

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 June 23, 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 PAUL PALLAS – VILLAGE ADMINISTRATOR

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DAVID ABATELLI – COMMUNITY DEVELOPMENT DIRECTOR

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

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

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

8 MAYOR NYCE: Please remain standing for a
9 moment of silence for John Helinski and Marilu
10 Remsberg.

11 (Whereupon, all remained standing for a
12 moment of silence.)

13 MAYOR NYCE: Thank you. You may be seated.
14 We have a few announcements before we get into
15 our agenda.

16 The Relief Hose and Phenix Hook & Ladder
17 Carnival will be held from July 1st through July

18 5th. The fireworks scheduled for the 1st and 4th
19 of July --

20 TRUSTEE HUBBARD: Third and 4th.

21 MAYOR NYCE: Third. It's a typo. Okay,
22 3rd and 4th of July, that's a Friday and a
23 Saturday night, commencing around 10 p.m.

24 TRUSTEE HUBBARD: Yes.

25 MAYOR NYCE: Village Offices will be closed

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1 on July 4th in celebration of Independence Day
2 Friday.

3 The "Dances in the Park" program will begin
4 on the 7th of July. That's the first Monday in
5 July. And it starts with the band Wonderama, I
6 believe. Yes, the band Wonderama. Those
7 performances are from 7:30 to 9:30; is that
8 correct, Dave?

9 TRUSTEE MURRAY: Yes.

10 MAYOR NYCE: 7:30 to 9:30 each Monday
11 through the summer.

12 This year's "Shakespeare in the Park"
13 performances will be held on July 25th, 26th and

14 27th. I believe those performances start at 7.

15 TRUSTEE ROBINS: P.M.

16 MAYOR NYCE: At 7 p.m. With any of those
17 start times, you can check the Village website
18 and the dates and times are listed there for you.

19 Under Public Interest, the next bush pickup
20 is scheduled for tomorrow, June 24th. If you
21 happen to miss next -- if you happen to miss June
22 24th, the next one will be two weeks from then.

23 The Skate Park Family Day Event has been
24 schedule for July 27th from noon to 5 p.m.

25 Trustee Hubbard just showed me the poster that

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1 will be going up around town. It should be a fun
2 event. There's a tremendous amount of work
3 that's being done to repave that park and get it
4 ready for the event. I know that the kids
5 helping to set it up are excited about it. It
6 should be a fun day. I encourage everybody to
7 come out and join us. You don't have to skate to
8 join in the event.

9 We also strongly recommend that you create

10 a Fire Safety Program for your family, and be
11 sure to check the batteries in your smoke and CO
12 detectors.

13 We also, starting this time of year,
14 encourage you to have a plan in place for major
15 storms and major events, as we are getting into
16 hurricane season. Please make sure that your
17 family is aware of what the emergency procedures
18 are, what your evacuation plans are, and that you
19 have a ready kit set up to go.

20 There is a liquor license application for
21 Gallery Hotel, LLC at 437-441 Main Street. That
22 is for just public interest. Anybody interested
23 in following up with that can either call the
24 Clerk's Office or contact the State Liquor
25 Authority.

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1 Next, we have two public hearings. The
2 first one is a rehearing. This rehearing is
3 because of a clerical error that we are trying to
4 rectify at this time. I would like the Village
5 Attorney, actually, if he would, to give a brief

6 description of the process, and then I will open
7 the public hearing.

8 MR. PROKOP: Thank you, Mayor. The --
9 tonight is what we call the rehearing. It's
10 being held on my recommendation. The reason for
11 that is because there was a clerical error in the
12 initial notice and which carried forward to the
13 resolution that was adopted on -- in December of
14 2013.

15 What the clerical error had to do with was
16 the description of the work platform that's
17 attached to the dock. The -- it did not describe
18 that correctly. The correct description is that
19 the work platform is 26-feet-by-26-feet square,
20 it's a square work platform, and that description
21 is correctly stated in the notice of tonight's
22 hearing and also the resolution as proposed.

23 The rehearing is required, because without
24 the correct description, the Board really did not
25 have jurisdiction to act on the application, and

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1 that jurisdiction is given only by a correct

2 description in the public hearing, which is what
3 we took care of here tonight.

4 MAYOR NYCE: Thank you. I would also like
5 to state that at last month's meeting, it was
6 made very clear that this Board is still in favor
7 of this project moving forward. This is merely a
8 technicality. But, as it is a public hearing, we
9 have to go through the process.

10 So I will state that this public hearing
11 has been properly noticed. Anybody wishing to
12 comment can do so at this time and the comments
13 will be taken down for the record.

14 Is there anyone that wishes to address the
15 Board?

16 MS. PINCUS: Mr. Mayor, I do, Michelle
17 Pincus.

18 Mr. Mayor, Members of the Board, I
19 represent Mr. Osinski. I'm a partner in the Law
20 Firm of Sahn, Ward, Coschignano & Baker, and I am
21 here in support of Mr. Osinski's application for
22 a wetlands permit before this Board.

23 Before I begin to present the application,
24 I'd like to preserve the objection that I
25 previously made before the Board, and note that

1 our participation in this hearing today does not
2 serve as any waiver of the objection to, in fact,
3 to what -- to us appearing before this Board.
4 And we are here because the hearing was noticed.
5 However, we indicate that this Board already
6 approved this application, already had a hearing
7 on this application, and has no jurisdiction to
8 re-hear the application.

9 By decision dated December 23rd, 2013, the
10 Board unanimously approved the wetland permit
11 application of Mr. Osinski with an amendment that
12 I'll discuss a bit later in my presentation.

13 In June of 2014, it is first rehearing this
14 application on the grounds that the public notice
15 has a nonmaterial error in that it described the
16 work platform as a 26-square-foot platform,
17 rather than a 26-foot-by-26-foot square.

18 I stood before this Board in May objecting
19 to the rehearing, and I specifically incorporate
20 that testimony into this hearing.

21 I submit that this error in notice is
22 ministerial, nonmaterial. The plans on file show

23 the true size of the work platform. No one could
24 fathom that the work platform would be
25 5-feet-by-5-feet, and the size was not a concern

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1 of the public based on their input at the earlier
2 hearing in November. In fact, the plans on file
3 show the correct size of the work platform to be
4 26-feet-by-26-feet. Additionally, the platform
5 was approved by the DEC, which approval was
6 submitted to the Village and referenced a
7 platform of 26-feet-by-26-feet.

8 There was absolutely no legal authority
9 allowing this Board to schedule and mandate a
10 rehearing. There are no grounds that allow this
11 Board to hold a hearing and divest the Court of
12 its jurisdiction in the Article 78 proceeding
13 that's pending before it challenging the
14 amendment that was added to the resolution.

15 The act of requiring a rehearing is at
16 great cost and expense to my client while he
17 tries to engage in an act of farming protected by
18 State Law. Any error in the notice was based on

19 the Village's own acts. The requirement of a new
20 hearing is completely unreasonable.

21 As you are aware, Mr. Osinski is engaged in
22 the cultivation of oysters on property that he
23 owns on underwater land in Widow's Hole. All of
24 the facilities currently in the water have
25 permits from the DEC, the Army Corps of

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1 Engineers, and this Village. The current
2 property is located within Agricultural District 1,
3 and the aquaculture is protect by State Law under
4 Section 305-a of the Agriculture and Markets Law.

5 In deference to the neighbors who don't
6 like looking at the Osinskis and the hard work
7 that they do, he applied to this Board for a
8 wetlands permit in October to build a 140-foot
9 dock with a 26-foot-by-26-foot work platform in
10 Greenport Harbor. That hearing was held on
11 November 25th, 2013, where residents were heard
12 before this Board. Not a single resident spoke
13 about any ill effect on the wetlands from the
14 construction of this dock. Not a single resident

15 spoke about the size of the proposed dock or the
16 work area.

17 I would ask this Board to specifically
18 incorporate by reference the minutes of the
19 hearing that was held back in November of 2013.

20 The whole purpose of this application was
21 to move the bulk of the oyster farming from
22 Widow's Hole into Greenport Harbor. By refusing
23 to issue a building permit and requiring this
24 rehearing of the wetlands application, the
25 Village has left my client with no choice but to

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1 continue his farming activities in the Widow's
2 Hole area, and that's where he has been doing
3 most of his work for this season.

4 Chapter 142 of the Village's Code regulates
5 the wetlands. Mr. Osinski maintains the building
6 of the dock and the activities that he will be
7 conducting therein will not negatively impact the
8 wetlands in any respect. The activity will
9 actually preserve and protect the wetlands and
10 the shellfish.

11 The DEC has already issued a wetlands
12 permit allowing for the construction of this dock
13 and work space. The Army Corps of Engineers has
14 also approved it.

15 Just to go back for a moment, Mr. Osinski
16 owns waterfront property with approximately 800
17 feet of shoreline located on the North Fork of
18 Long Island adjacent to and partially under the
19 Peconic Bay in this Village. The subject
20 property is improved with a single-family
21 dwelling, three floating docks, consists of
22 approximately seven acres of land,
23 four-and-a-half of which are located under
24 portions of Peconic Bay. A portion of the
25 underwater land is under Widow's Hole Creek, and

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1 another portion of the land is under Greenport
2 Harbor.

3 Mr. Osinski purchased this property in or
4 about July of 1999. Some time after his
5 purchase, he learned that approximately
6 four-and-a-half acres of the property were

7 located below the surface of the water in parts
8 of Widow's Hole Creek and Greenport Harbor. He
9 also learned that underwater land was an ideal
10 location for the cultivation of oysters, and he
11 began the process of filing for permits to obtain
12 approvals for oyster farming, an aquaculture
13 practice in which oysters are raised and sold to
14 restaurants for human consumption and used by the
15 family as well.

16 Mr. Osinski was well aware that Greenport
17 had been considered by many in the past to be the
18 oyster capital of New York, and by 1980, all of
19 the canneries and oyster farms had disappeared.
20 He went through an extensive process to allow for
21 his farming of oysters, which include approvals
22 by the United States Coast Guard, the Department
23 of the Army, the New York District Court of
24 Engineers, New York State Department of
25 Environmental Conservation, and this Village.

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1 Additionally, the use of his land has been
2 acknowledged by the Department of State and the

3 Suffolk County Legislature.

4 As the first part of approval for farming
5 oysters in 2003, Mr. Osinski obtained approval
6 from the New York State Department of
7 Environmental Conservation to place up to 200
8 floating and bottom-resting plastic and metal
9 shellfish cages, baskets and purses at the bottom
10 of Greenport Harbor and Widow's Hole. Also in
11 2003, Mr. Osinski applied to the United States
12 Coast Guard and received a Private Aid to
13 Navigation, known as a patent, which is a buoy
14 light or day beacon that's owned and maintained
15 by an individual to mark privately-owned marine
16 obstructions or other similar hazards to
17 navigation, or to assist their -- assist with
18 their own navigation operations. The patent
19 permit process is a method used by the Coast
20 Guard to evaluate the navigational safety of any
21 objects placed in the water, and determine
22 whether they should be lighted or placed on the
23 U.S. Coast Guard's charts.

24 In April 2003, Mr. Osinski applied to the
25 Village of Greenport for the placement of up to

1 200 steel and plastic mesh shellfish cages on
2 underwater land. On May 15th, 2003, the Village
3 of Greenport Board of Trustees supported
4 Mr. Osinski's application as submitted to the
5 State and Federal agencies for the placement of
6 these steel and plastic mesh shellfish cages.

7 I will assume that the Board already has a
8 copy of their approval as part of the record.
9 Mr. Prokop, is there any reason for me to
10 resubmit that document?

11 TRUSTEE MURRAY: No, we've all seen it.

12 MR. PROKOP: It's up to you.

13 MS. PINCUS: Okay. I'll resubmit it as
14 part of the record.

15 MR. PROKOP: Are you talking about the
16 approval, the prior approval?

17 MS. PINCUS: I'm talking about the approval
18 from 2003.

19 MR. PROKOP: I think it's in the Village
20 records.

21 MS. PINCUS: Well, that's what I was
22 asking, but since you aren't sure, I'm happy to
23 submit that.

24 TRUSTEE MURRAY: We have it. We have it.

25 MR. PROKOP: No, no. I'm sure that it's in

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1 the Village records. I said it was up to you if
2 you wanted to submit it or not. I'm sure it's in
3 the Village records.

4 MS. PINCUS: Okay. Well, I'll hold on to
5 it, and I could give them all to the Clerk at the
6 end of my presentation.

7 MR. PROKOP: You could incorporate it by
8 reference, if that's easier for you.

9 MS. PINCUS: No, I'd rather submit it.

10 In 2003, Mr. Osinski applied to the Army
11 Corps of Engineers for a permit to allow the
12 placement of cages for the cultivation of oysters
13 in Greenport Harbor and Widow's Hole. By a
14 permit signed on May 17th 2004, the New York
15 District Court of Engineers and the Department of
16 the Army permitted Mr. Osinski to place the 200
17 floating and bottom-resting plastic and metal
18 shellfish cages in Greenport Harbor and Widow's
19 Hole at water depths greater than 15 feet below

20 the plain of mean low water over an acre -- over
21 an area of three acres. I have a copy of that
22 approval that I'd also like to submit to the
23 Board. Do you want me to give these to the Clerk
24 now?

25 (Whereupon, Ms. Pincus handed documents to

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1 the Village Clerk, Sylvia Pirillo.)

2 MS. PINCUS: Following the receipt of these
3 approvals, Mr. Osinski began cultivating oysters,
4 researching and improving his technique over the
5 years. Through trial and error, advice from
6 Greenporters who remembered the past trade in
7 oysters, and support from New York's finest
8 chefs, Mr. Osinski's oysters became sought after
9 by many. He began taking these oysters weekly
10 into Manhattan, as Widow's Hole Oysters became
11 one of the favorites, both locally and in New
12 York City.

13 In 2007, Mr. Osinski applied to the DEC and
14 received approval to install an upweller, which
15 is a floating dock and submerged pumping system

16 used to accelerate the flow of water to the
17 oysters. This permit was approved by the Village
18 in July of 2007.

19 In 2010, Mr. Osinski again applied to the
20 DEC and the Village of Greenport to install a
21 second upweller, which was approved by the DEC on
22 June 5th of 2010 and the Village of Greenport in
23 August of 2010.

24 Mr. Osinski has authorization to place 200
25 shellfish cages, baskets and purses under water.

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1 Mr. Osinski has never been convicted of a
2 violation by the DEC, the Army Corps of
3 Engineers, the Village of Greenport in connection
4 with the running of his oyster farm.

5 In 2011, Mr. Osinski applied to the New
6 York State Department of Environmental
7 Conservation for a permit to construct a dock
8 26-feet-by-26-feet over-water platform, a splash
9 guard, upweller piping, installation of the
10 platform and ramp, and to repair an existing
11 jetty. This permit was approved by the DEC on

12 June 19th, 2013. I submit a copy of this
13 approval and ask that it be marked into the
14 record.

15 In addition to the requiring of a wetlands
16 permit from the DEC, the Village required the
17 submission of an application for a wetlands
18 permit within the Village. Mr. Osinski submitted
19 a wetlands permit application to the Village of
20 Greenport consistent with the DEC permit to build
21 a dock 140 feet into Greenport Harbor with a
22 26-by-26 -- 26-foot-by-26-foot work platform, and
23 to make minor repairs on existing structures in
24 Widow's Hole Creek.

25 As I indicated previously, the public

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1 hearing on this application was originally held
2 in November of 2013, and in December of 2013, the
3 Board unanimously approved the application to
4 build the dock. However, the decision approving
5 a wetlands permit also contained an amendment,
6 which stated as follows:

7 That the commercial activities would be

8 limited to that that is already permitted by the
9 Village of Greenport, and that any alteration by
10 the Army Corps of Engineers would result in the
11 Village Board being allowed a further review of
12 the application. This amendment gives no
13 indication as to what is being amended. The
14 Board's reference in the amendment to commercial
15 activities is undefined, vague and ambiguous.

16 The subject property that we are speaking
17 about today has been designated as agricultural
18 land, and Mr. Osinski has been granted various
19 approvals to operate an oyster farm. We know
20 that farming is not a commercial activity under
21 the Environmental Conservation Law.

22 On February 4th of 2014, following the
23 prior hearing, the Army Corps of Engineers
24 approved the application for the dock and work
25 platform, and I submit a copy of this approval

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1 and ask that it also be marked as part of the
2 record.

3 In light of the fact that this rehearing

4 has been called for today, we would request that
5 the Board once again grant to Mr. Osinski the
6 wetlands permit, but we respectfully request that
7 there not be any conditions or amendments
8 attached to it, as he has the absolute right to
9 build his 26-by-26-foot dock 140 feet out into
10 Greenport Harbor, and there should be no
11 limitations on any activities or on the wetlands,
12 which will not be harmed in any way by this
13 application.

14 I will reserve any comments, further
15 comments to after the other comments that are
16 made by the public.

17 MAYOR NYCE: Is there anyone else who wish
18 to address this Board on this public --

19 MR. MACALPIN: Yeah.

20 MAYOR NYCE: On this public hearing
21 regarding --

22 MR. MACALPIN: On this, I do.

23 MAYOR NYCE: Oh, fantastic.

24 MR. MACALPIN: You, sir, you, Mr. Mayor,
25 when you --

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

3 MR. MACALPIN: Name is Kenneth MacAlpin,
4 415 Kaplan Avenue.

5 You, sir, promised me you would follow the
6 code. You lied to me. You then admitted that
7 it's been a long open secret, do what you're
8 going to do and ask forgiveness later.

