1325.400
19 (Treasurer Contractual Expense), per Budget
20 Adjustment Form #1019. So moved.

21 TRUSTEE HUBBARD: Second.

22 MAYOR NYCE: And this one, because it is
23 inside -- within the budget itself that was
24 already adopted, it's a minus on one side and a
25 plus on the other.

February 24, 2014 - Regular Session

65

1 All those in favor?

2 TRUSTEE HUBBARD: Aye.

3 TRUSTEE MURRAY: Aye.

4 TRUSTEE ROBINS: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 MAYOR NYCE: Aye.

7 Any opposed or abstentions?

8 (No Response.)

9 MAYOR NYCE: That motion carries.

10 TRUSTEE HUBBARD: RESOLUTION #02-2014-11,
11 RESOLUTION authorizing Interim Treasurer Brandt
12 to perform the attached budget transfer as
13 follows:

14 - Decreasing appropriations by \$5,000.00
15 for line item number A.3410.458 (Fire Medical
16 exams) and increasing appropriations by
17 \$5,000.00 for line item number A.3410.404 (Fire
18 Fuel Oil), per Budget Adjustment Form #1020.

19 So moved.

20 TRUSTEE ROBINS: Second.

21 MAYOR NYCE: All those in favor?

22 TRUSTEE HUBBARD: Aye.

23 TRUSTEE MURRAY: Aye.

24 TRUSTEE ROBINS: Aye.

25 TRUSTEE PHILLIPS: Aye.

February 24, 2014 - Regular Session

66

1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No Response.)

4 MAYOR NYCE: That motion carries.

5 TRUSTEE ROBINS: RESOLUTION #02-2014-12,
6 RESOLUTION accepting the updated Village of
7 Greenport Service Award Program Plan Document
8 and the updated Village of Greenport Service
9 Award Program Trust Document for the Village of
10 Greenport Fire Department Length of Service
11 Awards Program, as prepared by Penflex, Inc.
12 So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE ROBINS: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 MAYOR NYCE: Aye.

20 Any opposed or abstentions?

21 (No Response.)

22 MAYOR NYCE: That motion carries.

23 TRUSTEE PHILLIPS: RESOLUTION
24 #02-2014-13, RESOLUTION ratifying the
25 attendance of Jeanmarie Oddon and Deborah Boyle

1 at the New York Conference of Mayors 2014
2 Village Election Webinar from 10:00 a.m. to
3 11:00 a.m., on January 31st, 2014, at a cost of
4 \$15.00; to be expensed from line item
5 A.1410.400 (Clerk Contractual Expense). So
6 moved.

7 TRUSTEE MURRAY: Second.

8 MAYOR NYCE: All those in favor?

9 TRUSTEE HUBBARD: Aye.

10 TRUSTEE MURRAY: Aye.

11 TRUSTEE ROBINS: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 MAYOR NYCE: Aye.

14 Any opposed or abstentions?

15 (No Response.)

16 MAYOR NYCE: That motion carries.

17 TRUSTEE MURRAY: RESOLUTION #02-2014-14,
18 RESOLUTION approving the Public Assembly Permit
19 Application as submitted by the Greenport Fire
20 Safety Education and Fire Police, for the use
21 of the Polo Grounds at Moores Lane, for the
22 annual circus fundraiser from 4 p.m. through
23 10 p.m. on July 24th, 2014 and July 25th, 2014.

24 So moved.

25 TRUSTEE HUBBARD: Second.

February 24, 2014 - Regular Session

68

1 MAYOR NYCE: All those in favor?

2 TRUSTEE HUBBARD: Aye.

3 TRUSTEE MURRAY: Aye.

4 TRUSTEE ROBINS: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 MAYOR NYCE: Aye.

7 Any opposed or abstentions?

8 (No Response.)

9 MAYOR NYCE: The motion carries.

10 TRUSTEE HUBBARD: RESOLUTION #02-2014-15,
11 RESOLUTION adopting the attached SEQRA
12 resolution regarding the proposed local law of
13 2014 creating Section 39-3(H) of the Village of
14 Greenport Code regarding Animal Waste, adopting
15 lead agency status, determining the adoption of
16 the local law to be an unlisted action,
17 determining that the adoption of the local law
18 will not have a significant impact on one or

19 more aspects of the environment and adopting a
20 negative declaration for purposes of SEQRA, as
21 stated in the attached resolution. So moved.

