VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

BOARD OF TRUSTEES
REGULAR SESSION

Third Street Firehouse
Greenport, New York

December 22, 2014
6:00 P.M.

BEFORE:

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

JOSEPH PROKOP - VILLAGE ATTORNEY
PAUL PALLAS - VILLAGE ADMINISTRATOR
Regular Session 12/22/14

(Whereupon the meeting was called to order
at 6:02 p.m.)

MAYOR NYCE: Good evening. I will call
this meeting to order, and ask everyone to please
rise and 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 Littia Ann Floyd, Dorothy I.
Gillman, Rita V. Gibbons, Britta Viola Stroem,
and Lillian White.
(Whereupon, all remained standing for a
moment of silence.)

MAYOR NYCE: Thank you. You may be seated.

So welcome to the December Board of Trustees
meeting for the Village of Greenport. We have
several announcements, one public hearing, and a
fairly short agenda. I'm sorry, I will speak
into the microphone. Sorry. I thought I was
using my stage voice; apparently, I'm not. We
have a fairly short agenda, several
announcements, and a public hearing this evening.

And prior to getting started, I wish
everyone a very happy holiday. I hope it's off
to a booming start for everyone.
Under announcements: Village Hall will be open only until noon on December 24th and December 31st, and will be closed on the 25th, in celebration of Christmas, and January 1st, in celebration of New Years Day. Village Hall will also be closed on January 19th in observance of Martin Luther King, Jr. Day. And the January 2015 work session will be on the Tuesday, January the 20th of 2015.

Also, I want to announce that the annual Greenport Fire Department Washington Birthday Parade celebration will -- is scheduled for February 21st, which is a Saturday, commencing at 1 p.m.?

TRUSTEE HUBBARD: One o'clock.

MAYOR NYCE: The parade commences at 1 p.m. It's the 175th year, isn't it?

TRUSTEE HUBBARD: I think so, yes.

MAYOR NYCE: A hundred and seventy-five years. Astounding that -- from what I understand, it could be urban legend, but I believe it's the longest running volunteer fire department parade in the country, at least we'll hold to that. It's the longest continually -- it was cancelled, I believe, once for weather and
that was it.

TRUSTEE HUBBARD: I don't remember it ever being cancelled in 37 years that I've been in.

MAYOR NYCE: There you go. So it's quite a parade.

TRUSTEE HUBBARD: Yeah.

MAYOR NYCE: And it's quite a festive day. I encourage anybody to line up and have a look.

The final brush pickup for the season was on December 9th. Please do not leave any brush intended for pickup by the Village crews, as we do have code enforcement going around now and ticketing. They do accept brush at the dump, as long as it's in brown bags. Actually, it doesn't even have to be in brown bags, it could be loose, but they will take -- they will accept it at the dump.

Some notes about the election coming up in 2015. There will be an election on March 18th to fill the position of Mayor and two Trustees. There will be two 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. The 5th is, I believe, a Thursday, and the 7th is a Saturday. With both of those, they will be held at Village
Hall, and they usually are upstairs. If you cannot manage the stairs, please contact somebody at the downstairs desk and they will make arrangements to have somebody come down to meet you.

We encourage people, if they are not registered, to please register. If you know somebody that is not registered, please bring them in to register to vote.

The Clerk's Office is accepting absentee ballot applications for the March 18th, 2015 election. That is happening as of now, they are accepting those applications for absentee ballots. If you know you are not going to be in the Village during the election, please get your absentee ballot. Get it early. We'd like you to vote early and often, or just early.

AUDIENCE MEMBER: Early.

MAYOR NYCE: I'm sorry, just early. That was an old campaign slogan, "Vote Nice, Vote Twice." There you go. Technically not correct. That was just a little bit of Christmas humor.

The next item on our agenda is a public hearing on a wetlands permit application. This application was submitted a while ago and was
pulled, has been resubmitted. The public notice
for this has been properly noticed. Anybody that
wishes to comment on this can do so now for the
record, and your comments will be taken down.
Ordinarily, what we do is we have the applicant
or their representative present the project, and
then we'll open it up for comments or -- yeah,
comments to the public after that. I'm going to
assume Mr. Anderson is the representative for the
applicant.

MR. ANDERSON: Bruce Anderson, Suffolk
Environmental Consulting, for the applicant,
Vincent Matassa.

