VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK
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BOARD OF TRUSTEES
REGULAR SESSION
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Third Street Firehouse
Greenport, New York

November 24, 2014
6:00 P.M.

BEFORE:

DAVID NYCE - MAYOR
GEORGE HUBBARD, JR. - TRUSTEE
MARY BESS PHILLIPS - TRUSTEE
JULIA ROBINS - TRUSTEE

JOSEPH PROKOP - VILLAGE ATTORNEY
SYLVIA LAZZARI PIRILLO - VILLAGE CLERK
PAUL PALLAS - VILLAGE ADMINISTRATOR
(Whereupon, the meeting was called to order at 6:02 p.m.)

MAYOR NYCE: All right. It being after six, we'll call this meeting to order, and ask you to please join me for the Pledge of Allegiance.

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

MAYOR NYCE: Please remain standing for a moment of silence for Marjorie Jeanette Baldwin, Norma Louise Gresik, Inez Hall and Rosemary Hughes.

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

MAYOR NYCE: Thank you. You may be seated. Trustee Murray is not going to be joining us this evening. He is on a family trip, so he is excused this evening.

The Carousel Committee is seeking volunteers to assist with the ongoing restoration of the Carousel, as well as with fundraising and various other projects.

The Village Offices will be closed November 27th and 28th in celebration of Thanksgiving.
The BID Shellebration event will be held December 6th. Please look online, either the BID site or the Village site, for information. That's an all day event that's throughout the Village, with a bunch of restaurants participating. It's a lot of fun.

The Tree Lighting Ceremony, the Village Tree Lighting Ceremony will be held December 6th at 5 p.m. at Mitchell Park. The school will be participated again.

CLERK PIRILLO: Yes.

MAYOR NYCE: And also is a fun event for family, mostly for the kids. Santa does arrive by fire truck.

The Christmas Parade will be held December 7th, it will begin at 1 p.m., stepping off at the school, and taking the traditional route down Front Street, to Main, to Center, to First, South, and back to the Firehouse. There'll be a quiz on that later.

The Greenport Village Planning Board will conduct a combined work session and regular meeting on December 18th, 2014 at 5 p.m. here at the Third Street Firehouse. There will be no other meeting of the Greenport Village Planning
Board in December, so make note of that.

The annual Menorah Lighting Ceremony will be held on December 21st at 5 p.m. in Mitchell Park.

I also have an announcement here under Public Interest from the Southold Town Police Department, Chief Marty Flatley. He, Supervisor Russell, and David Gamberg, the Superintendent of the Greenport-Southold Schools, we all met last Thursday, out of which the Chief sent a press release out that reads something like this:

That Southold Town Police will be sponsoring a public forum on gang activity and recent gang violence on the North Fork on Thursday, December 4th, 2014, at 7:30 p.m. at the Southold Town Recreation Center on Peconic Lane. Representatives from local government, law enforcement, and North Fork school districts will be present to provide timely information on gang history and current trends, the exploration of school-based anti-gang programs and efforts underway to address recent gang violence. All members of the public are invited and encouraged to attend.

I anticipate that that will be a
well-attended meeting. I look forward to the interaction. The Chief has reached out to other enforcement agencies throughout Long Island to have them do a presentation.

As I had said at the work session, both the school and the P.D. have been working on this from the moment the incident occurred several weeks back, and I'm happy to report that they've had several conversations. They're on a path to implementing some things within the school, and then also within the community to make sure that we keep our kids safe.

Under -- there is an election coming up for the Village in March of 2015. That election will be held on March 18th to fill the positions of Mayor and two Trustees. There will be two Village voter registration days, one on March 5th, from 8:30 a.m. to 5 p.m., and on March 7th, from 11 a.m. to 5 p.m., both at Village Hall and both upstairs in the conference room. If you need assistance, please let the clerks know at the desk and someone could come down and take care of you at the front desk.

The Clerk's Office is accepting absentee ballot applications for the upcoming election on
March 18th, 2015. That is as of tomorrow, you're accepting those applications?

CLERK PIRILLO: No. It's already --

MAYOR NYCE: They're already accepting those applications for absentee ballots.

The next brush pickup is scheduled for November 25th, for which we kindly request the use of brown bags. November 25th, that's tomorrow? Okay. Please note that the final pickup of the season will be on December 9th, for which we also encourage you to use brown bags.

The last one, the Clerk just informed me that some of you will remember, I think it was last winter into spring, there was a -- there was a scam going around dealing with Village of Greenport utilities. Someone was -- individuals were calling people within the community, representing themselves to be the Village of Greenport utilities, explaining that there was a past due balance, that that balance needed to be paid or their electric would be shut off. They then instructed the person to go and get a money card from 7-Eleven to pay the bill. First and foremost, the Village of Greenport would never ask you to go to 7-Eleven to get a money card to
pay your utility bill. If you have any question as to who is requesting that your electric bill be paid, please feel free to call Village Hall.

We did work with the DA's Office and the Police Department last spring. I don't know that there were any arrests in the matter, but I know that it did -- it did die out fairly quickly. But again, the Village of Greenport -- you should call the Village of Greenport or come into Village Hall if you have a question about your bill, or -- and the timely payment of that bill. Again, we would not be asking you to go and get a money card and submitting it through the mail to us; not our M.O.

Next item on our agenda is we have two public hearings this evening. The first one is on Fire Prevention and Building Construction. That's Chapter 65 of our code. The amendment to our code book is only -- only for allowing for the Building Department to assess a fee for -- these are new applications for fire suppression systems. It has -- they have become more and more complicated as time has gone on, so they take more and more time. So what we've asked -- what the Building Department asked through the
Code Committee was that we assess a fee for that, and that that fee would either cover the time spent by our Building Department, or to have an outside source do the review, and so that fee would cover that.

So, with that, I will state that this public hearing has been properly noticed. Anyone wishing to comment can do so at this time for the record. We have no correspondence.

This, as I stated before, this code amendment came through the Code Committee as a recommendation to this Board to take it up. I'll ask if there's anyone from the public that wishes to address the Board on this matter?

(No response.)

MAYOR NYCE: There being no one that wishes to address the Board on this matter, I would entertain a motion to close that public hearing.

TRUSTEE HUBBARD: So moved.

MAYOR NYCE: Is there a second?

TRUSTEE ROBINS: Second.

MAYOR NYCE: Second by Trustee Robins. All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: The motion carries. I'll ask the Clerk put that on the work session agenda for discussion for the December work session.

The next public hearing is on the Chapter 48 of our Village Code, Boats and Boating. This amendment was -- came out of long discussions about -- primarily, about the commercial fishing dock. What was recommended was that we go back and look at our code in its entirety and make sure that what's in our code book matches what actually happens, and to do sort of a review. The -- really, the only thing that came out of it was we tightened it up, changed some of the insurance amounts to make them more reasonable to fit with current regulations from DEC, but also to fit with what other places do.

And with that, I will state that this public hearing has also been properly noticed. Anyone wishing to comment can do so at this time for the record. And I'll ask if there's anyone
from the public that wishes to address the Board
on this public hearing?

MR. SALADINO: I do. John Saladino, Sixth
Street.

I'm looking at the provisions of this code
-- of this amendment of this chapter that are
being amended and I see no provisions for
transients. I see no provision for a transient
tying up to the Railroad Dock or a Village
mooring. I'm not sure. You know, a guy steams
into Greenport, are we -- somebody going to check
if he has insurance? I'm kind of thinking if
it's mandatory for a resident, or whoever
contracts to use either a Village mooring or the
Railroad Dock, for the road ends, or whatever, I
would also suggest here that same rules apply to
a transient.

MAYOR NYCE: They do.

MR. SALADINO: I just don't see how
that's -- how that's even addressed, so I would
question that.

The other thing that I would ask about is I
see there's an amount for the Railroad Dock,
which is good, I guess, and there's an amount for
the moorings, different amount; a million dollars
for the Railroad Dock, 300,000 for liability for
the moorings, which, I guess --

MAYOR NYCE: Moorings and the Bayman's Dock
over in Stirling Basin.

MR. SALADINO: Well, my question is, is
that for all improvements? Is that going to be
for all the road ends also for the stakes?

MAYOR NYCE: Anything other than the
Commercial Dock. The Commercial Dock is at the
one million, two million, in that area.

MR. SALADINO: Okay. And the other
question I have is I see chapter -- one of the
sections was abolished as far as the fee
schedule. I believe the appendix addressed the
fee schedule. Appendix A, Article VII, I think,
was abolished.