9 Now, I'm going to remind everybody about
10 the Kaplan Motel, especially you, ma'am.

11 MAYOR NYCE: Mr. MacAlpin. Mr. MacAlpin,
12 this is a public hearing regarding the Osinski
13 wetlands permit.

14 MR. MACALPIN: Yes, and this has got exact
15 pertinence, so please stop. You're not going to
16 change the subject.

17 MAYOR NYCE: You've already changed the
18 subject, sir.

19 MR. MACALPIN: The Kaplan Market was
20 ordered closed by the Board of Health in 2004.
21 It never was. David Abatelli even filed false
22 paperwork and used a crayon --

23 MAYOR NYCE: You're going to have to
24 explain to me how this --

25 MR. MACALPIN: Wait, no, no. We are

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1 going -- I'm going to get there.

2 MAYOR NYCE: You have --

3 MR. MACALPIN: You are not going to stop me.

4 MAYOR NYCE: You have no more leeway.

5 MR. MACALPIN: This is where we were, so
6 now here we are today. You want to get stupid?

7 MAYOR NYCE: Please.

8 MR. MACALPIN: Here we are today, 10 years
9 later. The Kaplan Market is now a two-family
10 house with no parking --

11 MAYOR NYCE: Mr. MacAlpin, you're out of
12 order.

13 MR. MACALPIN: -- and no place for the
14 kids.

15 MAYOR NYCE: This is a public hearing.

16 MR. MACALPIN: And Mr. Olinkiewicz,
17 Mr. Olinkiewicz, who was totally legal --

18 MAYOR NYCE: Please, call the police now.

19 MR. MACALPIN: Was totally legal, to shut
20 down --

21 MAYOR NYCE: Ms. Richards, If would you
22 like to remove him, you can, or the police will.

23 MR. MACALPIN: -- by this Board because
24 if -- look.

25 MAYOR NYCE: You're out of order, sir.

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1 MR. MACALPIN: Messing with a man with a
2 terminal disease is never a good idea, asshole.

3 MAYOR NYCE: Mr. MacAlpin, you are out of
4 order.

5 MR. MACALPIN: Mr. Nyce, why don't you shut
6 up and let a man speak?

7 MAYOR NYCE: All right. That's it, you're
out.

8 MR. MACALPIN: This is a public hearing, is
9 it not? We are talking about --

10 MAYOR NYCE: Regarding a wetlands permit
11 application.

12 MR. MACALPIN: Exactly. And the reason it
13 was denied is why I'm bringing the past up. You
14 guys don't get a free slate. You don't get to
15 restart every year you make a mistake. You have
16 to answer for all the old ones, because the old

17 ones is what led to Mr. Olinkiewicz getting
18 screwed by you people. Okay? He did everything
19 right, everything right, but, no. Abatelli and
20 Wingate, and because Mr. Olinkiewicz worked on
21 this Board, and would not put up with Wingate's
22 games, this is the only reason he has been jerked
23 around, the only reason.

24 And I bring up Kaplan Market, because it
25 was never settled. It is not vested. The

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1 complaint's been brought in.

2 MAYOR NYCE: I'm going to call for a motion
3 to adjourn for ten minutes.

4 MR. MACALPIN: And I want to know why --

5 TRUSTEE ROBINS: Yeah.

6 MAYOR NYCE: Is there is a second to the
7 motion to adjourn?

8 MR. MACALPIN: -- nobody has answered --

9 TRUSTEE PHILLIPS: Second.

10 MR. MACALPIN: -- any of our complaints --

11 MAYOR NYCE: All in favor?

12 MR. MACALPIN: -- in writing.

13 TRUSTEE HUBBARD: Aye.

14 TRUSTEE MURRAY: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR NYCE: Aye.

18 We're adjourned for ten minutes.

19 (Whereupon, the meeting was adjourned at
20 6:30 p.m. and resumed at 6:41 p.m.)

21 MAYOR NYCE: The ten minutes being up, I
22 will call this meeting back to order, and we'll
23 try and pick up where we left off. We had left
24 off with the presentation from -- please. We
25 will pick up where we left off.

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1 We had just had the presentation from the
2 Osinski's attorney, and I was asking if there was
3 anyone else that wanted to address the Board on
4 the wetlands permit application as submitted by
5 the Osinskis. Their comments could be taken down
6 for the record, if you wish to do so.
7 Ms. Miller, please, name and address for the
8 record.

9 MS. MILLER: Good evening. My name is
10 Leueen Miller, and I'm here to represent the
11 Miller Family. We have a property at 424 Fourth
12 Street in Greenport. And my husband would like
13 to have been here, but he's, unfortunately, not
14 well. I am not here with legal representation, I
15 just have my grandson with me.

16 Let me say that normally I like to think
17 that I am on top of things that are going on in
18 the Village, but the last year has not been a
19 particularly good one for me. I lost a brother,
20 I lost my mother, and my husband's health
21 deteriorated. I was faced with quite a lot of
22 repairs to our house from Sandy. So I only found
23 out about this proposed dock and platform when it
24 appeared in the Suffolk Times, and subsequently
25 heard a little bit more about it watching the

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1 T.V. versions of the Village meetings.

2 Let me say at the outset that I'm certainly
3 in favor of oyster farming, aquaculture. I was,
4 I think, one of the early members of the SPAT

5 Program, and I have grown off and on oysters off
6 my property, obviously not for commercial
7 purposes. Even mine could -- mine could probably
8 not even qualify what I've been doing.

9 I'm here basically to get some information,
10 seek clarification. Obviously, I missed the
11 first meeting, not knowing that any of this was
12 being proposed. The applicant has mentioned
13 earlier that a number of neighbors were called
14 and which were -- his proposed -- their proposed
15 plans were discussed with them, but I would have
16 thought that being two properties away from his,
17 we would have qualified as neighbors. We used to
18 visit one another back and forth a few years ago.
19 But no one ever contacted us, neither on behalf
20 of the applicant, nor on behalf of the Village.

21 I'm also well aware about Greenport and its
22 working maritime marine interests, and needs, and
23 history, and I fully support -- fully support
24 that.

25 So my concerns this evening are twofold,

1 one, as it pertains to our property, and
2 secondly, I would like to seek clarification from
3 the Board on what the Village plans for what I
4 understand is one of the last remaining beautiful
5 coastline areas in Greenport, which has remained
6 the way it is for well over 100 years. We've
7 been there for 45, and with the only addition of
8 a dock or so, it hasn't changed.

9 We bought our property for its view. Its
10 value lies in its view. Mr. Osinski, I'm sure,
11 invested in his business, but we have invested
12 tens of thousands of dollars in improving our
13 property, and I believe adding to the value of
14 all of our neighbors' properties.

15 So, based on a very quick, superficial, I
16 suppose, review of the applicant's request, I am
17 sort of a bit confused, because I've seen even
18 papers signed by the applicant where he talks
19 about a 26 -- 26-foot square, as opposed to a
20 26-by-26 platform. The maps, I'm not sure that I
21 -- on the application, everything north of Flint
22 Street appears not to even exist. And even
23 several of the maps, I don't know who drew them
24 up, but they are inaccurate. And the rest of the
25 application is so technical that you would need

1 to be an engineer to understand what's -- what's
2 going to happen or what's going to be done.

3 My main concern is this is going to be a
4 huge structure way out in Greenport Harbor,
5 certainly will not add to the view that we have
6 enjoyed and would like to continue to enjoy from
7 our property. I would like some information on
8 what kind of equipment is going to go on this
9 platform. Nowhere in the application is this
10 mentioned. What are the hours of operation?
11 What kind of noise level we can expect to get.
12 Those, all of those could infringe on the
13 enjoyment of our property. So that's one
14 concern.

15 My other concern is that -- is the
16 Greenport Board willing to sacrifice this
17 beautiful coastal area of Greenport? Since
18 Mr. Osinski can put all this structure and
19 commercial agriculture into the bay, then why
20 can't my neighbors, why can't I? I think
21 Greenport, if that is the case, our rights would

22 be as equal as his to do fisheries, oysters, God
23 knows what. As I understand it, there is an old
24 underwater deed that goes down pretty much the
25 whole side of Fourth Street under the water.

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1 So I would like some feedback from the
2 Board as to what your plans are. If I apply for
3 an expansion or the introduction of an oyster
4 farm, will I get it, too? Is that whole area,
5 are you going to change the whole nature of that
6 area? If that is the case, I think not only
7 should the property owners know, but probably I
8 would imagine there would be many people in
9 Greenport who would like to know if that whole
10 area of Greenport is going to be sacrificed for
11 the economic benefit of those who own property
12 along that area.

13 So I think those are the main points. I'm
14 here for information and feedback, clarification.
15 I have no personal vendetta on any of this, but I
16 don't want to see my property that I have
17 maintained and invested in undervalued. And I

18 find it a bit ironic that the neighbors who
19 appear on all of this are the neighbors who were
20 only too delighted to have the whole operation
21 move out to the harbor. And those who might be
22 affected, and there's only a couple burdened,
23 myself, who have waterfront property, we are just
24 being dismissed. Our properties don't even
25 appear on the map. No docks appear on the map,

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1 either the Village -- I mean, it is a very fudgey
2 application, and I am surprised that in the
3 Village, when it reviewed, didn't point out --
4 didn't find some of these irregularities or
5 misrepresentations in terms of what is on that
6 coastline.

7 Thank you very much.

8 MAYOR NYCE: Thank you. Is there anyone
9 else that wishes to address the Board on this
10 public hearing? Mr. Moore.

11 MR. MOORE: My name is Doug Moore, 145
12 Sterling Street. I should also mention I am
13 Chair of the Zoning Board of Appeals, but I'm not

14 representing the Board, I'm representing my own
15 opinions. Is there also a public comment period
16 tonight for general comments?

17 MAYOR NYCE: (Nodded yes.)

18 MR. MOORE: Because I had a few issues
19 about other issues on the agenda.

20 I would just like to say that I'm here in
21 support of the application. I believe the very
22 brief summary is that the efforts to approve this
23 dock were to improve objections some of the
24 neighbors had to this operation that is over the
25 water, and as much as possible of the operation

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1 is heading out to the water.

2 I would like to make a suggestion to the
3 Board on their approvals. One is, obviously, to
4 try to avoid mistakes in the documents that carry
5 all the way through. But you might also
6 reference the application and its specifics in
7 your approval, so that a few lines in a
8 resolution don't carry the entire process. If
9 there had been a reference to the plans as filed,

10 I think you could have corrected this problem
11 through a simple resolution and it would have
12 been a done deal.

13 So that's all I have to say, and I'll have
14 a few comments about some other agenda items, but
15 thank you.

16 MAYOR NYCE: Is there anyone else who
17 wishes to address the Board on this public
18 hearing?

19 MS. PINCUS: If not, then I just have a few
20 closing remarks.

21 I would just like to address the Board and
22 indicate that there were no comments heard that
23 show any concern for any affect on the wetlands.
24 I've had the opportunity to look through the
25 proposed resolutions, and I see that the language

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1 in the proposed resolution on this matter is on
2 the calendar. The language that is there is the
3 same language that was previously approved, and I
4 would certainly request that that language be
5 modified.

6 When I was here last month, the Board
7 indicated their willingness and desire to kind of
8 put this matter to rest and allow Mr. Osinski to
9 move ahead with his building permit. And I would
10 implore this Board to take another look at that
11 resolution and make modifications to it in a way
12 that would clean this whole matter up and allow
13 Mr. Osinski to proceed. Thank you.

14 MAYOR NYCE: Thank you. There being no
15 other people wishing to comment, I would
16 entertain a motion to close this public hearing.

17 TRUSTEE PHILLIPS: Second.

18 MAYOR NYCE: That would be the motion.

19 TRUSTEE PHILLIPS: Oh, I'm sorry.

20 MAYOR NYCE: Motion?

21 TRUSTEE PHILLIPS: I make the motion. I'm
22 sorry, excuse me.

23 MAYOR NYCE: No problem. No problem.

24 TRUSTEE PHILLIPS: My blood pressure is
25 still a little high at the moment.

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1 (Laughter)

2 MAYOR NYCE: Motion made by Trustee
3 Phillips to close the public hearing on the
4 Osinski wetlands permit application. Is there a
5 second?

6 TRUSTEE HUBBARD: Second.

7 MAYOR NYCE: Second by Trustee Hubbard.
8 That public hearing is closed.

9 We do not ordinarily take action on these
10 the day of. In this case, we are going to make
11 an exception, because it is a rehearing. We
12 would like to move this forward.

13 I also, with the Board's permission, would
14 like to take Resolution #28 out of order and open
15 this up now.

16 This resolution has been written by the
17 Village Attorney; was forwarded to the Trustees
18 prior. I would ask Trustee Murray to read the
19 resolution in, and once it's seconded, we can
20 discuss it.

21 TRUSTEE MURRAY: RESOLUTION 06-2014-28,
22 RESOLUTION to re-approve with corrected
23 description the Wetlands Permit Application as
24 submitted by Michael Osinski of 307 Flint Street,
25 to construct a dock 140 feet into Greenport

1 Harbor with a 26' by 26' square work platform,
2 and to make minor repairs on existing structures
3 in Widows Hole, subject to the condition that the
4 commercial activities will be limited to that
5 which is already permitted by the Village of
6 Greenport, per the public rehearing on June 23rd,
7 2014 of the December 23rd, 2013 hearing. So
8 moved.

9 TRUSTEE HUBBARD: Second.

10 MAYOR NYCE: By way of discussion, the
11 condition that everyone seems to recoil at merely
12 allows the Osinskis to do what they're allowed to
13 do as of right and what has already been
14 permitted. The amendment to the resolution prior
15 does nothing to limit any activities other than
16 to what has already been approved and what they
17 are allowed as of right. That's all there is to

it.

18 I would ask if anyone else from the Board
19 has any comment before we pass a vote on this
20 resolution?

21 TRUSTEE PHILLIPS: Well, the only thing

22 that I really want to say, and I think there just
23 needs to be a clarification, that the aquaculture
24 industry rides two sides of the line. One side
25 is the actual farming of aquaculture oysters, the

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1 other side is what's called the wholesaling or
2 selling of the oysters. In that case, according
3 to New York DEC, once a product is harvested and
4 out of the water, it becomes under New York DEC
5 regulations.

6 The commercial seafood industry has an
7 umbrella statement that's an umbrella comment
8 which covers finfish, shellfish, aquaculture, a
9 great many different gear types within the
10 industry. Once the oyster comes out of the water
11 and it is sold, the DEC considers that a
12 commercial enterprise.

13 Part of how I feel is that Mike is
14 following all the rules. I'm assuming that he
15 has the proper DEC permits to sell his oysters,
16 but it does make him a commercial operation
17 within a residential district. So by putting

18 that phrase into the amendment, or the amendment
19 into that resolution, it covers him within the
20 Village as to what he's currently doing right now.

21 MAYOR NYCE: Right.

22 TRUSTEE PHILLIPS: And that's how I see the
23 amendment, and that's how I'm going to vote
24 on it.

25 MAYOR NYCE: Okay. Ultimately, also, while

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1 Ag and Markets creates that area, the Village
2 still controls the zoning. And some of the
3 comments that were made, we have to -- we
4 discussed when we initially did the amendment to
5 the resolution. We need to assure that we
6 understand that there's a commercial venture in a
7 residential area. If we're allowing that to
8 happen, we need to do that with eyes wide open,
9 and that again, based on Trustee Phillips'
10 comments, that's the purpose of this, is to make
11 sure that we understand what is going on, and
12 that those approvals are in place. Are there any
13 other --

14 TRUSTEE HUBBARD: Yeah, just one question.

15 Will the building permit be issued tomorrow --

16 MAYOR NYCE: Yes.

17 TRUSTEE HUBBARD: -- if this is approved
18 this evening?

19 MAYOR NYCE: I was going to -- once we
20 voted on this, I was going to ask that the
21 Village Attorney, the Clerk and the Building
22 Department work to make sure that this is put
23 through as quickly as physically possible. I
24 would imagine there's no reason why it could not
25 be done tomorrow. The last time we wanted to

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1 have a direct transcript, and that's what the --
2 that's what the couple-day delay was last time,
3 but I don't see any reason why it couldn't be
4 done within a day. Is there a reason that it
5 couldn't be done within a day?

6 MR. PROKOP: No. I think it's ready to go,
7 actually.

8 TRUSTEE MURRAY: Okay.

9 TRUSTEE PHILLIPS: There are no legal

10 reasons why we can't issue it?
11 MR. PROKOP: No.
12 MAYOR NYCE: Okay.
13 TRUSTEE HUBBARD: Okay.
14 MAYOR NYCE: Any other comment?
15 TRUSTEE HUBBARD: No.
16 MS. PINCUS: May I address the Board?
17 MAYOR NYCE: Then I will call the vote.
18 All of those in favor?
19 TRUSTEE HUBBARD: Aye.
20 TRUSTEE MURRAY: Aye.
21 TRUSTEE PHILLIPS: Aye.
22 TRUSTEE 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 unanimously.
3 Our next item on the agenda is a public
4 hearing on the En-Consultants wetlands permit
5 application. This is -- and I apologize, I was

6 not at the work session. I do not have that
7 packet with me.

8 TRUSTEE HUBBARD: That's with the condos.

9 TRUSTEE MURRAY: That's the Stirling
10 Condos.

11 TRUSTEE HUBBARD: The bulkhead at the
12 condos.

13 MAYOR NYCE: And CAC reviewed this ahead of
14 time?

15 TRUSTEE HUBBARD: Yes, they had some --
16 they wanted a 10-foot buffer zone for plantings,
17 and only natural plantings to go around it. And
18 everything else was --

19 MAYOR NYCE: Fantastic.

20 TRUSTEE HUBBARD: -- clean fill to go
21 behind it, going out 18 inches, coming up six
22 inches, and backfilling clean sand.

