

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

3 BOARD OF TRUSTEES  
4 REGULAR SESSION  
5 -----X

6  
7 Third Street Firehouse  
8 Greenport, New York

9 March 24, 2014  
10 6:00 P.M.

11  
12 B E F O R E:

13 DAVID NYCE – MAYOR

14 GEORGE HUBBARD, JR. – TRUSTEE

15 DAVID MURRAY – TRUSTEE

16 MARY BESS PHILLIPS – TRUSTEE

17 JULIA ROBINS – TRUSTEE

18  
19 JOSEPH PROKOP – VILLAGE ATTORNEY

20 SYLVIA LAZZARI PIRILLO – VILLAGE CLERK

21 DAVID ABATELLI – VILLAGE ADMINISTRATOR

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1 (Whereupon, the meeting was called to order  
2 at 6:00 p.m.)

3 MAYOR NYCE: I will call this meeting to  
4 order. If you'd, please, rise and join me for  
5 the Pledge of Allegiance.

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

8 MAYOR NYCE: Please remain standing for a  
9 moment of silence for Helen Arlene Rutkowski,  
10 Jack B. Pollack, Isaac Israel, William D. "Denny"  
11 Pembroke, Fred J. Rempe, and Carolee Celatka  
12 Taylor.

13 (Whereupon, a moment of silence was  
14 observed.)

15 MAYOR NYCE: Thank you. You may be seated.

16 Good evening. Welcome to the March regular  
17 meeting of the Board of Trustees. We have some  
18 announcements, and the annual report from the  
19 Tree Committee, which Trustee Hubbard will give.

20 First announcement, the 2014 Annual  
21 Organizational Meeting will be held on April 3rd  
22 at 6 p.m. at the Schoolhouse. That is Thursday,  
23 April 3rd.

24 The tentative 2014/2015 Budget Hearing will  
25 be held on April 7th at 5 p.m. at the Old

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1 Schoolhouse.

2 The Village of Greenport has earned a "Tree  
3 City" designation for the 10th year. I'd like to  
4 congratulate the Tree Committee on that. It's  
5 not 10 consecutive years, it's --

6 TRUSTEE HUBBARD: Seven.

7 MAYOR NYCE: -- seven, then three?

8 TRUSTEE HUBBARD: Three previous in the  
9 early '90s.

10 MAYOR NYCE: Right. I'd also like to  
11 extend the Board's thanks to Chief Manwaring, who  
12 is -- his time as Chief is up, and the Second --  
13 I'm sorry, the First Assistant will be taking  
14 over for him. The Second Assistant will be  
15 taking over for the First Assistant. There will  
16 be elections coming up in a couple of weeks to

17 fill the position.

18 TRUSTEE HUBBARD: Next Thursday.

19 MAYOR NYCE: Next Thursday, to fill the  
20 position of Second Assistant.

21 I would like to thank Chief Manwaring for  
22 his time and effort as Chief, and to the entire  
23 Department, but to him for his time and effort  
24 while he was Chief.

25 Under Public Interest, we'd like to remind

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1 people to, please, take the time to ensure that  
2 the batteries in their smoke detectors and the  
3 detectors themselves are in proper working order.

4 And the first brush pickup of the season  
5 will be held on April 15th. It's a Tuesday, and  
6 then, thereafter, they will be every other  
7 Tuesday. We will look to post those on the  
8 Village website on a regular basis. But, please,  
9 mark your calendars in advance, and, please, do  
10 not put out brush until the weekend before brush  
11 pickup. Thank you.

12 There are two new applications for liquor  
13 licenses. We do this just as a service to let

14 people know. The new application for Brix and  
15 Rye, 308A Main Street, and a new application for  
16 1943 at 308C Main Street.

17 With that, I'd like to turn it over to  
18 Trustee for the annual Tree Committee Report.

19 TRUSTEE HUBBARD: Good evening. This is  
20 the annual report. Village of Greenport Tree  
21 Committee, 2013 Annual Report to Mayor Nyce and  
22 Trustees.

23 The Village of Greenport Tree Committee is  
24 pleased to present this report of its activities  
25 in 2013, our seventh year in a row to earn the

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1 Tree City USA designation. Combined with the  
2 three awards given to the startup committee in  
3 the '90s, the Village now has 10 years of Tree  
4 City USA awards.

5 The Main Missions: Removal of hazardous  
6 Village trees as part our first mission.

7 Safety: There have been more than 150  
8 trees removed since the reestablishment of the  
9 Tree Committee in 2007, including 46 removals in  
10 2013. The road crew removed several trees on

11 Second Street, Front Street, and the Fire  
12 Department grounds on Third Street.

13 Diversification of Species: Since 2007, we  
14 have vigorously upgraded and diversified the  
15 public trees we have planted in the Village,  
16 having overseen the planting of over 350 trees,  
17 including 53 new trees in 2013.

18 Our tree census work continues as we  
19 charted new gains and losses of street trees.

20 Maintenance and Pruning: To maintain  
21 proper pruning and care for the existing trees  
22 that grace our Village is a huge task. By  
23 supporting judicious pruning, we can help  
24 preserve our existing tree canopy. A dozen  
25 street trees were pruned last year by the Village

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1 crews, with Doug Peterson vigorously applying the  
2 10-foot rule along Village streets.

3 Community Support and Collaboration:  
4 Greenport Tree Day/Arbor Day 2013 ceremonies were  
5 held to recognize the volunteer efforts of John  
6 and Maritza Winkler and Helen Weinstein, who on  
7 their own took on the park and beach at the foot

8 of Fifth and Sixth Streets. The Village  
9 proclamations celebrate their efforts to restore  
10 and beautify that site.

11 The stormy weather on that day allowed us  
12 to hold our ceremony in Congregation Tifereth  
13 Israel Synagogue, where we were welcomed most  
14 heartily by Rabbi Gadi Capela and members of the  
15 congregation.

16 The committee helped the Class of 2013  
17 plant its senior tree at Greenport High School,  
18 and delivered tree saplings and information to  
19 the school. We also returned a blue spruce from  
20 a yard in the Village to the school, where it had  
21 been given to a student 12 years ago on Arbor  
22 Day. For over a decade after she planted it, she  
23 and her family nurtured and protected the tree.  
24 The tree now greets you at the right -- at the  
25 Front Street driveway. That also was my

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1 daughter, Kelsey. I want to just thank her for  
2 doing that, and my wife, who planted it and made  
3 sure it was taken care of, that I didn't mow over  
it.

4 (Laughter)

5 TRUSTEE HUBBARD: To continue, the Tree  
6 Committee made good use of our watering truck  
7 from May to December, increasing the prospect of  
8 success with the new plantings, and allowing some  
9 fertilizing and mulching. We were proud to  
10 suggest trees, and secure them when asked by Star  
11 Hose Company for the ideas for its Larry Tuthill  
12 Park at the Visitors Dock. The tribute worked on  
13 by many community members is a beautiful addition  
14 to the Village.

15 Resource and Enhancement: The Village Tree  
16 Committee will soon welcome a site visit from New  
17 York State DEC to ensure that we have done the  
18 work we agreed to do, so we can receive our  
19 \$12,000 matching grant from the agency.

20 Tree Donations in 2013: Ed Dart gave us  
21 six American elms, and Orchard Nursery gave the  
22 Village 11 oaks and two Japanese cherries. The  
23 retail value of the 19 donated trees will be over  
24 \$5500.

25 Residents on Second Street, Carpenter

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1 Street and Sixth Street made unsolicited



2 contributions towards new tree plantings on their  
3 streets.

4 The Village Tree Committee thanks Mayor  
5 Nyce and the Board of Trustees for their  
6 continued support. Respectfully submitted this  
7 25th of March, 2014, John Quinlan, Village Tree  
8 Committee Chair, Polly Dixon, Jack Weiskott,  
9 Lillian White, Jane Ratsey Williams, and Trustee  
10 George Hubbard.

11 We thank Denise Rathbun for her years of  
12 service on the committee and wish her well.

13 And, please, join us at the 2014 Greenport  
14 Tree Day/Arbor Day celebration Thursday, May  
15 22nd, at 10 a.m., at the Larry Tuthill Park at  
16 the Visitors Dock, where we will honor May  
17 Matson, a longtime supporter of the Tree  
18 Committee, and retiring Village Administrator,  
19 Dave Abatelli, our dear friend. Rain date to be  
20 determined. We're hoping to use the East End  
21 Seaport Museum if we have bad weather for the  
22 day. We're working on that.

23 MAYOR NYCE: Excellent.

24 TRUSTEE HUBBARD: All right. I just want  
25 to thank everybody who worked on the Tree

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1 Committee. They meet once a month. And if  
2 anybody saw, John Quinlan drives around almost  
3 daily with water and his pruners, and he's  
4 trimming, pruning, watering, and doing a lot, and  
5 I just wanted, you know, an extra thanks to John.

6 MAYOR NYCE: Absolutely.

7 TRUSTEE HUBBARD: Okay.

8 MAYOR NYCE: Thank you. There was one  
9 other announcement that I had not written on the  
10 agenda that came up the end of last week. Many  
11 of you attended a meeting here last Thursday, and  
12 then a couple of weeks prior to that there was a  
13 proposed peaking plant proposed by Global Common.  
14 They were going to answer an RFP put out by LIPA  
15 for peaking plants to be built on the East End.

16 I got an email from Mr. Fox and from Global  
17 Common on Friday expressing that they would not  
18 be submitting an RFP to LIPA. They were not able  
19 to secure a location on the South Fork; did not  
20 feel that they would be able to meet the 200 meg.  
21 requirement for answering the RFP. Therefore,  
22 they have -- they've basically pulled their  
23 application to us to continue that process. So

24 that project is for now gone. So I wanted to  
25 make sure people understood that. There will be

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1 no further meetings about that peaking plant.

2 With that, I know that we have Mr. Charlie  
3 Ritchie here from the Fireboat. I think, prior  
4 to the public portion, we'll do that as a  
5 presentation, if it's all right. If you wanted  
6 to -- you wanted to present to the Board what the  
7 Fireboat situation is at this point, we'll do  
8 that, and then after that, we'll open up to the  
9 public portion before we get into our regular  
10 agenda.

11 MR. RITCHIE: Hi. I'm Charlie Ritchie.  
12 I'm the President and Museum Director of Fireboat  
13 Firefighters. I came here tonight just to assure  
14 the Board of Trustees that we are doing whatever  
15 is necessary to stay committed to the criteria  
16 that we agreed upon before moving the vessel  
17 here.

18 With that in mind, I just wanted to let you  
19 know, I do have copies of our insurance policy.  
20 We have raised the amounts on the insurance

21 policy that was required by the Village and  
22 Suffolk County as we've been rest over the  
23 months. So I can leave those with you for your  
24 review.

25 Regarding our surveys, which some people

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1 have called the shipyard trip, or the haul-out,  
2 since getting the vessel, we have had two  
3 in-water surveys, which have been very detailed,  
4 one for our insurance company, one prior to  
5 getting the vessel from the Fire Department. We  
6 also had an informal survey by a diving --  
7 licensed diver at the time of the Maritime  
8 Festival, and they did video the bottom of the  
9 hull. They found no problems with any of the  
10 suction screenings, or any of the sea chest  
11 areas.

12 Again, it was informal. They were doing it  
13 for us pro bono, so we did not have a plating  
14 thickness done because of the growth on the  
15 bottom of the hull. That was a much longer job.

16 With that, I mean, we are -- we are not  
17 contending that we don't want to -- that the boat

18 needs to go to the shipyard. We definitely want  
19 to get it there; we do want to do the work. We  
20 won't know the plate thickness on the bottom of  
21 the hull until that point. However, the boat is  
22 not taking on water, it is not sinking. So we do  
23 not have the problems that, you know, have been  
24 circulating around. And I offer anyone to, you  
25 know, come and tour the boat to see the condition

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1 of the vessel.