I'm going to just pass up two things that
will help this -- help the presentation along.
One is a survey of the entire creek, and the
second is a series of aerial photographs of
Stirling Harbor. And that will pretty much --

MAYOR NYCE: Terrific.

MR. ANDERSON: That will pretty much
explain the story.

MAYOR NYCE: Bruce --

TRUSTEE ROBINS: You don't have anything on
a poster board for the public?

MAYOR NYCE: No. I was going to say, if
it's okay, I'll put this copy out here at the -- at the front, and I'll share with George. If anyone would like to follow along, it will be in this general area.

MR. ANDERSON: The property owners, Matassa, propose to repair and extend the existing dock and facility by an additional eight feet off the southern edge of the property in order to maintain navigable waters in Greenport Harbor. The survey that was submitted to you is prepared by Peconic Surveyors and depicts the shoreline, the water depths, the existing docks in the area. And the purpose of that survey is, number one, to demonstrate that at present, we have a dock which consists of a -- of a fixed catwalk, a ramp, and a 20-by-40-foot float that reaches 1.4 to 1.9 feet of water at low tide.

In today's regulatory world, regulators require that you try to achieve a two-and-a-half-foot depth at low tide. The reason for that is they don't want the boats resting on the bottom, and they don't want the engines to stir up the bottom. So two-and-a-half feet is considered a -- from an environmental standpoint, a reasonable depth of which to wharf
out to. And in the numerous dock applications that we do in this, in my business, we start by defining where those depths are, and that's what we utilize the surveyor to determine in this instance.

So the survey in front of you depicts those water depths, and as you can see, by extending the dock an additional eight feet, you reach to 2.8 to 2. -- 3.1 at the seaward edge of the dock, and approximately two feet at the landward edge of the floating dock. So the purpose of extending this dock is to provide for reasonable and safe navigation into and out of Stirling Harbor.

This has been an application that's been under regulation for quite a long time, and, to date, we've obtained a permit from the New York State DEC. We have New York State Department of State certify that we are -- that they concur with its consistency with respect to the State's coastal management laws and regulations. And, finally, most recently, in your file you'll find a permit issued from the Army Corps of Engineers. All of these permits authorize the same docking facility, which also includes a dolphin that will
be 18 feet off the northwest edge of the floating
dock, as extended now, eight additional feet into
the water.

The other thing that's of interest in this
application is the question of whether or not the
near-eight-foot extension of this dock would
cause an impediment to navigation into and out of
Stirling Creek. And so, as part of our
regulatory process with the Army Corps of
Engineers, they made us require that we take
soundings across the creek. We also located the
docks on either side of the docks across the
creek. And based on the existing docks, as
surveyed in the field by the licensed surveyor,
we're able to extend what's called a pier line,
which is basically a line that connects the
seaward edge of the adjacent docks, and you'll
see that on the survey. And what you'll also
conclude is that by extending the dock eight
feet, it brings it up to that pier line. In
other words, this dock will not extend further
into a regulatory waterway than the existing
docks that already occur in the immediate
neighborhood.

Because there has been interest in and
concerns expressed with respect to navigation, not to the study of Stirling Harbor itself, in the series of aerial photographs before you is our study of the harbor. And the purpose there is to compare the navigable channels in Stirling Harbor to determine what impact, if any, the extension of this dock might have into and out of Stirling Harbor.

And the important item, J, which is the last aerial, is a -- depicts the dock as extended, and you'll see that it does, in fact, line up with the pier line that exists there. We've actually added a boat, which is 14-by-38 feet, and we've shown that the distance from that boat, even dock, is the floating dock. Directly across to the existing boat on the dock, directly across, that distance is 90 feet.

The overall width of the channel is 108 feet, and that's shown on the survey. So we compare that with other areas in Stirling Harbor, and what we find, that navigable channels and passageways extend anywhere from 25 feet to the 90 feet that we're showing here. And we note that the entrance to Stirling Harbor is about 75 feet wide. And the point of that is just to
determine that -- is to demonstrate that this proposed dock as extended will in no way impact upon the navigation into and out of the creek. Obviously, boats going into and out of Stirling Creek regularly throughout the boating season, particularly in this mouth, and also up in some of the tighter areas, such as up near the hospital, which is shown in the aerial, certainly into and out of the marinas that dot the eastern shoreline and western shoreline. And so we were required to do that as part of our regulatory process that we under -- was undertaken by the Army Corps of Engineers.