MAYOR NYCE: Yes.

MR. SALADINO: Appendix A, Section VII
should be deleted?

MAYOR NYCE: Yes.

MR. SALADINO: And that had to do only with
fees or because you --

MAYOR NYCE: I believe so, yeah.

MR. SWISKEY: Believe?

MAYOR NYCE: I don't have the code book
with me.

MR. SALADINO: So what I would ask is, is because there's fees already assessed, there's fees already in the code, that -- or the fees are being abolished?

MAYOR NYCE: The fees are not being abolished. What we did with this section of the code was to tie in that appendix with the code to make sure everything tied out. What we found was in the appendix there were some things that did not tie back into the code properly, and that was the reason for the changes.

MR. SALADINO: Okay. And the last thing I would have on this is, traditionally, and in the past, as long as I can remember, there was no -- there was no commercial activity on the dock, on the Railroad Dock. And it's specific in the code, it's specific as far as fueling, icing, off-loading, packing out, and stuff like that. Now it seems to have changed that you've added the sentence "without consent of the Village."

It was always my understanding that a lot of the stuff that was prohibited was because of the condition of the dock, and also for other reasons, but the dock hasn't improved.
And it was always my belief that if a boat came in and had to be fixed, we had a shipyard for that, it should go to the shipyard. If a boat needs to pack out, we have a -- we have a fish market that you should pack out at, I don't know. And I just don't -- I don't see a reason for even giving the perception that there might be consent for a guy that steams in and he needs a new net, reel, or he needs this. I mean, we have a guy that's in business specifically for that. Why do we want to -- and I'm sure it's okay with him. I'm sure it's okay with Steve Clarke, with Greenport Shipyard, that they get this stuff fixed at the Railroad Dock. He doesn't seem to care about a lot of different things. But this Article, 2.4, #1, and who's going to -- who's going to give that permission, I mean, if a guy comes in here?

MAYOR NYCE: Same person that would be tying them up and asking for insurance and everything else, the Harbor Management.

MR. SALADINO: I had a conversation with the Harbor Manager, and he was of the belief, if we're talking about Jeff Goubeaud, he was of the belief that this wouldn't -- this wouldn't be
here. He didn't have the duties and responsibilities of a Harbor Master, because that kind of takes law enforcement and stuff like that. He didn't know, as he relayed it to me, he didn't know that he would be required to go through the Railroad Dock and collect fees, or to go to the Visitors Dock and collect fees, or tell somebody they couldn't go in there.

I think some of this stuff in here is a little ambiguous, and before you's implement it, maybe -- I know you's worked hard on it and stuff, but it seems a little haphazard. You know, it just seems there's a lot of stuff up for interpretation by like who answers the phone, as opposed to what the real one is, you know, so the guy that's answering the phone that day or that night. And I don't believe that that's the way the code should be interpreted.

So that's all I have to say about it.

Thank you.

MAYOR NYCE: Okay. Is there anyone else that wishes to address the Board on this?

MR. SWISKEY: You inspired me. William Swiskey, 184 Fifth Street.

There's been a big controversy about
electricity, and whose meters belong to who on the Railroad Dock. It's ongoing now for a year or two, at least, and I see nothing in this code that addresses that. If you go to the Shinnecock dock and you look at the thing, I mean, they have provisions in there, and everything else, and what fees you pay, and whether you -- you know, when you get electricity and everything else. I mean, I think that maybe we should -- before you pass this, you should consider putting something in there about that. Thank you.

MAYOR NYCE: The fees will be covered by a bill sent out, because there will be stanchions with meters set up. So it will be metered and built accordingly.

Does anyone else wish to address the Board on this public hearing?

(No response.)

MAYOR NYCE: If not, I would entertain a motion to close this public hearing as well. Would anyone make that motion?

TRUSTEE ROBINS: I'll make the motion to close the public hearing.

MAYOR NYCE: Okay. Motion made by Trustee Robins. Is there a second?
TRUSTEE HUBBARD: Second.

MAYOR NYCE: Seconded by Trustee Hubbard.

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

MS. PHILLIPS: I will be recusing myself.

MAYOR NYCE: All right. So there will be three votes in the affirmative, and one abstention. That motion carries.

And I'll ask the Clerk to put that on the work session for December for discussion.

That concludes the public hearings. Now the Public Portion, I'll ask if there's anyone who wishes to address the Board.

MR. ROBERTS: Good evening. Doug Roberts, 133 Sixth Street.

Tonight, I'm announcing my candidacy for Village Trustee this March. I'm very excited to be -- have the opportunity to serve these people, the people watching on T.V., the people who are home with their families having dinner, because they can't make it to this meeting.

I love Greenport, much like all of you do
here. I think that this place deserves leadership that can work tirelessly to solve problems in creative ways. People who have come to these meetings have heard me suggest various things: Parks Conservancy to work with our Mitchell Park policy of Village -- Village-sponsored only events, but setting up a conservancy where we can raise money to support the other parks in town. Suggesting proactive communication of our new Twitter feed. I'd love to see more tweets, but I'm glad we set it up. We're headed in the right direction. As Trustee, I'm going to work real hard to be proactive about our communication, make sure we're communicating to Villagers. It's really important that we hear from them, that Villagers are going to drive everything that happens in these meetings.

As part of my campaign, I'll compiling an email list that I'll deliver to the Village Clerk, win or lose, so that those folks on my list can opt in to be part of the Village email list and stay in touch with us going forward.

I'm raising my family here. I want this place to be 10 times more amazing than it is now when she's of age to vote, and when my daughter
is able to maybe some day run for an office on this Board.

I'm going to work hard to see at that our code is proactively and consistently enforced. I'm going to make sure that I bring all of my skills and expertise to the table. I have a background in education and as an entrepreneur. I want to see increased educational programs in our Rec. Center. I want to see us just do a great job of listening to the public and working on their behalf. This is a -- this is a really important place and this is important work.

I've made a career of working hard, and hustling, and asking people for money, and I'm not afraid to go ask other people outside of our Village for money to help fund our utilities, fund our streets and our sidewalks.

So I look forward to the dialogue over the next few months. Anybody who wants to learn more about me and more about my campaign can go to wearegreenport.org, find me on Twitter at wearegreenport, and look forward to it. Thank you.

MAYOR NYCE: Thank you. Please don't take this in the negative, I don't want it to be
negative. We are going to refrain from having
campaign speeches at the public portion of the
Village meetings. I understand you're
introducing your candidacy, that's fantastic. We
have -- in the past, we have tried to make sure
that the public portion of the meeting is the
public portion of the meeting, and that the
campaigning is done elsewhere. But
congratulations. Thank you for stepping up, and
best of luck to you.

Does anyone else wish to address the Board?

MR. SWISKEY: William Swiskey, 184 Fifth
Street.

Gee, you just shut everybody else down on
announcing, Dave, but that's okay. Just a couple
of items here. One is --

MAYOR NYCE: No, you can announce your
candidacy, Bill.

MR. SWISKEY: No, I'm not. I mean, there
might be somebody else out there. But let's get
to this.

One is the -- I don't have a full agenda,
so it's the roof on the Maritime Museum. Are we
still getting just $8,000 a year rent out these
people?
MAYOR NYCE: Yeah.

MR. SWISKEY: That's a yes.

MAYOR NYCE: Uh-huh.

MR. SWISKEY: Do you realize if you rented that building commercially, the minimum you'd get would be 3 to $5,000? That would be in the Village parking, taxpayer parking, 36 to $50,000. That's, you know, like a lot of money.

MAYOR NYCE: I don't know if the Railroad would allow us to rent it commercially, but go ahead, I'll look into it.

MR. SWISKEY: Well, then raise to -- you know, that's been going on. You're using the -- you rent the Railroad Dock commercially, you collect fees.

MAYOR NYCE: At a discounted rate, but go ahead.

MR. SWISKEY: At a discount. That's a big loss. I'm a taxpayer. I mean, these people -- that's a huge amount of money to subsidize this debt operation. I'm shocked that it's still $8,000. It was $8,000 20 years ago. I mean, I think the candidate for public office should take notice of that.

And the next item I'd like to ask about on
the agenda, that I still don't have, is the --
we're appealing the Osinski lawsuit, the Osinski
lawsuit we've lost? Did we lose that lawsuit?

MAYOR NYCE: I would defer to the Village
Attorney. But if it's a legal matter, I'm
assuming it's not going to be discussed in open
session.

MR. SWISKEY: Well, you act amazed. I
mean, somebody put this on the agenda. Has he
discussed this? You know, an appeal is a very
expensive thing.