2 The other thing is the storm plan, which  
3 has been discussed about, we have a group of  
4 committed volunteers who, in an emergency  
5 situation, God forbid another hurricane, will go  
6 to the vessel and move the vessel. We have a  
7 Chief Engineer who worked on the boat for 18  
8 years who lives in Southold, and we have a  
9 gentleman named Anthony McDonald, who is a -- how  
10 do you say that? I guess he's a tugboat captain,  
11 but he does -- he is an unlimited tug and tow  
12 captain and he lives in Greenport.

13 So we do have -- we do have personnel that  
14 will move the vessel in an emergency. What I

15 would like to get from the Village is a criteria  
16 for the storm plan that is similar to the ones  
17 that the other vessels have in the harbor. And  
18 we would like to stick to the plan; we want to  
19 know what the plan is. So if we can get that  
20 from the Harbor Master from the Village, that  
21 would help.

22 Other than that, as far as our situation in  
23 Greenport, I mean, we have been -- being kicked  
24 out since we got here. Just being polite about  
25 it, but, I mean, we've been moved around a lot.

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1 We've moved up and down the East Dock. We moved  
2 over to the Railroad Dock. As soon as we got to  
3 the Railroad Dock, we were being kicked out. So  
4 this has really upset our volunteer recruitment.  
5 It's really upset our ability to raise funds.  
6 So, in looking at moving the vessel, or doing any  
7 further work on the vessel, the fundraising has  
8 been very limited, the ability to fundraise has  
9 been very limited.

10 What we are looking at are some grants that  
11 are coming up. New York State Historic

12 Preservation grant is coming up. We're waiting  
13 to apply for that, hoping to get matching donors.  
14 All of that said, we do need a stable environment  
15 to do that, and we haven't had a very stable  
16 environment.

17 We have been able to raise donations  
18 through foot traffic, people who have been in  
19 town, you know, tourists that have come to town  
20 and have, you know, given us donations. We've  
21 sold items for donation. So we are making  
22 headway that way. But the amounts at a minimum  
23 for our shipyard trip is about 125,000.

24 What we are requesting is -- of course,  
25 we'd love to stay here permanently, but what we

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1 are requesting some situation where we can at  
2 least stay temporarily. Whatever the Village  
3 feels is accommodating, you know, that would be  
4 great. And I guess that's it. Thank you.

5 MAYOR NYCE: Just as the other side of it,  
6 and I'm saying this, as I've been vocally  
7 supportive of your efforts from day one, I  
8 continue to be supportive of it, but also to be

9 fair, from day one, the first time we met, even  
10 before it came to the Village Board, I had said  
11 the only place the boat was going to be able to  
12 be was at the Railroad Dock, and we would need  
13 County approval. We've not been able to secure  
14 County approval, which is the biggest hurdle.

15 The storm plan we can get around. The  
16 survey, I understand, you know, the insurances.  
17 I had assumed from day one all of that stuff  
18 would be easy enough to get passed. The County  
19 approval remains the biggest hurdle and something  
20 that we have absolutely no control over --

21 MR. RITCHIE: Right.

22 MAYOR NYCE: -- which causes some  
23 difficulties.

24 MR. RITCHIE: Right.

25 MAYOR NYCE: I will say that I've talked to

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1 our Legislator and he's broached the subject of  
2 us potentially renegotiating that lease, and  
3 maybe the County getting out of it entirely, but  
4 I can't -- I can't say that with any assurance,  
5 because I believe that needs either an act of the



6 Legislature, or at least County Legal to be  
7 involved, and I can't speak for them.

8 The Village Board has expressed an interest  
9 in having greater control over that dock, because  
10 if we're going to spend the money to maintain it,  
11 we should be able to maximize our revenues, which  
12 was the idea, as you recall, when we came in.  
13 This would be a place where we could potentially  
14 not charge you the full rates at the East Pier.  
15 We have to maximize our revenues at that East  
16 Pier, absolutely have to, and we had said that  
17 from day one.

18 So we're in an equally difficult position,  
19 is basically what I'm trying to express to you.  
20 I appreciate the efforts that you guys have gone  
21 through. The storm plan is something we can work  
22 out. I'm more comfortable now than I was with  
23 the fact that I believe you guys do have people  
24 that are available to move the vessel early on.  
25 You'll admit that that was a problem, and that

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1 led to some -- you know, a little bit of  
2 insecurity on this Board's part. I think most of

3 it at this point has been addressed, with the  
4 exception of the County's approval.

5 MR. RITCHIE: Yes.

6 MAYOR NYCE: And Trustee Hubbard, at the  
7 work session, he's got an agenda item for us to  
8 charge you month to month. I'll express -- I was  
9 going to express it when it came up. I have my  
10 concerns about adopting that resolution legally.  
11 And I have to note that our Village Attorney is  
12 not present tonight, he's recovering from an  
13 illness. But there are some concerns that that  
14 might put us in a difficult position as well. I  
15 don't know what to tell you, and this is what  
16 I've been --

17 MR. RITCHIE: Yeah, I understand

18 MAYOR NYCE: You and I have had this  
19 conversation. I've not known what to tell you  
20 for almost a year now. Since we decided your  
21 time ran out at the East Pier and we wanted you  
22 to move to the Railroad Dock, we got --  
23 initially, we got an "okay" from the County, and  
24 then we got a "no way". From that point on, I  
25 think we've been fairly straight up, saying we

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1 can't have you back at the East Pier, which is  
2 where you ended up being last summer. We  
3 can't -- unfortunately, we can't do that.

4 So I don't know if there's pressure that  
5 you can bring to bear on the County. I will --  
6 I'll go back to our Legislator again. But we're  
7 in as -- we're painted into the same corner that  
8 you are.

9 MR. RITCHIE: Okay.

10 MAYOR NYCE: We have very limited space.  
11 And, if there is a storm event, that boat is  
12 bigger than our docks can handle, and you well  
13 know that. So that part I think we can get  
14 around. It's ultimately what the County's going  
15 to decide to do at this point.

16 MR. RITCHIE: Okay.

17 TRUSTEE ROBINS: Can I say something?

18 MAYOR NYCE: Sure.

19 TRUSTEE ROBINS: Mr. Ritchie, hi. Before I  
20 say -- make my comments, I do want to say that I  
21 think the Fireboat is a wonderful historic boat.  
22 I'm not sure if its history is part of  
23 Greenport's maritime history, but I have been on  
24 the boat and I definitely appreciate its value as

25 a museum.

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1 Okay. That being said, I did -- I have a  
2 couple of things. I did look over your insurance  
3 policy, okay, and one of the things on the policy  
4 is that it is understood and agreed that a  
5 hurricane plan must be on file with the company  
6 for the duration of the policy term. And this  
7 policy did begin in January, and I understand  
8 that we're not at that point yet of having a  
9 hurricane plan; is that correct?

10 MR. RITCHIE: Right, right.

11 TRUSTEE ROBINS: Okay.

12 MR. RITCHIE: I mean, it hasn't been -- the  
13 company hasn't required it so far, but it is --  
14 it's a new policy, so I'm sure that they will.

15 TRUSTEE ROBINS: Okay. But it's in -- it's  
16 in the policy right now. Okay?

17 MR. RITCHIE: Right, right.

18 TRUSTEE ROBINS: The second question about  
19 the policy states that -- this is under the term  
20 "Port Risk Endorsement". It says that the vessel  
21 shall be laid up in the port of Railroad Dock,

22 Greenport, with liberty to shift between approved  
23 sites within the port itself. "However," it says  
24 here, "if the vessel commences or proceeds on a  
25 voyage during the term of this insurance, this

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1 policy shall thereupon terminate as soon as the  
2 vessel leaves her moorings to depart from the  
3 above-named port." So, basically, if you leave  
4 the Village, you're uninsured.

5 MR. RITCHIE: That's not entirely correct.  
6 We can get permission from the insurance company  
7 to move the vessel from port to port. In a  
8 situation like if we were to move to another  
9 village and dock the boat, we'd have to ask prior  
10 permission to do that.

11 What they have said in the past and, you  
12 know, during our survey is that they would want  
13 the boat to be hauled out before we do any other  
14 activities. In other words, if we did any public  
15 sales in the harbor, we would need to get a  
16 haul-out done. So that's why that clause is in  
17 there, they want to make sure we don't go  
18 anywhere without their permission.

19 TRUSTEE ROBINS: Okay. And lastly, I do  
20 question -- you said that you had difficulty  
21 fundraising because of the sort of shifting  
22 location of the boat.

23 MR. RITCHIE: Right.

24 TRUSTEE ROBINS: But, in fact, you had the  
25 prime location in the Village basically during

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1 the height of the season, and from last February  
2 all the way until this Fall. So, I mean, I don't  
3 know what better location you could have, then,  
4 to attract attention to the boat.

5 MR. RITCHIE: I don't mean that in the  
6 sense of location, because the foot traffic,  
7 we -- you know, we did very well in terms of  
8 donations from the foot traffic. What I'm saying  
9 is it being an unstable situation for people,  
10 bigger donations, bigger investors. You know,  
11 looking at the situation and knowing that since  
12 we've been here, we've been moving, they're not  
13 likely to invest and, you know, put money into  
14 the vessel being hauled out.

15 The money that we've raised here has

16 basically paid our expenses. You know, we have  
17 insurance, the restoration expenses, anything to  
18 keep the boat up, and that's what, you know,  
19 we've raised so far.

20 I don't disagree with you, I just think  
21 that, you know, we've had investors come up -- I  
22 think the other thing I should say is we did not  
23 become a 501(c)(3) until the first week of  
24 December.

25 MAYOR NYCE: Right.

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1 MR. RITCHIE: So I was approached by  
2 investors who wanted to help out with the  
3 restoration and they were discouraged that we had  
4 not gotten that. So we were waiting a  
5 year-and-a-half, and we just got it, and  
6 fundraising season was over. So that kind of put  
7 us in a bad situation.

8 TRUSTEE ROBINS: Thank you.

9 TRUSTEE MURRAY: Charlie, I have a  
10 question. If we come up with this storm program,  
11 you're going to need an anchor, correct?

12 MR. RITCHIE: We have an anchor.

13 TRUSTEE MURRAY: You have a working anchor?

14 MR. RITCHIE: Yeah. We're -- you know, we  
15 have a working anchor, a working windlass, and we  
16 have 600 feet of line. Currently, what we're  
17 looking for, if anybody wants to donate it, is  
18 about a 60-foot piece of chain really to keep the  
19 line down at the bottom. So we do have those  
20 things in place. Shortly after we went to the  
21 Railroad Dock, we purchased a line.

22 MAYOR NYCE: Thank you very much.

23 MR. RITCHIE: Thank you.

24 TRUSTEE MURRAY: Thank you.

25 MR. SALADINO: Mr. Mayor.

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1 MAYOR NYCE: I'll get into the public  
2 portion in a minute.

3 MR. SALADINO: Could I make a comment about  
4 this without giving up my right to --

5 MAYOR NYCE: When we get to the public  
6 portion.

7 MR. SALADINO: No problem.

8 MAYOR NYCE: Which we're going into now.

9 MR. SALADINO: No, I understand. I have a



10 lot of agenda items I would like to ask you about  
11 and this would just be relative to the Fireboat.

12 MAYOR NYCE: I understand. We never  
13 discouraged you asking a multitude of questions,  
14 John.

15 MR. SALADINO: Sorry. That's what I'm here  
16 for, Dave, to keep you honest.

17 MAYOR NYCE: I understand. The  
18 presentation being done, we would move into the  
19 public portion before we go on to our regular  
20 agenda.

21 TRUSTEE HUBBARD: I bet you John wants to  
22 go first.

23 TRUSTEE MURRAY: And he may not.

24 MAYOR NYCE: I'm actually going to offer  
25 for Mr. Saladino to open the public portion this

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1 evening. And if you'd like to start with your  
2 question about the Fireboat, you're welcome to,  
3 or you can start with any item.

4 MR. SALADINO: I have a few agenda -- John  
5 Saladino, Sixth Street. I have a few agenda  
6 items that I would like to speak about. But as

7 far as the fireboat, recently in the newspaper,  
8 there was like an ongoing debate that for some  
9 reason some people thought I misrepresented the  
10 facts that I presented about the Railroad Dock.  
11 I took offense to that.