And based upon the surveying that was done, the -- and the mapping that was done, and the aerials that were done, the Army Corps of Engineers concluded correctly, that there are no impediments in navigation at Stirling Harbor relating to this proposal.

So, just to recap, the application as framed is made because, at present, the dock that exists there today, the water is too shallow, and you need to extend it by eight feet to reach reasonable water level, which is two-and-a-half to three feet, as determined by DEC. That in
extending it eight feet, it lines up exactly, as
a matter of fact, with the pier line existing
along that side of the creek. And based upon the
moderately deeper water, the fact that there is
no impediment to navigation, we think -- it is
our position that the Village Board should be
comfortable in approving this application.

And I'm here to answer any questions that
you may have.

MAYOR NYCE: Thanks. What we ordinarily do
is open it up to the public for their comments
and questions first, and if we need to bring you
back up to address any of those, we will do that,
if that's agreeable to you.

MR. ANDERSON: That's fine

MAYOR NYCE: Terrific. So I will ask if
there's anyone from public that wishes to address
the Board on this application? As you come up,
please state your name and address for the
record, and your comments will be taken down.

I do also need to note -- I'm sorry, I
should have noted earlier, our Village Clerk,
Sylvia Pirillo, is not present tonight, she's
absent. Her grandmother was taken to the
hospital today, unfortunately. And then the
Deputy Clerk's husband was just taken to the hospital, so she also will not be here. Our thoughts go with both of them. We wish them all the best. Sir.

MR. TASKER: Good evening. I'm Arthur Tasker. I live at 17 Beach Street in Greenport. That's on Sandy Beach, a small colony of 20-some bungalows that we've enjoyed for many, many years, and hope to continue to. I am one of the owners, but I'm also speaking tonight for other owners who oppose this application, including the 11 who wrote letters that are part of the file in objection to this project.

This little branch of Stirling Harbor, it's not Stirling Harbor. There's no mooring field there. There are a lot of docks, most of which have small boats on them and surround that little arm of the creek. But that little branch of the creek has suffered many indignities over the -- including all kinds of pollution over at least the 71 years that I have been going there.

When we grew up there, when I was growing up there, we ate the clams, and the mussels, and the steamers, and the crabs in there without any fear at all, and now all of those are extinct, or
certainly inevitable. This Board needs to prevent further harmful deterioration of at least this part of Stirling Creek.

The punch line, before I tell my story, big boats belong at Brewer's, they do not belong in this part of the creek.

Mr. Matassa has proposed a deep-water -- a deep-water dock, and I'll provide this photo to you. This is a photo of the sign that he had on the property last summer, and it reads, "For Sale, new waterfront home with deep-water dock, build to suit." As his representative has already said, he wants to move the dock out to where there'll be at least two-and-a-half feet of water. But, at the same time, in response to a query from the Conservation Advisory Committee about his application, he said he wants to moor a 41-foot Albemarle there. Well, if you look up the specs for a 41-foot Albemarle Sportfishing, it draws four feet of water. I don't see how you're going to get that boat up to the dock.

Now, he also spoke of a 38-foot boat. The boat size seems to be changing. Maybe we'll come up with a size that will fit the dock. But that raises the question about, if you've got a boat
that size with a 40-foot dock, what do you need an 18 -- a dolphin 18 feet away? Well, that's to moor an even bigger boat on there, because when you put the 18-foot dolphin 18 feet away on the 40-foot dock, you've got enough room, lengthwise at least, to moor a 75-foot boat, for example. The dolphin is perfect to help swing the boat around, so that you can turn it back out for the next trip out.

But the point is this: It doesn't matter what he said the size of the boat is that he's going to moor there. The fact is, he can put anything he wants there, because the dock won't restrict the size of the boat. The issue is going to be how is he going to moor anything bigger than a 22-foot outboard that draws two-and-a-half feet of water, or thereabout, at that location? And the way you do that is by prop dredging.

Prop dredging, for those of you who don't know, is you tie your boat up tight to the dock, you turn the wheels on full bore, and you flush out the sand and silt beneath your boat until you got a nice cozy little place to dock your boat. And then, if you tilt the boat at the correct
angle, you could even make a little arm that goes out into the deep water. That is done in the creek with some regularity, because there are one or two other large boat there that maintain their slip by prop dredging.

There are also some inconsistencies here as well. The permits from the Town of Southold appear to be inconsistent with the application that was made to the Village. In the July 15 work session, Mr. Prokop spoke about the following with respect to the Southold Town permits, and I quote from the -- from the record there.