23 MAYOR NYCE: Okay.

24 TRUSTEE HUBBARD: I believe it was 10 foot
25 on one side and 15 feet on the other as a buffer

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1 with natural plantings.

2 MAYOR NYCE: Terrific. Okay. So I'm going
3 to get ready to open this public hearing. I will
4 state for the record that this public hearing has
5 been properly noticed. Anyone wishing to comment
6 can do so at this time, and the comments will be
7 taken down for the public record.

8 MR. HERRMANN: Good evening.

9 MAYOR NYCE: And I'm assuming you are here
10 for the applicant.

11 MR. HERRMANN: Yes.

12 MAYOR NYCE: And you're going to kick us
13 off?

14 MR. HERRMANN: Yes.

15 MAYOR NYCE: All right, then.

16 MR. HERRMANN: Rob Herrmann of
17 En-Consultants, 1319 North Sea Road in
18 Southampton, on behalf of the applicants,
19 Stirling Cove Condominiums. Ian Crowley, the
20 contractor for the job, is also here. We are
21 both here to answer any questions the Board may
22 have.

23 This is a fairly routine application. It
24 is to replace two stretches of bulkheading, both
25 of which are in need of repair. One is

1 120-foot-long stretch where we propose to
2 construct a new bulkhead within 18 inches of the
3 existing, rather than in place, and that's just
4 because of the proximity of the bulkhead to the
5 building. And then another 28-foot section and
6 an 18-foot section, totaling an additional 46
7 linear feet around the east corner of Building D,
8 where we would be going in place, because the
9 constraint of the building does not apply there.
10 So, consistent with the typical New York State
11 DEC policies, we would stay within the same
12 location as that existing wall.

13 We are proposing to raise that outer wall
14 by six inches, because it is quite low. And then
15 the most outer section of that 120-foot-long
16 stretch would also have to come up six inches,
17 really, to match that same height. Once we get
18 to that higher portion that's farther west, we
19 don't need to change that height.

20 MAYOR NYCE: Okay.

21 MR. HERRMANN: That's really the extent of
22 the application.

23 We had been contacted by Dave Abatelli with
24 a couple of comments from the CAC. The one thing
25 I would respond to is there was a request for a

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1 five-foot non-turf buffer along that
2 120-foot-long stretch, which would be acceptable,
3 and then a request for an 18-foot non-turf buffer
4 on the other side. We prefer if we could limit
5 that to 10. The 18-foot section really takes --
6 eliminates that entire corner there, which is a
7 nice place to kind of go down and stand on the
8 corner of the end of the canal there. A 10-foot
9 non-turf buffer would be pretty common. We would
10 have a little more room there, and so we could go
11 wider than the 5 foot on the other side. So we
12 would only ask if the would Board consider us --
13 allowing us to go 5 and 10. That would be our
14 only request on that note.

15 If you have any other questions, again, I'm
16 here to answer them, and also, again, the
17 contractor is here if you have any questions.

18 TRUSTEE PHILLIPS: I do have one question.

19 MAYOR NYCE: Okay.

20 TRUSTEE PHILLIPS: When I reviewed the
21 application this morning, I noticed off on the
22 notation on a -- temporarily remove and replace
23 as needed a ramp and floating dock.

24 MR. HERRMANN: Right. Yeah, there's a ramp
25 and -- there's basically a ramp and float there.

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1 This is the type of thing that we try to call out
2 on the plans, so when a contractor is working,
3 nobody has a question about it. He's not going
4 to be able to physically get into that corner and
5 build that bulkhead without temporarily moving
6 that ramp and float, so, literally, it's just
7 being moved and put back.

8 TRUSTEE PHILLIPS: Okay. I just wanted to
9 get a clarification on that.

10 MR. HERRMANN: That's why we put it on
11 there, because sometimes you get a situation
12 where somebody sees something being touched, or
13 handled, or maneuvered that wasn't in a written
14 permit, and this way we try to keep everyone

15 covered and cover all the bases.

16 MAYOR NYCE: Terrific. We'll open it up to
17 the public, if that's all right by you. And if
18 there are questions that come up from them, we'll
19 ask you to come back up and answer them.

20 MR. HERRMANN: Thank you.

21 MAYOR NYCE: Is there anyone from the
22 public who wishes to address the Board on this
23 particular wetlands permit application?

24 (No response.)

25 MAYOR NYCE: I'm going to take that as a

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1 no. Are there any other comments or questions
2 from the Board for the applicant?

3 TRUSTEE HUBBARD: No.

4 MAYOR NYCE: Does anyone have -- are there
5 any objections to the -- changing the 18 to the
6 10-foot no-turf buffer, or maybe we can --

7 TRUSTEE PHILLIPS: Discuss that at the work
8 session?

9 MAYOR NYCE: Well, we could, yeah, discuss
10 it at a work session at -- prior to that, put

11 that request back to the CAC.

12 TRUSTEE HUBBARD: Yeah.

13 MAYOR NYCE: So you could have the CAC
14 at -- if we could have that request made to the
15 CAC before our next work session, that would be
16 great.

17 There being no one to -- I would entertain
18 a motion to close that public hearing, then.

19 TRUSTEE HUBBARD: So moved.

20 TRUSTEE ROBINS: Second.

21 MAYOR NYCE: Moved by Trustee Hubbard to
22 close the hearing, second by Trustee Robins. All
23 those favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

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1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No response.)

6 MAYOR NYCE: That public hearing is closed.

7 I'll ask that the Clerk put that on the
8 agenda for the work session for July, and that we
9 have our response from the CAC on the
10 18-to-10-foot buffer.

11 MR. HERRMANN: Thank you for hearing us.

12 MAYOR NYCE: Absolutely. That concludes
13 the public hearing portion. We have no
14 presentations. The next -- I'll give this back
15 to the Clerk.

16 That would bring us to the public portion
17 of our agenda. I would ask if there's anyone
18 from the public that wishes to address the Board?
19 Mr. Moore.

20 TRUSTEE HUBBARD: He didn't see you.

21 MAYOR NYCE: Oh, yeah.

22 MR. MOORE: I wasn't sure who you were
23 pointing at. Sorry. Again, Doug Moore, 145
24 Sterling Street.

25 I just -- regarding the MS4 issues for the

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1 public hearing, I think it's -- the resolution is
2 9 -- 19, 26 and 27. I'm just wondering if the

3 various documentation elements are going to be
4 available, or are available, for review prior to
5 the meeting. I'm not sure I'll be able to attend
6 that particular date and I'd like to have the
7 opportunity to make written comment.

8 MAYOR NYCE: They are generally available
9 at least a week before. I'm assuming that they
10 were prepared. We will have them out the
11 beginning of the month.

12 MR. MOORE: That would be good. I think
13 that's a very important issue, and I think the
14 Village could be making some big steps forward,
15 not knowing what's in them, perhaps it's already
16 covered, regarding runoff, because in the past,
17 there have been some construction projects which
18 simply put back what was there before, and water
19 runs from streets to the harbor or the bay
20 untreated, essentially. So I think there could
21 be some big important improvements.

22 The other one is very similarly the
23 Resolution 29 for the public comment period about
24 Mitchell Park use. I think it's an excellent
25 opportunity to get public input, and I commend

1 you for making that opportunity available. It
2 says public comment period, but do I assume that
3 it's only that evening for the one comment?
4 Because, again, for written comments, I hope you
5 would make a 30-day period available for that.

6 MAYOR NYCE: It will likely be -- it will
7 likely be longer than that.

8 MR. MOORE: Very good.

9 MAYOR NYCE: This is not going to be a
10 quick over-and-done --

11 MR. MOORE: It wasn't clear from the
12 resolution whether the period would be that
13 evening or additional time. Again, I'd like to
14 make written comment.

15 Just a technical issue and it's about the
16 wetlands permits, not Mr. Osinski in particular,
17 but it applies. There was a lot of discussion
18 about building permits not being issued, and I
19 believe you're referring to a wetlands permit.
20 And I was able to see an example of one, and,
21 unfortunately, the building permit form was used
22 and it says "building permit." I might suggest
23 that you have a different form, maybe a different

24 color, maybe blue for water, instead of green,
25 that says "wetlands permit," because I think

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1 there was a lot of confusion during the first --
2 the meeting last month about, you know, wetlands
3 permits being approved, building permits not
4 being issued. So that's just my suggestion in
5 that regard. So thank you.

6 MAYOR NYCE: Thank you.

7 MR. KEHL: Hi. Bob Kehl, 242 Fifth Avenue.

8 The last meeting you had the power plant
9 presentation, and it kind of triggered off a few
10 things, so I did a little research. And under
11 the Energy Conservation Code of New York State,
12 the insulation values around here, we were
13 talking about the Building Inspector letting
14 stuff fly, especially on Mr. Olinkiewicz' houses.

15 A standard house, the requirements for oil
16 and gas heat are R-38 for the ceiling, R-15 in
17 the walls, R-19 in the floors, and if you have a
18 slab, it has to be two inches of foam insulation
19 two feet down, or 10 feet horizontally across the

20 slab. Well, none of this is being done. But
21 then Mr. Olinkiewicz, he puts electric heat in
22 all his houses, but none of this is ever noticed
23 by our Building Inspector. This changes
24 entirely. It goes to R-49 in the ceilings, R-26
25 in the walls, R-30 in the floors, and the slab

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1 has to have three inches of foam either four feet
2 down or 10 inches horizontally.

3 Because still -- you had the presentation
4 here and the guy said Greenport Village is using
5 far more electric than most normal villages do in
6 the wintertime, because we have so much electric
7 heat. Why are we allowing someone to put
8 electric heat in these houses? And there's
9 substandard insulation in the houses and it's
10 just getting flown by.

11 You got the garage he built down here.
12 It's on a slab, no insulation in the floor. It
13 can't be any more than R-15 in the walls, if he
14 put that in there. Kaplan Market, slab, no
15 insulation on the floors. This goes on and on.

16 The house next to mine on 238 Fifth Avenue, he's
17 going to put electric heat in that one. He's not
18 going to use the chimney, so I don't have to
19 worry about that. I was in there, there's no
20 heat. So he's going to put electric in there and
21 there's no insulation in the damn walls, none at
22 all; single pane windows.

23 That house there was shut down. The people
24 left because there was no heat, the plumbing was
25 shot, the water was leaking through the ceiling.

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1 There's basically no CO on that house. How does
2 he get a building permit for just common repairs?
3 To me, that's a total renovation when you come on
4 that. It has to meet the new codes and he's not
5 doing any of this.

6 I mean, this stuff is just going on and on
7 and on. I mean, it's getting passed, just
8 letting it go by. I mean, down here last week,
9 last meeting, and you were talking about -- you
10 talking about the shed, the shed he's got, a
11 garage in the back, and the Mayor says, "Oh,

12 well, under the" -- you said it really quiet,
13 "Under the cottage housing." How come you didn't
14 come up and tell us about the cottage housing
15 that you're trying to pass?

16 MR. KEHL: Oh, yeah. Don't give me this
17 crap. This is --

18 MAYOR NYCE: It's cottage housing we're
19 trying to pass?

20 MR. KEHL: They're trying to get this thing
21 through for cottage housing. On substandard
22 lots, they can put a house under 900 square feet.
23 We'll find it, and we will read it back and find
24 out all the stuff that's going on on it. So
25 who's blowing smoke up whose butt?

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1 You're telling me you're going to look into
2 the R-2. You're trying to push through this
3 other stuff for affordable housing for these
4 substandard lots.

5 MAYOR NYCE: There is no -- in the LWRP
6 amendment that we're working on, there is a
7 recommendation that we address extra

8 structures --

9 MR. KEHL: Then why did you say it at the
10 meeting that night? You said, well, they might
11 be -- might be able to do that under the LWRP.

12 MAYOR NYCE: The prior Board, I believe,
13 along with changing the R -- everything to R-2,
14 also went and amended the code to allow for
15 accessory apartments within R-1 and R-2. That's
16 way prior to us. Okay? That's what I had
17 referenced to him, that that may be an accessory
18 apartment that was authorized by code prior.

19 MR. KEHL: So that's already in effect?

20 MAYOR NYCE: That is already in effect.

21 MR. KEHL: And when did this go through?

22 MAYOR NYCE: Years before me.

23 MR. KEHL: Have you discussed anything
24 about going back on the R-2?

25 MAYOR NYCE: Yes, yes.

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1 MR. KEHL: I hope so.

2 MAYOR NYCE: At our next Code Committee
3 meeting, both that and the accessory apartment

4 requirements are going to be looked at.

5 MR. KEHL: I hope so, because this is just
6 getting -- the further and further we dig on this
7 stuff, there is more and more crap that's being
8 dug up. And I hope someone really starts looking
9 into it, because it's not only affecting just
10 whatever happens to his people, it's affecting
11 the tax rate on everyone else, because you bring
12 in affordable housing and you keep building more
13 affordable housing into this town, and they put
14 15 people or 15 kids in a house, and most of the
15 houses, the old housing in this town is like
16 \$2400 a year for taxes, 1200 for school taxes.
17 So you take \$1200 a year for school taxes, but
18 you put 10 kids in the school at \$18,000 a year
19 per kid, how is \$180,000, you squeeze that out of
20 \$1200 a year? It doesn't work. And who ends up
21 paying for it? Everyone else in this district.
22 People are getting real tired of it.

23 MAYOR NYCE: Okay.

24 MR. KEHL: Okay. That's all I got.

25 MAYOR NYCE: All right. Thank you. Anyone

1 else who wishes to address the Board?

2 MR. WINKLER: John Winkler, 175 Fifth. I
3 have a couple of power plant questions.

4 A few months ago I had a question about
5 hiring an independent contractor to double-check
6 the work that Hawkeye and Genesys Engineering
7 drew -- designed for the power house, and my
8 understanding is that it was like a \$55,000
9 charge to have this guy come in and double-check
10 the work that Hawkeye did, and whether the
11 engineer did his work right, and the relays work.

12 My information was originally that we
13 bought the transformer -- the Village bought the
14 transformer. I found out in the last couple of
15 weeks that, no, Hawkeye bought this transformer,
16 and with an upcharge, I'm sure. And there was a
17 warranty issue that, thanks to Paul, somehow we
18 managed to get a credit in some other way for a
19 year of that warranty, because we were spending,
20 I think, \$66,000 for a three-year extension on
21 that warranty.

22 What's confusing to me about this, and we
23 hired Hawkeye in this contract to provide a
24 transformer, wire the transformer, terminate the

25 transformer, why would you have a guy come in for

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1 \$55,000 to double-check his work? It just makes
2 no sense to me.

3 First of all, I'm an electrician for 30
4 years. Okay? When I put a transformer, I know
5 this is larger than probably I've ever done, but
6 I've done pretty large ones, and I've always
7 high-potted, which means you send a high voltage
8 through the wiring to make sure there's no
9 grounds, no shorts, you put a load test on the
10 transformer, that the transformer is not going to
11 blow up under load. And guess who turns the
12 switch on? Me. The contractor is responsible
13 for that transformer working.

14 Now, none of the Board members even
15 questioned this \$55,000 for some guy who -- and I
16 had it explained to me, it was like an
17 underwriter, like an electrical inspector coming
18 in to look at this and making sure that they
19 terminate it correctly.

20 I guess my next question, did we pay this

21 guy already? Did he do this work? I know the
22 transformer's not on. Has he done this work?
23 And I think somebody should have second thoughts
24 about paying this guy \$55,000 to do that, and why
25 it isn't the responsibility of Hawkeye and

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1 Genesys Engineering. That should have been
2 figured in their cost to provide and install that
3 transformer, and he's responsible. If that thing
4 blows up, Hawkeye is responsible. Okay? So I
5 hope we haven't paid this guy \$55,000 or this
6 company.

7 And who recommended to do that? Jack
8 Naylor was gone. Paul said he wasn't here when
9 that was done. The Board approved this 55 grand.
10 Who suggested that we do that? Genesis, covering
11 their own butt? I don't get it.

12 My second question, in the contract of
13 Phase I was that there was supposed to be
14 training done for a plant operator. Has that
15 ever even been started? I read someplace the
16 manuals haven't been written. How long have we

17 been doing this? Nobody's trained yet? Remember
18 what it cost us years back to have somebody come
19 here and run that -- those generators? \$15,000.
20 And Genesys has not -- and they're going into
21 Phase II now and they haven't trained anybody on
22 this power house to have somebody operate this
23 plant, and when, if we need it, that we can
24 change over to the generators?

25 I think -- you know, I understand you guys

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1 are busy, but this is a lot of money we're
2 spending. Somebody should ask a question,
3 somebody. It's just not -- you know, you just
4 spent \$55,000 without wondering why, you know.
5 That's like you putting a roof on and then having
6 somebody else come back and look at your roof to
7 see if you did it right. Isn't that
8 unbelievable?

9 So, please, I would ask that this Board, if
10 you haven't spent the money -- have you spent the
11 money already?

12 MAYOR NYCE: Yeah.

13 MR. WINKLER: I guess it's just amazing.
14 It's amazing. Could I ask who suggested that we
15 do that?

16 MAYOR NYCE: Do you want to handle this?

17 MR. PALLAS: John, you and I have talked
18 about this a couple of times, and as I suggested
19 to you, that I've built a few substations in my
20 career, and typically, whether it's part of the
21 original contract for the contractor or it's done
22 independent of that, I've always had an
23 independent party come in to review. It's not --
24 and I think there's a little bit of confusion
25 here, and maybe it's my fault.

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1 It wasn't just a transformer, it was the
2 entire package that was checked by this
3 commissioning agent. It was from the high side
4 of the switchgear that controls this transformer
5 all the way out to where the capacitor banks have
6 paralleled to this system to tie in to make sure
7 that -- there was more than one contractor in
8 there, to make sure that all the systems function

9 together.