22 TRUSTEE ROBINS: Second.

23 MAYOR NYCE: All those in favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

February 24, 2014 - Regular Session

69

1 TRUSTEE ROBINS: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No Response.)

6 MAYOR NYCE: That motion carries.

7 TRUSTEE ROBINS: RESOLUTION #02-2014-16,
8 RESOLUTION adopting the proposed Local Law of
9 2014 as attached, creating section 39-3(H) of
10 the Village of Greenport Code regarding Animal
11 Waste. So moved.

12 TRUSTEE PHILLIPS: Second.

13 MAYOR NYCE: Any discussion on this

14 motion?

15 (No Response.)

16 MAYOR NYCE: All those in favor?

17 TRUSTEE HUBBARD: Aye.

18 TRUSTEE MURRAY: Aye.

19 TRUSTEE ROBINS: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 MAYOR NYCE: Aye.

22 Any opposed or abstentions?

23 (No Response.)

24 MAYOR NYCE: That motion carries.

25 TRUSTEE PHILLIPS: RESOLUTION

February 24, 2014 - Regular Session

70

1 #02-2014-17, RESOLUTION authorizing the Town of
2 Southold as lead agency and the Village of
3 Greenport as participant, to execute a Local
4 Government Records Management Information Fund
5 Records System shared Services Grant for the
6 2014-2015 grant cycle, for an Electronic
7 Content Management System (ECMS) to the New
8 York State Education Department, New York State
9 Archives and Records Administration. So moved.

10 TRUSTEE MURRAY: Second.

11 MAYOR NYCE: We did not discuss this at
12 the work session, it came up after our work
13 session. The Clerk emailed everybody. This is
14 another one of the shared grants that we've
15 taken some advantage of by working with the
16 Town.

17 All those in favor?

18 TRUSTEE HUBBARD: Aye.

19 TRUSTEE MURRAY: Aye.

20 TRUSTEE ROBINS: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 MAYOR NYCE: Aye.

23 Any opposed or abstentions?

24 (No Response.)

25 MAYOR NYCE: That motion carries.

February 24, 2014 - Regular Session

71

1 TRUSTEE MURRAY: RESOLUTION #02-2014-18,
2 RESOLUTION approving a transient mooring fee
3 rate of \$2.00 per foot, and a maximum boat
4 length of 40 feet for the use of any mooring.
5 So moved.

6 TRUSTEE HUBBARD: Second.

7 MAYOR NYCE: All those in favor?

8 TRUSTEE HUBBARD: Aye.

9 TRUSTEE MURRAY: Aye.

10 TRUSTEE ROBINS: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 MAYOR NYCE: Aye.

13 Any opposed or abstentions?

14 (No Response.)

15 MAYOR NYCE: That motion carries.

16 TRUSTEE HUBBARD: RESOLUTION #02-2014-19,

17 RESOLUTION approving the following rates

18 pertaining to stays at the Village of Greenport

19 Mitchell Park Marina:

20 - A flat \$4.00 per foot per night dockage
21 fee for boats of 75 feet or more in length.

22 - An electric rate charge of \$75.00 per
23 cord per night for 100 amp, 240 volt single
24 phase usage, and

25 - An electric rate charge of \$150.00 per

1 cord per night for 100 amp, 480 volt three
2 phase power. So moved.

3 TRUSTEE ROBINS: Second.

4 MAYOR NYCE: All those in favor?

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE ROBINS: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No Response.)

12 MAYOR NYCE: That motion carries.

13 TRUSTEE ROBINS: RESOLUTION #02-2014-20,
14 RESOLUTION authorizing the attendance of Eileen
15 Wingate at the Environmental Health and Safety
16 Code Conference at Stony Brook University on
17 March 18th, March 19th, and March 20th, 2014 at
18 a conference cost of \$200 plus applicable meal
19 charges, to be expensed from line item number
20 A.3620.400 (Safety Inspector Contractual
21 Expense). This resolution rescinds Resolution
22 #01-2014-15, as attached. So moved.

23 TRUSTEE PHILLIPS: Second.

20 removal of Village trees and stumps to Chris
21 Mohr Lawncare & Landscaping, Inc. for a total
22 price of \$3,400.00. So moved.