"The Town Trustee's January 2013 permit is for demolition and reconstruction in-kind for a dock." Quote, continuing, "The dock that is in these plans," referring to the ones before the Village Board, "however, is not an in-kind dock, it's significantly larger than the existing dock. The floating part is also longer. There is also a dolphin that is out in the creek, different features than the previous dock."

Mr. Prokop went on to say, "So we have to be very careful what the Town Trustees have to review when we have a plan that is dated two
months later." It appears that the Town Trustees approved a different set of plans than the Village is looking at. The file does not indicate whether this inconsistency was ever resolved.

The applicant did the same thing with the Corps of Engineers application. The original submission did not show a dolphin, and it was only when it was brought to the Corps' attention that they were required -- that the applicant was required to show the dolphin.

So it seems like there's a lot of obfuscation in this entire application process between the Town, the Corps and the Village.

The Conservation Advisory Committee, which reviewed these applications for the Board of Trustees, reported to the Village Board, "It can only recommend this project if the size of the dock does not exceed the size of the existing dock. The size of the existing dock is what we feel is the largest dock which should be allowed at this location."

Again, big boats like Mr. Matassa's don't belong in this small arm of Stirling Creek, they belong in a marina with deep water that can
handle big boats.

To sum up, big boats, deep water docks, and illegal dredging of shallow water are wrong in this environmentally fragile part of Stirling Harbor. I strongly urge this Board to deny a wetlands permit application and help preserve what's left of that small part of Stirling Creek.

Thank you.

MAYOR NYCE: Thank you, Mr. Tasker. Is there anyone else who wishes to address the Board on this issue?

MR. SALADINO: John Saladino.

MAYOR NYCE: Just, John, for --

MR. SALADINO: I'm a member --

MAYOR NYCE: Okay, good.

MR. SALADINO: I'm a member of the CAC, and I'm here to speak for three of the four members of that committee tonight.

MAYOR NYCE: And they've authorized you to do so?

MR. SALADINO: They did.

MAYOR NYCE: Okay.

MR. ANDERSON: What is your name?

MR. SALADINO: My name?

MR. ANDERSON: Yeah.
MAYOR NYCE: John -- he said that, John Saladino.

MR. SALADINO: We would like to reiterate our objection to the -- and just to reiterate our position to this application.

The thing I would like to just mention -- I thought Arthur did a great job. The thing I would like to mention that you might not know is there was a question -- there was -- they brought the pier line up. There was a question about the pier line when we first reviewed this project, and there was some question with the former Village Administrator if those piers -- some of those docks were actually permitted. We have no way of knowing if some of those docks, because there is no record at Village Hall for some of them. So the pier line, as it is now, is artificial. So we don't know if it's -- if they were permitted, if they weren't permitted. So that might be something you'd be willing to consider when you review this application.

But we would just like to reiterate our position. The application, there's nothing -- except for the ACE, the Army Corps of Engineers' report, there's nothing new to this application
as it was then. We feel our opinion today stands
as it was then. Thank you.

   MAYOR NYCE: Thank you. Is there anyone
else from the public that wishes to address the
Board on this item?
   (No response.)

   MAYOR NYCE: Okay. If not, I would like
the Village Administrator to note that online,
I'd like to make sure that the letters that were
sent in are part of the public record. We're
going to make sure that they're part of the
public record. They should be listed online.

   MR. MATASSA: Excuse me. I have one
question.

   MAYOR NYCE: Sir, I'm sorry.

   MR. MATASSA: I'm Vincent Matassa.

   MAYOR NYCE: If you have -- you have to
come to the podium and state your name.

   MR. MATASSA: Hello. I'm Vincent Matassa.
I just -- I just want to make sure that the Town
has copies of all the letters of approvals. And
these are -- I know they received letters of
objection for this application. These are --
this is a petition signed by many of the
homeowners on Sandy Beach Road that are in favor
of this application. I don't know if the Mayor has copies. I believe they were all e-mailed.

MAYOR NYCE: All of the emails that came in are part of the record. You can -- if you want to submit to the Village Administrator, we'll make sure that they go in as well.

MR. MATASSA: The letters of support?

MAYOR NYCE: All correspondence that came in through the Clerk's Office.

MR. MATASSA: I'd also like to just tell you a little bit about myself, and it's a little story that I wrote.