10 What I've done in the past when there was
11 only one contractor, I've had a separate vendor
12 come in. And it's not like an underwriter's
13 inspection, it's not just an inspection, it's
14 actually some functional testing as well that
15 they do from the high side all the way to the
16 end.

17 MR. WINKLER: I guess my question is why
18 isn't Hawkeye or the engineer responsible for
19 that? Why is that not in the cost that they
20 charge you, when, okay, we take this job and
21 we're going to have to have testing done? I
22 mean --

23 MR. PALLAS: Typically, it wouldn't be the
24 engineer. Typically, you can either do it one of
25 two ways. Like I said, you can build it into the

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1 original construction contract, that's one way.
2 You're still going to pay for it, because he's
3 going to put -- he's going to hire a third party
4 and you're going to pay that third party through

5 his contract, or you can hire independently. My
6 preference has always been to do it
7 independently.

8 MR. WINKLER: Do you think \$55,000 is a
9 little bit exorbitant?

10 MR. PALLAS: Again, I don't even know what
11 the amount --

12 MAYOR NYCE: John, why I don't want is --
13 you guys can have this discussion on your own
14 time.

15 MR. WINKLER: Oh, okay. He's answering me,
16 I'm asking him.

17 MAYOR NYCE: I understand, but this a --
18 public to address the Board.

19 MR. WINKLER: Okay. Well, I --

20 MAYOR NYCE: He's answering -- he's
21 answering your comment.

22 MR. WINKLER: First of all, the transformer
23 was not on it. We spent this money and it's not
24 on it. What's holding that up?

25 Again, and also the training of the plant

1 engineer -- I mean, the operator. I'm like I
2 can't believe it, it's not being done. We're
3 looking for manuals to train somebody? You have
4 staff in that plant that are very intelligent and
5 very -- and good guys. I know all of them,
6 but -- and I know people want to step up and do
7 this, but, unfortunately, we're going to have to
8 pay them to do it.

9 So, please, this is something that's going
10 to be very important. That plant could come into
11 play in any storm, any hurricane. You know, we
12 need somebody over there that knows what the heck
13 is going on, and Genesys was supposed to train
14 somebody while this plant was being built, this
15 alteration was done.

16 So, again, I think the 55 was like way over
17 the top, and I guess it's too late. But at some
18 point, the Board has to question things, you
19 know. I mean, that's a lot of money for the
20 taxpayers to pay additional money. Why wasn't
21 that in the bid in the first place? Why is it
22 such a surprise all the time? I don't
23 understand.

24 I see hundreds of thousands of dollars
25 spent every meeting. Where's this money coming

1 from? Where is it coming from? Even to ask a
2 question, ask somebody. Why would you hire this
3 guy when Jack Naylor's leaving, Paul's coming in?
4 Why wouldn't you wait for Paul to get on board
5 and then do something like this? I don't know
6 who -- I'm flabbergasted, I really am. But you
7 have to have some regard for the taxpayers, and
8 it's just amazing, the money that we spend, it's
9 unbelievable.

10 Thank you for your time.

11 AUDIENCE MEMBER: Good evening, Mr. Mayor,
12 Board, concerned neighbors. I'm a newbie to the
13 Village. I've lived in Southold for many years
14 prior to moving to Greenport.

15 A lot of things have been going on and I
16 respect your work that you do for the Village. I
17 read the LWRP. Actually, I got -- my finger got
18 tired scanning down on the computer, it was so
19 long. But I think, whatever, the SWOT regarding
20 what's going on in the Village or what's not, and
21 the SWOT -- I just call it SWOT, even though, you

22 know, you can spell it either way, SWAT, S-W-A-T,
23 but, anyway, it's strength, weakness,
24 opportunities and threats.

25 My idea of strength of the village is the

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1 people in the Village, along with the
2 administration, the people that are here and that
3 are working to better the Village itself.

4 The weakness, unfortunately, lies with the
5 lack of code enforcement, which is right there in
6 the LWRP. Also, the selective -- selective code
7 enforcement. I guess that's selective, meaning
8 somehow things get passed by with a permit, or
9 whatever. I don't know exactly how to understand
10 selective code enforcement. Also, outdated
11 zoning which requires regular updating. I'm sure
12 that's part of your work, or the Zoning Board's
13 work. I think the zoning is a big issue right
14 now and that's part of the weakness.

15 Opportunities, aside from people that work
16 here in the Village, the only opportunities are
17 pretty much seasonal, and that's where it's at

18 right now. I'm retired, so I don't really
19 concern myself with opportunities, other than I
20 help when I can and who I can, and my neighbors,
21 especially, I help.

22 The threats are the big thing that I'm
23 concerned about in the Village. The threats I
24 wrote down is zoning, zoning, zoning, along with
25 illegals, illegals, illegals. I don't know what

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1 the consensus is on the illegals. I don't know
2 how many there are, how they get funneled in and
3 out of these houses. I'm concerned, because I
4 see a lot and I've heard a lot. I don't believe
5 a lot I hear unless I see it for myself and know
6 what the status is of those things that are going
7 on, and I see a lot.

8 A neighbor of mine that I just walk -- I
9 walk the Village a lot, I walk three or four
10 times, and I walk the whole Village all around
11 from Sixth, all the way around Sixth, all around
12 the docks. I love the Village. I think it has a
13 lot of character. And I'm sorry, but -- I'm not

14 sorry. I hate that word sorry. I'm concerned
15 because I don't want to lose what morality is
16 left in the Village here. And morality, I mean
17 by open spaces. I know there -- I know that a
18 lot of properties are -- there's not a lot of
19 properties left, just like in Southold. I mean,
20 I lived there and I had -- I had a lot of
21 property there. I don't have a lot of property
22 now, but that's okay, because I don't want to do
23 any -- I'm tired of -- I did my share of work
24 through my life.

25 So I'm just -- unfortunately, when I walked

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1 and saw this old gentleman, older gentleman I
2 should say, he was concerned because he had seen
3 -- he was renting from, still is renting from,
4 Mr. Olinkiewicz, and that's a word that I've come
5 to hear a lot. And I went down and I talked to
6 him. I just met him because I was walking past.
7 I met he and his daughter who lives in Shelter
8 Island, and he has people living behind him that
9 are part of the, I guess, two-story -- two-family

10 house that's there. But the fact is that he
11 heard that there can't be a dog on the property,
12 yet, lo and behold, as we're speaking, kids come
13 out, three or four kids come out with a dog.
14 Now, I don't know what the ruling is on that. I
15 don't know how that -- why he said there wasn't
16 supposed to be a dog. Now, whether that's his
17 problem, perhaps.

18 Then we go to -- the property across the
19 street from me is a State-controlled property. I
20 don't mean to veer a little bit here and there,
21 but I have to get in everything so I can make
22 this as short as possible, but I want everyone to
23 understand that I'm concerned.

24 Before I even moved in, when I was walking
25 past the house, it was under a renovation, the

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1 house across from me, which is State. I guess
2 it's State through HUD, or whatever the case may
3 be. That house started off looking really nice,
4 until I heard that they were going to take down
5 the little -- they called it a chicken shack in

6 the back, where chickens actually were living in
7 this little decrepit house, and people were
8 living there, too. I didn't -- I didn't -- I saw
9 it, but I didn't really go back there to look at
it.

10 So, eventually, what happened was that the
11 Town, or whoever here is part of that, said that
12 it's okay to do a -- take the cottage down and
13 reconstruct it onto the existing two-family house
14 in front of it. It's a monstrosity. My neighbor
15 to the left, to that left, the left of that house
16 was almost going to resell her property, which
17 she loves that house. She's redoing it, and
18 redoing it very well, by the way. And she lost
19 any of kind of view that she could from the side
20 of her house, because this house takes up the
21 entire -- almost the entire lot.

22 I asked Eileen about it, because I didn't
23 know anybody in the Village. I still know a few
24 people, but I'm learning to get around. When I
25 asked her about this house, she said it had --

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1 there was nothing that could be done, because

2 it's a State-rung thing, the State controls it.
3 Now, there's been a trailer, a dumpster type
4 trailer from the contractor on the site since
5 I've owned the house now for about a
6 year-and-a-half. And prior to that, I walked the
7 Village before that and it's like two-and-a-half
8 years that same trailer is there, and they put a
9 porta-potty right in front of the house. And I
10 asked her to have that removed, so that was done.
11 But the house, they haven't done any work on this
12 house in, I would say, a month, maybe two months
13 now. The trailer is still there, the porta-potty
14 is still there, there's no activity. Nothing's
15 been completed.

16 They have a big sign, State sign that tells
17 that they are doing the work, or whatever
18 renovation is that's part of that whole deal.
19 It's a huge sign, bigger than any sign in
20 Greenport. I asked can't somebody take it down
21 at some point, when is it going to be done?
22 Nobody knows because the State controls it.
23 Nothing can be done until they okay it. Nobody's
24 in the house. The house -- both houses are
25 there. Nothing's happening.

1 The concern I have right now is right
2 behind me as part of the Fifth Avenue newly
3 bought house that Mr. Olinkiewicz has purchased.
4 My -- the back of my house abuts the side, the
5 side back end of end of his house. Now, when I
6 talked to Eileen about it, I said, "I'm concerned
7 about this house. What's the deal with it?" She
8 told me, and, God, I'm older, but I know what --
9 I know what I hear, and she said, "Oh, only her"
10 -- "only his family is going to be living there."
11 And I'm thinking this is a two-family house, plus
12 it's got that old decrepit looking garage behind
13 it and nothing's been done with that. It was
14 overrun until he, Mr. Olinkiewicz, finally had
15 the land cleared. So that made it look a lot
16 better. It probably lessened a lot of whatever
17 is going on there.

18 I found out that he -- there was a man that
19 owned it prior to him that was from Southampton
20 and nothing was done with that house. It's nice
21 work, no doubt. And what he does with the
22 property outside, outside wise, I don't know what

23 inside-wise he does, but the outside exteriors of
24 the property look okay to me, look good as far as
25 that goes. Again, how many people are living in

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1 these houses? What is the consensus of illegals
2 in the Village? What's going on with that,
3 anybody have any idea?

4 Again, this garage behind the house, at the
5 last meeting, and it was the first meeting I came
6 to, Mr. Olinkiewicz says, "Oh, I don't know." At
7 the end of his statement almost, "I don't know
8 what I'm going to be doing with that garage. I
9 may tear it down and put a cottage up there."
10 Now that garage sits on the front end of the
11 divided line that said it's still -- it's still
12 one whole lot, so -- and also, where did he get
13 eight parking places anywhere with a two-family
14 house? That's been, I think, okay. What -- I
15 want to say what the hell is going on with that?

16 And the house down on Fifth, almost on the
17 corner that he has also, he's had -- allowed
18 seven parking places in that -- behind that

19 house. I don't understand the regulations. How
20 can that be possible?

21 Now, if he takes that and puts a cottage up
22 on it, I don't know where he can put it other
23 than where it's at right now, or in that area,
24 because the area behind it, I don't know how --
25 it's not -- I have a feeling that maybe he's

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1 going to be trying to get that a separate lot
2 behind there.

3 But I went down to the Town, Town of
4 Southold, because I -- I have second guessings
5 dealing with Eileen Wingate, because I don't know
6 if she is on the up and up all the time, or some
7 of the time, or whatever. Now, that's another
8 issue, one Building Inspector, nobody to check on
9 these houses, nobody to find out how many people
10 are living in these houses. It goes on and on.
11 Just like Bob said, things go on and on and on.

12 Now, these are important questions for the
13 Board to consider, because not knowing how many
14 people are in these houses, it's also a safety

15 issue. Now, if he tears that down and puts up
16 and is able to have eight parking places, how
17 many people are going to be living in that house,
18 unless he has -- unless each family has two other
19 people besides a husband and wife that are sons
20 and daughters that are the age to drive and can
21 park. It's going to look like a parking lot
22 behind my house, even though it's a six-foot
23 fence that runs along the property that he
24 bought. And initially, when he did buy this --
25 when he -- he only saw me. He had his person,

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1 his worker come on my land and stick a metal post
2 in there, and then he saw me come out of the my
3 house. I didn't see him, I didn't even know he
4 was there, but he was with his workers, and he
5 told me, "Oh," he says, "this is the" -- "this is
6 my survey and it says I can move the fence over
7 about a foot-and-a-half," because it kind of juts
8 in from the one corner in the front to the back.
9 And he says, "Oh, this is the way it is."

10 Well, I have a fence business that is not

11 -- I don't work anymore, but I still have the
12 name registered in Riverhead. Now I think that
13 the -- I don't know for a fact, but I believe
14 that after a certain amount of time, any fence
15 that's constructed and is not viable as far as
16 being able to be moved, or whatever, now maybe it
17 has to do with the fact that he bought the house,
18 and it's able to be moved, but I think under the
19 rules, once that -- after five or 10 years, if
20 the fence isn't moved, you own it, kind of. You
21 don't -- I didn't have to let him do that. I
22 said let it go, because I didn't want any -- over
23 a foot, I think half a foot or foot-and-a-half,
24 I'm not going to really be concerned about it.
25 So that's the deal I have right now. I'm

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1 concerned about the zoning deal on his -- on that
2 house and how he's going to be able to get this
3 put in play where he's able to put eight -- I
4 definitely -- I'm definitely against this
5 wholeheartedly. I don't know where the rules --
6 if you have rules regarding the amount of parking

7 spaces, I'd like to see them. Do you?

8 MAYOR NYCE: I would suggest that you pick
9 up the Village Code and read through it.

10 AUDIENCE MEMBER: Okay, I'll do that. I'll
11 do that. So that's my issues.

12 MAYOR NYCE: Okay.

13 AUDIENCE MEMBER: I thank you for your
14 time, and I'm glad to be here in the Village.

15 MS. MC ENTEE: Good afternoon -- good
16 evening. Joanne McEntee, 242 Fifth Avenue. I
17 don't have a speech today, honestly, I won't be
18 reading.

19 I reiterate what Joe Holland (phonetic) had
20 to say tonight. We are the property next door
21 and that does affect us a great deal.

22 One of the things that Mr. Olinkiewicz has
23 right now currently, and, Mr. Mayor, I
24 apologize -- I don't apologize, actually. Your
25 last meeting, you stated that he would secure his

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1 property. He has not secured his property. We
2 had -- excuse me, not we. Mr. Olinkiewicz had

3 one of his workers go over on the weekend and he
4 happened to hit a -- I'm going to say it's a
5 two-by-six that held a large a piece of plywood
6 against the back door that I said last meeting
7 that he did not remove -- that he removed. He
8 hit it and this plywood just fall -- fell. So,
9 therefore, any person can go in there at any
10 time, any given time. The house is not secured.
11 So he has in there, you know, open floor beams.

12 You tell me -- we are in a neighborhood
13 with many, many children. I spoke to you about
14 this before. It is a very dangerous home. You
15 do not have -- it needs to be secured. No ifs,
16 ands or buts, it needs to be secured. I don't
17 know why it hasn't been secured. Don't know why
18 Eileen Wingate hasn't, nor -- I forgive Paul. I
19 mean, I know you're fairly new. Dave Abatelli
20 knows it should be secured. It just falls down.
21 Anybody can walk in that side door any given time
22 of day. I wish that it would be addressed.

23 As far as Mr. Olinkiewicz' issues in his
24 house, there are -- I reiterate with what Robert
25 Kehl has to say tonight. All the energy codes he

1 is not complying with in most of his properties.
2 And when I say most of his properties, when he
3 does have the slabs, I agree with what happens.
4 He is not complying with the code. Eileen just
5 lets him get by with what he can buy.

6 First of all, Eileen has said on an agenda
7 many years ago, most people don't know, but many
8 years ago she said on an agenda to go through the
9 Village and take out these homes -- pick these
10 homes out and say, "These are the homes that we
11 want to clean up and clean up our Village." I
12 get that. But, you know what, she picked the
13 wrong person to do this, because he does it in
14 such a shoddy way.

15 The house next door does not have any
16 insulation in it. It's got a lot of work to do.
17 He wants to put \$75,000 into it. I'm telling you
18 what, Bob is a builder here. He will never put
19 \$75,000 into making it a house that it should be.
20 I don't think that Julia Roberts (sic) would do
21 it, honestly. I don't feel that \$75,000 will
22 make it what it is. No insulation, you got to
23 pull down every piece of sheetrock. The floors,

24 the slabs that he has in there, absolutely, I
25 would -- I'll tell you what. For the price that

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1 he paid, \$235,000 for that home, I'd buy that
2 house right now, knock it down and build
3 something that this entire Board here would love,
4 and it would be amazing. You would absolutely
5 see a brand new house built, and yet, she has
6 come to this Board and decided that, okay,
7 Mr. Olinkiewicz' -- because she had an agenda
8 with Mr. Olinkiewicz and his investor -- s,
9 excuse me, investors, and then has decided this
10 is what we're going to do with all these homes.

11 His investor, obviously, is a local person
12 as well who has many homes within our Village who
13 has done very similar odd things, to the point
14 where it's sad to see that our community is going
15 downhill. Our property values are going
16 downhill. It doesn't make any sense. How do you
17 actually take a property like that, that we have
18 next door, which can be a beautiful home, not
19 change the outside of the house, not change the

20 windows, and not put on -- put what needs to be
21 done to make it right, to make it up to code?
22 I'll tell you what, Bob would do that. It is
23 amazing to me.

24 I still feel, in my last response -- I
25 don't feel that she's up to code with what she

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1 needs to know for our Village. I still feel, as
2 she is a landscape architect, that's her prior
3 position for this Village, she should be ousted,
4 or, if not, demoted, somewhere along the line,
5 and not to the Code Enforcer, because she doesn't
6 enforce any codes whatsoever, in my eyes.