23 TRUSTEE MURRAY: Second.

24 MAYOR NYCE: All those in favor?

25 TRUSTEE HUBBARD: Aye.

February 24, 2014 - Regular Session

74

1 TRUSTEE MURRAY: Aye.

2 TRUSTEE ROBINS: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 MAYOR NYCE: Aye.

5 Any opposed or abstentions?

6 (No Response.)

7 MAYOR NYCE: That motion carries.

8 TRUSTEE MURRAY: RESOLUTION #02-2014-22,

9 RESOLUTION amending Resolution #6-2011-36

10 awarding the contract for engineering services

11 corresponding to the electrical upgrade of the

12 Mitchell Park Marina to J.R. Holzmacher, P.E.,

13 LLC for a contract price not to exceed

14 \$35,000.00 total. So moved.

15 TRUSTEE HUBBARD: Second.

16 MAYOR NYCE: Again, to be clear, the
17 amount of this was foreseen by the Village.
18 The overall bonding and funding for this
19 project has not increased. We have -- we are
20 still within our agreed-upon prices. It has to
21 do with a project morphing into a second
22 project and a bill not being submitted for well
23 over a year, but it is not -- it's not -- it
24 was not unexpected. The work has been
25 performed and needs to be paid for.

February 24, 2014 - Regular Session

75

1 Is there any further discussion on that
2 motion?

3 TRUSTEE MURRAY: No.

4 MAYOR NYCE: All those in favor?

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE ROBINS: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No Response.)

12 MAYOR NYCE: The motion carries.

13 TRUSTEE HUBBARD: RESOLUTION #02-2014-23,
14 RESOLUTION authorizing Village Attorney Joseph
15 W. Prokop, Esq. to take such action as is
16 necessary to maintain and protect the public
17 right of way servicing the southeasterly
18 entrance to Mitchell Park, including filing a
19 notice of claim or commencing an action as
20 required to challenge the letters patent
21 granted by the New York State Office of
22 Governmental Services to Row on Front Street
23 LLC, to the extent that the patent affects or
24 limits the existing public right of way
25 servicing the southeasterly entrance to

February 24, 2014 - Regular Session

76

1 Mitchell Park. So moved.

2 TRUSTEE ROBINS: Second.

3 MAYOR NYCE: All those in favor?

4 TRUSTEE HUBBARD: Aye.

5 TRUSTEE MURRAY: Aye.

6 TRUSTEE ROBINS: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 MAYOR NYCE: Aye.

9 Any opposed or abstentions?

10 (No Response.)

11 MAYOR NYCE: That motion carries.

12 TRUSTEE ROBINS: RESOLUTION #02-2014-24,
13 RESOLUTION approving all checks per the Voucher
14 Summary Report dated February 21st, 2014 in the
15 total amount of \$2,594,634.85 consisting of:

16 - All regular checks in the amount of
17 \$431,745.36, and

18 - All prepaid checks (including wire
19 transfers) in the amount of \$2,162,889.49. So
20 moved.

21 TRUSTEE PHILLIPS: Second.

22 MAYOR NYCE: All those in favor?

23 TRUSTEE HUBBARD: Aye.

24 TRUSTEE MURRAY: Aye.

25 TRUSTEE ROBINS: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 MAYOR NYCE: Aye.

3 Any opposed or abstentions?

4 MAYOR NYCE: That motion carries.

5 At 7:08, having concluded business before
6 the Board, I will offer a motion to adjourn.

7 TRUSTEE HUBBARD: Second.

8 MAYOR NYCE: All those in favor?

9 TRUSTEE HUBBARD: Aye.

10 TRUSTEE MURRAY: Aye.

11 TRUSTEE ROBINS: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 MAYOR NYCE: Aye.

14 Any opposed or abstentions?

15 (No Response.)

16 MAYOR NYCE: The motion carries.

17 (Whereupon, the meeting was adjourned at 7:08

p.m.)

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1

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

2

3

STATE OF NEW YORK)

4

) SS:

5

COUNTY OF SUFFOLK)

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7

I, LUCIA BRAATEN, a Court Reporter and

8

Notary Public for and within the State of New

9

York, do hereby certify:

10

THAT, the above and foregoing contains a

11

true and correct transcription of the

12

proceedings taken on February 24, 2014.

13

I further certify that I am not related

14

to any of the parties to this action by blood

15

or marriage, and that I am in no way interested

16

in the outcome of this matter.

17

IN WITNESS WHEREOF, I have hereunto set

18

my hand this 3rd day of March, 2014.

19

20

21

Lucia Braaten

22

23

24

25