12 I have with me the lease from the County  
13 with the Long Island Railroad Company, and the  
14 sublease from the Village and the County. And  
15 the first page of the lease -- so it's been  
16 reported in the Suffolk Times, I believe it was  
17 the Suffolk Times, that the County owns the dock.  
18 I'm sure all you guys know that's not true.

19 MAYOR NYCE: I just have to take a moment  
20 here to say that the Suffolk Times got it wrong?  
21 And that's surprised you?

22 (Laughter)

23 MR. SWISKEY: Never throw stones.

24 MR. SALADINO: Well, I know the truth, and  
25 I'm sure most of you know the truth. I'm just

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1 not sure about the rest of the people, and those  
2 people, I'm just not sure about them.

3 MAYOR NYCE: Which is why at each point

4           that it's come up, we have tried to say that,  
5           yes, the Long Island Railroad owns the property.  
6           The County rebuilt the dock. All of that  
7           property is owned by the Long Island Railroad,  
8           subleased to the County, subleased to us, yes.

9           MR. SALADINO: So, as long as we can agree  
10          that the lease that the County has with the Long  
11          Island Railroad Company is the same lease as the  
12          Village has with the County, I mean, it's  
13          practically the identical lease.

14          It's been said by a lot of people that the  
15          dock is -- we're going to take space from  
16          commercial fishermen, it's expressly for  
17          commercial fisherman. And we all know -- and I'm  
18          sure you guys know that, too, whether you're  
19          willing to admit it or not, it's not the truth.

20          The first page of the lease says, "The  
21          sublessee desires to obtain this real property to  
22          be used for docking of fishing and pleasure  
23          boats, fishing dock, museum, parking and roadway  
24          purposes." Article 3 of the lease says the same  
25          thing. The premise's demised under this sublease

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1 are to be used for by the sublessee for docking  
2 of -- well, this time it says pleasure and  
3 fishing boats, fishing dock museum.

4 So who you rent to isn't predicated on what  
5 kind of boat it is. We shouldn't -- we  
6 shouldn't, you know, get caught up in that, that  
7 it can only be a commercial fishing boat, or it  
8 can only be a boat with a big net on the back,  
9 because that's not accurate.

10 The problem comes with Article 13. Article  
11 13 says that, "The sublessee shall not assign  
12 this sublease, sell or sublet the premises or any  
13 part without written consent of the lessee." I  
14 can remember when that became an issue. It  
15 became an issue to kind of -- and I've asked you  
16 guys what's the difference between a lease and a  
17 permit, and I've asked for the last seven years  
18 and never came up with an answer. George went  
19 the furthest. He got back to me and he says,  
20 "Well, it's the length of time." But nobody  
21 could answer at what point in time does a permit  
22 become a lease, or does a lease have to be not a  
23 permit.

24 So I thought I would ask -- I'm sure you  
25 know, I used to work for the Long Island Railroad

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1 Company. I thought the person to ask was the  
2 landlord, the guy that owned the dock. So I went  
3 to the Long Island Railroad Company, I still have  
4 some friends there, and I went to the Real Estate  
5 Department and -- I went to the Real Estate  
6 Department and I talked to an attorney from the  
7 Real Estate Department, and we talked about  
8 Article 13, Chapter 13, Clause 13.

9 His opinion, his opinion, the Long Island  
10 Railroad's opinion is that this clause would  
11 refer -- would be pertaining to the entire  
12 property. So I said, well, you know, there's a  
13 question with the County, there's a -- you know,  
14 if you rent a parking space, if you -- the County  
15 says you have to come to them. His words were,  
16 "We don't see it that way."

17 So I asked the next obvious question. The  
18 next obvious question was there's eight spaces,  
19 seven spaces, nine spaces, depending on how big a  
20 boat it is, at the Railroad Dock. "Would you  
21 guys be interested in who rented those spaces if  
22 it was a lease, if it was a permit, if it was a

23 rental agreement?" And his response to me was,  
24 "Why would we even care about that?"

25 So if the landlord doesn't care, and the

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1 Village doesn't care, and the landlord would have  
2 no intention of enforcing this clause with the  
3 County, and if we're willing to admit it or not,  
4 the County was only involved because of a tugboat  
5 or a party boat and the question of a lease came  
6 up, aren't we looking for -- aren't we being --  
7 aren't we kind of using semantics to kind of pick  
8 and choose who we want? Well, obviously, we  
9 disagree, because --

10 MAYOR NYCE: No, we're not.

11 MR. SALADINO: -- that's the way I see it  
12 and that's the way the landlord sees it.

13 MAYOR NYCE: I understand, but what you're  
14 missing is the landlord doesn't own the dock,  
15 they own the land that the dock is on. The  
16 County owns the physical dock itself. They put  
17 up the money to build it. Therefore, they own  
18 the physical dock. That's where the sublease  
19 comes in.

20 MR. SALADINO: Where does it say that in  
21 any of these documents?

22 MAYOR NYCE: It doesn't say it in that  
23 document, John.

24 MR. SALADINO: In the 1982 document, in the  
25 1981 document, and the 1993 document, where does

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1 it say that, that the County retains ownership of  
2 the dock? It doesn't. And when the lease is  
3 reverted back to the Long Island Railroad Company  
4 after the 50 years, they get the land and the  
5 County takes the dock? David.

6 MAYOR NYCE: John, I understand what it is  
7 you're getting at, which is fine.

8 MR. SALADINO: I'm not getting at -- we can  
9 debate opinions, we can't debate facts, and the  
10 fact are these are the facts. These are the  
11 facts. And the fact of the matter is -- the fact  
12 of the matter is this lease is being used by some  
13 people to pick and choose, for whatever reason,  
14 who can be at that dock.

15 I'm a Village resident. That's a Village  
16 asset. We shouldn't be turning away paying

17 customers that -- we all remember the tugboat.  
18 Six thousand dollars a year that guy paid. Some  
19 people didn't want him at the dock, because he  
20 didn't have a big net on the back of the boat. I  
21 thought that was crazy. There was room.

22 I have with me also, it's over there,  
23 Chapter 48, the appendix to Chapter 48, of who  
24 can use that dock, and what the requirements are  
25 when they're there. It's -- if we're going to --

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1 if we're going to adhere to the rules, we should  
2 adhere to the rules. We can't pick and choose  
3 what rules we like to accommodate our friends and  
4 what rules we don't like and let them go.

5 I'm sorry, I have to read it. And this is  
6 in your code. I mean, this is online. This is  
7 in your code. I don't know how many people  
8 actually go to the appendix portion of it, but no  
9 commercial activity.

10 "Commercial activity shall include fuel,  
11 ice, servicing, repair work of any kind, welding,  
12 loading, off-loading fish or other materials,  
13 commercial vehicles or vendors' trucks." We



14 ignore that daily. No parking of any motor  
15 vehicles on Village docks. There's actually 13  
16 of them. I'm not going to read them all because  
17 I got some other stuff to say. No guarantee of  
18 any permanent slip. Rafting, if necessary.

19 We're worried, "Oh, there's not going to be  
20 enough room." We can get seven or eight boats if  
21 we raft. Now we can get 14 boats. I understand  
22 the condition of the dock.

23 "No vessel shall be allowed to remain more  
24 than one week." The maximum layover under any  
25 circumstances would be three weeks. Is that a

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1 reality? So -- and there's more. You know, I  
2 think I kind of made my point with this.

3 So, if we're going to enforce the rules, if  
4 this guy has got to get out of town because  
5 somebody doesn't think it's appropriate to be  
6 there, or it's not the right kind of vessel to be  
7 there, or it's going to tear the dock down, I  
8 think a 266 Fireboat presents the same problem to  
9 that dock as two 100-ton fishing boats.

10 So I think it's -- he's only got about

11 eight inches of water under the boat. How far  
12 can it sink if it does sink? You pull it up  
13 another eight feet and you'd be in the mud. I'm  
14 sorry, I'm on a rant here.

15 MAYOR NYCE: It's fine.

16 MR. SALADINO: I think it's -- I think  
17 you're doing a disservice to the people in the  
18 Village, the people that care about the money,  
19 the people that care about the Fireboat, the  
20 people that care about the tourists, the  
21 merchants that care about the tourists that come  
22 here to look at the Fireboat. I think you're  
23 doing a disservice to them.

24 The overwhelming majority of the residents  
25 in this town, I think you're doing an enormous

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1 disservice to them when you pander to one  
2 particular special interest group that are not  
3 being displaced, are not having anything done to  
4 them, are not being asked to leave. It's like  
5 they're sore winners. You've got a spot. What's  
6 your complaint? You have a space? In case we  
7 negotiate now for the unborn, in case somebody

8 shows up? Is that what we're worried about, in  
9 case somebody comes?

10 I had a captain tell me once, "You know, we  
11 keep some spaces empty in case somebody comes in  
12 with a broken down boat or something." Shouldn't  
13 the boat go to the shipyard since you can't do  
14 repairs at that dock? We keep the space open so  
15 that guy can get out easier. Does he pay for  
16 that spot to get out easier? No. Then he  
17 shouldn't have that spot.

18 You and I have been having this  
19 conversation for seven years. I'm not  
20 anti-fisherman. I love fish. I'm anti-special.  
21 I don't think anybody's special. Well, I think  
22 Mother Teresa was special. I think Jonas Salk  
23 was special. I don't think anybody in the  
24 Village is special in terms like that. I don't  
25 think anybody should get anything from the

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1 Village for free at somebody else's expense.

2 MAYOR NYCE: I agree with you. May I  
3 comment back?

4 MR. SALADINO: Of course, Dave.

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(Laughter)

MAYOR NYCE: This whole process, as you well remember, started several years ago with Peconic Star Express, when it came in. And we wrote a lease or a sublease for that vessel to come in and tie up, at which point I got a letter from the County telling us that we had not properly followed our lease agreement with them, and that we had to come in to see them, that we needed their approval of the lease. I took our Village Attorney, we worked through the whole thing. They finally signed off on it. So I have been proceeding since then under the understanding that if we're going to write an additional lease for anybody that comes in to stay at that dock, we need County's approval.

Now, that being said, as I stated earlier when Mr. Ritchie was here, I've also had a conversation with the County that at this point they may want out of this lease, which would make everyone happy. That's the next step to take,

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1 that we would deal directly with the property

2 owner and lease directly from them. The County  
3 was involved way on back when because they were  
4 an organization that had more availability for  
5 funding to build that -- to build that dock when  
6 it was built, and, further, to upgrade the  
7 baggage terminal and the old station house, when  
8 those were rebuilt. They were the vehicle  
9 through which the monies flowed. The Village, at  
10 that point, not many people, certainly not State  
11 or Federal agencies, were not granting monies to  
12 small municipalities as quickly as they do now,  
13 they were doing them through larger  
14 organizations. So the County became involved as  
15 an interim between the Long Island Railroad and  
16 the Village, because the Long Island Railroad was  
17 more comfortable with that situation, as were the  
18 granting agencies. I think, personally, that has  
19 long outlived it's usefulness. The County  
20 doesn't need the property anymore.

21 As you've stated and we've stated in the  
22 past, if the Village is going to maintain that  
23 dock, it should also be able to maximize its  
24 revenues. There have been two instances now  
25 where the County has basically come in and said

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1 no, they want to pick and choose. Where that's  
2 coming from, I don't know either. Okay. Or I  
3 could -- I could guess as to where that is coming  
4 from.

5 MR. SALADINO: Okay.

6 MAYOR NYCE: That's fine.

7 MR. SALADINO: Okay.

8 MAYOR NYCE: But the bottom line on this is  
9 that we are beginning to explore, first with our  
10 Legislator, if there's a possibility of the  
11 County getting out of that lease. And if so, the  
12 Village would then become the primary leaseholder  
13 through the Long Island Railroad, at which point  
14 we wouldn't be having this conversation. We'd be  
15 maximizing the amount of revenue we could get off  
16 that dock, we would fill the spaces that we have  
17 and move on.