7 Let's talk about the LWPR (sic). In that
8 338-page document that's on the website, it
9 states on there that these properties, we're not
10 going to take them from the normal size property
11 -- well, the small properties that we have,
12 50-by-100, we're going to make them smaller and
13 we're going to congest our community that much
14 smaller to 4,000 square feet. Now you tell me if
15 that makes any sense bringing in more people,

16 more congested of an area. You tell me where the
17 parking's going to be. It's all going to be on
18 the -- on Front Street, because there's going to
19 be waterfront residential property. Who's going
20 to build this? Guarantee that Mr. Olinkiewicz is
21 going to be building these properties. Now, I
22 don't agree with it, because he does substandard
23 work.

24 As far as the electrical, I agree with what
25 happens with the electrical. The electrical is

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1 up in the winter months because he does put
2 everything in as -- in electrical. He converts
3 them for -- from oil to electrical. And when you
4 do that, of course our electric --
5 Mr. Olinkiewicz doesn't have to pay for it, it's
6 his tenants that have to pay for it. And if you
7 multiply that how many times tenants that he has,
8 it's going to go up. So why are we paying for
9 another -- more expenses on our electric power
10 plant when he is the -- part of the problem? It
11 doesn't make sense.

12 What I'm seeing is that our Board is
13 lacking control. I'm seeing that eventually I
14 would -- eventually, I hate to say this, but
15 maybe not in my lifetime, but this Board will be
16 gone. I would love to see Southold take over the
17 entire Board, the ZBA, the Planning Board, and
18 that would make this place a lot better, because
19 they have it and they have it down where -- they
20 have it down a little bit better than you do.

21 It is sad that I live here. Like I said,
22 when I first came to these meetings -- my family
23 has been here for many years. My
24 great-grandfather was a tailor here. I hate to
25 see what happened to my grandmother's house on

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1 South Street, 126 South Street. And also had the
2 liquor store, when my grandfather passed away due
3 to an accident, a car accident. My grandmother
4 overtook that place. And let me tell you what,
5 there's now someone living there today who
6 reopened that place that had been closed for many
7 years. Eileen should have never ever opened that

8 property ever again as a deli, because the other
9 side was what my grandmother had started, and it
10 doesn't -- she is not doing her job.

11 Paul, I hope you're hearing us today,
12 because you are now taking over everything. You
13 know -- you know, I give you a lot of credit
14 here, but what's happening here in our Village is
15 something that is out of control.

16 I love our Village. Like I say, I have
17 lived here for many years. I came back and I'm
18 living here again. These 4,000-square-foot
19 cottages on -- excuse me, not the cottages, the
20 lots are ridiculous. If that goes down, you're
21 going to have all these people come in, and for
22 what? Living on the water? You're not doing it
23 for commercial property owners, you're not doing
24 it for commercial property, you're doing it for
25 residential. I know you know all about this.

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1 You know, the Board knows everything about this.

2 I still also believe that Mr. Olinkiewicz'
3 properties should still be revisited by every

4 single -- every single -- every permit should be
5 revisited, every single zoning, and go through
6 everything for him until today. And as of today,
7 I still feel that Eileen needs to be dismissed.

8 Thank you. Do you have any comments, by
9 the way? Does anybody have any comments?

10 (No response.)

11 MS. MC ENTEE: I didn't think so. That's
12 sad to see, again, from our Board. This is what
13 we love to hear. This is what our community
14 needs to hear.

15 TRUSTEE MURRAY: I got a -- I got a
16 question, Joanne. How long was that house for
17 sale?

18 MS. MC ENTEE: Next door?

19 TRUSTEE MURRAY: Yeah.

20 MS. MC ENTEE: He had it on the market and
21 then he took it off.

22 TRUSTEE MURRAY: How many times?

23 MS. MC ENTEE: A few times.

24 TRUSTEE MURRAY: Why didn't you buy it,
25 then?

1 MS. MC ENTEE: He had it as a high price,
2 400 --

3 TRUSTEE MURRAY: You said you could have
4 bought it. You said you could have bought it and
5 redid it.

6 MS. MC ENTEE: Yeah, well I -- he wanted
7 four-hundred-and-something-thousand.

8 TRUSTEE MURRAY: I know, I looked at it
9 twice.

10 MS. MC ENTEE: He wanted
11 four-hundred-and-something-thousand. Tell me
12 that's an affordable and reasonable price at that
13 time. No. It was gutted out.

14 TRUSTEE MURRAY: He bought it for 230.

15 MS. MC ENTEE: It still has no CO on the
16 house.

17 TRUSTEE MURRAY: But what are you --

18 MS. MC ENTEE: You're a builder yourself.

19 TRUSTEE MURRAY: I know that.

20 MS. MC ENTEE: Why didn't you buy it?

21 TRUSTEE MURRAY: I couldn't afford it.

22 MS. MC ENTEE: There you go. Okay? I'll
23 tell you, like I said --

24 TRUSTEE MURRAY: But don't give him a hard

25 time for buying properties and doing what --

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1 MS. MC ENTEE: I don't.

2 TRUSTEE MURRAY: -- so many people never
3 did.

4 MS. MC ENTEE: What I do give him a hard
5 time about is not doing the proper thing for our
6 community, making it safe for the people that
7 live in there, and that's what is important.

8 TRUSTEE MURRAY: He does make it safe.

9 MS. MC ENTEE: No, he doesn't.

10 TRUSTEE MURRAY: Have you been in his other
11 properties?

12 MS. MC ENTEE: Yes.

13 TRUSTEE MURRAY: You bash him like you've
14 seen every property.

15 MS. MC ENTEE: Yes, I have.

16 TRUSTEE MURRAY: You have? I have.

17 MS. MC ENTEE: Okay. DEC --

18 TRUSTEE MURRAY: I've personally seen --
19 I've personally seen all of --

20 MS. MC ENTEE: DEC has not been over here.

21 DEC has not been over on this Center Street
22 property.

23 TRUSTEE MURRAY: Have you been there?

24 MS. MC ENTEE: Have I been on --

25 TRUSTEE MURRAY: Have you been there?

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1 MS. MC ENTEE: I have -- I drove by those.

2 I have been in --

3 TRUSTEE MURRAY: You drove by. You haven't
4 been inside. You drove --

5 MS. MC ENTEE: I've been in --

6 TRUSTEE MURRAY: Hold on, wait a second.
7 You've gone on long enough. It's time for me to
8 say something. All right? You say he does
9 substandard work, right? How do you know?

10 MS. MC ENTEE: Well, first of all --

11 TRUSTEE MURRAY: From what Bob says?

12 MS. MC ENTEE: Well, first of all, I've
13 also -- I do read the code. I would go online,
14 and I'm not a stupid person.

15 TRUSTEE MURRAY: I know you're not.

16 MS. MC ENTEE: I will sit here and read

17 what I can to see what this Board is doing. It
18 is not right. I have gone into Kaplan Market.
19 And do I see the slabs? Has he met energy codes?
20 No, he hasn't.

21 TRUSTEE MURRAY: All right. But Kaplan
22 Market looks great.

23 MS. MC ENTEE: It may look fine, that's
24 correct.

25 TRUSTEE MURRAY: Okay.

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1 MS. MC ENTEE: But it doesn't mean that it
2 is up to standard with our code. And that is
3 not --

4 TRUSTEE MURRAY: Okay. Have you gone to
5 this house that was boarded up across from
6 Village Hall? All right? I inspected that three
7 times.

8 MS. MC ENTEE: The one right across the
9 street?

10 TRUSTEE MURRAY: I inspected that three
11 times.

12 MS. MC ENTEE: Okay. Did he change it over

13 to electric? Did he --
14 TRUSTEE MURRAY: It's all electric.
15 MS. MC ENTEE: Okay. So --
16 TRUSTEE MURRAY: Did he change it over? I
17 don't think so.
18 MS. MC ENTEE: Oh, so it's all oil?
19 TRUSTEE MURRAY: I think -- no.
20 MS. MC ENTEE: Okay. So --
21 TRUSTEE MURRAY: No, it's been all
22 electric.
23 MS. MC ENTEE: It's been all electric all
24 along?
25 TRUSTEE MURRAY: I believe so. I did not

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1 know there was furnaces, but
2 MS. MC ENTEE: So let's concur.
3 TRUSTEE MURRAY: But to --
4 MS. MC ENTEE: Let's -- I want to give a
5 point.
6 TRUSTEE MURRAY: All right. Well --
7 MS. MC ENTEE: If he changes it from oil to
8 electric, he has to meet the energy codes in

9 today's --

10 TRUSTEE MURRAY: I understand what you're
11 saying there, but you're --

12 MS. MC ENTEE: And the house next door?

13 TRUSTEE MURRAY: You're telling everybody
14 that he does substandard work and that is not
15 right.

16 MS. MC ENTEE: He does.

17 TRUSTEE MURRAY: Do I agree with everything
18 he does? No. But he's allowed to do that. All
19 right? He's making these houses affordable and
20 they're -- he's doing things that people --

21 MS. MC ENTEE: Just to make it pretty,
22 because --

23 TRUSTEE MURRAY: Wait a second. Don't
24 interrupt me.

25 MAYOR NYCE: Listen. Listen.

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1 TRUSTEE MURRAY: I didn't interrupt you.

2 MAYOR NYCE: Listen.

3 TRUSTEE MURRAY: Okay? You've been bashing
4 this guy and you don't know anything what he's

5 doing, so stop it. He's working on it next to
6 you. You -- and I've got comments that you've
7 said that I'd hate to repeat, all right, your
8 racial comments, and I'm not going to bring those
9 up. So stop with your bashing.

10 MS. MC ENTEE: Because I want to have --

11 TRUSTEE MURRAY: Let him finish. All
12 right? If he does not go by codes -- I agree,
13 the energy code is something new to me on the
14 slabs. I don't know if he's got to comply with
15 that, since they're already there, or not.

16 MAYOR NYCE: Not if it's an existing slab,
no.

17 TRUSTEE MURRAY: It's existing thing. All
18 right? So you can't bash him on that either.
19 All right?

20 MS. MC ENTEE: Existing? I don't believe so.

21 TRUSTEE MURRAY: He's making it his
22 business.

23 MS. MC ENTEE: I think you need to check
24 into that.

25 TRUSTEE MURRAY: All right. But quit

1 bashing him when you don't know his work. I'm
2 sorry, that's --

3 MS. MC ENTEE: All right. That's fine,
4 Mr. Murray. You know, you can speak down to me,
5 but I'll be damned. You didn't speak to me --

6 TRUSTEE MURRAY: I haven't spoken down to
7 you, don't say that.

8 MS. MC ENTEE: No. First of all, you
9 didn't -- tell me how much you had to say when
10 you spoke to Bob, put it in words.

11 TRUSTEE MURRAY: When I spoke to Bob about
12 what?

13 MS. MC ENTEE: Nothing. You said nothing
14 to him when he came up here to say basically the
15 same thing that I said to you.

16 TRUSTEE MURRAY: No. You've been going on
17 for 20 minutes bashing him and it's time you
18 stop.

19 MAYOR NYCE: I think it's time --

20 MS. MC ENTEE: It's not just me, it's other
21 people.

22 MAYOR NYCE: I think it's time we move on,
23 please.

24 MS. MC ENTEE: That's fine. I appreciate

25 you listening to me tonight. Thank you.

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1 MAYOR NYCE: Not a problem. Mr. Saladino,
2 you had your hand up.

3 MR. SALADINO: John Saladino, Sixth Street.
4 Pretty crazy here tonight.

5 MAYOR NYCE: Is it a full moon?

6 (Laughter)

7 MAYOR NYCE: Is it a double full moon?

8 MR. SALADINO: No, no. No, no, I think
9 that was great. I think this is great. It's
10 just -- it's not what we're normally used to.
11 And George thought he skated at the work session
12 for an hour, right?

13 I wasn't prepared to speak on the power
14 plant, but something that Johnny Winkler said
15 about training a guy. I think it's crazy that we
16 don't train a guy. But Hurricane Irene, we
17 brought Bob Braun here for \$15,000 for one day.
18 We brought the mechanic for the -- to help if the
19 motor didn't run for 4500; \$19,500 for one day's
20 work.

21 MAYOR NYCE: And your electricity did not
22 go out during Irene. We generated through Irene.
23 MR. SALADINO: And then -- all right.
24 MAYOR NYCE: We generated through Irene.
25 MR. SALADINO: To expand on that, he was

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1 here to stand by. Our electric didn't go out.
2 MAYOR NYCE: No. Our electric did go out.
3 We generated during Irene.
4 MR. SALADINO: For the day that he was
5 here?
6 MAYOR NYCE: Yes. For the day that he was
7 here, yes. Yes, John, he did.
8 MR. SALADINO: No, I dispute that. I
9 dispute it.
10 MAYOR NYCE: You can dispute it all you
11 want. I was at the plant while we were
12 generating.
13 MR. SALADINO: I dispute it.
14 MAYOR NYCE: Dispute it all you want. You
15 can -- it's okay for you to be wrong, okay?
16 MR. SALADINO: David, coming from you --

17 MAYOR NYCE: John, I was at the plant.

18 MR. SALADINO: Coming from you, someone
19 that's as wrong as I am --

20 MAYOR NYCE: I was at --

21 MR. SALADINO: -- on multiple occasions, I
22 agree.

23 MAYOR NYCE: John, I was at the plant the
24 entire time. I got there at noon and I spent
25 until one in the morning until we got all the

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1 engines on line. We generated from nine o'clock
2 that night. We were generating off and on with
3 engines from seven o'clock that night, generated
4 all four engines from about one in the morning,
5 when I finally went home, through the night. We
6 generated during Irene. Sandy, with did not have
7 to; Irene, we did

8 MR. SALADINO: Then, perhaps, perhaps I got
9 the date wrong with Genesys Engineering, because
10 it was my recollection, from checking the
11 financials, from being at every work session that
12 you've been at, that he was here for 19,000 --

13 him and the other guy were here for \$19,500 for
14 one day and they didn't start the generators. So
15 perhaps I have the day wrong, but I don't have
16 the dollar figure wrong, and the job didn't look
17 good.

18 Having said that, I would also like to
19 respond to what the previous speaker said. I
20 don't believe we should be -- should give up our
21 autonomy. I kind of like being autonomous. I
22 don't want to be part of Southold Town
23 government. I think -- I think that perhaps, you
24 know, statutory boards, and Code Enforcement, and
25 Building Inspector, whoever they might be at any

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1 particular moment in time, perhaps we could --
2 perhaps we could, you know, look at that, and
3 maybe that will make how the Village is a little
4 better. But a lot of us live here because we are
5 autonomous, and I do kind of like that, even
6 though it costs us a few extra bucks.

7 I apologize. Are there any resolutions
8 that -- could you share them with us, so perhaps

9 we could comment?

10 MAYOR NYCE: I'm going to offer a
11 resolution that we impose a moratorium on mass
12 public assembly permits for Mitchell Park
13 starting tonight in advance of the public comment
14 period that I guess the Board discussed at the
15 work session, which would be starting July 28th.
16 So, prior to that, rather than us getting a rush
17 of mass public assembly permits, I'm going to
18 offer that we place a moratorium on them as of
19 tonight.

20 MR. SALADINO: Okay.

21 MAYOR NYCE: That's the only resolution in
22 addition that I'm aware of.

23 MR. SALADINO: And the other thing is, is
24 there going to be an Executive Session?

25 MAYOR NYCE: There will be to discuss the

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1 Board's potential legal action with the event
2 that occurred at the beginning of the meeting.

3 MR. SALADINO: Okay. Thank you. There's
4 two things that I would like to just comment on

5 that aren't on the agenda.

6 One, when we had a Harbor Master, we always
7 had an agreement that the baymen would -- it was
8 never in writing, but it was always understood
9 that the baymen -- once the season started, once
10 Memorial Day came, they wouldn't put any pots
11 inside the speed buoys. You know, the last few
12 years there's been a ton of pots there. They
13 drop them in the fairway in front of Preston's,
14 they drop -- I understand everybody's got to earn
15 a living, but, you know, to grab a few bucks in
16 conch, and, you know, to cause a guy a ton of
17 damage, you know, it would just -- since Trustee
18 Phillips perhaps is the liaison to the fishing
19 industry, maybe we can talk to these guys and ask
20 them to --

21 TRUSTEE PHILLIPS: John, I don't even know
22 who's in there. That's the first I'm hearing of
it.

23 MR. SALADINO: Well, I'm going to make you
24 aware of it.

25 MAYOR NYCE: I'll talk to the Bay Constable

1 about making sure that there are no -- in
2 navigable water, they're not dropping --

3 MR. SALADINO: You know, as far as outside,
4 we always lived with them outside the speed
5 buoys. You know, they got them at the entrance
6 to the Marina, they got them at the entrance
7 to --

8 MAYOR NYCE: Gotcha.

9 MR. SALADINO: -- fairway, between
10 Preston's and --

11 MAYOR NYCE: I'll ask the Bay Constable
12 about it.

13 MR. SALADINO: And I'm sure you've seen it.

14 And the other thing I would like to ask
15 about is I was at the work session. Trustee
16 Robins went to the BID meeting. She had gone
17 to the -- being the liaison, she had gone to
18 three prior BID meetings, and probably all, I
19 don't know, before that. But it was brought up
20 by one of the other Trustees, I'm not sure who,
21 about the BID's contribution to the Tall Ship
22 event.