MR. PROKOP: Do you want me to comment?

MAYOR NYCE: Please.

MR. PROKOP: There was a recent decision by
Judge Mayer of the Supreme Court, and it affected
a portion of the case, not the entire case, but a
portion of the case. I recommended to the Board,
to the Board of Trustees that we file a Notice of
Appeal, because it protects our rights. We have
six months after the filing of the Notice of
Appeal to actually appeal the case. And during
that time, while we're still trying to settle the
case, which we have been for several months, our
right to appeal six months from now would be
preserved.
MR. SWISKEY: Well, let's see. We lost the case.

MR. PROKOP: No, we didn't lose the case.

MR. SWISKEY: I've got a copy of the decision. You lost, Joe, you lost big time, okay? Has anybody seen it? I can provide you with a copy. You lost big time. All right? I mean, gees, you know, those -- when I hear those kind of things, I get a little upset, yeah.

Anyway, to get become to the most important thing that I want to ask about is this $55,000 for this new engineering report that's -- this is like -- you know, I went through that, and then I went through the previous one where we hired American Electrical Testing way back last year to conduct a study, and they gave us a report in January of 2014. On the first two pages, there were 17 items; 11 of them failed. I mean, that's huge. Did -- were any of these items at all corrected, or did we just go on in our polite way and just shut the lights off?

MAYOR NYCE: Yes, they were corrected.

MR. SWISKEY: Well, is there a paper that somebody initialed when each one was corrected? That's the way it usually works.
MR. PALLAS: I don't have any specific document that says that. It was all part of an overall punch list process that we went through.

MR. SWISKEY: Do we have a punch list with somebody's initials that these were corrected?

MR. PALLAS: I would have to look, Bill.

To be honest with you, I don't know.

MR. SWISKEY: Well, I asked for all documents and nothing was provided, so I assume it doesn't exist, and now it's another $55,000.

And, basically, did anybody read this contract that you agreed to last week? The results of the contract, the report isn't even your property. Do you know what that means? You can look at me all you want, Mr. Mayor, like that. That's -- nobody signs a contract like this. "Provide a written report in electronic format." "Includes a portion of" -- "this licensing fee is a one time charge, which entitles our customer to use our report as they see, until such a time as when we elect to cancel this license." Nobody signs a contract like that. It's like getting an engineer to come in and look at a house you're thinking of buying, he hands you a report, you buy the house, and then
takes the report back, the house crumbles and you
can't sue. What this does to you in court is
terrible.

Who recommended this company? Do the
research. Who recommended this company? Was it
the Village's engineer?

MAYOR NYCE: No.

MR. SWISKEY: No. Was it the Power
Authority?

MAYOR NYCE: The Power Authority is aware
of who we're using. We went out on the open
market and found this company. They've done work
for us in the past.

MR. PALLAS: They've done work for us
before as well.

MR. SWISKEY: What work has this company
done for us before? I don't recall this company
at all.

MR. PALLAS: They were a subcontractor on
some of the breaker testing that was done.

MR. SWISKEY: A subcontractor on some
breaker work that was done. Now you're hiring
him for a comprehensive report. And then they're
telling me here's some of the conditions. Power
outages may be necessary?
MAYOR NYCE: As we've gone through in the past, Mr. Swiskey, when you're working with this stuff, what you do is let people know what might happen, not what will happen, but what might happen. It's better be -- it's better --

MR. SWISKEY: Well, I wouldn't even put that in the report.

MAYOR NYCE: Please, don't interrupt. It's better to let people know that the outage might happen so that it's not a surprise. The intent is not to have power outages.

MR. SWISKEY: Well, this -- and then an additional $6500 to basically do what's called a relay coordination study. You have the study. These things haven't changed since the last -- since 2000. I mean, your load hasn't --

MAYOR NYCE: They should be looked at now and again, shouldn't they?

MR. SWISKEY: Actually, David, I don't know how you've even gotten this far with -- this project has been a failure. You paid $11,000 for Wesco to enhance your relays. You paid another $12,000 for Basler to work on the electric. This is what we used to call, and I won't -- I won't mention it, but we used to call it in the Army is
a really cluster. I mean, is anybody on this Board willing to answer to these citizens what's going on with their electric company?

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

MR. REED: Good evening. I'm Mike Read, 430 Front Street. Just to clarify, so this will the third time we paid $55,000, 115 --

MAYOR NYCE: (Shook head no.)

MR. REED: Don't shake your head, please.

MAYOR NYCE: No, it's not the third time.

MR. REED: All right. And this is the same company that you're going to? So I missed the last one, sorry, but --

MAYOR NYCE: No problem.

MR. REED: I just want a little clarification on that.

MAYOR NYCE: There are two separate items and they're testing two separate things.

MR. REED: Okay.

MAYOR NYCE: There are some -- there is some duplication of work. In other words, the original money was spent to commission the new transformer, and the idea was that was that they would look at all the connections up to that
transformer. This is going through the entire
distribution system, from where the power comes
into the plant through the transformer, through
the switchgear; something we were planning to do
anyhow as an ongoing portion of this job. Yes, a
portion of it will be duplication of work that
was done, unfortunately.

MR. REED: And who is overseeing this, Paul?

MAYOR NYCE: Paul will be overseeing this.

MR. REED: Do we -- God forbid they, Mr. Swiskey aptly put it, cluster, do we get any money back?

MAYOR NYCE: I had stated at the work session that if this --

MR. REED: I wasn't there, so I missed that portion.

MAYOR NYCE: Understood. I'll say it again for this session. If we find anything in this testing that shows that there was something improperly done, we will be going after whoever that person was --

MR. REED: Got it.

MAYOR NYCE: -- to the full extent of the law.
MR. REED: Okay. Thank you.

TRUSTEE PHILLIPS: I think you also need to make them aware, Mayor, and just so that you know, it was all of us that feel the same way, it wasn't just the Mayor. We all at the work session made a point of bringing up that if there's any way of recouping any money --

MAYOR NYCE: Yes.

TRUSTEE PHILLIPS: -- dealing with this situation of testing -- this is an audit of the whole system, as explained to me. So all of us felt that if there's any availability, any pressure, or any possible way of paying for this through the contractors, that that was this Board's full focus to do.

MR. REED: All right. From the last mess that we had, we're done blaming everybody, because it's getting us nowhere, so we'll move on. But from the last person that we paid through for Hawkeye, to have somebody check the work, it was 54, whatever, 55. Is there any way of recouping any money for that for not doing their due diligence to have the problem that we had under the circumstances?

MAYOR NYCE: Their testing was done and the
testing was proper. It pointed out the things it
needed to point out.

MR. REED: All right.

MAYOR NYCE: Okay?

MR. REED: All right. So there's no way
to --

MAYOR NYCE: The failure that happened had
nothing to do with.

MR. REED: Okay.

MAYOR NYCE: Unfortunately.

MR. REED: Thank you.

MR. SALADINO: John Saladino, Sixth Street.

Are there any resolutions you're going to vote on
that aren't on the agenda?

MAYOR NYCE: No, not that I'm aware of.

MR. SALADINO: And is there going to be an
Executive Session?

MAYOR NYCE: Not that I'm aware of.

MR. SALADINO: If you's would, would you
just bear with me a few seconds? I just got the
agenda, so there's a few things that I would like
to ask you about.

But just to bring up what Mike had
mentioned, I was also -- I was at the work
session. I heard you say that this would be a
comprehensive look at the system in general. I've got to be the only guy in the room that kind of think we need that, I think. I think -- I think we should have somebody that's not tied to anybody that had done work for us before, or has ties to the design engineer, the contractor, the guy that drove the pickup truck to bring the lunch. I think you should get an outside agency in here and look at the system, and for an honest appraisal of what was right and what was wrong.

I take exception to the statement that you made, that we heard on the public record the cause of the blackout was a relay, that was a relay that was wired backwards. At some point in the process, somebody was responsible for that. Somebody had either wired that relay -- and we all -- I think we all agree that somebody was negligent.

I don't understand why we have to wait eight weeks for the report to be generated to have an issue, or take an issue, or start an action against that person that actually wired that relay wrong.

MAYOR NYCE: First of all --

MR. SALADINO: If it's a -- if it's a
Village employee, I'm sure it will be handled in that way.

MAYOR NYCE: First of all, it wasn't -- it wasn't negligent.

MR. SALADINO: If it's an outside contractor -- I'm sorry?

MAYOR NYCE: First of all, it wasn't negligent. Second of all, my understanding is that it tested fine, but it was an odd set of events that caused that relay to fail. Regardless, it tested fine.