18 MR. SALADINO: That's great, David. And I  
19 agree with ninety-nine and nine-tenths percent of  
20 that, except -- except that when you first became  
21 Mayor, the issue wasn't Peconic Star, because the  
22 Peconic Star was here prior to you being Mayor,  
23 the issue was the tugboat that was --

24                   MAYOR NYCE: It was the Peconic Star  
25                   Express. When it came in, it was rumored to

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1                   be --

2                   MR. SALADINO: That was after the tugboat.  
3                   That was after the tugboat.

4                   MAYOR NYCE: After -- but the tugboat was  
5                   never going to be at the Railroad Dock.

6                   MR. SALADINO: And my point -- and my point  
7                   was -- and my point was the whole thing could  
8                   have been eliminated if we issued a permit, like  
9                   everybody else had, as opposed to a lease. If we  
10                  could have come -- with all the legal talent that  
11                  must be around, I'm sure somebody could have come  
12                  up with the definition of a lease or a permit.  
13                  And you guys are the agency, you can make the  
14                  permit for it. You have a permit for one year,  
15                  and we're going to write you a permit for two  
16                  years. My driver's license is for like 16 years.  
17                  I don't know how that happened, give a  
18                  65-year-old guy a 12-year driver's license. But,  
19                  I mean, you could make it anything you want.  
20                  You're the Village Board, you can make it

21 anything you want.

22 I took up a lot of time here and I  
23 apologize. I see a lot of people. I do have one  
24 or two other things --

25 MAYOR NYCE: Go head

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1 MR. SALADINO: -- without intruding on  
2 other people's time here. Are there any agenda  
3 items that aren't on the agenda that you're going  
4 to vote on today? No? Is there going to be --  
5 is there going to be an executive session?

6 MAYOR NYCE: No.

7 MR. SALADINO: The first thing I would ask  
8 is at the work session you talked about the RFP  
9 for the Tall Ships. Can you share with us the  
10 price that we put in, that we -- that we offered?

11 MAYOR NYCE: It was the same as last time.  
12 I don't remember off the top of my head. It was  
13 the same expense for the ships that we went  
14 through with the last --

15 MR. SALADINO: Two-and-a-half million?

16 MAYOR NYCE: Huh?

17 MR. SALADINO: Two-and-a-half million?



18                   MAYOR NYCE: No, we did not pay  
19                   two-and-a-half million to anybody.

20                   MR. SALADINO: And do we know what we're  
21                   getting for that price? It was 240,000, I think,  
22                   last time. Do we know what we would get for that  
23                   money? Did they tell us what we would get for  
24                   that money?

25                   MAYOR NYCE: We would get a comparable --

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1                   the ships all have different rates that they  
2                   charge. We would get --

3                   MR. SALADINO: Okay

4                   MAYOR NYCE: -- that perceived value. All  
5                   right?

6                   MR. SALADINO: Okay. The one agenda item  
7                   that I have is -- I'm not sure the number, I  
8                   don't have an agenda, but it's the one about Jack  
9                   Naylor's resignation effective 2/28.

10                   MAYOR NYCE: Uh-huh.

11                   MR. SALADINO: Can you share with us? I  
12                   mean, Mr. Naylor left in August, and his  
13                   resignation became effective in February, which  
14                   is, I guess, seven or eight months, six or seven

15 months later. We paid him 80,000 in salary and  
16 benefits from August until his resignation took  
17 effect. His termination agreement is part of the  
18 public record. I think Billy FOILED for it, we  
19 all read it. Could you explain to us why, I  
20 mean, he continued to get his salary and benefits  
21 when he left in August and he -- and his official  
22 retirement was this February, why we had to pay  
23 him?

24 MAYOR NYCE: That's what was negotiated in  
25 the termination agreement.

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1 MR. SALADINO: And could you share with us  
2 why he got such a good deal? Was there  
3 litigation? Was he suing the Village?

4 MAYOR NYCE: No.

5 TRUSTEE HUBBARD: No.

6 MR. SALADINO: Did he threaten to sue the  
7 Village?

8 TRUSTEE HUBBARD: No.

9 MR. SALADINO: So he just -- so he resigned  
10 as of February, but he left in August, and we're  
11 kind of like okay with that? I'm sure you guys

12 are okay with it --

13 MAYOR NYCE: No.

14 MR. SALADINO: -- because you made the  
15 deal.

16 MAYOR NYCE: No, none of us are --

17 MR. SALADINO: You made the deal, but as a  
18 taxpayer --

19 MAYOR NYCE: None of us are okay.

20 MR. SALADINO: -- I'm not okay with that.

21 MAYOR NYCE: And, no, none of us are okay  
22 with it.

23 MR. SWISKEY: You agreed to it.

24 TRUSTEE HUBBARD: I complained about it.

25 If I may just for a second. I complained about

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1 it. In my world where I work, and everything  
2 else, nobody gets a severance package, when  
3 you're done, you're done. Between their lawyer,  
4 our Village Counsel, Labor Attorneys, in that  
5 position, they say that's a standard practice to  
6 have some sort of severance in it. I didn't  
7 agree with it. This is what was worked out. It  
8 worked out, so formal charges weren't brought

9           either way. We weren't sued, charges weren't  
10           brought against him. It was an agreement that  
11           was made to terminate a bad situation.

12                   MAYOR NYCE: It was exactly as was stated,  
13           it was a settlement.

14                   TRUSTEE HUBBARD: Right.

15                   MAYOR NYCE: Mr. Naylor's position was  
16           Civil Service protected, which increased the  
17           complexity of removing him from his position. In  
18           our estimation, on advice from both Labor and  
19           Village Counsel, this was a less protracted and  
20           more financially sound way to proceed, and that's  
21           why we chose to do it. None of us sitting here  
22           is happy with having paid that money out, none --  
23           and if you -- you have been to the meetings, so  
24           you also know that none of us has been happy with  
25           the performance of the aforementioned individual

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1           for quite a period of time prior to that.

2                   MR. SALADINO: David, don't get me wrong, I  
3           don't have a problem with Jack Naylor working  
4           someplace else, that's not what this is about.  
5           This is about -- you just admitted, you know that

6 I've been to every one of these meetings.

7 MAYOR NYCE: Yup.

8 MR. SALADINO: And I've seen what's -- what  
9 goes on at these meetings, and I've also seen  
10 stuff that might motivate a guy, that might  
11 enable a guy to do less than a good job and get a  
12 lot of money from his former employer because of  
13 perhaps a work -- a hostile work environment, or  
14 something like that. So that's basically my  
15 question. If that had -- it if that -- and  
16 you've answered it and I'm not going to belabor  
17 the point. I mean, but if that -- if that was  
18 the case, the public would be entitled to know  
19 that. The public would be entitled to know if  
20 someone or some -- all of yous on the Village  
21 Board created a hostile work environment for a  
22 guy, and there was a threat of a lawsuit, and the  
23 settlement came about. We should know that,  
24 because politicians actually run on their record  
25 and the public -- there is an election coming and

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1 people should know that that's what, in fact,  
2 happened. But I'll take you for your word. If



1 fiasco that penalized both residents and business  
2 owners, there's a number of business owners here,  
3 or talk about permits that are required for some  
4 businesses, and other businesses seem to skirt  
5 through, by far, the most important code to me,  
6 as it seems to be the very core of subsequent  
7 violations, is detailed in Chapter 13, entitled  
8 Code of Ethics. And I want to read a portion of  
9 the Section, 13-1, regarding the purpose of such  
10 a code, so we are all clear and on the same page.

11 The Board of Trustees of the Village of  
12 Greenport recognizes that there are rules of  
13 ethical conduct for public officers and employees  
14 which must be observed if a high degree of moral  
15 conduct is to be obtained and if the public  
16 confidence is to be maintained. To me, this  
17 administration continues to act in a manner that  
18 diminishes that confidence by lacking some of the  
19 basic characteristics that are worthy of one's  
20 respect, and they are:

21 Honesty, simply translated, is the quality  
22 or fact of being honest, upright and fair. Being  
23 truthful, sincere or frank. Freedom from deceit  
24 or fraud.

25 Integrity, simply translated, is the

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1 adherence to moral and ethical principles.

2 Accountability, simply translated, is the  
3 obligation to report, explain or justify  
4 something. Being responsible and answerable.

5 And whether it is one individual on this  
6 administration or the entire group, you have  
7 shown the citizens of Greenport the following  
8 characteristics:

9 Hypocrisy, a pretense of having a virtuous  
10 character or moral principles that one does not  
11 really possess.

12 Selfishness: Devoted to or only caring for  
13 oneself, concerned primarily with one's own  
14 interests, benefits, welfare, etcetera,  
15 regardless of others.

16 Entitlement: People who believe they are  
17 owed certain rights and benefits without further  
18 justification.

19 And, lastly, conflicts of interest. Public  
20 officials are expected to put service to the  
21 public and their constituents ahead of their



22 personal interests.

23 And stated in black and white in your very  
24 own code, "Any person who shall knowingly and  
25 intentionally violate any provision of the Code

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1 of Ethics may be fined, suspended or removed from  
2 office or employment, as the case may be, in the  
3 manner provided by law."

4 If you do not have the basic respect for  
5 the citizens that pay your salaries and health  
6 benefits, then you should have the decency to  
7 resign.

8 We have a Mayoral election next year, and  
9 those of you who are currently serving on this  
10 Board are either directly guilty of violating  
11 your own Code of Ethics, or you're simply guilty  
12 of remaining silent. Either way, I have little  
13 to no confidence that anyone within this current  
14 administration is ready to lead our Village in  
15 the right direction and by the book.

16 The quote "Actions speak louder than words"  
17 was used in the last Village Board election.  
18 This is very true, so I think you either need to

19 reform those actions or get a new catch phrase.

20 Thank you.

21 (Applause)

22 MAYOR NYCE: Anyone else? Mr. Berson had  
23 his hand up.

24 MR. BERSON: David Berson, Sterling Place,  
25 Glory Going Green.

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1 I want to just lighten up the mood for a  
2 second and let everybody here know that this  
3 year's Maritime Festival poster will be done by  
4 our own little children from the Fourth, Fifth  
5 and Sixth Grade at the Greenport Elementary  
6 School. Please do not judge them on their  
7 artistic ability. Thank you very much.

8 (Laughter)

9 MR. BERSON: And the poster will be out in  
10 time for Memorial Day, and we look forward to it.  
11 Thank you very much.

12 MAYOR NYCE: Thank you, Dave.

13 (Applause)

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

16 MR. SWISKEY: William Swiskey, 184 Fifth  
17 Street.

18 And I'd like to defend the Suffolk Times,  
19 because in the last four or five or six months  
20 since, well, they changed reporters, they've been  
21 reporting a lot of true facts; \$108,000 penalty  
22 that this Board tried to sweep under the table.  
23 I mean, and this penalty is also costing us an  
24 additional \$24,000 in auditing cost. It's right  
25 here in your thing. This is a penalty that keeps

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1 on giving.

2 But I've got to commend the Suffolk Times,  
3 and I will say that as a citizen. And for a long  
4 time I was -- they weren't quite reporting, but  
5 now they're reporting facts. And, Mr. Mayor,  
6 nobody picks a fight with somebody who buys ink  
7 by the barrel. Don't understand the dynamics of  
8 it?

9 Anyway, to get to a couple of other issues  
10 here, the tentative budget is out. I looked on  
11 the computer. There seems to be an item missing  
12 from it. I don't see any bond schedules, and

13 they were a standard item in Village budgets  
14 since I can remember. It tells us what the  
15 outstanding bonds are and how much it's going to  
16 cost us during the year to service these bonds.  
17 And it's -- so you can't get a true picture. I  
18 mean, could we get these out to the public in a  
19 timely manner? I mean, because, your budget  
20 hearing's in what? Today's the --

21 MAYOR NYCE: Three weeks.

22 MR. SWISKEY: In less than two weeks, and  
23 it would be nice to have them. And we also used  
24 to -- the Town and most municipalities put out  
25 what's called a -- basically, a salary schedule.

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1 It tells us what each employee costs, what their  
2 benefits cost, hospitalization, dental, those who  
3 are retiring. Those would be nice to have in the  
4 budget the. If it's possibly, I would like to  
5 get them without going through a FOIL process  
6 that becomes like -- takes a month to get it.  
7 The hearing will be over by the time I get it.