23 TRUSTEE PHILLIPS: It was me, John.

24 MR. SALADINO: Okay. It was Trustee
25 Phillips that brought it up.

1 TRUSTEE PHILLIPS: Thank you.

2 MR. SALADINO: And for the last three
3 months, the same response when asked about it,
4 was that they plan on discussing it. You know,
5 at some point, they've got to fish or cut bait.
6 At some point, they've get to make a commitment.
7 At some point, you know, they've got to let the
8 people know that this is what we're going to do,
9 and then you, as the Board, have to decide is
10 that enough, and either progress the event or
11 whatever the alternative to that is. But, I
12 mean, to sit back for three, four months -- I'm
13 not sure. I don't really remember when it was
14 first brought up, when we -- you first talked
15 about the Tall Ship event. It's got to be five,
16 six months ago. And to hem and haw about, you
17 know, how much we're going to give, how much
18 we're going to get, and not even have the
19 discussion, how many meetings -- I would ask
20 Trustee Robins, how many meetings do they have to
21 have before they even bring it up for discussion?

22 TRUSTEE ROBINS: It's kind of preliminary,
23 because we've only had one -- first of all, the
24 Tall Ships Steering Committee is just beginning
25 to form. Okay? We're planning on getting

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1 together this week. And until that Steering
2 Committee is in place, we really don't have
3 enough information to work with the BID to come
4 to, you know, a number.

5 MR. SALADINO: The BID --

6 TRUSTEE ROBINS: I mean, if you're looking
7 for a specific number of what they're going to
8 contribute to us --

9 MR. SALADINO: Well, me, as a taxpayer,
10 sure, I would like a number.

11 TRUSTEE ROBINS: Right, okay.

12 MR. SALADINO: But, you know, I'm not
13 asking you for a number tonight. But I'm asking
14 -- what I'm asking from the BID is a commitment.

15 MAYOR NYCE: The BID has committed to this
16 project, John. The -- we've only, as of May,
17 officially moved this forward. Okay? At the May

18 meeting is when the Village officially moved it
19 forward. Okay?

20 MR. SALADINO: David, we've been talking
21 about this a lot longer than May.

22 MAYOR NYCE: We've been talking about it.
23 At the May meeting, we officially moved it
24 forward and said we were going to progress.
25 Okay? We've been talking about it since this

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1 Fall, absolutely.

2 MR. SALADINO: Okay.

3 MAYOR NYCE: Okay? And now we are in the
4 process of doing the whole -- ultimately, the BID
5 is going to commit as much money as it possibly
6 can. It committed half of its budget last time.
7 I assume it's going to be more than that this
8 time. Please let me finish. I assume it's going
9 to be considerably more than that this time.
10 Ultimately, this Board is going to still have to
11 contribute because the project is not going to
12 happen without -- on the BID's budget. It's not
13 going to happen on that budget.

14 MR. SALADINO: Agreed.

15 MAYOR NYCE: So -- and, ultimately, there
16 is a benefit to the entire Village for the event
17 anyhow. This event brings a great deal of people
18 to the community. It brings a great deal of
19 additional advertising for the community. It
20 raises -- the tide raises all ships. It brings
21 property rates up, it brings people to the
22 Village. It's a good thing for everybody.

23 Now, that being said, what I said initially
24 about this project is exactly what I intend to
25 have happen. The BID will contribute more than

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1 it did last time. I'm not -- I can't give you a
2 number because we have not had that meeting with
3 the BID for them to set down and say this is the
4 budgeted number they're going to put in.
5 Ultimately, we know what our overall budget is.
6 They're going to put in their amount. And
7 ongoing, the idea is to make these events so that
8 they are self-funding, and that's how we move
9 forward.

10 MR. SALADINO: I got to respond to you.

11 David, I got to respond to you.

12 First of all, they dispute that they
13 committed half their budget. We all hear --
14 anybody that looks at the financials, anybody who
15 knows their budget knows their budget is \$45,000.
16 According to your Tall Ship report, they
17 committed to that \$5800. My friend, Billy
18 Swiskey, is not here. He --

19 MAYOR NYCE: Fifteen, they contributed 15.

20 MR. SALADINO: Your report said \$5800. If
21 there's some secret document out there --

22 MAYOR NYCE: In cash. In cash, 5800 in
23 cash. They took from their own budget and they
24 spent for the project monies that we did not have
25 to spend, and the total was --

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1 MR. SALADINO: I didn't see that on
2 expenses.

3 MAYOR NYCE: Because it wasn't -- because
4 it wasn't money out of our pockets, it was money
5 out of their budget. It was money out of their

6 budget that they paid for that we did not have to
7 pay for in the overall --

8 MR. SALADINO: Moving on. My friend Bill
9 FOIled for the cash that they did. There is no
10 record of that. There is no check, there is no
11 document. You know, you guys know that I do
12 check the financials, I check the abstract, I
13 check the voucher summaries. There is nothing
14 from the BID for that money. So that 5800 is
15 someplace. It's not in the -- it's not shown
16 anyplace in any Village document, number one.

17 Number two, again, I hear this from the
18 president of the BID that this is good, the
19 business community drives the engine that drives
20 the Village. And nobody wants vacant stores,
21 that's true, and nobody wants to see anybody not
22 make a living. But there's 1100 taxpayers and
23 200 BID members. You can't ask those 900
24 taxpayers that have nothing to do with the BID to
25 subsidize an event, pass, fail, maybe, maybe it

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1 won't, when you don't even have a firm commitment

2 from the guys that receive the overwhelming
3 benefit from it.

4 MAYOR NYCE: They're paying twice. They're
5 paying on the BID tax and they're paying their
6 regular taxes. Those business owners are still
7 taxpayers, too, so they're paying. For their
8 business, they're paying taxes, and they're
9 paying a BID tax.

10 MR. SALADINO: Does that mean I should
11 subsidize them?

12 MAYOR NYCE: No.

13 MR. SALADINO: I don't want to get into
14 this debate with you, number one.

15 MAYOR NYCE: Okay.

16 MR. SALADINO: Number two, you use that,
17 you use that like if they do well, if my friend
18 John does well, somehow, somewhere down the line
19 if he does well, my property will be enhanced.
20 And if I -- and when, perhaps in the future -- I
21 didn't think we should negotiate for the unborn,
22 but somewhere down the line my property will be
23 worth more because Dave Murray's delicatessen
24 sold more that weekend and there's more money.
25 That didn't work in 1980 when Ronald Regan

1 proposed the trickle-down economics, I mean, and
2 it doesn't work -- even Republicans don't believe
3 in that anymore.

4 So, I mean, to say that, to say the entire
5 Village should subsidize the business community
6 by funding an event -- is it a nice party? Who
7 doesn't like a tall ship? I mean, who doesn't
8 like a tall ship? But, you know, to let it go on
9 for months, and months, and months without a
10 commitment -- they should have been at the table
11 with you, however members. To sit at three
12 meetings and not demand an answer -- is the
13 Steering Committee part of an official
14 organization, or is it just people appointed by
15 somebody to say this is what we're going to do on
16 any given day? I would like to see, I would like
17 to see a commitment. I would like to see a
18 commitment. For them to say, "This is what we
19 make every year," and the budget -- and their
20 budget is disbursed, is it the same as ours, in
21 June, the BID?

22 MAYOR NYCE: They get their --

23 MR. SALADINO: When is -- their fiscal year
24 starts in June?

25 MAYOR NYCE: Their fiscal year starts --

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1 TRUSTEE ROBINS: Fiscal year starts July 1st.

2 MAYOR NYCE: -- July 1st, and we collect
3 the taxes starting -- our tax bills go out
4 June 1st, so we -- their first disbursement goes
5 out from us the end of July, beginning of August.
6 Their second disbursement usually goes out around
7 October.

8 MR. SALADINO: So it's a year prior to
9 their fiscal year that their budget would come
10 into effect. I mean, to say like, "Well, we
11 don't know what" --

12 MAYOR NYCE: No, it's a year -- it's a year
13 behind. We're funding their fiscal year that
14 they're in with the monies that we're giving them
15 in July. The start of this season they were
16 spending last year's, what's left of last year's
17 money, and then they're getting this year's money
18 in July.

19 MR. SALADINO: So, I mean, for the event,
20 it's not money that they already spent, it's
21 money that they're getting, that's coming to
22 them.

23 MAYOR NYCE: That's exactly right.

24 MR. SALADINO: So to sit -- so for 20 guys
25 or 15 people, however many people were on the

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1 Board, to sit around and say, "Well, let's give
2 them the 45,000, we're going to do great," I
3 mean, they're going to bring 60,000 people into
4 the Village, we did great last time, we're going
5 to do great this time.

6 I'm kind of insulted when you say that,
7 when you say, like, they have to do well so my
8 property value goes up. I don't believe that. I
9 don't think a lot of people in this room believe
10 it. I think it's a poor excuse to subsidize
11 somebody else's business. I think it's -- I
12 think your obligation should be to everyone in
13 the Village, to everyone in the Village. There's
14 people in this Village that aren't BID members

15 that pay two tax bills also. You know, I'm sure
16 there's a lot of them in this room.

17 MAYOR NYCE: But not on one property.

18 MR. SALADINO: I'm sorry?

19 MAYOR NYCE: But not on one property. They
20 pay two tax bills, it's on two properties. Right?

21 MR. SALADINO: Okay, okay. So if there's
22 200 BID members and they pay two tax bills,
23 that's 400. There's still 1100.

24 MAYOR NYCE: Gotcha.

25 MR. SALADINO: So, you know, if we do

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1 simple arithmetic, that's 700 people that you
2 would overlook to subsidize that.

3 Thank you for listening.

4 MAYOR NYCE: Thanks.

5 MS. RICHARDS: Margaret Richards, 415
6 Kaplan Avenue.

7 I disagree with the people that don't like
8 R-2 designation. I think it was well thought
9 out. There's a lot of people that have a lot of
10 house, but not much of anything else. If you

11 didn't have the R-2, you'd be gentrifying us,
12 because we have all these large homes. If they
13 had to be single-family residences, people
14 couldn't afford them. However, the law was
15 crafted very carefully, and it was given some
16 very nice minimum standards for how big the
17 property had to be, for how big the apartments
18 had to be, for the setbacks and everything else.
19 And there was a little exception put in there, so
20 that people who already own a nonconforming home
21 could also take advantage of putting in an
22 apartment. And the exception stated that
23 existing homes could waive almost all of the
24 criteria, except for parking, parking being such
25 an issue.

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1 The reason that people are getting upset
2 that we have too much going on is because the
3 powers that be in the recent past have been
4 allowing people to build without all this
5 criteria on -- in a commercial building being
6 turned into two apartments, and on vacant lots

7 being turned into two-family residences.

8 If you were unsure of what the law meant,
9 everybody else in the real world goes and looks
10 at Legislative intent. There should have been
11 somewhere written down notes that what they meant
12 when they made that exception was not that just
13 anybody could cram two apartments on any
14 property. It was only to allow people who
15 already owned a home to be able to do that, not
16 to start it from scratch on a substandard lot.

17 And we're going to hear the word
18 "Olinkiewicz" again because he's got two there,
19 two there, two in Kaplan Market. He wanted to
20 put four down Fifth Avenue. And all of that --
21 and Madison. Madison was a vacant lot, and a
22 two-family was built on it without the setbacks
23 and the yardage needed.

24 His property across the street from the
25 subdivision that now has four units on it somehow

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1 got an extension put on the back of it that
2 violated all kinds of setbacks without any ZBA,

3 it was just allowed to happen.

4 If you're talking about that garage next
5 door to Joanne and Bob, thinking he can rebuild
6 there, pre-existing nonconforming disappears when
7 it hasn't been used for over a year. So
8 everybody thinking he could just rebuild it is
9 wrong, except in Greenport, because stuff like
10 that happens.

11 This corner lot of the subdivision right
12 over here on Center Street and Third, I've
13 written to Mr. Pallas almost the beginning, the
14 very first day he was here, that I remember the
15 approvals being given for that, one curb cut; it
16 was built with two.

17 I have -- there's a stockade fence built
18 around 410, 510 Madison inside out. Code says
19 he's supposed to put the good side out for his
20 neighbors; bad side's out to all his neighbors.
21 Eileen has ignored it, everybody has ignored it.
22 It's been brought to everyone's attention, nobody
23 cares.

24 There was -- somebody tried to build a
25 two-family, and it wasn't Mr. Olinkiewicz, up on

1 North Street. The neighbors weren't white trash
2 like me, so that one was stopped. So this -- you
3 know, you guys have to get on the stick about
4 even-handed enforcement, not letting Eileen go
5 after the people she doesn't like and allowing
6 everybody else to do -- she actually -- years
7 ago, there was a chimney coming out of the back
8 of a garage over here right on the property line,
9 and we told her that the prior owner, Mr. Gordon,
10 had installed that, and she told us it's
11 preexisting, it's rusty.

12 MAYOR NYCE: Anyone else who wishes to
13 address the Board?

14 MR. REED: Good afternoon. Mike Read, 430
15 Front Street. Before you guys get heated, smile.
16 You look like you're all going to a damn funeral.

17 TRUSTEE MURRAY: You should sit here.

18 MR. REED: You know, I'm here. You know,
19 my brother-in-law's father was Mayor, Dave
20 Augustine (phonetic), and George's father was
21 Mayor. He would come around and he'd sit down
22 and come to people's houses and stuff. You know
23 what, you could go back to that policy.

24 I know it's hard for you guys, but you know
25 what, sometimes you come down a little

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1 condescending to people. Remember, you were
2 voted in for and by the people. If things get
3 heated and they get twisted out, the
4 conversation, take a breath. I mean, it's hard,
5 I understand. You know what, but seriously,
6 these people voted you in. Just do right by
7 them. But things get twisted.

8 Dave, you guys are all tired. The only one
9 smiling is Joe in the corner. That's scary when
10 the Lawyer is smiling, you know you're in
11 trouble.

12 MAYOR NYCE: He's getting paid.

13 MR. REED: Good point. That's it.

14 MAYOR NYCE: Anyone else who wishes to
15 address the Board?

16 (No response.)

17 MAYOR NYCE: That will conclude the public
18 portion.

19 With the exception of the additional

20 resolution that I intend to read in, there were
21 no changes or amendments to this. So I will
22 offer a resolution adopting the June 2014 agenda
23 as printed. So moved.

24 TRUSTEE MURRAY: Second.

25 MAYOR NYCE: All those in favor?

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1 TRUSTEE HUBBARD: Aye.

2 TRUSTEE MURRAY: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 TRUSTEE ROBINS: Aye.

5 MAYOR NYCE: Aye.

6 Any opposed or abstentions?

7 (No response.)

8 MAYOR NYCE: That motion carries.

9 I'd like to offer a resolution placing a
10 moratorium on mass public assembly permits for
11 Mitchell Park starting immediately prior to the
12 public comment, the period which will commence
13 July 28th, on use of Mitchell Park. So moved.

14 TRUSTEE PHILLIPS: Second.

15 MAYOR NYCE: Any discussion on that motion?

16 (No response.)
17 MAYOR NYCE: All those in favor?
18 TRUSTEE HUBBARD: Aye.
19 TRUSTEE MURRAY: Aye.
20 TRUSTEE PHILLIPS: Aye.
21 TRUSTEE ROBINS: Aye.
22 MAYOR NYCE: Aye.
23 Any opposed or abstentions?
24 (No response.)
25 MAYOR NYCE: The motion carries.

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1 I'll ask Trustee Murray to read Resolution 2.
2 TRUSTEE MURRAY: RESOLUTION #06-2014-2,
3 RESOLUTION accepting the monthly reports of the
4 Greenport Fire Department, Village Administrator,
5 Village Treasurer, Village Clerk, Community
6 Development Director, Village Attorney, Mayor and
7 Board of Trustees. So moved.
8 TRUSTEE HUBBARD: Second.
9 MAYOR NYCE: All those in favor?
10 TRUSTEE HUBBARD: Aye.
11 TRUSTEE MURRAY: Aye.

12 TRUSTEE PHILLIPS: Aye.
13 TRUSTEE ROBINS: Aye.
14 MAYOR NYCE: Aye.
15 Any opposed or abstentions?
16 (No response.)
17 MAYOR NYCE: That motion carries.
18 TRUSTEE HUBBARD: RESOLUTION #06-2014-3,
19 RESOLUTION approving the request of the Greenport
20 Fire Department to use the Fifth Street
21 Beach/Park on August 2, 2014 for the annual
22 Fire Department Picnic. So moved.
23 TRUSTEE ROBINS: Second.
24 MAYOR NYCE: All those in favor?
25 TRUSTEE HUBBARD: Aye.

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1 TRUSTEE MURRAY: Aye.
2 TRUSTEE PHILLIPS: Aye.
3 TRUSTEE ROBINS: Aye.
4 MAYOR NYCE: Aye.
5 Any opposed or abstentions?
6 (No response.)
7 MAYOR NYCE: That motion carries.

8 TRUSTEE ROBINS: RESOLUTION #06-2014-4,
9 RESOLUTION approving an increase in the hourly
10 wage of John Thompson, from \$8.00 per hour to
11 \$8.75 per hour, effective May 28, 2014. So
12 moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE ROBINS: Aye.

19 MAYOR NYCE: Aye.

20 Any opposed or abstentions?

21 (No response.)