MR. SALADINO: Well, no, David, not regardless. I can only go by what was said here and what's recorded in the public record, and the public record reflects a statement that says the relay was wired backwards. It was reported --

MAYOR NYCE: But the statement also says that it tested fine.

MR. SALADINO: It was -- it was reported -- okay, but it was backwards and then it failed, and it failed because it was wired backwards. So we're going around in a circle here.

I think it's a good idea to hire somebody. I think -- you know, I don't look at it as good money being thrown after bad. I think the other
money was bad money. I think to catch a guy or
to find out exactly what's wrong with the system,
sometimes you need to bring an independent guy in
there, an honest guy, and give us the report.

I just don't understand why it has to take
eight weeks for the Attorney to get something on
his desk that says Swiskey, Incorporated, or
Winkler, Incorporated --

MR. WINKLER: Don't blame me for that.

MR. SALADINO: -- wired the relay wrong and
go after that. I just -- I don't understand it.
It's common knowledge. It's been reported in the
press, it's been reported here, it's on the
official record. It's not supposition, it's not
a perception, it's a fact. Go after them. Get
some of that money, whoever did it. If it's an
employee, you'll handle it. If it's an outside
contractor, get the money. Get the money.
I'm sure somebody else is going to have something
to say about that.

But there's a couple of other things. I
would like to ask you if there's something you
could share about the proposed agreement between
the North Ferry Company and the Village of
Greenport.
MAYOR NYCE: Not at this time. It's still --

MR. SALADINO: Is there something --

MAYOR NYCE: It's still in negotiation.

MR. SALADINO: Well, is there something you could share with the public about what that negotiation is about? Actually, you and I had a conversation, I know, but they don't know. So maybe there's something you can tell the public as far as money, as far as time limits, as far as --

MAYOR NYCE: No, because those are still in negotiation, John.

MR. SALADINO: Well, my understanding is, my understanding of the law is, and maybe the Attorney can correct me, that if both parties are known, and there could be no other interested parties, the terms of the negotiation are not privileged; am I right?

MR. PROKOP: I don't know -- honestly, I don't know what you're talking about. That's not correct, no. It's a contract that's being -- the terms of which are being negotiated at this time. And the subject of the negotiation is confidential to the Board. It would -- the
discussion of the negotiations would impair the
Board's ability to negotiate the contract
successfully, and for that reason, it's
confidential.

MR. SALADINO: Joe, you know, I read the
law before I came here tonight so I would be --
so I would be familiar with it. I don't want to
debate it, because the Mayor hates debates, but
I'm -- as usual, I'm going to dispute that. I
think -- I think you're blowing smoke up our
dresses. But, anyway, just -- if you would just
bear with me for a couple of seconds.

The Clerk is going to renotify the Requests
for Proposals for event planning services?

MAYOR NYCE: Yup.

MR. SALADINO: And then we're going to --
we're going to pay $17,000 for marketing. Is
marketing different than event planning?

MAYOR NYCE: Yes.

MR. SALADINO: I'm not sure the difference
in that.

MAYOR NYCE: They're different. When we
set the event up, we propose to hire on an event
planner and a company to do the promotion.
They're two different things.
MR. SALADINO: So one is somebody plans a party, and somebody advertises? Is that -- I'm not being -- I just don't know.

MAYOR NYCE: You are, actually.

MR. SALADINO: No, actually I don't.

MAYOR NYCE: Sure you are.

MR. SALADINO: I don't know. No, I think it's ridiculous to begin with, but --

MAYOR NYCE: So that would be your point, you do know, so --

MR. SALADINO: Actually, I don't know.

MAYOR NYCE: Sure you do.

MR. SALADINO: I don't know. I don't know why we have to hire different agencies to plan parties and plan advertising, but -- and pay $17,000 to do it.

MAYOR NYCE: It's less than we paid last time.

MR. SALADINO: Is that -- is that the criteria?

MAYOR NYCE: No.

MR. SALADINO: You know, if you made a bad deal before --

MAYOR NYCE: Didn't make a bad deal before.

MR. SALADINO: -- you'll make a better deal
now. I don't understand.

And the last thing -- actually, I'm not sure if it's the last thing, but the last thing that I have --

MAYOR NYCE: We're going to ask you to try and wrap it up soon, if you could. We've been bearing with you.

MR. SALADINO: David.

MAYOR NYCE: John.

MR. SALADINO: If I would have gotten a complete agenda when I walked in the building, I would have had these resolutions in front of me.

MAYOR NYCE: You could have gotten the agenda online, John.

MR. SALADINO: I don't have a computer, I'm sorry.

MAYOR NYCE: You don't have a computer.

AUDIENCE MEMBER: The library.

MR. SALADINO: Sorry.

AUDIENCE MEMBER: The library. You can access it from the library.

MAYOR NYCE: There are plenty of places, John, plenty of places.

MR. SALADINO: Well --

MAYOR NYCE: Could you, please, move it on?
John?

MR. SALADINO: -- perhaps between 12 and 4
I was busy.

MAYOR NYCE: Could you, please, move it along?

MR. SALADINO: Maybe I was at work. Maybe I was --

MAYOR NYCE: Yeah, but you're retired, sir, right?

MR. SALADINO: From one job, yeah.

MAYOR NYCE: Yeah.

MR. SALADINO: Trustee Murray asked for a Request for Proposals to clean and restore the wooden buildings at the Marina. I was just wondering, is that something that could be done inhouse? I mean, you know, when I talked to David, it was about power washing and restaining. Is that something that Village employees could do?

MAYOR NYCE: Probably not.

MR. SALADINO: Okay. Thank you. Thanks for listening.

MR. WINKLER: John Winkler, Fifth Street. Not to beat a dead horse, but I guess we can all agree --

MAYOR NYCE: Too late for that.
MR. WINKLER: -- that this project at the power house has been a disaster over the course of the last four or five years.

I read a very interesting -- I read the minutes of the April work session, and Paul presented the report from American Electric and Testing, and in that -- in the minutes, George noticed all these fails on this report. And like what are we going to do about this? Are we going to get a report back seeing these things are corrected? And in the report, I got the report also, there were a lot of things that weren't installed, so they couldn't even complete the testing that -- you know, to test phasing, and to test circuitry and relays. A lot of the stuff wasn't even installed, so they couldn't even do the full testing, and it was sort of like premature.

I'm a little concerned that this company might have been recommended to us, because I think Jack Naylor was gone by then when we hired this company, and if they suggested them to us. I think the root of this whole problem has to be Genesys. I don't know if we've paid them for the first phase completely. I know that I read a
little bit of the bid package and they were
supposed to do training, and give booklets, and
train people at the plant how to operate this
plant. I have never heard that ever being done;
I still don't think it's done. And if we paid
these people completely, if there is a problem,
how are we going to get the money back?

And my second thought is, is that should --
they were hired to do a second phase of our -- of
this project. I know it's not as large, but from
the past track record, don't you think we should
be looking at somebody else? I mean, they just
have not done the right thing for the taxpayers
or this Board. They have been unfair to you.
They haven't told you the truth about what's
going on.

I mean, I've heard for years that this
plant, it's working great, there's no problems,
and then all the problems started, all the
testing started, and things are wired backwards.
And I just believe that this Genesys Engineering
is a disaster.

Now, did they recommend this new testing
company we have? Do they have any affiliation
with them? Have they ever worked for them
before? Have they done -- have they been vetted that they're not -- they're not connected whatsoever to Genesys, that Genesys hasn't given them work in the past? If they did work on our project, evidently, Genesys was involved with them. So, you know, that -- there's a conflict of interest there. They come back with a report making Genesys look good because they hire them for projects.

So I really think that the Board -- and I know, George, you were involved in that, and I don't -- I read the minutes after that, up to this time, and I don't see anything in the minutes that this report -- after that first test was done, that there was any follow-up whatsoever. Okay?

And, again, I understand you guys are busy and you have a lot on your plate, and -- but this Genesys has not done the right thing for this Village or for the Board. They have not told you the truth, okay? And I really wish you would reconsider them. I know they put together the bid package and the design of this second phase, but I would have somebody come in and look at this again, because we're going to end up with
the same problems that you have now. Every
mistake you make on this project, they make
money, and that's the way it is. That's the way
the process works, okay, because they come in and
fix it, okay? "Oh, we'll solve that problem,"
but meanwhile, they designed it. They should
have been responsible all along for this. And I
really think you should think about that.