8 Anyway, I'd appreciate it. Would one of  
9 you people on the Board, could you, you know,

10 maybe speak to the Treasurer?

11 MAYOR NYCE: I will speak to the  
12 Treasurer's Office tomorrow.

13 MR. SWISKEY: Thank you.

14 MAYOR NYCE: That schedule was included.  
15 I'm not sure why it's not online. Both of those  
16 items are generally included in our budget.

17 MR. SWISKEY: And there was a couple of  
18 other items about truthfulness and honesty.  
19 Yeah, I've been standing here for a year, a  
20 year-and-a-half, and speaking on the power plant  
21 and being told I didn't know what I was doing.  
22 Then the penalty arrived, and then this arrived  
23 and -- did it really take three days to do the  
24 last DMNC test? Because that's usually done in  
25 four hours when we were doing it. I understand

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1 there were people there for three days, and on  
2 the last day, about six o'clock at night, I know  
3 they were running Number 6 engine, because I went  
4 by there and I could see the emissions from the  
5 stack. So it took three days and cost God knows  
6 how much to do a test? So that tells me that

7 maybe something is not quite right in that light  
8 plant yet. Are there still problems or major  
9 problems at the light plant?

10 MAYOR NYCE: No, sir.

11 MR. SWISKEY: You know, I have to tell you,  
12 I have a little -- a hard time believing you when  
13 you say that, because you've said that for the  
14 last 18 months and there's been constant  
15 problems, leading to a \$108,000 penalty. That's  
16 just, you know, my opinion. Oh, and I guess the  
17 peaking plant is dead, hey?

18 MAYOR NYCE: That's what I stated at the  
19 beginning of the meeting.

20 MR. SWISKEY: I mean, \$600,000 a year is  
21 gone.

22 MAYOR NYCE: Four hundred was what they had  
23 offered, its potential --

24 MR. SWISKEY: Four--sixty--eight, plus taxes,  
25 which I estimated would amount to 70 or 80,000.

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1 It was pretty close to \$600,000. But I guess  
2 that's -- that's just gone. And there's no way  
3 that this Board could put out like a feeler to

4 the other people that are bidding on this LIPA  
5 RFP and perhaps -- we have a place where they can  
6 put 75 megawatts. Maybe somebody else besides  
7 this Cogens would like the property. Perhaps we  
8 should put an ad in the paper and let it be known  
9 that this property is available, because we can  
10 sure use the money. Because we're talking about,  
11 and I've got this -- we're talking about just  
12 spending over the next couple of years another  
13 two million dollars in Sewer Department of our  
14 own money, plus 600,000 of the State's money, and  
15 we're talking about fixing roads. And, I mean,  
16 we're talking an awful lot of debt, and we need  
17 income besides the taxpayers.

18 So I would just ask this Board to take this  
19 and shop it around. I mean, this is something  
20 that just takes a yes vote and it could be on its  
21 way.

22 Anyway, I have a couple of other items  
23 here. One of them was -- where is it here? Just  
24 bear with me for a moment. We're hiring a -- the  
25 current Accounts Clerk as a Deputy Treasurer. Is

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1 he leaving the union then, I assume, since  
2 it's -- does he realize that he's losing a lot of  
3 benefits when he's doing that?

4 MAYOR NYCE: He's a fully grown adult and  
5 has made the decision on his own, yes.

6 MR. SWISKEY: All right. Does he have a  
7 degree in accounting?

8 MAYOR NYCE: No, he does not. The  
9 Treasurer's -- the Treasurer's Office and the  
10 Treasure of the Village does not need a degree in  
11 accounting. To be the Treasurer of the Village,  
12 you do not specifically need a degree in  
13 accounting.

14 MR. SWISKEY: That's amazing to me,  
15 because --

16 MAYOR NYCE: I know it is.

17 MR. SWISKEY: -- if somebody's handling  
18 money, I want him to know what he's doing with  
19 it. Usually, the minimum is a two-year AA Degree  
20 in accounting, plus experience in the field, and  
21 we're hiring a totally inexperienced person with  
22 no accounting skills?

23 MAYOR NYCE: He is not totally  
24 inexperienced. And, as I stated, there is no  
25 stipulation through the State Comptroller's



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1 Office that a Treasurer have any --

2 MR. SWISKEY: I'm talking about common  
3 sense, Mr. Mayor. I could call myself a doctor.

4 MAYOR NYCE: You call yourself an  
5 accountant, too.

6 MR. SWISKEY: I actually am. I have a  
7 minor degree in that.

8 MAYOR NYCE: All right.

9 MR. SWISKEY: Well, you made the statement,  
10 and I'm telling you I have certain college  
11 degrees.

12 MAYOR NYCE: Absolutely fantastic.

13 MR. SWISKEY: I know they don't sit well  
14 with you, but I'm just amazed that -- to me it's  
15 just a pure -- oh, and getting back to FOILs, I  
16 FOILED for the -- at the February 18th work  
17 session, a paper was circulated from Genesys  
18 Engineering, and the Board looked at it, had to  
19 do with upgrades at the plant. So I FOILED for  
20 that paper and I'm getting something here back  
21 from the Clerk that says the correspondence is  
22 considered privileged communication. How do you

23 get privileged communication out of that? I  
24 mean, privileged communication is a lawyer. This  
25 is about spending money at the power plant. I

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1 don't understand this at all. Perhaps one of you  
2 could explain this to me.

3 MAYOR NYCE: I will have to look into it,  
4 as I'm not the FOIL Officer.

5 MR. SWISKEY: Well, it's just -- to me,  
6 it's just silly. I mean, is the FOIL Officer  
7 just running wild or something? We don't want  
8 Swiskey to know this, so we just call it  
9 confidential? I'm beginning to get the feeling  
10 that's what it's about. I think you're just  
11 trying to -- you don't want me to have  
12 information. I don't know. I mean, am I  
13 different from Mr. Saladino? He appears to get  
14 information.

15 I just -- oh, and on the Fireboat, I'd just  
16 tell the County we're taking it and we'll see.  
17 If you don't like it, tough. I mean, who  
18 are they? Who is the County? I was here when  
19 this dock was built, I worked for this building,

20 and the County had very little involvement.

21 And you made a statement that the County  
22 owns the Railroad Dock, yet you make a  
23 contradictory statement that the County may just  
24 give up the lease for the Railroad Dock and let  
25 it be directly between the MTA and the Village.

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1 So the County is basically going to give up two  
2 million dollars worth of property they own and  
3 give it to the Railroad? Because that's what  
4 they would be doing. That would take some kind  
5 of resolution of the County Board, unless they  
6 don't own the dock, which, if I remember right,  
7 going back to that time when it was built and  
8 everything that was going around, they don't own  
9 it. That was an incorrect statement. Then I'd  
10 just like to correct that for the record, if you  
11 don't mind, Mr. Mayor.

12 And I guess that's all I have to say.

13 Thank you.

14 MAYOR NYCE: Thank you.

15 MR. MORROW: My name is Roy Morrow. I'm  
16 here on behalf of myself and my wife, Nancy. We

17 would like to tell the Village that we will make  
18 the same contribution to the Tall Ship Festival  
19 coming up as last year. We do this in memory of  
20 George Costello, Sr. Thank you.

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

23 MS. RICHARDS: Margaret Richards, 415  
24 Kaplan Avenue.

25 I'd like to thank Rena for bringing up the

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1 hard subjects that nobody else seems to want to  
2 discuss ever.

3 And as far as you stating that a person  
4 doesn't need any accounting degree to be  
5 Treasurer, I believe I have an email at home from  
6 when I applied for that job and you told me the  
7 exact opposite.

8 MAYOR NYCE: I told you what you were  
9 asking for in the resumes. What I told  
10 Mr. Swiskey is what the Comptroller's Office  
11 requires. We can require something different.

12 MS. RICHARDS: Okay. So now it's changed.

13 MAYOR NYCE: No, it hasn't changed. When

14 we -- when we put out the ad looking for a  
15 Treasurer, we placed on that certain minimum  
16 requirements that we were looking for.

17 MS. RICHARDS: No, there weren't, because I  
18 wouldn't have applied for it if there were  
19 requirements that I didn't have. I won't do  
20 that.

21 MAYOR NYCE: Okay.

22 MS. RICHARDS: So it obviously wasn't in  
23 the ad.

24 MAYOR NYCE: Fair enough. Then I stand  
25 corrected.

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1 MS. RICHARDS: And the gentleman you did  
2 hire you sent to school. You could have sent me,  
3 because I learn very well. But that's just water  
4 under the bridge. But it just kind of goes to  
5 that nobody expects any of us to remember  
6 anything.

7 As far as ethics are concerned, Rena  
8 concentrated on just the elected officials. But,  
9 as you all well know, I have problems with Eileen  
10 Wingate and David Abatelli enforcing code when

11 they choose to and not enforcing it when they  
12 don't, and it has been proved numerous times  
13 right here in this room at various Board  
14 meetings.

15 And your Attorney, Mr. Prokop, who's being  
16 paid to sit in the Planning Board meetings and  
17 the ZBA meetings to give them advice, declines to  
18 give advice. When they ask him a legal question,  
19 I'd say -- I'd say in the past few months he's  
20 changed that position, maybe because it was  
21 brought up. But for many, many years, he would  
22 not give legal advice if it went against the  
23 decision that was kind of wanted.

24 And, as far as the boat is concerned, if  
25 you -- if the County is kind of semi-thinking

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1 about getting out of it, wouldn't that give you a  
2 little leverage to negotiate? If you wanted the  
3 boat here and they're thinking about getting out,  
4 couldn't you say, "We're going to lose this boat  
5 if you don't let us keep it here, and we want it,  
6 and if it becomes our lease, we would give it to  
7 them, so what's the holdup?" I would think

8           there's some negotiating room in that position.  
9           So, if you're not pushing for it, I kind of get  
10          the impression you really don't want it.

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

13                                   (No Response)

14                   MAYOR NYCE: If not, that will conclude the  
15          public portion. We'll go into our regular  
16          agenda.

17                   I will offer a motion adopting the March  
18          2014 agenda as printed. So moved.

19                   TRUSTEE HUBBARD: Second.

20                   MAYOR NYCE: All those in favor?

21                   MEMBER HUBBARD: Aye.

22                   MEMBER MURRAY: Aye.

23                   MEMBER PHILLIPS: Aye.

24                   MEMBER ROBINS: Aye.

25                   MAYOR NYCE: Aye.

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1                   Any opposed or abstentions?

2                                   (No Response)

3                   MAYOR NYCE: The motion carries.

4                   I'll ask Trustee Murray to read Resolution 2.

5 TRUSTEE MURRAY: RESOLUTION #03-2014-2,  
6 RESOLUTION accepting the monthly reports of the  
7 Greenport Fire Department, Village Clerk, Village  
8 Treasurer, Village Administrator, Director of  
9 Utilities, Village Attorney, Mayor and Board of  
10 Trustees. So moved.

11 TRUSTEE HUBBARD: Second.

12 MAYOR NYCE: All those in favor?

13 MEMBER HUBBARD: Aye.

14 MEMBER MURRAY: Aye.

15 MEMBER PHILLIPS: Aye.

16 MEMBER ROBINS: Aye.

17 MAYOR NYCE: Aye.

18 Any opposed or abstentions?

19 (No Response)

20 MAYOR NYCE: The motion carries.

21 TRUSTEE HUBBARD: RESOLUTION #03-2014-3,  
22 RESOLUTION ratifying the following, as approved  
23 at the work session meeting of the Village of  
24 Greenport Board of Trustees held on March 17,  
25 2014:

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1 "RESOLUTION authorizing the East End



2 Seaport Maritime Museum Association to proceed  
3 with the replacement of their heating and cooling  
4 system in the amount of under \$10,000; allowing  
5 them to proceed immediately, working with our  
6 Treasurer's Department to assure they're within  
7 our procurement policy." So moved.

8 TRUSTEE ROBINS: Second.

9 TRUSTEE PHILLIPS: I have one question.  
10 How much rent -- portion of the rent does East  
11 End Seaport Maritime Museum pay the Village?