22 MAYOR NYCE: That motion carries.

23 TRUSTEE PHILLIPS: RESOLUTION #06-2014-5,
24 RESOLUTION authorizing Treasurer Brandt to
25 perform budget amendment #1108 as attached, to

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1 modify the 2013-2014 budget as follows, as Fire
2 Department year-end housekeeping entries:
3 General Fund:

4 Increase Appropriations:
5 A.3410.200 (Fire Dept. Equipment) \$39,003.00
6 A.3410.422 (Fire Office Expense) \$3,740.00
7 A.3410.404 (Fire Fuel Oil) \$2,273.00
8 A.3410.450 (Fire Misc. Expense) \$630.00
9 A.3410.420 (Fire Water, Sewer & Electric) \$2,240.00
10 A.3410.452 (Fire Secretary Serv. Expense) \$643.00
11 Decrease Appropriations:
12 A.3410.462 (Fire Med. Insurance) \$5,514.00
13 A.3410.430 (Fire Auto Insurance) \$21,950.00
14 A.3410.449 (Fire FICA) \$4,200.00
15 A.3410.451(Fire Housekeeping Services) \$14,951.00
16 A.3410.458 (Fire Medical Exams) \$1,914.00.
17 So moved.
18 TRUSTEE MURRAY: Second.
19 MAYOR NYCE: All those in favor?
20 TRUSTEE HUBBARD: Aye.
21 TRUSTEE MURRAY: Aye.
22 TRUSTEE PHILLIPS: Aye.
23 TRUSTEE ROBINS: Aye.
24 MAYOR NYCE: Aye.
25 Any opposed or abstentions?

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1 (No response.)

2 MAYOR NYCE: That motion carries.

3 TRUSTEE MURRAY: RESOLUTION #06-2014-6,

4 RESOLUTION authorizing Treasurer Brandt to

5 perform budget amendment #1118 as attached, to

6 modify the 2014-2015 budget as follows, to fund

7 the payment of accrued time to David Abatelli:

8 General Fund:

9 Increase Revenues:

10 A.5990.000 (Appropriated Fund Balance) \$21,475.02

11 Increase Appropriations:

12 A.3620.100 (Safety Inspection Personnel) \$5,651.32

13 A.5110.100 (Street Maintenance Personnel) \$5,651.32

14 A.8010.100 (Zoning Personnel) \$2,825.66

15 A.8020.100 (Planning Personnel) \$2,825.66

16 A.8620.100 (Community Development Personnel)
\$4,521.06

17 Light Fund:

18 Increase Revenues:

19 E.5990 (Appropriated Fund Balance) \$1,695.40

20 Increase Appropriations:

21 E.0998.000 (Supervisory Labor) \$1,695.40

22 Water Fund:

23 Increase Revenues:

24 F.5990.000 (Appropriated Fund Balance) \$282.57

25 Increase Appropriations:

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1 F.8310.100 (Administrative Labor) \$282.57

2 Sewer Fund:

3 Increase Revenues:

4 G.5990 (Appropriated Fund Balance) \$847.70

5 Increase Appropriations:

6 G.8110.100 (Administration labor) \$847.70

7 Recreation Fund:

8 Increase Revenues:

9 R.5990.000 (Appropriated Fund Balance) \$32,212.54

10 Increase Appropriations:

11 R.7110.100 (Parks Personnel) \$32,212.54

12 So moved.

13 TRUSTEE HUBBARD: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE ROBINS: Aye.

19 MAYOR NYCE: Aye.

20 Any opposed or abstentions?
21 (No response.)
22 MAYOR NYCE: That motion carries.
23 TRUSTEE HUBBARD: RESOLUTION #06-2014-7,
24 RESOLUTION authorizing Treasurer Brandt to
25 perform budget amendment #1119 as attached, to

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1 modify the 2014-2015 budget as follows, to fund
2 the Hawkeye property tax grievance:
3 General Fund:
4 Increase Revenues:
5 A.5990.000 (Appropriated Fund Balance) \$167,388.00
6 Increase Appropriations:
7 A.1930.400 (Judgment & Claims) \$167,388.00.
8 So moved.
9 TRUSTEE ROBINS: Second.
10 MAYOR NYCE: All those in favor?
11 TRUSTEE HUBBARD: Aye.
12 TRUSTEE MURRAY: Aye.
13 TRUSTEE PHILLIPS: Aye.
14 TRUSTEE ROBINS: Aye.
15 MAYOR NYCE: Aye.

16 Any opposed or abstentions?
17 (No response.)
18 MAYOR NYCE: That motion carries.
19 TRUSTEE ROBINS: RESOLUTION #06-2014-8,
20 RESOLUTION authorizing Treasurer Brandt to
21 perform budget amendment #1120 as attached, to
22 modify the 2013-2014 budget as follows for
23 year-end housekeeping entries:
24 General Fund:
25 Increase Appropriations:

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1 A.3620.100 (Safety Inspection Personnel) \$129.71
2 A.1210.400 (Mayor Contractual Expense) \$9.89
3 A.1325.400 (Treasurer Contractual Expense) \$172.72
4 A.4020.100 (Registrar Personnel) \$0.12
5 A.8010.100 (Zoning Personnel) \$30.29
6 Decrease Appropriations:
7 A.9010.800 (Employees State Retirement) \$342.73
8 Light Fund:
9 Increase Appropriations:
10 E.0384.000 (Transportation Equipment) \$374.31
11 Decrease Appropriations:

12 E.0366.000 (Overhead Services) \$374.31
13 Water Fund:
14 Increase Appropriations:
15 F.8310.102 (Labor Outside) \$406.34
16 Decrease Appropriations:
17 F.1680.400 (Computer Technology) \$406.34
18 Recreation Fund:
19 Increase Appropriations:
20 R.7020.404 (Office Supplies) \$299.90
21 R.7110.100 (Parks Personnel) \$580.84
22 R.7120.100 (Recreation Center Personnel) \$0.74
23 Decrease Appropriations: R.1420.400 (Legal)
\$881.48
24 So moved.
25 TRUSTEE PHILLIPS: Second.

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

8 (No response.)
9 MAYOR NYCE: That motion carries.
10 TRUSTEE PHILLIPS: RESOLUTION #06-2014-9,
11 RESOLUTION authorizing Treasurer Brandt to move
12 the following bank accounts from Capital One to
13 Suffolk County National Bank:
14 NYSERDA, Sewer Wastewater, WWI and Memorial
15 Trust. So moved.
16 TRUSTEE MURRAY: Second.
17 MAYOR NYCE: All those in favor?
18 TRUSTEE HUBBARD: Aye.
19 TRUSTEE MURRAY: Aye.
20 TRUSTEE PHILLIPS: Aye.
21 TRUSTEE ROBINS: Aye.
22 MAYOR NYCE: Aye.
23 Any opposed or abstentions?
24 (No response.)
25 MAYOR NYCE: The motion carries.

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1 TRUSTEE MURRAY: RESOLUTION #06-2014-10,
2 RESOLUTION authorizing Treasurer Brandt to move
3 the following bank accounts from Capital One to

4 JP Morgan Chase:
5 Light Consumer Deposit Savings, Light
6 Consumer Deposit Checking, Retirement Savings and
7 T & A Special Trust. So moved.
8 TRUSTEE HUBBARD: Second.
9 MAYOR NYCE: All those in favor?
10 TRUSTEE HUBBARD: Aye.
11 TRUSTEE MURRAY: Aye.
12 TRUSTEE PHILLIPS: Aye.
13 TRUSTEE ROBINS: Aye.
14 MAYOR NYCE: Aye.
15 Any opposed or abstentions?
16 (No response.)
17 MAYOR NYCE: That motion carries.
18 TRUSTEE HUBBARD: RESOLUTION #06-2014-11,
19 RESOLUTION authorizing Treasurer Brandt to move
20 the following bank accounts from Capital One to
21 Bridgehampton National Bank:
22 Light Depreciation Savings, Light Checking
23 and Accounts Payable. So moved.
24 TRUSTEE ROBINS: Second.
25 MAYOR NYCE: All those in favor?

1 TRUSTEE HUBBARD: Aye.

2 TRUSTEE MURRAY: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 TRUSTEE ROBINS: Aye.

5 MAYOR NYCE: Aye.

6 Any opposed or abstentions?

7 (No response.)

8 MAYOR NYCE: That motion carries.

9 TRUSTEE ROBINS: RESOLUTION #06-2014-12,
10 RESOLUTION approving the Public Assembly Permit
11 Application as submitted by the Hellenic American
12 Taxpayers and Civic Association of Southold
13 Township (HASTCAST) for the use of a portion of
14 Mitchell Park for a free concert, from 6:00 p.m.
15 through 10:00 p.m. on August 23rd, 2014. So
16 moved.

17 TRUSTEE PHILLIPS: I'll second it. Are we
18 going to table this?

19 TRUSTEE MURRAY: No, we have to --

20 TRUSTEE PHILLIPS: We have to decline it.

21 TRUSTEE MURRAY: We have to decline it.

22 MAYOR NYCE: (Nodded yes.)

23 TRUSTEE MURRAY: Or should we strike it off
24 the record -- strike it off the resolution?

25

MAYOR NYCE: I think at this point, because

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1 we have adopted the moratorium as of the
2 beginning of this meeting, we can -- I'm going to
3 ask the Village Attorney for an interpretation,
4 because my brain's about done in.

5 MR. PROKOP: Well, the question -- I'd have
6 to go back to the wording of the resolution. The
7 question was -- the question being whether we --
8 the moratorium is on accepting or approving
9 applications. I forget which it is. Was it a
10 moratorium on further -- any further
11 applications?

12 MAYOR NYCE: It was on further
13 applications, yeah.

14 MR. PROKOP: Then I think that you should
15 deny each of these applications. I don't think
16 you have a choice.

17 TRUSTEE MURRAY: So we have to vote on it?

18 MR. PROKOP: Unless you -- no. You could
19 amend the prior -- you can amend the prior
20 resolution and accept these, or clarify the prior

21 resolution with an amendment.

22 TRUSTEE ROBINS: I was under the impression
23 that requests that came in prior to the adopting
24 of this resolution would be -- would have to be
25 passed or, you know, considered, at least.

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1 MR. PALLAS: Considered.

2 TRUSTEE ROBINS: Yeah, considered. And
3 these did come in prior to this last meeting.

4 MAYOR NYCE: These would have to be
5 considered.

6 TRUSTEE ROBINS: Yeah.

7 MAYOR NYCE: We can either table or vote
8 them up or down. My resolution was on not
9 accepting any further applications after tonight,
10 is what my wording for the resolution was.

11 MR. PROKOP: Okay. Then why don't you vote
12 on it?

13 MAYOR NYCE: So we've accepted these. We
14 can either vote them through or vote them down.
15 It would be my understanding. I just wanted to
16 make sure that that was correct.

17 MR. PROKOP: No, I think that -- I think
18 that's correct. That was the language and the
19 intent of the resolution and that's fine. You
20 can vote on any and all of these applications.

21 TRUSTEE HUBBARD: All right. So we're
22 taking no new applications after tonight, but
23 these were already in?

24 MAYOR NYCE: These were already in.

25 TRUSTEE HUBBARD: Yes.

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1 MR. PROKOP: That's correct.

2 MAYOR NYCE: And as such, you know --

3 TRUSTEE HUBBARD: We can vote on it.

4 MAYOR NYCE: Same rules apply, we can vote
5 them up or down.

6 Is there any further discussion on this one
7 for Hellenic American Taxpayers and Civic
8 Association?

9 (No response.)

10 MAYOR NYCE: If not, I'll call the vote.
11 All those in favor?

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE ROBINS: Aye.
14 MAYOR NYCE: Aye.
15 Opposed?
16 TRUSTEE MURRAY: Aye.
17 TRUSTEE PHILLIPS: Aye.
18 MAYOR NYCE: That passes, three in the
19 affirmative and two in the negative.
20 And I'm sorry, that was -- I lost track.
21 Who read that resolution?
22 TRUSTEE PHILLIPS: Julia read it and I
23 seconded it.
24 MAYOR NYCE: Okay. Thank you.
25 TRUSTEE PHILLIPS: RESOLUTION #06-2014-13,

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1 RESOLUTION approving the Public Assembly Permit
2 Application as submitted by Soldier Events for
3 the use of a portion of Mitchell Park for the
4 Annual 5K Walk/Ride, from 7:00 a.m. through
5 2:30 p.m. on September 13th, 2014. So moved.
6 TRUSTEE MURRAY: Second.
7 MAYOR NYCE: Is there any discussion on
8 this motion?

9 TRUSTEE PHILLIPS: Whereabouts in Mitchell
10 Park are they going to be?

11 MAYOR NYCE: Is this the same event that we
12 typically had? It's usually right in front of
13 the mechanical building, they put up a stage.
14 They stage the bicycles, then they process out
15 passed the public restrooms, through the
16 mechanical building, down Texaco Alley and out.

17 TRUSTEE PHILLIPS: Okay. So this is
18 something that we have approved -- I'm sorry. We
19 have approved for the many years it's been --

20 MAYOR NYCE: This is -- yeah, this is
21 the -- having the Soldier Ride.

22 TRUSTEE PHILLIPS: Okay.

23 MAYOR NYCE: And they've been four years, I
24 want to say. Well, they missed one year.

25 TRUSTEE PHILLIPS: So it's not something

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1 new?

2 TRUSTEE MURRAY: No.

3 MAYOR NYCE: No.

4 TRUSTEE PHILLIPS: But it's something

5 that's been in existence for a while?

6 MAYOR NYCE: Yeah.

7 TRUSTEE PHILLIPS: Okay.

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

10 All those in favor?

11 TRUSTEE HUBBARD: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 TRUSTEE ROBINS: Aye.

14 MAYOR NYCE: Aye.

15 Any opposed or abstentions?

16 MR. MURRAY: Aye.

17 MAYOR NYCE: The motion carries, four in
18 the affirmative and one in the negative.

19 TRUSTEE MURRAY: RESOLUTION #06-2014-14,
20 RESOLUTION approving the Public Assembly Permit
21 Application as submitted by the Standard Hose
22 Company of the Greenport Fire Department for the
23 use of the grounds at the Station One Firehouse
24 on Third Street, for the annual Chicken Barbecue
25 fundraiser from 4:00 p.m. through 7:00 p.m. on

1 August 16th, 2014. So moved.

2 TRUSTEE HUBBARD: Second.

3 MAYOR NYCE: Any discussion on this motion?

4 (No response.)

5 MAYOR NYCE: All those in favor?

6 TRUSTEE HUBBARD: Aye.

7 TRUSTEE MURRAY: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR NYCE: Aye.

11 Any opposed or abstentions?

12 (No response.)

13 MAYOR NYCE: That motion carries.

14 TRUSTEE HUBBARD: RESOLUTION #06-2014-15,
15 RESOLUTION approving the request of the Floyd
16 Memorial Library to install a bicycle rack on the
17 cobblestone portion of the Village-owned sidewalk
18 in front of the main library entrance, which is
19 located on North Street. So moved.

20 TRUSTEE ROBINS: Second.

21 TRUSTEE PHILLIPS: My understanding is, and
22 I went to the library to look at it today, is
23 that the bike rack is going where they removed
24 one of the large trees?

25 MAYOR NYCE: Yeah.

1 TRUSTEE PHILLIPS: Okay. All right.

2 MAYOR NYCE: Yeah, absolutely.

3 TRUSTEE PHILLIPS: And then my other
4 question was, and this was -- is, since it's on
5 Village property, if something happens to the
6 person's bicycle, is it going to be well noted
7 that the bike is there and that's their
8 responsibility and we're not held at the Village
9 for anything insurance-wise, correct? How do we
10 handle the other bike racks around the Village
11 that are on Village property if they're stolen?
12 It's the bicycle --

13 MAYOR NYCE: It's the bicycle owner's
14 responsibility.

15 TRUSTEE PHILLIPS: That's what I want --

16 TRUSTEE MURRAY: Free game.

17 TRUSTEE PHILLIPS: I just want to
18 double-check.

19 MAYOR NYCE: Yeah, absolutely.

20 Okay. All those in favor?

21 TRUSTEE HUBBARD: Aye.

22 TRUSTEE MURRAY: Aye.
23 TRUSTEE PHILLIPS: Aye.
24 TRUSTEE 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 #06-2014-16,
5 RESOLUTION approving the following performance
6 and payment schedule for the 2014 "Dances in the
7 Park" program:
8 7/07/14: Wonderama/Steven Dupree - \$1,200.00
9 7/14/14: Kerry Kearney - \$800.00
10 7/21/14: Bobby Nathan Band - \$700.00
11 7/28/14: Boot Scoot Boogie/Shari Yeomans - \$400.00
12 8/04/14: Latinology/Diane Barrale-Schreck -
13 8/11/14: Southbound/Michael Deluca - \$1,200.00
14 8/18/14: Winston Irie/Winston Sumner - \$1,200.00
15 8/25/14: Lonesharks/Gene Casey - \$1,000.00
16 9/01/14: Danny Kean/Danny Kean Music Productions -

\$800.00

17 \$600.00
18 So moved.
19 TRUSTEE PHILLIPS: Second.
20 MAYOR NYCE: All those in favor?
21 TRUSTEE HUBBARD: Aye.
22 TRUSTEE MURRAY: Aye.
23 TRUSTEE PHILLIPS: Aye.
24 TRUSTEE 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 PHILLIPS: RESOLUTION #06Σ2014-17,
5 RESOLUTION approving the payment of \$2,700.00
6 total to J.C. Productions, at \$300.00 per night
7 for technical and lighting support at all nine
8 scheduled performances of the 2014 "Dances in the
9 Park" program. So moved.
10 TRUSTEE MURRAY: Second.
11 MAYOR NYCE: All those in favor?
12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE MURRAY: Aye.
14 TRUSTEE PHILLIPS: Aye.
15 TRUSTEE ROBINS: Aye.
16 MAYOR NYCE: Aye.
17 Any opposed or abstentions?
18 (No response.)
19 MAYOR NYCE: The motion carries.
20 TRUSTEE MURRAY: RESOLUTION #06-2014Σ18,
21 RESOLUTION authorizing Mayor Nyce to sign the
22 Revised PERMA Program Agreement dated May 29th,
23 2014 between the Village of Greenport and the
24 Public Employers Risk Management Association. So
25 moved.