I know it's -- you know, we're all laymen,
we don't really -- I understand it a little bit.
I understand you guys are not in the field, or --
and Paul got on, you know, late in the game, but
he was there here for that test. He was here.
So, please, think about this. Think of the
taxpayers. Think of the money we're spending,
what we could do with that money that we'll have
to pay again.

I appreciate the time. Thank you.

TRUSTEE ROBINS: Can I get a little
clarification. Paul, were you here for that
test? I thought that test done earlier.

MR. WINKLER: It was in the minutes.

MR. PALLAS: That test was done in January.

TRUSTEE ROBINS: In January. You came on
in --
MR. PALLAS: In March.

TRUSTEE ROBINS: In March, so it was prior.

MR. WINKLER: He spoke in the April minutes. He made the --

MAYOR NYCE: He spoke to it.

MR. WINKLER: He made the report.

MAYOR NYCE: Doesn't mean he was here during the test.

TRUSTEE ROBINS: He addressed it, right.

MAYOR NYCE: He addressed it.

MR. WINKLER: But he knew the problems.

TRUSTEE ROBINS: And --

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

(No response.)

MAYOR NYCE: That will conclude the public portion. I'm sorry, I didn't mean to cut you off.

TRUSTEE ROBINS: No. I just wanted to mention that I was involved in discussions with Paul about the follow-up with that punch list of items from that report. And I believe I met once at the plant with Robert Braun from Genesys, and there was follow-up done on each item, and most of those items were corrected. And that was
supervised by -- for the most part, you know, when Paul did come on board, but even prior to that. So I was personally involved in seeing that those things were addressed, okay?

MR. SWISKEY: You signed off on it, then?

Somebody had to.

TRUSTEE ROBINS: I don't sign off on things, I'm not an engineer. I just was following up.

MR. WINKLER: Who pays for them?

MAYOR NYCE: The other point -- please. The other point that I would like to make is that it's very easy to pick at mistakes that may happen along the way. This was a major upgrade at the electric plant. Any of you that lived through the major upgrade at the sewer plant, the same sorts of things happened during that project. There were things that happened along the way. When you're taking something that has not been worked on in a lot of years and you're doing a complete overhaul, things come up. All right?

So the other thing that we suffered through was a lack of supervision from the Village's standpoint at the beginning of that electric
project, because the then Director of Utilities was not doing the right thing. Mr. Pallas has taken over. And at that point, Genesys Engineering actually took a larger role without being paid for it. Yes, John, without being paid for it, they took a larger role. They were hired to design, and all of the stuff that we did with hiring somebody to commission the transformer, and do all of the testing was to make sure that the design was proper, and that the application was proper. That pointed out that there were a few things that were missing.

You also recall in April we were still trying to get the switchgear for #6 fixed, which is why they couldn't do the commissioning of the transformer, because that switchgear was not in place. That switchgear is now in place. And before you go aghast, the switchgear was not in place, Mr. Swiskey, the replacement switch gear was not in place.

MR. SWISKEY: What does a generator switchgear got to do with the --

MAYOR NYCE: Mr. Swiskey, please stop.

MR. SWISKEY: Well how about you're making a statement to me.
MAYOR NYCE: Please stop, you're out of order.

MR. SWISKEY: You want an answer? I'll answer you.

MAYOR NYCE: You're out of order. I'm not --

MR. SWISKEY: Yeah, well, that's --

MAYOR NYCE: You're out of order. Thank you.

At any rate, once that testing was complete and the punch list was put together, the punch list items were, one at a time, taken care of and fixed. We are now through that phase of the operation. Genesys has, in fact, been contracted to come up with the design and plan for the next phase of the upgrade, which has to do with the water cooling tower, ancillary systems within the oil -- the oil system for the generating engines, the water systems for the generating engines, etcetera. They are doing the design portion. They will not be overseeing the job. Mr. Pallas will be overseeing the job with the gentlemen that work at our electric plant.

All that being said, the testing service that we have now has done work for the Village in
the past, but did not come recommended by either
the engineer or anyone else. Mr. Pallas
contacted them directly.

Hopefully, that clears some of that up.

MR. WINKLER: No.

MAYOR NYCE: Yeah. Well, if you don't want
it to be cleared up, it won't be cleared either,
so --

MR. WINKLER: Because I know it isn't.

MAYOR NYCE: John, please.

MR. WINKLER: Dave, it keeps happening.

MAYOR NYCE: John.

So I will offer a Resolution 11 --

MR. REED: You got to listen.

MAYOR NYCE: I'm sorry?

MR. REED: You got to listen. He's still a
taxpayer. He's not arguing, he's trying to
understand.

MAYOR NYCE: He had his chance to speak, he
did, he made his point.

MR. REED: I know, but brought something
new.

MAYOR NYCE: But we're not doing this.

We're doing it back and forth during this. No,
the public portion is closed.
We do -- the other thing that I would like to state is that anybody that comes in this room and says that they think we're not listening, incorrect. Incorrect. You can laugh in the back all you want, Mr. Swiskey. I've been sitting here for eight years, I've heard every word that's been said, every word that's been said. All right? And the people elected here are looking out for the taxpayers' best interest to the best of our abilities every day; not just once a month at this meeting, but every day we're looking out for the --

MR. REED: Sometimes, Dave, there's a lack of accountability on this Board.

MAYOR NYCE: Mr. Reed, if you're going to interrupt me, you're out of order too, okay?

MR. REED: Mazel Tov.

MAYOR NYCE: There you go. So I will offer RESOLUTION 11-2014-1, adopting the November 2014 agenda as printed. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
The motion carries.
Since Trustee Murray is out, I'll read as well, but I'll ask Trustee Hubbard to read Resolution #2.

TRUSTEE HUBBARD: RESOLUTION #11-2014-2, RESOLUTION accepting the monthly reports of the Greenport Fire Department, Village Administrator, Village Treasurer, Village Clerk, Village Attorney, Mayor and Board of Trustees. So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)

MAYOR NYCE: That motion carries.

I'll read RESOLUTION #11-2014-3, RESOLUTION ratifying the following resolutions previously approved by the Board of Trustees at the Trustees' work session meeting held on
November 17, 2014:

RESOLUTION authorizing Clerk Pirillo and Treasurer Brandt to advertise for a temporary, part-time administrative assistant, to perform tasks in both the Clerk's and Treasurer's Offices, during the absence of one employee in the Clerk's Office, and one employee in the Treasurer's Office.

Also, RESOLUTION accepting the proposal dated November 12, 2014 as submitted by A&F Electrical Testing, Inc. for the operational review & verification of the Power Plant Electrical Upgrade Project and existing switchgear, at a cost of $55,150.00 total, to be expensed from account #E.0352.205 (Transmission Substation Equipment).

Completion of this review and verification will satisfy the requirements of the New York Power Authority. So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2014-4,

RESOLUTION renewing the existing contract between Adventure Treks and the Village of Greenport, with all terms and conditions to remain the same, except that the payment for Harbor and Marina Management Services provided to the Village of Greenport will be increased to $2,500.00, paid twice per month, due to an increase in the services to be provided. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
(No response.)

MAYOR NYCE: That motion carries.

I'd like to thank Adventure Treks for the work they've done for the Village. They came in as taking on just a small portion, and with each year they've taken on more and more
responsibility. And thanking primarily Jeff Goubeaud. He runs a very good operation at the Marina; has now taken on the Park, the oversight of the Carousel, the Rink, Campground. So he's, for all intents and purposes, taken on a great deal of additional responsibility, and I'd like to thank him for that, which we are doing by passing the resolution and increasing his pay.

Pass it over to Trustee Phillips for RESOLUTION 5.

TRUSTEE PHILLIPS: Joe, I have a question. Since I'm going to be recusing or abstaining myself on this resolution, should I not be reading it?

MR. PROKOP: I think it's okay to read it. It's okay to read it.

TRUSTEE PHILLIPS: Okay.

MR. PROKOP: You can read it, but just abstain.

TRUSTEE PHILLIPS: Okay.

RESOLUTION #11-2014-5, RESOLUTION authorizing an increase in the hourly wage rate for Thomas Wood, from $25.00 to $30.77 per hour, effective November 26, 2014 based on the assumption of additional duties, per Article VII,
Section 9(a) of the Merit Clause of the current collective bargaining agreement. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

TRUSTEE PHILLIPS: I'm abstaining.

MAYOR NYCE: Okay. That motion carries with three in the affirmative and one abstention.

I'd like to also thank Tom. Tom Wood is one of the first people we started sending through lineman training, and it's nice to see it come to fruition and him to be a first class lineman, and for taking on that additional responsibility.