12 MAYOR NYCE: Don't know off the top of my  
13 head. Any further discussion?

14 (No Response)

15 MAYOR NYCE: All those in favor?

16 MEMBER HUBBARD: Aye.

17 MEMBER MURRAY: Aye.

18 MEMBER PHILLIPS: Aye.

19 MEMBER ROBINS: Aye.

20 MAYOR NYCE: Aye.

21 Any opposed or abstentions?

22 (No Response)

23 MAYOR NYCE: The motion carries.

24 TRUSTEE ROBINS: RESOLUTION #03-2014-4,  
25 RESOLUTION authorizing the execution of a Letter

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1 of Commitment by the Village of Greenport as part  
2 of the Storm Mitigation Loan Program Application  
3 through the New York State EFC as prepared by  
4 Cashin Associates for the Village of Greenport.  
5 So moved.

6 TRUSTEE PHILLIPS: Second. Is there a  
7 monetary number attached to this Letter of  
8 Commitment, or is this --

9 MAYOR NYCE: No.

10 TRUSTEE PHILLIPS: -- just a Letter of  
11 Commitment going forward for the grant  
12 application?

13 MAYOR NYCE: As you recall, Mr. -- what's  
14 Aldo's last name?

15 TRUSTEE PHILLIPS: Cashin.

16 MAYOR NYCE: Marletti from Cashin said that  
17 this Letter of Commitment is a commitment to  
18 close on the loan for the full amount, in other  
19 words, to have the financing in place, should we  
20 be awarded the grant.

21 TRUSTEE PHILLIPS: Okay. I just wanted the  
22 public to be aware of that.

23 MAYOR NYCE: Any further discussion?

24 (No Response)

25 MAYOR NYCE: All those in favor?

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1 MEMBER HUBBARD: Aye.

2 MEMBER MURRAY: Aye.

3 MEMBER PHILLIPS: Aye.

4 MEMBER ROBINS: Aye.

5 MAYOR NYCE: Aye.

6 Any opposed or abstentions?

7 (No Response)

8 MAYOR NYCE: The motion carries.

9 TRUSTEE PHILLIPS: RESOLUTION #03-2014-5,  
10 RESOLUTION authorizing the attendance of Village  
11 Administrator Pallas and Power Plant Supervisor  
12 Fogarty at the New York Association of Public  
13 Power Annual Conference from April 8th, 2014  
14 through April 10th, 2014, at a cost not to exceed  
15 \$1,250.00, plus all applicable travel expenses,  
16 to be expensed from line item #E.0781.100  
17 (Executive Department). So moved.

18 TRUSTEE MURRAY: Second.

19 MAYOR NYCE: All those in favor?

20 MEMBER HUBBARD: Aye.

21 MEMBER MURRAY: Aye.  
22 MEMBER PHILLIPS: Aye.  
23 MEMBER ROBINS: Aye.  
24 MAYOR NYCE: Aye.  
25 Any opposed or abstentions?

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1 (No Response)  
2 MAYOR NYCE: The motion carries.  
3 TRUSTEE MURRAY: RESOLUTION #03-2014-6,  
4 authorizing Interim Treasurer Brandt to perform  
5 the attached budget amendment in the total amount  
6 of \$19,000.00, to amend the Fiscal Year 2013/2014  
7 budget to cover an increase in appropriations for  
8 bond counsel in the General, Electric and  
9 Recreation funds, per Budget Adjustment Form  
10 #1022. So moved.  
11 TRUSTEE HUBBARD: Second.  
12 MAYOR NYCE: All those in favor?  
13 MEMBER HUBBARD: Aye.  
14 MEMBER MURRAY: Aye.  
15 MEMBER PHILLIPS: Aye.  
16 MEMBER ROBINS: Aye.  
17 MAYOR NYCE: Aye.

18 Any opposed or abstentions?

19 (No Response)

20 MAYOR NYCE: The motion carries.

21 TRUSTEE HUBBARD: RESOLUTION #03-2014-7,  
22 RESOLUTION authorizing Interim Treasurer Brandt  
23 to perform the attached budget amendment in the  
24 total amount of \$24,814.00, to amend the Fiscal  
25 Year 2013/2014 budget to cover an increase in

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1 appropriations for E.1320.400 (Auditor Expense)  
2 in the Electric Fund, as per Budget Adjustment  
3 Form #1023. So moved.

4 TRUSTEE ROBINS: Second.

5 MAYOR NYCE: By way of discussion, this has  
6 nothing to do with the penalty that was incurred  
7 by the Village by the ISO. This is an interim  
8 audit that we've entered into as an agreement  
9 with the New York Power Authority for the capital  
10 project that we are doing at the light plant, in  
11 conjunction with collecting the cash outlaid by  
12 the Village for the transmission congestion  
13 charges within the PPA. This is one of the  
14 things that they asked that we do to keep them

15 informed of where that capital project is.  
16 I'll call the vote. All those in favor?  
17 MEMBER HUBBARD: Aye.  
18 MEMBER MURRAY: Aye.  
19 MEMBER PHILLIPS: Aye.  
20 MEMBER ROBINS: Aye.  
21 MAYOR NYCE: Aye.  
22 Any opposed or abstentions?  
23 (No Response)  
24 MAYOR NYCE: The motion carries.  
25 TRUSTEE ROBINS: RESOLUTION #03-2014-8,

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1 RESOLUTION authorizing Interim Treasurer Brandt  
2 to perform the attached budget amendment in the  
3 total amount of \$62,740.46, to amend the Fiscal  
4 Year 2013/2014 budget to cover an increase in  
5 appropriations for A.3410.461 (Fire Apparatus  
6 Replacement Account) as per Budget Adjustment  
7 Form #1024. So moved.  
8 TRUSTEE PHILLIPS: Second.  
9 MAYOR NYCE: All those in favor?  
10 MEMBER HUBBARD: Aye.  
11 MEMBER MURRAY: Aye.

12 MEMBER PHILLIPS: Aye.

13 MEMBER ROBINS: Aye.

14 MAYOR NYCE: Aye.

15 Any opposed or abstentions?

16 (No Response)

17 MAYOR NYCE: That motion carries.

18 TRUSTEE PHILLIPS: RESOLUTION #03-2014-9,  
19 RESOLUTION authorizing Interim Treasurer Brandt  
20 to perform the attached budget transfer to  
21 decrease appropriations by \$12,000.00 for account  
22 F.8320.200 (Meters, Tools & Miscellaneous  
23 Equipment) and to decrease appropriations by  
24 \$200.00 for account F.8310.414 (Miscellaneous  
25 General Expense), and increase appropriations by

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1 \$12,000.00 for account F.8310.202 (Water Main  
2 Extension) and increase appropriations by \$200.00  
3 in F.0131.100 (Materials & Supplies), as per  
4 Budget Adjustment Form #1025. So moved.

5 TRUSTEE MURRAY: Second.

6 MAYOR NYCE: All those in favor?

7 MEMBER HUBBARD: Aye.

8 MEMBER MURRAY: Aye.

9 MEMBER PHILLIPS: Aye.  
10 MEMBER ROBINS: Aye.  
11 MAYOR NYCE: Aye.  
12 Any opposed or abstentions?  
13 (No Response)  
14 MAYOR NYCE: The motion carries.  
15 TRUSTEE MURRAY: RESOLUTION #03-2014-10,  
16 authorizing Interim Treasurer Brandt to perform  
17 the attached budget transfer to decrease  
18 appropriations by \$16,500.00 for account  
19 G.9710.600 (Bond), and increase appropriations by  
20 \$16,500.00 for account G.8130.201 (Equipment  
21 Secondary Treatment), as per Budget Adjustment  
22 Form #1026. So moved.  
23 TRUSTEE HUBBARD: Second.  
24 MAYOR NYCE: All those in favor?  
25 MEMBER HUBBARD: Aye.

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1 MEMBER MURRAY: Aye.  
2 MEMBER PHILLIPS: Aye.  
3 MEMBER ROBINS: Aye.  
4 MAYOR NYCE: Aye.  
5 Any opposed or abstentions?



6 (No Response)

7 MAYOR NYCE: The motion carries.

8 TRUSTEE HUBBARD: RESOLUTION #03-2014-11,  
9 RESOLUTION authorizing Interim Treasurer Brandt  
10 to perform the attached budget transfer to  
11 decrease appropriations by \$4,800.00 from account  
12 R.7312.100 (Carousel Labor), and increase  
13 appropriations by \$4,800.00 to account R.7311.400  
14 (Ice Rink expense); and to decrease  
15 appropriations by \$9,000.00 from account  
16 R.7312.400 (Carousel Expense), and to increase  
17 appropriations by \$3,000.00 to account R.7110.400  
18 (Parks Expense) and to increase appropriations by  
19 \$6,000.00 to account R.7120.100 (Recreation  
20 Center), as per Budget Adjustment Form #1027. So  
21 moved.

22 TRUSTEE ROBINS: Second.

23 MAYOR NYCE: All those in favor?

24 MEMBER HUBBARD: Aye.

25 MEMBER MURRAY: Aye.

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1 MEMBER PHILLIPS: Aye.

2 MEMBER ROBINS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No Response)

6 MAYOR NYCE: That motion carries.

7 TRUSTEE ROBINS: RESOLUTION #03-2014-12,  
8 RESOLUTION authorizing Interim Treasurer Brandt  
9 to perform the attached budget transfer to  
10 decrease appropriations by \$5,000.00 for account  
11 A.3410.200 (Fire Department Equipment) and by  
12 \$5,000.00 for account A.3410.412 (Fire Repair and  
13 Maintenance - Buildings), and increase  
14 appropriations by \$10,000.00 for account  
15 A.3410.404 (Fire Fuel Oil), as per Budget  
16 Adjustment Form #1028. So moved.

17 TRUSTEE PHILLIPS: Second.

18 MAYOR NYCE: All those in favor?

19 MEMBER HUBBARD: Aye.

20 MEMBER MURRAY: Aye.

21 MEMBER PHILLIPS: Aye.

22 MEMBER ROBINS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No Response)

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1           MAYOR NYCE: The motion carries.

2           TRUSTEE PHILLIPS: RESOLUTION #03-2014-13,  
3 RESOLUTION authorizing Interim Treasurer Brandt  
4 to perform the attached budget transfer to  
5 decrease appropriations by \$1,000.00 for account  
6 A.3410.200 (Fire Department Equipment) and  
7 increase appropriations by \$1,000.00 for account  
8 A.3410.450 (Fire Miscellaneous Expense), as per  
9 Budget Adjustment Form. #1029. So moved.

10          TRUSTEE MURRAY: Second.

11          MAYOR NYCE: All those in favor?

12          MEMBER HUBBARD: Aye.

13          MEMBER MURRAY: Aye.

14          MEMBER PHILLIPS: Aye.

15          MEMBER ROBINS: Aye.

16          MAYOR NYCE: Aye.

17          Any opposed or abstentions?

18                         (No Response)

19          MAYOR NYCE: Motion carries.

20          TRUSTEE MURRAY: RESOLUTION #03-2014-14,  
21 authorizing Interim Treasurer Brandt to sign and  
22 execute the attached contract between the Village  
23 of Greenport and Munistat Services, Inc. for the  
24 preparation and filing of the Annual Information

25 Statement as required by the Security and

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1 Exchange Commission, at a cost of \$3,500.00; to  
2 be expensed proportionately from the General,  
3 Electric, Water, Sewer and Recreation funds, all  
4 from the 1325.433 (Bond Counsel Financial  
5 Advisor) accounts. So moved.

6 TRUSTEE HUBBARD: Second.

7 MAYOR NYCE: All those in favor?

8 MEMBER HUBBARD: Aye.

9 MEMBER MURRAY: Aye.

10 MEMBER PHILLIPS: Aye.

11 MEMBER ROBINS: Aye.

12 MAYOR NYCE: Aye.

13 Any opposed or abstentions?

14 (No Response)

15 MAYOR NYCE: The motion carries.

16 TRUSTEE HUBBARD: RESOLUTION #03-2014-15,  
17 resolution appointing Stephen Gaffga as Village  
18 Deputy Treasurer under the existing management  
19 contract at an annual salary of \$41,600.00;  
20 effective April 4, 2014. So moved.