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

9 (No response.)
10 MAYOR NYCE: The motion carries.
11 TRUSTEE HUBBARD: RESOLUTION #06-2014-19,
12 RESOLUTION scheduling a public hearing for
13 Monday, July 28, 2014 at 6:00 p.m. at the Third
14 Street Fire Station, Third and South Streets,
15 Greenport, New York 11944, with regard to the
16 annual MS4 report; and directing Clerk Pirillo to
17 notice the public hearing accordingly. So moved.
18 TRUSTEE ROBINS: Second.
19 MAYOR NYCE: All those favor?
20 TRUSTEE HUBBARD: Aye.
21 TRUSTEE MURRAY: Aye.
22 TRUSTEE PHILLIPS: Aye.
23 TRUSTEE ROBINS: Aye.
24 MAYOR NYCE: Aye.
25 Any opposed or abstentions?

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1 (No response.)
2 MAYOR NYCE: That motion carries.
3 TRUSTEE ROBINS: RESOLUTION #06-2014-20,
4 RESOLUTION appointing Deborah Boyle as

5 Sub-Registrar of Vital Statistics, effective June
6 24, 2014 and increasing the hourly wage rate of
7 Deborah Boyle by \$1.25 per hour, from \$15.53 per
8 hour to \$16.78 per hour, per Article VII
9 (Salaries and Compensation), Section 9 (a) –
10 Merit Clause – of the current collective
11 bargaining agreement between the Village of
12 Greenport and the CSEA. So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR NYCE: I know we're doing this so
15 that we have additional coverage in the Clerk's
16 Office for the Registrar. I'd like to thank
17 Deborah for stepping up to take this position.

18 All those in favor?

19 TRUSTEE HUBBARD: Aye.

20 TRUSTEE MURRAY: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE ROBINS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No response.)

1 MAYOR NYCE: The motion carries.

2 TRUSTEE PHILLIPS: RESOLUTION #06-2014-21,
3 RESOLUTION authorizing Clerk Pirillo to direct
4 RBC Wealth Management to remit a one-time check
5 made payable to Penflex, Inc. in the amount of
6 \$6,179.00 as payment for the 2013/2014 standard
7 administration fees for the Village of Greenport
8 Fire Department Length of Service Awards Program.
9 So moved.

10 TRUSTEE MURRAY: Second.

11 MAYOR NYCE: All those in favor?

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE MURRAY: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 TRUSTEE ROBINS: Aye.

16 MAYOR NYCE: Aye.

17 Any opposed or abstentions?

18 (No response.)

19 MAYOR NYCE: That motion carries.

20 TRUSTEE MURRAY: RESOLUTION #06-2014-22,
21 RESOLUTION ratifying the hiring of: Marcus
22 Heyward, Vennessa Brooks, Pamela Reed, Brianna
23 VanTuyt, Joann Fischer and Joanne Seeliger as
24 seasonal, part-time employees at the Carousel at
25 \$8.50 per hour effective May 23rd, 2014. So

1 moved.

2 TRUSTEE HUBBARD: Second.

3 MAYOR NYCE: All those favor?

4 TRUSTEE HUBBARD: Aye.

5 TRUSTEE MURRAY: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 TRUSTEE ROBINS: Aye.

8 MAYOR NYCE: Aye.

9 Any opposed or abstentions?

10 (No response.)

11 MAYOR NYCE: That motion carries.

12 TRUSTEE HUBBARD: RESOLUTION #06-2014-23,
13 RESOLUTION hiring Tomasz Filipkowski as a
14 part-time, seasonal lifeguard at \$12.50 per hour
15 effective June 25th, 2014. So moved.

16 TRUSTEE ROBINS: Second.

17 MAYOR NYCE: All those in favor?

18 TRUSTEE HUBBARD: Aye.

19 TRUSTEE MURRAY: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 TRUSTEE ROBINS: Aye.

22 MAYOR NYCE: Aye.
23 Any opposed or abstentions?
24 (No response.)
25 MAYOR NYCE: That motion carries.

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1 TRUSTEE ROBINS: RESOLUTION #06-2014-24,
2 RESOLUTION ratifying the hiring of Laura Rempel
3 as Counselor at the Recreation Center, at an
4 hourly rate of \$9.00, effective June 13th, 2014.
5 So moved.
6 TRUSTEE PHILLIPS: Second.
7 MAYOR NYCE: All those in favor?
8 TRUSTEE HUBBARD: Aye.
9 TRUSTEE MURRAY: Aye.
10 TRUSTEE PHILLIPS: Aye.
11 TRUSTEE ROBINS: Aye.
12 MAYOR NYCE: Aye.
13 Any opposed or abstentions?
14 (No response.)
15 MAYOR NYCE: That motion carries.
16 TRUSTEE PHILLIPS: Oh, is this mine?
17 MAYOR NYCE: Yes.

18 TRUSTEE PHILLIPS: I'm going to be -- I'm
19 going to ask to be recused on this one.
20 MAYOR NYCE: I will read this one.
21 RESOLUTION #06-2014-25, RESOLUTION
22 authorizing Attorney Prokop to draft a letter to
23 the owner of the F/V Merit, as a thirty-day
24 notice of lease termination for violation of the
25 codified insurance requirements at the Village of

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1 Greenport Commercial Railroad Dock. So moved.
2 TRUSTEE MURRAY: I'll second that.
3 MAYOR NYCE: I am assuming you are going to
4 abstain.
5 TRUSTEE PHILLIPS: Recuse myself, yes.
6 MAYOR NYCE: Yes, okay. For the record,
7 I'd like to note that Trustee Phillips has
8 recused herself from this resolution.
9 I'll call the vote. All in favor?
10 TRUSTEE HUBBARD: Aye.
11 TRUSTEE MURRAY: Aye.
12 TRUSTEE ROBINS: Aye.
13 MAYOR NYCE: Aye.

14 Any opposed or abstentions?

15 (No response.)

16 MAYOR NYCE: That motion carries with four
17 in the affirmative, and one recused.

18 TRUSTEE PHILLIPS: I'll read the next one?

19 MAYOR NYCE: Trustee Phillips, yeah, if
20 you'll take 26.

21 TRUSTEE PHILLIPS: Yes. RESOLUTION
22 #06-2014-26, RESOLUTION scheduling a public
23 hearing for July 28th, 2014 at 6 p.m. at the
24 Third Street Firehouse regarding a proposed local
25 law creating Chapter 114 of the Village of

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1 Greenport Code, adopting regulations regarding
2 stormwater management, and amending Chapter 150
3 to contain language requiring that building
4 projects in the Village comply with the
5 stormwater regulations contained in Chapter 114,
6 and directing Clerk Pirillo to notice the public
7 hearing accordingly. So moved.

8 TRUSTEE MURRAY: Second.

9 MAYOR NYCE: All those in favor?

10 TRUSTEE HUBBARD: Aye.
11 TRUSTEE MURRAY: Aye.
12 TRUSTEE PHILLIPS: Aye.
13 TRUSTEE ROBINS: Aye.
14 MAYOR NYCE: Aye.
15 Any opposed or abstentions?
16 (No response.)
17 MAYOR NYCE: That motion carries.
18 TRUSTEE MURRAY: RESOLUTION #06-2014-27,
19 RESOLUTION scheduling a public hearing for July
20 28th, 2014 at 6 p.m. at the Third Street
21 Firehouse regarding a proposed local law creating
22 Chapter 114A of the Village of Greenport Code,
23 adopting regulations providing for the
24 enforcement of the stormwater management
25 regulations, and directing Clerk Pirillo to

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1 notice the public hearing accordingly. So moved.
2 TRUSTEE HUBBARD: Second.
3 MAYOR NYCE: All those favor?
4 TRUSTEE HUBBARD: Aye.
5 TRUSTEE MURRAY: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 TRUSTEE ROBINS: Aye.

8 MAYOR NYCE: Aye.

9 Any opposed or abstentions?

10 (No response.)

11 MAYOR NYCE: That motion carries.

12 Resolution 28 was taken care of at the
13 beginning of the meeting.

14 TRUSTEE HUBBARD: RESOLUTION #06-2014-29,
15 RESOLUTION scheduling a Public Comment Period to
16 accept public input and comments regarding the
17 Public Assembly Permit regulations as related to
18 Mitchell Park, per Chapter 44 (Assemblies, Mass
19 Public) of the Village of Greenport Code and
20 directing Clerk Pirillo to notice the Public
21 Comment Period accordingly. The Public Comment
22 Period will commence at 6:00 p.m. on July 28th,
23 2014 at the Third Street Firehouse. So moved.

24 TRUSTEE ROBINS: Second.

25 TRUSTEE HUBBARD: I was just wondering if

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1 we were going to take verbal comments after that.

2 So, I mean, just -- it's got a starting date, no
3 ending date, correct?

4 MAYOR NYCE: Right.

5 TRUSTEE HUBBARD: Okay.

6 MAYOR NYCE: So we'll start taking --
7 right. Public comment period will commence six
8 p.m. on July 28th, 2014. So we're going to take
9 public comment that night. And we've already got
10 three public hearings that night.

11 TRUSTEE HUBBARD: Right.

12 MAYOR NYCE: Do we want to schedule it for
13 the following month, start the written comment
14 period July 28th, and take the public comment
15 period at the next meeting?

16 TRUSTEE MURRAY: That one's going to be a
17 long one.

18 MAYOR NYCE: I mean, we have three public
19 hearings already.

20 TRUSTEE HUBBARD: Yeah. I mean, the other
21 ones I think on the MS4, I don't think we're
22 going to have a lot of comment on that. I'd
23 rather -- I mean, we put the moratorium on there.
24 I'd rather not wait on it. You know, if it goes
25 on that long, we can reschedule a continuation on

1 it.

2 MAYOR NYCE: We can carry it, yeah.

3 TRUSTEE HUBBARD: Yeah. The point was just
4 to make sure that people, if you're not there,
5 like Mr. Moore questioned, he can make written
6 comments to it.

7 MAYOR NYCE: Perfect.

8 TRUSTEE MURRAY: That's all.

9 MAYOR NYCE: Okay, understood. Just
10 opening it up for discussion.

11 TRUSTEE HUBBARD: Yeah.

12 MAYOR NYCE: All right. All those in
13 favor?

14 TRUSTEE HUBBARD: Aye.

15 TRUSTEE MURRAY: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No response.)

21 MAYOR NYCE: That motion carries.

22 TRUSTEE ROBINS: RESOLUTION #06-2014-30,

23 RESOLUTION approving all checks for Fiscal Year
24 2013/2014 per the Voucher Summary Report dated
25 June 19th, 2014, in the total amount of

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1 \$108,388.41 consisting of:

2 All regular checks in the amount of
3 \$76,991.00, and

4 All prepaid checks (including wire
5 transfers) in the amount of \$31,397.41. So
6 moved.

7 TRUSTEE PHILLIPS: Second.

8 MAYOR NYCE: All those in favor?

9 TRUSTEE HUBBARD: Aye.

10 TRUSTEE MURRAY: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE ROBINS: Aye.

13 MAYOR NYCE: Aye.

14 Any opposed or abstentions?

15 (No response.)

16 MAYOR NYCE: That motion carries.

17 TRUSTEE PHILLIPS: RESOLUTION #06-2014-31,

18 RESOLUTION approving all checks for Fiscal Year

19 2014/2015 per the Voucher Summary Report dated
20 June 19th, 2014, in the total amount of
21 \$368,083.57 consisting of:

22 All regular checks in the amount of
23 \$328,767.67, and

24 All prepaid checks (including wire
25 transfers) in the amount of \$39,315.90. So

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1 moved.

2 TRUSTEE HUBBARD: Second.

3 TRUSTEE MURRAY: I'm sorry.

4 MAYOR NYCE: All those in favor?

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No response.)

12 MAYOR NYCE: That motion carries.

13 That concludes the business before this

14 Board. I would like to take -- I realize it's

15 been a long meeting. I would like to take a few
16 minutes to express my personal thanks, and I
17 believe I speak for the rest of the Board, to
18 Mr. Abatelli.

19 This is Dave Abatelli's last meeting with
20 us in his official capacity, although he has
21 promised to be a regular visitor, and he's going
22 to stay involved with some of the ad hoc
23 committees and through the Tall Ships event,
24 etcetera, etcetera.

25 It has been an honor for me, Dave, to work

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1 with you. You have truly been -- in the time
2 that I've done work with the Village, you have
3 been described as the heart of the Village; that
4 in everything that you have done, you have looked
5 to try to make sure that the right thing is being
6 done, but that everyone comes out of it with
7 something in a positive aspect. And it is -- it
8 has really been -- it has been a great pleasure.
9 I have learned a great deal from you, the wealth
10 of knowledge in the 300-and-some years that I

11 think you've worked for the Village.

12 (Laughter)

13 MAYOR NYCE: You've acquired quite a bit
14 of -- you've amassed quite a bit of knowledge,
15 and have never been afraid of passing that on, in
16 all of its good things and bad things, like
17 things that work, things that don't. I want to
18 thank you for your service to the Village.

19 I think I could speak for the Board, but I
20 would open it up if anyone wishes to express
21 their thanks. But sincerely, from the bottom of
22 my heart, thank you very much for all that you've
23 done for the Village of Greenport. I'm
24 tongue-tied.

25 (Applause)

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1 MAYOR NYCE: I guess, in hindsight, I could
2 have done that at the beginning of the meeting
3 when the room was packed.

4 (Laughter)

5 MR. ABATELLI: It wouldn't have set the
6 right tone. I appreciate it.

7 (Laughter)

8 TRUSTEE PHILLIPS: David, I have to say
9 that we had this discussion the other day, and I
10 probably have known you, or one of the people
11 that I've known the longest within the Village.
12 And we lived through Planning Board, we lived
13 through Zoning Board, we lived through 123
14 Sterling Art in '78, Kaplan's Market, we lived
15 through the property on the corner of Third
16 Street. And throughout all of that time, as
17 controversial as everything got, you always
18 presented a positive -- a positive spin on this,
19 looking at all sides of the issue and not just
20 one.

21 You're a fantastic Carousel master. That
22 Carousel is your heart and soul, and you've made
23 it the heart and soul of the city -- the Village
24 as well.

25 So I just want to say, since 1977, my old

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1 friend, I hope to see you on the committees in
2 the next month. Congratulations and thank you

3 very much.

4 MAYOR NYCE: Julia?

5 TRUSTEE ROBINS: Yeah.

6 MR. ABATELLI: Thank you all. I mean, it
7 really is a great privilege to have this job,
8 which now has been basically my adult life. And
9 it's really -- it's really great. And I
10 really -- as I have said, really looking forward
11 that the future of the Village is only going to
12 get better and better. And we have a great group
13 here, a great staff, and all the other Village
14 staff. It's really been a great experience.
15 Thank you.

16 MAYOR NYCE: Absolutely.

17 TRUSTEE ROBINS: I just wanted to say, you
18 know, Dave, you and I kind of had parallel
19 careers here in the Village. And I got to know
20 you originally when I was a builder, doing
21 projects here. And you might be surprised to
22 know that at one point, Dave actually put a stop
23 order, stop-work order on one of my jobs.

24 (Laughter)

25 TRUSTEE ROBINS: So I guess maybe, you

1 know, that was back in the days where enforcement
2 was a little stricter.

3 But, anyhow, you know, we've served on
4 committees together, we've been involved with the
5 Carousel. You know, I was part of that original
6 group that brought the Carousel here to town.
7 And it's always been a pleasure. And, you know,
8 you are Mr. Greenport, as far as I'm concerned.
9 You're always out on the street, you're always --
10 you've always been that hands-on kind of person.
11 I really feel that you know our Village
12 intimately.

13 And I look forward to continuing a working
14 and friendship relationship with you, you know,
15 for many years to come. So thank you very much,
16 Dave.

17 MR. ABATELLI: Thank you.

18 MAYOR NYCE: Anyone else?

19 TRUSTEE HUBBARD: Yeah, I'll just --

20 MR. ABATELLI: Your father hired me,
21 so you're the --

22 (Laughter)

23 TRUSTEE HUBBARD: Exactly, and I'm

24 following up on that. Now, Dave, my father
25 enjoyed working with you, a lot of stuff you did

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1 with him, all the other stuff, and I've enjoyed
2 continuing on working with you. It's been a
3 pleasure through these years, and I'm going to
4 miss you. You know, a lot of the little
5 projects, everything else, I needed something, I
6 would just give you a phone call and you always
7 took care of it. But enjoy your retirement.
8 Thank you.

9 TRUSTEE MURRAY: If I talk too much, I'll
10 start crying.

11 (Laughter)

12 TRUSTEE MURRAY: No, Dave. I really
13 enjoyed it. Thank you for all your help, and
14 that's all I'm going to say. I'll see you
15 around.

16 MR. ABATELLI: Sorry I never got a chance
17 to issue you a stop-work order.

18 (Laughter)

19 MAYOR NYCE: You don't -- do you have any

20 laying around? You've got 'til what, end of day
21 tomorrow?

22 MR. ABATELLI: No, Monday.

23 TRUSTEE PHILLIPS: June.

24 MAYOR NYCE: Right. Oh, June. Oh, you've
25 got time, you got all week.

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1 TRUSTEE MURRAY: Yeah, he's got a week.

2 TRUSTEE HUBBARD: He'll find you.

3 MAYOR NYCE: All right. So that officially
4 concludes the business before the Board. I will
5 offer a motion to adjourn to Executive Session to
6 discuss a legal matter.

7 TRUSTEE PHILLIPS: Second.

8 MAYOR NYCE: All those in favor?

9 TRUSTEE HUBBARD: Aye.

10 TRUSTEE MURRAY: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE ROBINS: Aye.

13 MAYOR NYCE: Aye.

14 Any opposed?

15 (No response.)

12 taken on June 23, 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 8th day of July, 2014.

19

20

21

Lucia Braaten

22

23

24

25