TRUSTEE HUBBARD: Okay. RESOLUTION #11-2014-6, RESOLUTION awarding the contract for Security System(s) at Greenport Village Hall, and various satellite locations throughout the Village of Greenport, to Technology Professionals, for a total price not to exceed $39,410.00 per the bid opening of April 10, 2014. The total cost will be expensed among the account numbers corresponding to the Village locations
involved. So moved.

    MAYOR NYCE: Second that. By way of
discussion, as we said at the work session, this
covers all Village buildings, so it includes the
Firehouse, Village Hall, Sewer Plant, Light
Plant, Road Barn, Mitchell Park, but we're doing
it in pieces. So it's an overall -- it's a big
number, but it will be done in -- it will be done
like one at a time. The first one is Village
Hall, the Light Plant and the Sewer Plant are the
first three locations. By next summer, Mitchell
Park will be taken in, and when the Board of
Wardens votes on it for this building, then that
will be taken in as well.

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

    TRUSTEE HUBBARD: Aye.
    TRUSTEE PHILLIPS: Aye.
    TRUSTEE ROBINS: Aye.
    MAYOR NYCE: Aye.

    Any opposed or abstentions?
    (No response.)
    MAYOR NYCE: Motion carries.

    Offer RESOLUTION #11-2014-7, authorizing
    Treasurer Brandt to perform the attached Budget
Amendment #1220 for the funding of the replacement of a portion of the roof at the East End Seaport Museum, and directing that the Budget Amendment #1220 be included as part of the formal meeting minutes for the November 24, 2014 regular meeting of the Board of Trustees. So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: I'd also like to note that regardless of who the tenant is, the Village is responsible for the upkeep of the building, because it is under lease to us from the Long Island Railroad and we are responsible for the building.

TRUSTEE PHILLIPS: Mayor, but I need to ask the question again, because I tried to find within our income where they've been paying rent to the Village. Plus, in their original agreement years ago, they were supposed to be repaying a loan. So I just want to put that in the minutes that I couldn't find any of that stuff.

MAYOR NYCE: Okay. We'll have the Clerk search for it. There was also discussion at the work session for the Village Attorney to look at the management agreement --
TRUSTEE PHILLIPS: Right.

MAYOR NYCE: -- that we have with the organization, East End Seaport Maritime Association, to revamp that.

TRUSTEE PHILLIPS: I know, I asked that.

MAYOR NYCE: I would ask him to do that as well.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2014-8,
RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #1257 for the funding of monument repairs at Greenhill Cemetery, and directing that Budget Amendment #1257 to be included as part of the formal meeting minutes for the November 24, 2014 regular meeting of the Board of Trustees. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
MAYOR NYCE: That motion carries.
TRUSTEE PHILLIPS: RESOLUTION #11-2014-9,
RESOLUTION authorizing Treasurer Brandt to
perform attached Budget Amendment #1258 for the
funding of temporary part time staffing, and
directing that Budget Amendment #1258 be included
as part of the formal meeting minutes of the
November 24, 2014 regular meeting of the Board of
Trustees. So moved.
TRUSTEE HUBBARD: Second.
MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
MAYOR NYCE: That motion carries.
TRUSTEE HUBBARD: RESOLUTION #11-2014-10,
RESOLUTION authorizing the issuance of a check made payable to Paul Pallas as Village Administrator, in the amount of $1,000.00, to be used to set up the required cash drawer/banks for the operation of the Village of Greenport ice skating rink. So moved.

MAYOR NYCE: I'll second that.

By way of discussion, the reason it's made out to him and not the Treasurer doing it is because the Treasurer cannot accept cash.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

I'll offer RESOLUTION #11-2014-11, establishing March 18, 2015 as the Village of Greenport election day, to fill the expiring terms of Mayor and two Trustees.

So moved.

TRUSTEE ROBINS: Second.

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

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2014-12,

RESOLUTION setting the date and times of the 2015 Village Board Election as March 18, 2015 from 6:00 a.m. to 9:00 p.m., and setting the polling place of the Village election on March 18, 2015 to be the Greenport Firehouse at Third Street in Greenport, NY. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #11-2014-13,

RESOLUTION setting two Village Voter Registration
Days, as follows:

Thursday, the 5th of March, from 8:30 a.m. to 5:00 p.m., Saturday, the 7th of March, from 11:00 a.m. to 5:00 p.m. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #11-2014-14, RESOLUTION allowing a non-Village resident to serve as an Election Inspector for the upcoming Village Election on March 18, 2015. So moved.

MAYOR NYCE: Second.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)
MAYOR NYCE: Motion carries.

Offer RESOLUTION #11-2014-15,

authorizing Clerk Pirillo to re-notice the
Request for Proposals for Event Planning services
for the Tall Ships 2015 event. So moved.

TRUSTEE ROBINS: Second.

TRUSTEE PHILLIPS: Do you have a deadline
date for that?

MAYOR NYCE: Return as soon as possible.

That one's not as time sensitive as the promotion
was, but I think we should have an answer by our
December meeting.

TRUSTEE PHILLIPS: So is that something you
want to put in the resolution or no?

MAYOR NYCE: I don't think it's necessary.

I think the return date is for two weeks from
now; is that correct?

CLERK PIRILLO: No. It will only be in the
paper next week. So we'll want another two
weeks, but it should make the December meeting.

MAYOR NYCE: It should make the December
meeting.

TRUSTEE PHILLIPS: Okay. I just want to
make sure that we're clear on it.

MAYOR NYCE: Absolutely. Thank you.
All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

TRUSTEE PHILLIPS: Did somebody second that one?

TRUSTEE ROBINS: I seconded.

TRUSTEE PHILLIPS: Oh, sorry.

MAYOR NYCE: Thank you. So I'll note there -- it's in the affirmative, four votes in the affirmative.

TRUSTEE ROBINS: RESOLUTION #11-2014-16, RESOLUTION setting the 2015 Village of Greenport property tax lien sale for March 10, 2015 at 10:00 a.m., and directing Clerk Pirillo to notice the tax sale accordingly. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
MAYOR NYCE: That motion carries.
TRUSTEE PHILLIPS: RESOLUTION #11-2014-17,
RESOLUTION awarding the contract for the removal
of Village trees and stumps to Johnson Tree
Company for a total price of $3,950.00, per the
bid opening on November 12, 2014 at 1:10 p.m. So
moved.
TRUSTEE HUBBARD: Second.
MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
MAYOR NYCE: That motion carries.
TRUSTEE HUBBARD: RESOLUTION #11-2014-18,
RESOLUTION adopting the attached SEQRA resolution
adoption lead agency status, and determining that
the approval of the wetlands permit application
of Nathaniel and Emily Ewing for 203 Fourth --
for 230 Fourth Street, Greenport, to be an
unlisted action, and determining that the
approval of the wetlands permit application will
not have a significant negative impact on one or
more aspects of the environment, and adopting a
conditional negative declaration for the purposes
of SEQRA, as stated in the attached SEQRA
resolution. So moved.

MAYOR NYCE: Second. All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

I'll offer RESOLUTION #11-2014-19,

approving the Wetlands Permit Application as
submitted by Nathaniel and Emily Ewing to
renovate and add on to the existing family
residence, including the addition of a swimming
pool and patio, at 230 Fourth Street, Greenport,
New York, 11944, with the conditions that the
applicants must provide facilities to discharge
pool water into the sanitary sewer, the
applicants are encouraged to provide landscaping
that does not require the use of pesticides or
fertilizers, and that the applicants must provide
a 10-foot, no-turf buffer at the rear of the
property per the public hearing as held on
November 17, 2014. So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2014-20,
RESOLUTION scheduling a public hearing for
December 22nd, 2014 at 6:00 p.m. at the Third
Street Firehouse, and directing Clerk Pirillo to
notice accordingly, for the Wetlands Permit
Application as submitted by James F. Laird of
Suffolk County Environmental Consulting, Inc. on
behalf of Vincent Matassa of 920 Sandy Beach
Road, for an extension of approximately eight
feet to the existing dock. So moved.

TRUSTEE PHILLIPS: Second. I have a
question. The CAC needs to review this
application again? Should they not?

MAYOR NYCE: Paul, did they already?

MR. PALLAS: There was no change in -- this

is just finalizing the Army Corps permit. The

CAC has already provided a recommendation of the

original application and nothing has changed.

TRUSTEE PHILLIPS: I'm just checking.