21 TRUSTEE ROBINS: Second.

22                   MAYOR NYCE: By way of discussion, I'd like  
23                   to thank Mr. Gaffga for stepping up for this. He  
24                   came into the Village as a part-time Billing  
25                   Clerk. Very soon, or a year or so after, became

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1                   a full-time Billing Clerk; has done a terrific  
2                   job in the Billing Department; has worked  
3                   tirelessly with the Interim Treasurer,  
4                   Mr. Brandt. And we're very excited that as a  
5                   young person coming up through the Treasurer's  
6                   Office, that he will be a huge asset to the  
7                   Village moving on. Also, giving the Treasurer's  
8                   Office a greater working knowledge of the Billing  
9                   Department, which had not necessarily been there  
10                  in the past. This is sort of, with our  
11                  succession planning, starting to take -- starting  
12                  to take place. So I'd like to thank him for  
13                  stepping up.

14                  All those in favor?

15                  MEMBER HUBBARD: Aye.

16                  MEMBER MURRAY: Aye.

17                  MEMBER PHILLIPS: Aye.

18                  MEMBER ROBINS: Aye.

19 MAYOR NYCE: Aye.  
20 Any opposed or abstentions?  
21 (No Response)  
22 MAYOR NYCE: That motion carries.  
23 TRUSTEE ROBINS: RESOLUTION #03-2014-16,  
24 RESOLUTION authorizing Interim Treasurer Brandt  
25 to begin the process of selecting an Account

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1 Clerk from the current Suffolk County Civil  
2 Service eligibles list, to fill the position that  
3 will be vacated in the Treasurer's Office  
4 beginning April 4th, 2014. So moved.  
5 TRUSTEE PHILLIPS: Second.  
6 MAYOR NYCE: All those in favor?  
7 MEMBER HUBBARD: Aye.  
8 MEMBER MURRAY: Aye.  
9 MEMBER PHILLIPS: Aye.  
10 MEMBER ROBINS: Aye.  
11 MAYOR NYCE: Aye.  
12 Any opposed or abstentions?  
13 (No Response)  
14 MAYOR NYCE: That motion carries.  
15 TRUSTEE PHILLIPS: RESOLUTION #03-2014-17,

16 RESOLUTION ratifying the independent contractor  
17 agreement between the Village of Greenport and  
18 Timothy McDonald at a cost of \$10.00 per hour, to  
19 expire on December 31st, 2014. So moved.

20 TRUSTEE MURRAY: I'll second that.

21 MAYOR NYCE: All those in favor?

22 MEMBER HUBBARD: Aye.

23 MEMBER MURRAY: Aye.

24 MEMBER PHILLIPS: Aye.

25 MEMBER ROBINS: Aye.

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1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No Response)

4 MAYOR NYCE: That motion carries.

5 TRUSTEE MURRAY: RESOLUTION #03-2014-18,  
6 RESOLUTION approving the Public Assembly Permit  
7 Application as submitted by Peconic Public  
8 Broadcasting for the use of Mitchell Park for the  
9 annual art show, from 11:00 a.m. through 6 p.m.  
10 on June 22nd, 2014. So moved.

11 TRUSTEE HUBBARD: Second.

12 MAYOR NYCE: By way of discussions, we

13 discussed it at the work session. They are  
14 potentially looking to add some small bands  
15 during that day. They may be asking to amend  
16 this as they get closer to -- they're getting  
17 more details as to where the bands would play,  
18 what size the bands are and the names of them,  
19 etcetera.

20 TRUSTEE MURRAY: And I just have to ask,  
21 they're selling art, right?

22 MAYOR NYCE: They are selling art, yeah.  
23 And --

24 TRUSTEE MURRAY: And this is just something  
25 that I always say no to because of my policy with

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1 the parks.

2 MAYOR NYCE: Not problem, absolutely.

3 So I'll call the vote. All those in favor?

4 MEMBER HUBBARD: Aye.

5 MEMBER PHILLIPS: Aye.

6 MAYOR NYCE: Aye.

7 Opposed or abstentions?

8 TRUSTEE MURRAY: Aye.

9 TRUSTEE ROBINS: No.



10                   MAYOR NYCE: So that we have two in the  
11                   negative and three in the affirmative. That  
12                   motion carries.

13                   TRUSTEE HUBBARD: RESOLUTION #03-2014-19,  
14                   RESOLUTION authorizing Mayor Nyce to sign the  
15                   Acceptance of Name Change document dated January  
16                   31st, 2014 from "H2M architects + engineers",  
17                   advising the change of name from Holzmacher,  
18                   McLendon & Murrell, P.C. to "H2M architects +  
19                   engineers". So moved.

20                   TRUSTEE ROBINS: Second.

21                   MAYOR NYCE: All those in favor?

22                   MEMBER HUBBARD: Aye.

23                   MEMBER MURRAY: Aye.

24                   MEMBER PHILLIPS: Aye.

25                   MEMBER ROBINS: Aye.

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1                   MAYOR NYCE: Aye.

2                   Any opposed or abstentions?

3                   (No Response)

4                   MAYOR NYCE: That motion carries.

5                   TRUSTEE ROBINS: RESOLUTION #03-2014-20,  
6                   RESOLUTION accepting the resignation of John W.

7 Naylor, Jr. as the Village of Greenport Utilities  
8 District Superintendent, effective at the close  
9 of business on February 28th, 2014. So moved.

10 TRUSTEE PHILLIPS: Second.

11 MAYOR NYCE: All those in favor?

12 MEMBER HUBBARD: Aye.

13 MEMBER MURRAY: Aye.

14 MEMBER PHILLIPS: Aye.

15 MEMBER ROBINS: Aye.

16 MAYOR NYCE: Aye.

17 Any opposed or abstentions?

18 (No Response)

19 MAYOR NYCE: That motion carries.

20 TRUSTEE PHILLIPS: RESOLUTION #03-2014-21,  
21 RESOLUTION authorizing the Village of Greenport  
22 to abolish the position of Utilities District  
23 Superintendent for the Village of Greenport, per  
24 the current Suffolk County Civil Service job  
25 title list. So moved.

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1 TRUSTEE MURRAY: Second.

2 MAYOR NYCE: All those in favor?

3 MEMBER HUBBARD: Aye.

4 MEMBER MURRAY: Aye.

5 MEMBER PHILLIPS: Aye.

6 MEMBER ROBINS: Aye.

7 MAYOR NYCE: Aye.

8 Any opposed or abstentions?

9 (No Response)

10 MAYOR NYCE: That motion carries.

11 TRUSTEE MURRAY: RESOLUTION #03-2014-22,  
12 RESOLUTION approving the Public Assembly Permit  
13 Application as submitted by Tina Basilice for the  
14 use of a portion of Mitchell Park for a wedding  
15 ceremony, from 2:30 p.m. through 4:00 p.m. on  
16 August 9th, 2014. So moved.

17 TRUSTEE HUBBARD: Second.

18 MAYOR NYCE: All those in favor?

19 MEMBER HUBBARD: Aye.

20 MEMBER MURRAY: Aye.

21 MEMBER PHILLIPS: Aye.

22 MEMBER ROBINS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No Response)

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1           this at the work session. I was not able,  
2           because the Village Attorney has been ill this  
3           week, I was not able to get an opinion from him.  
4           I know that there was some --

5                   TRUSTEE PHILLIPS: Just some concern.

6                   MAYOR NYCE: There was some concern about  
7           this event. My concern is that whatever we do,  
8           we are within our legal rights to do. Does  
9           anyone have a problem with me offering a motion  
10          to table until I get an opinion from the Village  
11          Attorney?

12                   TRUSTEE PHILLIPS: No, that's fine. I was  
13          going to suggest it anyway.

14                   MAYOR NYCE: All right. So I will offer a  
15          motion to table Resolution #03-2014-24.

16                   TRUSTEE PHILLIPS: I'll second.

17                   MAYOR NYCE: All those in favor?

18                   MEMBER HUBBARD: Aye.

19                   MEMBER MURRAY: Aye.

20                   MEMBER PHILLIPS: Aye.

21                   MEMBER ROBINS: Aye.

22                   MAYOR NYCE: Aye.

23 Any opposed or abstentions?

24 (No Response)

25 MAYOR NYCE: That motion is tabled to the

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1 April meeting.

2 TRUSTEE PHILLIPS: RESOLUTION #03-2014-25,  
3 RESOLUTION approving the Public Assembly Permit  
4 Application as submitted by the East End Seaport  
5 Museum and Maritime Foundation for the use of the  
6 Polo grounds at Moores Lane for a carnival  
7 fundraiser, from 6 p.m. through 11 p.m. from  
8 August 28th, 2014 through August 31st, 2014. So  
9 moved.

10 TRUSTEE MURRAY: I'll second that.

11 MAYOR NYCE: All those in favor?

12 MEMBER HUBBARD: Aye.

13 MEMBER MURRAY: Aye.

14 MEMBER PHILLIPS: Aye.

15 MEMBER ROBINS: Aye.

16 MAYOR NYCE: Aye.

17 Any opposed or abstentions?

18 (No Response)

19 MAYOR NYCE: That motion carries.

20 TRUSTEE MURRAY: RESOLUTION #03-2014-26,  
21 RESOLUTION accepting the report of the Greenport  
22 Fire Department for member year-end points for  
23 the calendar year 2013, for the Greenport Fire  
24 Department Length of Service Awards Program. So  
25 moved.

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1 TRUSTEE HUBBARD: Second.  
2 MAYOR NYCE: All those in favor?  
3 MEMBER HUBBARD: Aye.  
4 MEMBER MURRAY: Aye.  
5 MEMBER PHILLIPS: Aye.  
6 MEMBER ROBINS: Aye.  
7 MAYOR NYCE: Aye.  
8 Any opposed or abstentions?  
9 (No Response)  
10 MAYOR NYCE: The motion carries.  
11 TRUSTEE HUBBARD: RESOLUTION #03-2014-27,  
12 RESOLUTION rejecting all bids as received for the  
13 Request for Proposals for Security Systems at  
14 Greenport Village Hall, and various satellite  
15 locations throughout the Village of Greenport,  
16 per the bid opening on February 10th, 2014; and

17 directing Clerk Pirillo to re-notice the Request  
18 for Proposals for Security Systems. So moved.

19 TRUSTEE ROBINS: Second.

20 MAYOR NYCE: All those in favor?

21 MEMBER HUBBARD: Aye.

22 MEMBER MURRAY: Aye.

23 MEMBER PHILLIPS: Aye.

24 MEMBER ROBINS: Aye.

25 MAYOR NYCE: Aye.

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1 Any opposed or abstentions?

2 (No Response)

3 MAYOR NYCE: That motion carries.

4 TRUSTEE ROBINS: RESOLUTION #03-2014-28,  
5 RESOLUTION authorizing the attendance of Clerk  
6 Pirillo and Interim Treasurer Brandt at the New  
7 York State Committee on Open Government  
8 Informational Forum at Hofstra University on  
9 March 26th, 2014 with all applicable travel  
10 expenses to be reimbursed accordingly, and noting  
11 that there is no fee for this Forum. So moved.

12 TRUSTEE PHILLIPS: Second.

13 MAYOR NYCE: All those in favor?



14 MEMBER HUBBARD: Aye.

15 MEMBER MURRAY: Aye.

16 MEMBER PHILLIPS: Aye.

17 MEMBER ROBINS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No Response)

21 MAYOR NYCE: The motion carries.

22 TRUSTEE PHILLIPS: RESOLUTION #03-2014-29,  
23 RESOLUTION authorizing the appointment of the  
24 following to the Project Advisory Committee for  
25 the Bulkhead Feasibility Study:

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1 Village Administrator, Marina/Harbor  
2 Manager, David Corwin, Michael Acebo, John  
3 Saladino, Village Trustee David Murray, and  
4 Representatives from the New York State DEC and  
5 the Army Corps of Engineers. So moved.