As a young boy in the '50s and '60s, I would come to Greenport to fish. In the early morning I would eat my breakfast, sitting at the same stools that exist today at the Coronet. In the background and next to me, I would listen to all the fishermen tell their fish tales of days gone by and feel the excitement of the day.

I walked the docks loaded with commercial fishing boats, and many times I would be there when they returned with their catch. I would listen to their stories, amongst them Rich Fiedler's dad and uncle. I was hooked, and dreamed one day to have my own boat and fish for
Throughout the '70s, I would trailer my small boat to Greenport and stop in at White's tackle to buy bait and discuss the hot fishing spot of the day.

In the '80s, I was able to get a house and boat on the creek, and started to fulfill my --- that childhood dream. My oldest daughter would come fishing with me. My kids, along with many of the families in the creek, the Raines, Sucichs, Melis, Fiedlers, Halligans, and Lieblics were always swimming and diving off the docks in the creek. Over the years, I have watched all these kids grow up, get married, and have kids of their own.

My oldest daughter, Catherine, got married in a tent on this property during Hurricane Irene. Since then, I had a grandson and decided to keep this property for my growing family.

Today I'm older and I don't have the energy to fish offshore anymore, but I continue to fish locally on weekends with my children and grandson, and soon-to-be grandchildren. I know all my good fortunes, along with my daughter's Doctorate in Marine Biology, are a result of my
days and dreams of Greenport. Excuse me.

It's a shame we have not been able to maintain our unique fishing history. Today our commercial fishing fleet has dwindled from a hundred to a handful. The swordfish and tuna have become scarcer near shore.

But as I see young Ricky Fiedler and his small boat loaded with fishing gear passing my dock, I know this dream lives on, and, hopefully, the old stools at the Coronet will be filled with fishermen once again. Thank you.

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

(No response.)

MAYOR NYCE: Are there any questions from the Trustees for the applicant or his representative?

TRUSTEE HUBBARD: No.

MR. ANDERSON: I would just respond quickly.

MAYOR NYCE: Okay.

MR. ANDERSON: If you want me to.

MAYOR NYCE: To -- I don't know that it's --
MR. ANDERSON: Yeah. Well, first of all, well, let me correct the record.

The Town Trustees don't regulate the dock, they regulate the house. And we have a permit for the work, the demolition and rebuilding of this house, and that is because this property straddles the Town and the Village lines. So, basically, the shoreline out is the Village, and the shoreline in is the Town. So the Trustees have not ruled on this dock at all, because they don't have jurisdiction.

MAYOR NYCE: Right, absolutely

MR. ANDERSON: The second thing I'd like to say is I've been through your codes and I notice that we don't regulate boats, we regulate docks, and this is a compliant dock in all respects.

The dolphin that's proposed there is a normal part of a dock, we apply for them all the time. There is no regulatory mechanism to get at the size of the vessel, because you don't regulate that. And the docking is -- the dock itself is 6-by-20, which is a standard dock, which is what DEC, Trustees, Army Corps, Department -- say that's a standard residential dock. There's nothing really unique about this
And as for the CAC, they may object to it, but there's not a technical basis for that objection that I can find. Thank you.

MAYOR NYCE: Thank you.

MR. ROBINSON: I do have a question. Mr. Anderson, since Mr. Saladino, who's on that committee, did point out that you -- one of the things you're basing your facts on is the establishment of this pier line, when, in fact, Mr. Saladino says that there is no way to legitimately prove that that pier line exists, because those were not permitted docks.

MR. SALADINO: Some of them.

MAYOR NYCE: Some of them.

MR. ANDERSON: The pier line exists --

MAYOR NYCE: Right.

MR. ANDERSON: -- and the docks are there, and we surveyed the docks. If these docks were built without a permit, that's an issue for the Village, perhaps, but it's not an issue for the applicant.

MAYOR NYCE: That would be my understanding, too. And I would ask both the Village Attorney and Village Administrator look
into that item, as it was brought up, to
ascertain whether or not those docks were built
without permit.

Are there any other questions for the
applicant from the Board?

(No response.)

MAYOR NYCE: Before -- I mean, I know it's
been reiterated, but we generally, as part of the
record, will also note that the CAC did review
this, and their comments are that they recommend
against the project. They can only recommend the
project if the size of the new dock does not
exceed the size of the existing dock. "Any
enlargement or extension would cause a negative
impact on the" -- I'm sorry, I can't read
Mr. Abatelli's writing. Impact -- "negative
impact on the entrance area of this small area of
Stirling Creek. The above responses are based on
the size of the existing dock, which is what we
feel is the largest dock that should be at this
location."