MAYOR NYCE: Cool. Thank you. All those

in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #11-2014-21,

RESOLUTION appointing Kim Loper as the Mayoral

Appointment to the Business Improvement District

to fill the term of Richard Vandenberg, which

expires on April 1st, 2015. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: By way of clarification,

Mr. Vandenberg has moved on the BID Board to a

tenant, because they rent the property on
Carpenter Street, I believe. No, I'm sorry.

TRUSTEE ROBINS: I think they own the property, and Kim --

MAYOR NYCE: Okay, as an owner, because they own the property on Carpenter Street. And Ms. Loper is a tenant at Harbor Pets, and is moving on to the Board as an appointee, and likely next year might go on as a tenant.

The term expires April 1st, 2015, because my appointment of Mr. Vandenberg ends then. So the next -- at our next annual meeting, there will be a reappointment. So just that's the explanation. And I'd like to thank Ms. Loper for stepping up.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #11-2014-22,

RESOLUTION ratifying the attendance of Clerk Pirillo, Treasurer Brandt and Utilities Assistant
Derryl Baumer at the mandatory Superstorm Sandy
FEMA Public Assistance Match training seminar on
November 19, 2014 from 2:00 p.m. to 4:00 p.m. in
Riverhead, New York; with any applicable travel
costs to be expensed from the corresponding
account number(s). So moved.

MAYOR NYCE: I'll second that. All those
in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.
I'll offer RESOLUTION #11-2014-23,
authorizing the Village of Greenport to appeal
the Supreme Court decision rendered in the matter
of Osinski vs. The Village of Greenport. So
moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2014-24,
RESOLUTION authorizing the Village of Greenport
to settle, and enter into a Stipulation of
Discontinuance in the matter of KACE LI, LLC vs.
The Village of Greenport, and authorizing Mayor
Dave -- Mayor Nyce to sign the Stipulation of
Discontinuance document on behalf of the Village
of Greenport. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #11-2014-25,
RESOLUTION awarding the contract for Tall Ships
Marketing Services to Creative Advertising
Concepts, for an agency fee not to exceed
$17,500.00 per the bid opening dated November 10th, 2014 and the revised proposal dated November 20th, 2015. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #11-2014-26, RESOLUTION authorizing Trustee Murray to participate in the creation of a Request for Proposal document to clean and restore the wooden buildings in the Mitchell Park Marina, with the cost for cleaning and restoration of each building to be quoted separately, and directing Clerk Pirillo to notice the Request for Proposals accordingly. So moved.

MAYOR NYCE: Second. All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

I'll offer RESOLUTION #11-2014-27, ratifying and approving the Memorandum of Agreement dated November 18, 2014 between the Village of Greenport and the CSEA, Inc, Local 1000; with the resulting Collective Bargaining Agreement effective dates to be June 1, 2011 through May 31st, 2017. So moved.

TRUSTEE ROBINS: Second.

MAYOR NYCE: I'd like to thank Trustee Hubbard for his work on this. It's been a long time. This negotiation's been going on for quite a long time, and I'm happy that we've reached a conclusion. And that as the Collective Bargaining Unit ratified it last week and we're ratifying it tonight, looks like we should be moving ahead harmoniously, we hope.

TRUSTEE HUBBARD: We sure hope so. It started in 2009.

MAYOR NYCE: Absolutely.

TRUSTEE HUBBARD: So it's been five years working on it. I want to, you know, thank
everybody from the Union that did work on that, that, you know, worked with us.

MAYOR NYCE: Yeah.

TRUSTEE HUBBARD: Also, I thank all our Village workers all the time. I praise them for what they do, and everything else. And this is out of the way and we can move on to other projects.

MAYOR NYCE: Absolutely.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE ROBINS: RESOLUTION #11-2014-28, RESOLUTION approving all checks per the Voucher Summary Report dated November 20th, 2014, in the total amount of $818,150.90 consisting of:

- All regular checks in the amount of $709,238.15, and,

- All prepaid checks (including wire transfers) in the amount of $108,912.75. So
moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

That concludes the business before this Board tonight at 7:12. I will offer a motion to adjourn.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed?

(No response.)

MAYOR NYCE: That motion carries.

(Whereupon, the meeting was adjourned at 7:12 p.m.)
CERTIFICATION

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

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

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on November 24, 2014.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of December, 2014.

Lucia Braaten
## VILLAGE OF GREENPORT

### Budget Adjustment Form

**Year:** 2015  
**Period:** 11  
**Trans Type:** B2 - Amend  
**Status:** Batch  
**Trans No:** 1220  
**Trans Date:** 11/10/2014  
**User Ref:** ROBERT  
**Requested:** P. PALLAS  
**Approved:**  
**Created by:** ROBERT  
**Description:** FUNDING FOR SEAPORT MUSEUM ROOF REPLACEMENT  
**Account # Order:** No  
**Print Parent Account:** No  
**Account #** | **Account Description** | **Amount** |
--- | --- | --- |
A.5990 | APPROPRIATED FUND BALANCE | 13,950.00 |
A.7520.410 | HISTORICAL PROP - PASSENGER STA.. | 13,950.00 |
**Total Amount:** | | 27,900.00 |
# VILLAGE OF GREENPORT

## Budget Adjustment Form

**Year:** 2015  
**Period:** 11  
**Trans Type:** B2 - Amend  
**Status:** Batch  
**Trans No:** 1257  
**Trans Date:** 11/10/2014  
**User Ref:** ROBERT  
**Approved:**  
**Created by:** ROBERT  
**Description:** TO INCREASE APPROPRIATIONS FOR MONUMENT REPAIR AT GREENHILL CEMETERY  
**Account # Order:** No  
**Print Parent Account:** No  
**11/10/2014**

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.5990</td>
<td>Appropriated Fund Balance</td>
<td>1,050.00</td>
</tr>
<tr>
<td>A.8810.100</td>
<td>Greenhill Cemetery</td>
<td>1,050.00</td>
</tr>
</tbody>
</table>

**Total Amount:** 2,100.00
**VILLAGE OF GREENPORT**

**Budget Adjustment Form**

- **Year:** 2015
- **Period:** 11
- **Trans Type:** B2 - Amend
- **Status:** Batch
- **Trans No:** 1258
- **Trans Date:** 11/10/2014
- **User Ref:** ROBERT
- **Requested:** BRANDT/PIRILL
- **Approved:** Created by: ROBERT
- **Description:** FUNDING FOR TEMPORARY PART TIME STAFFING IN THE CLERK'S AND TREASURER'S OFFICE
- **Account # Order:** No
- **Print Parent Account:** No
- **Account No.** | **Account Description** | **Amount**
--- | --- | ---
A.5990 | APPROPRIATED FUND BALANCE | 2,100.00
A.1410.100 | CLERK.PERSONNEL SERVICES | 1,050.00
A.1325.100 | TREASURER.PERSONNEL SERVICES | 1,050.00

**Total Amount:** 4,200.00
BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING WETLANDS PERMIT APPLICATION
OF NATHANIEL AND EMILY EWING

WHEREAS an application for a wetlands permit approval was filed by the Ewings as an application with the Board of Trustees of the Village of Greenport; and

WHEREAS the Board of Trustees of the Village of Greenport has duly considered the obligations of the Village of Greenport with respect to the wetlands permit application and the Board of Trustees of the Village of Greenport with regard to SEQRA, and completed a short form EAF for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with regard to the consideration and approval of the wetlands permit application and it is further

RESOLVED that the Board of Trustees hereby determines that the approval of the wetlands permit application is an Unlisted Action for purposes of SEQRA; it is further;

RESOLVED that the Board of Trustees of the Village of Greenport hereby determines that the approval of the wetlands permit application;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community’s current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;
Will not result in the creation of a material demand for other actions, and;
Will not result in changes in two or more elements of the environment, each of which is not
significant but when reviewed together are significant two ore more related actions each of which is
not significant but when reviewed together are significant; all of the above provided that certain
conditions are met as follows:

The applicants must provide facilities to discharge pool water into the sanitary sewer;
The applicants are encouraged to provide landscaping that does not require the use of
pesticides or fertilizers; and
The applicants must provide a 10 foot no turf buffer at the rear of the property; and that it
is therefore;

RESOLVED that a conditional Negative Declaration is hereby adopted for purposes of
SEQRA.