6 TRUSTEE MURRAY: Second.

7 MAYOR NYCE: By way of just housekeeping,  
8 Village Administrator obviously is going to be  
9 Mr. Pallas, with Mr. Abatelli's assistance,  
10 because Mr. Abatelli was involved in this as it

11 started, but he will be retiring as of the end of  
12 June. So I'm going to make the appointment as  
13 Village Administrator. I'm going to add  
14 Mr. Abatelli's name to that list, with everyone's  
15 permission. In the interim, the Marina/Harbor  
16 Manager is deemed to be Jeff Goubeaud.

17 TRUSTEE PHILLIPS: Mayor, is this going to  
18 be open public meetings, or how are we proceeding  
19 with this Advisory Group, similar to --

20 MAYOR NYCE: As per the contract with the  
21 grant.

22 TRUSTEE PHILLIPS: Okay. All right.

23 MAYOR NYCE: I believe it spells out what  
24 the process is.

25 TRUSTEE PHILLIPS: Just checking.

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1 MAYOR NYCE: All those favor?

2 MEMBER HUBBARD: Aye.

3 MEMBER MURRAY: Aye.

4 MEMBER PHILLIPS: Aye.

5 MEMBER ROBINS: Aye.

6 MAYOR NYCE: Aye.

7 Any opposed or abstentions?

8 (No Response)

9 MAYOR NYCE: That motion carries.

10 TRUSTEE MURRAY: RESOLUTION #03-2014-30,  
11 RESOLUTION approving the request of the Floyd  
12 Memorial Library, in conjunction with the Village  
13 of Greenport Summer Camp Program, for the gratis  
14 use of the Carousel on Monday, July 21st, 2014  
15 beginning at 10:00 a.m. for the annual Summer  
16 Reading Program. So moved.

17 TRUSTEE HUBBARD: Second.

18 MAYOR NYCE: All those in favor?

19 MEMBER HUBBARD: Aye.

20 MEMBER MURRAY: Aye.

21 MEMBER PHILLIPS: Aye.

22 MEMBER ROBINS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No Response)

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1 MAYOR NYCE: That motion carries.

2 TRUSTEE HUBBARD: RESOLUTION #03-2014-31,  
3 RESOLUTION approving the increase of daily tent  
4 rates at the McCann Campground as follows:

5                   From \$25 to \$30 per day, and from \$30 to  
6                   \$40 per day on Holiday and Maritime weekends. So  
7                   moved.

8                   TRUSTEE ROBINS: Second.

9                   MAYOR NYCE: All those in favor?

10                  MEMBER HUBBARD: Aye.

11                  MEMBER MURRAY: Aye.

12                  MEMBER PHILLIPS: Aye.

13                  MEMBER ROBINS: Aye.

14                  MAYOR NYCE: Aye.

15                  Any opposed or abstentions?

16                                 (No Response)

17                  MAYOR NYCE: That motion carries.

18                  TRUSTEE ROBINS: RESOLUTION #03-2014-32,  
19                  RESOLUTION authorizing the Village of Greenport  
20                  to enter into an agreement with the Fireboat  
21                  Firefighter Museum, to rent space at the Village  
22                  of Greenport Railroad Dock to the Fireboat  
23                  Firefighter Museum, on a month-to-month basis, at  
24                  a rate of \$200.00 per month. So moved.

25                  TRUSTEE PHILLIPS: Second.

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1                  TRUSTEE HUBBARD: I'd like to make a

2 comment on this. I didn't speak before. A lot  
3 of people were talking about this. I actually  
4 brought this up at the work session. Whether  
5 it's legal or not, we're going to test the waters  
6 with the County, because we're not leasing, we're  
7 renting, per determination of who envisions it  
8 which way. I think by this, by renting month to  
9 month, we're opening up the ability of the  
10 Fireboat, hopefully, to stay here.

11 I met with Mr. Ritchie on Saturday for an  
12 hour-and-a-half, toured the boat. I informed him  
13 that there's a group of young firemen on Shelter  
14 Island that are interested in learning the boat,  
15 possibly working the boat with him. They  
16 volunteered to help, come and help scrape and  
17 paint. Plus at my shop over on Shelter Island,  
18 anybody who's come in, when they left Greenport,  
19 saw the Fireboat, they stopped in and saw me and  
20 said, "You know, you really should keep that  
21 there."

22 Everybody I've talked to has been in favor  
23 of it, they like it. I've heard no negative  
24 complaints of anybody, besides, you know, there's  
25 some stuff in the newspaper, but, personally,

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1 nobody's told me they did not like it.

2 So I really hope that this passes. We can  
3 work something out. I hope to work out a  
4 long-term agreement with the Fireboat. But right  
5 now, month to month. And if the County says you  
6 can't do that, then our lawyers are going to have  
7 to handle that. But I think we have our right to  
8 do that, and that's what I'd like to see be voted  
9 on tonight and we'll see what happens.

10 MAYOR NYCE: Absolutely. Is there any  
11 other discussion?

12 TRUSTEE PHILLIPS: Mr. Mayor, I also did  
13 visit the Fireboat on Friday, and had a rather  
14 lengthy discussion with Mr. Ritchie. And thank  
15 you very much for giving me the tour of the boat.  
16 And as I told you on the boat, you've met all the  
17 criteria that I felt would protect the Village  
18 residents. Number one, that you obtain  
19 insurance. Number two, you have the water  
20 quality insurance, I'm assuming. I haven't seen  
21 your insurance policies yet. And that you had  
22 someone who during storms, hurricanes, any major  
23 nor'easter, had some type of engineer crew that

24 could actually, if need be, get the vessel away  
25 from the dock. Okay?

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1 I hope you enjoyed the visit as much as I  
2 did. The one concern that I did have, and it's  
3 something that I'm going to ask, is the electric  
4 for that boat, okay, you have a fair amount of  
5 meters, or whatever, on the boat. Is this \$200  
6 covering -- they're covering their electric use  
7 each month also, or will there be a separate bill  
8 for the electric?

9 MAYOR NYCE: I have asked the Greenport  
10 Electric Department to, as part of their spring  
11 project, to rework the electric on that dock.  
12 There will be a hookup for each boat that's there  
13 with a meter for each boat that's there. This  
14 will be no exception.

15 TRUSTEE PHILLIPS: Okay. So that's what  
16 I'm asking.

17 MAYOR NYCE: So electric would be an  
18 addition, electric -- we will meter the electric  
19 and it will be billed separately.

20 TRUSTEE PHILLIPS: Okay. That's the only

21 reason I'm asking, is that --

22 TRUSTEE HUBBARD: That will be for all the  
23 boats down there.

24 MAYOR NYCE: Yes, absolutely.

25 TRUSTEE PHILLIPS: Right, for all the

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1 boats.

2 TRUSTEE HUBBARD: Everybody will be  
3 separate, everybody would get a meter.

4 MAYOR NYCE: Absolutely.

5 TRUSTEE HUBBARD: Okay.

6 MAYOR NYCE: Is there any other discussion?

7 (No Response)

8 MAYOR NYCE: I would like to -- I don't  
9 know if we need to necessarily do it by  
10 resolution. I would like to begin serious  
11 discussions with the County, starting with our  
12 Legislator, on changing the lease.

13 TRUSTEE HUBBARD: Sure.

14 MAYOR NYCE: I don't think anybody has an  
15 objection to that. I will -- I will call  
16 Mr. Krupski tomorrow and ask him to arrange a  
17 meeting with our Attorney, myself, him and the



18 County Attorney, and we'll find out what -- what  
19 that entails, if it entails an act of the  
20 Legislature or not. We can determine that  
21 through that initial process.

22 But I agree with Trustee Hubbard, I've  
23 agreed with you the whole way through, that to  
24 have that asset and not be able to maximize the  
25 revenues on it by determining who we want to have

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1 there and who not does not make any sense.

2 So, if there's no further discussion, I  
3 will call the vote on -- I'm sorry.

4 TRUSTEE ROBINS: I do have one question.  
5 I'm not sure if this agreement that we're  
6 entering into right now, if we have pending legal  
7 issues that we still need to discuss with the  
8 County and with our Attorney, if it's time to  
9 enter into an agreement for a month-to-month de  
10 facto lease, basically, you know.

11 MAYOR NYCE: Uh-huh.

12 TRUSTEE ROBINS: I just think that there's  
13 some unresolved questions here still. Maybe it  
14 would be better to table this for another month

15           until we can discuss it with the Village  
16           Attorney.

17                   TRUSTEE MURRAY: Well, he's supposed to be  
18           getting kicked out, so I think we need to do  
19           something now.

20                   TRUSTEE ROBINS: I'm sorry?

21                   MAYOR NYCE: Yeah, he's been given a letter  
22           to vacate. The Fireboat has been --

23                   TRUSTEE HUBBARD: By the end of the week.

24                   MAYOR NYCE: By the end of the week. So we  
25           don't have -- we don't have time to --

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1                   TRUSTEE HUBBARD: Right. And I feel we  
2           need to take action on this. We are in control  
3           of the dock. We could set our agreement on --  
4           that's why it says month-to-month. It's not a  
5           lease, we're just renting to them, the same as  
6           when the barge was out there for the month of  
7           January and February. They came in, they tied up  
8           and they were there. And the legal ramifications  
9           will have to be dealt with. But this time  
10          they're not being forced out, or thrown out, or  
11          personally being held liable for expenses by the

12 County, because we're going to rent to them for a  
13 month-to-month. So I would rather not table  
14 this, I'd rather vote on it as it is.

15 TRUSTEE MURRAY: I would agree with George.  
16 I think you should vote on this now.

17 AUDIENCE MEMBER: Yes, you should.

18 MAYOR NYCE: Is there any further  
19 discussion on this?

20 (No Response)

21 MAYOR NYCE: All right. Then I will call  
22 the vote. All those favor of this resolution?

23 MEMBER HUBBARD: Aye.

24 MEMBER MURRAY: Aye.

25 MEMBER PHILLIPS: Aye.

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1 MEMBER ROBINS: Aye.

2 MAYOR NYCE: Aye.

3 All right. It passes unanimously. Any  
4 opposed or abstentions?

5 (No Response)

6 MAYOR NYCE: That motion carries.

7 TRUSTEE HUBBARD: Welcome.

8 TRUSTEE PHILLIPS: It's my turn.

9 MAYOR NYCE: Yes.  
10 TRUSTEE PHILLIPS: Are you ready?  
11 MAYOR NYCE: Yup.  
12 TRUSTEE PHILLIPS: Okay. RESOLUTION  
13 #03-2014-33, RESOLUTION approving all checks per  
14 the Voucher Summary Report dated March 20th,  
15 2014, in the total amount of \$417,249.76  
16 consisting of:  
17 All regular checks in the amount of  
18 \$374,449.61, and all prepaid checks (including  
19 wire transfers) in the amount of \$42,800.15. So  
20 moved.  
21 TRUSTEE MURRAY: Second.  
22 MAYOR NYCE: All those in favor?  
23 MEMBER HUBBARD: Aye.  
24 MEMBER MURRAY: Aye.  
25 MEMBER PHILLIPS: Aye.

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1 MEMBER ROBINS: Aye.  
2 MAYOR NYCE: Aye.  
3 Any opposed or abstentions?  
4 (No Response)  
5 MAYOR NYCE: That motion carries.

6                   That concludes the business before this  
7 Village Board at 7:31. I will offer a motion to  
8 adjourn.

9                   TRUSTEE HUBBARD: Second.

10                  MAYOR NYCE: All those in favor?

11                  MEMBER HUBBARD: Aye.

12                  MEMBER MURRAY: Aye.

13                  MEMBER PHILLIPS: Aye.

14                  MEMBER ROBINS: Aye.

15                  MAYOR NYCE: Aye.

16                  Any opposed or abstentions?

17                                 (No Response)

18                  MAYOR NYCE: That motion carries.

19                                 (Whereupon, the meeting was adjourned at  
20 7:31 p.m.)

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3 STATE OF NEW YORK )

4 ) SS:

5 COUNTY OF SUFFOLK )

6

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 proceedings  
12 taken on March 24, 2014.

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

17 IN WITNESS WHEREOF, I have hereunto set my  
18 hand this 3rd day of April, 2014.

19

20

21

\_\_\_\_\_  
Lucia Braaten

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24

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