Upon motion by Trustee
seconded by Trustee
this resolution is carried as follows:

Dated: November 21, 2014
NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT OR ADOPTION OF LOCAL LAW
BOARD OF TRUSTEES
VILLAGE OF GREENPORT

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Greenport will conduct a Public Hearing on Monday, November 24, 2014 at 6:00 p.m. at the Third Street Fire Station, Third and South Streets, Greenport, New York, 11944 regarding a proposed local law of 2014 amending Chapter 65 (Fire Prevention and Building Construction) of the Village of Greenport Code, amending Chapter 65, Section 7(K) of the Village of Greenport Code.

The purpose and subject of the proposed local law is to add fire suppression inspection fees for initial Village inspection of fire suppression systems to the Village of Greenport Code.

The title of the local law is “Local Law of 2014 – A Local Law amending Chapter 65, Section 7(K) of the Village of Greenport Code – Fire Prevention and Building Construction”.

Any interested party will be heard at the public hearing.

BY ORDER OF THE VILLAGE OF GREENPORT BOARD OF TRUSTEES
Sylvia Lazzari Pirillo, RMC
Village Clerk

1T: 11/06/14
2 Copies of Affidavit Required
November 8, 2014

LOCAL LAW NO. OF THE YEAR 2014

AMENDING CHAPTER 65 SECTION 7K OF THE GREENPORT VILLAGE CODE
TO ADD FIRE SUPPRESSION INSPECTION FEES

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Amendment To Section 65-7(K) of the Greenport Village Code

3.0 Severability

1.1 Title.

This Local Law shall be entitled “Local Law of 2014 Amending Section 65-7(K) of the Greenport Village Code to add a fee for the initial fire suppression system inspection.”

1.2 Enactment.

1.3. **Effective Date.**

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 **Purpose and Intent of Local Law.**

The purpose and intent of this Local Law is to provide for the safety and wellbeing of the residents and visitors to the Village of Greenport, by encouraging the proper and timely initial inspection of fire suppression systems in the Village of Greenport by the Building Inspector and to charge a corresponding fee for that service when provided by the Village.

2.0 **General Provisions.**

2.1 Amendment to Section 65-7(K) of the Greenport Village Code.

2.1 Section 65-7(K) of the Greenport Village Code is amended to add the following fee:

"Building Inspector initial inspection of installation of fire suppression system $100."

3.0 **Severability**

In the event that any section or portion of this Local Law or Chapter shall be deemed invalid or void, the remaining provisions of this Local Law and Chapter shall remain in full force and effect.
NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT OR ADOPTION OF LOCAL LAW
BOARD OF TRUSTEES
VILLAGE OF GREENPORT

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Greenport will conduct a Public Hearing on Monday, November 24, 2014 at 6:00 p.m. at the Third Street Fire Station, Third and South Streets, Greenport, New York, 11944 regarding a proposed local law of 2014 amending Chapter 48 (Boats and Boating) of the Village of Greenport Code.

The purpose and subject of the proposed local law is to amend specified provisions of, and appendices, of Chapter 48 of the Village of Greenport Code.

The title of the local law is “Local Law of 2014 – A Local Law amending Chapter 48 of the Village of Greenport Code – Boats and Boating”.

Any interested party will be heard at the public hearing.

BY ORDER OF THE VILLAGE OF GREENPORT BOARD OF TRUSTEES
Sylvia Lazzari Pirillo, RMC
Village Clerk

1T: 11/06/14
2 Copies of Affidavit Required
November 8, 2014

LOCAL LAW NO. OF THE YEAR 2014

AMENDING CHAPTER 48 OF THE GREENPORT VILLAGE CODE REGARDING BOATS AND BOATING

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,

1.1 Title of Local Law
1.2 Enactment.
1.3 Effective Date.
1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Amendment To Section 48-17(B) of the Greenport Village Code.
2.2 Amendment to Section 48-17(D)(5) of the Greenport Village Code.
2.3 New Section 48-17(D)(6) of the Greenport Village Code.
2.4(A) Amendment to Appendix A Section (1)
2.4(B) Amendment to Appendix A Section (2)
2.4(C) Deletion of Appendix A Section (7)

3.0 Severability

1.1 Title.

This Local Law shall be entitled “Local Law of 2014 Amending Chapter 48 of the Greenport Village Code Regarding Boats and Boating”.

1.2 Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State of New York, the Incorporated Village of Greenport, County of Suffolk and State of

1.3. **Effective Date.**

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 **Purpose and Intent of Local Law.**

The purpose and intent of this Local Law is to provide for the safety and wellbeing of the residents and visitors to the Village of Greenport, the proper and orderly use of the Railroad Dock and other Village of Greenport dock and mooring facilities, and to limit the liability of the Village of Greenport due to the actions of the parties using the docks and mooring facilities of the Village of Greenport.

2.0 **General Provisions.**

2.1 Amendment to Section 48-17(B) of the Greenport Village Code.

2.1 Section 48-17(B) is amended to read as follows:

“The Harbormaster is hereby authorized to issue one (1) dock permit for docking or mooring of boats to theforesaid docks, piers, wharves and moorings in Greenport Harbor and Sterling Basin. There shall be only one (1) permit issued per boat. Each permit issued with regard to the Railroad Dock shall entitle the holder thereof to drive one designated motor vehicle upon the Railroad Dock.”

2.2 Amendment to Section 48-17(D)(5) of the Greenport Village Code.

2.2 The language of Section 48-17(D)(5)(a) is amended to read as follows:

“5. Proof of Insurance; Hold Harmless and Indemnification
a. For the Railroad Dock, proof of insurance in the form of an original certificate of insurance naming the Village of Greenport as additional insured for not less than the following amounts and types:

i. Maritime commercial-general liability insurance, including contractual liability coverage, in an amount not less than One Million Dollars ($1,000,000.00) per occurrence and Three Two Million Dollars ($23,000,000) for the annual aggregate amount for bodily injury and property damage and other general liability.

ii. Proof of automobile liability insurance satisfactory to the Village. (if any non-owned or owned vehicles are used by the Contractor in the performance of the Contract) in an amount not less than Five Hundred Thousand Dollars ($500,000.00) per person, per accident, for bodily injury and not less than One Hundred Thousand Dollars ($100,000.00) for property damage per occurrence.

iii. Workers’ Compensation and Employer’s Liability insurance for all contractors performing services for the vessel in compliance with all applicable New York State laws and regulations and Disability Benefits insurance, if required by law. The Contractor shall furnish to the County, prior to its execution of the Contract, the documentation required by the State of New York Workers’ Compensation Board of coverage or exemption from coverage pursuant to §§57 and 220 of the Workers’ Compensation Law. In accordance with General Municipal Law §108, the Contract shall be void and of no effect unless the Contractor shall provide and maintain coverage during the Term for the benefit of such employees as are required to be covered by the provisions of the Workers’ Compensation Law.
iv. **Proof of hull insurance satisfactory to the Village** in the amount of not less than Five Hundred Thousand Dollars ($500,000).

v. **Water pollution discharge insurance as required by State and local law.**

b. Owners of boats and vessels using a Village of Greenport mooring or dockage shall execute a hold harmless and indemnification agreement in favor of the Village of Greenport either as part of the mooring or dockage agreement or in a separate agreement, as required by the Village and provide the Village of Greenport with proof of liability insurance of an amount of not less than three hundred thousand dollars ($300,000) naming the Village of Greenport as additional insured."

2.3 New Section 48-17(D)(6) of the Greenport Village Code.

2.3 A new Section 48-17(D)(6) is added to read as follows:

"48-17(D)(6) Current Coast Guard Safety Certification number.

Every vessel using a Village of Greenport dock or mooring facility **requiring a Coast Guard Safety Certificate** shall provide the current Coast Guard Safety Certification number of the vessel to the Village of Greenport."

2.4 Amendment to Appendix A of Chapter 48 of the Greenport Village Code.

2.4(A) Appendix A Section (1) of Chapter 48 of the Greenport Village Code is amended to read as follows:

"(1) No commercial activity shall be allowed on any docks or moorings within the ownership or lease of the Village of Greenport without the prior consent of the Village. Included in commercial activity shall be fuel and ice servicing, repair work of
any kind, welding, loading or off-loading, of fish or other materials, or commercial
vehicle or vendors’ trucks.”

2.4(B) Appendix A Section (2) of Chapter 48 of the Greenport Village Code
is amended to read as follows:

“(2) There shall be no parking of motor vehicles on any of the docks except
for loading and unloading.”

2.4(C) Appendix A Section (7) of the Greenport Village Code shall be deleted
and removed.

3.0 Severability

In the event that any section or portion of this Local Law or Chapter shall be
deemed invalid or void, the remaining provisions of this Local Law and Chapter shall
remain in full force and effect.