Those are the comments from the CAC. It
should be noted that they are the advisory board
that we have as part of our LWRP, to make sure
that we are staying consistent with our LWRP.
And, I'm sorry, we've moved past --

MR. MATASSA: You already said.

MAYOR NYCE: Yeah.

MR. MATASSA: I wanted to note the dock is the same size that exists.

MAYOR NYCE: Yes. So, with that, what is the Board's pleasure on this? Do we want to close the public hearing? Do you want to leave the public hearing open for more comment? I think we've had a great deal of comment.

TRUSTEE HUBBARD: I have no problem with closing the public hearing at this time, and we'll review the documents.

MAYOR NYCE: Okay. I'll entertain a motion to close that public hearing.

TRUSTEE ROBINS: I'll second that.

MAYOR NYCE: You would be making the motion.

MR. ROBINSON: I'll make the motion, okay.

MAYOR NYCE: The motion is made by Trustee Robins.

TRUSTEE HUBBARD: I'll second the motion.

MR. ANDERSON: Could you repeat that motion, please?

MAYOR NYCE: Motion to close the public
TRUSTEE ROBINS: I'm making a motion to close the public hearing.

AUDIENCE MEMBER: He can only speak once?

MAYOR NYCE: Yes. Is there a second on that motion?

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries. The public hearing is closed.

I'll ask the Village Administrator to ask the Clerk to put it on the agenda for the work session for the January meeting for the Board to discuss.

And with that, I do have one other thing to mention before we go into the Public Portion of the meeting. As many of you might know, at the work session this month, Mr. Fisher from the
Railroad Museum sat with us and made a proposal to us that we support the Railroad Museum's application to the MTA and Long Island Railroad to go into a lease of that property by themselves, without the Village involvement. We discussed at the work session that the Board would discuss it and move forward. And I got a subsequent email. We're not going to discuss and move forward tonight necessarily, as we joked at the work session. The Railroad doesn't move that fast either. So, likely, the Board will discuss it over the course of the month, and we'll probably take it up at the January meeting.

But I want to thank Mr. Fisher for coming in and giving us the history of it, and also giving us the contact information for -- as we move forward with that.

That would bring us to the Public Portion, and I'll ask if there's any --

MS. PHILLIPS: Mr. Mayor, I would like to say something before the public portion.

We are at some point going to be discussing Resolution 12-2014-16 that's dealing with the sculpture in Mitchell Park.

MAYOR NYCE: Yes.
TRUSTEE PHILLIPS: And at the work session we did discuss that we need to move forward on Mitchell Park. And I think now would be the opportunity for not only people to comment on this particular project that's being discussed putting into the park, but also with Village residents thoughts about what direction we should take with the Mass Assembly Permits in Mitchell Park. I think we still need to get comments, I think it's important.

I understand that we will be discussing it at the January Board meeting. You will not be there, so I would like to at least give people the opportunity, if they are to make some mention and reference to the events that can be allowed in Mitchell Park and not in our park, besides ours.

MAYOR NYCE: That has been open to the public since we started back in July. At every one of these meetings, they're entitled to come up and give us their --

TRUSTEE PHILLIPS: Right.

MAYOR NYCE: -- views either in email, during the month, or at this meeting. Yeah, absolutely.
MS. PHILLIPS: But I just would like to remind people they have the opportunity to --

MAYOR NYCE: Duly noted. So, with that, we will get into the Public Portion of the meeting. Is there anyone that wishes to address the -- is there anyone that wishes to address the Board?

MR. SWISKEY: I would.

MAYOR NYCE: We almost got away.

MR. SWISKEY: William Swiskey, 184 Fifth Street.

What you just said about the Mitchell Park, and, you know, you should have scheduled a series of public hearings on this. I mean, you're throwing this out there, and then you say, "Well, the public had a chance to comment at the various meetings along the way." Well, that just doesn't cut it. What you got here is you got a major decision you're going to make. And I have to agree with Trustee Phillips on this, we need more public input. And I wouldn't do anything without at least two more public hearings on this. Advertise and let people come. I mean, it was discussed at the work session when there were 14 people there, but they couldn't speak.

And has this Village consulted with like
Glen Cove, Great Neck, anyplace that has a public park, even Riverhead or Southampton, to see what their policy is? Maybe you can glean a policy from them. But to move forward without without a whole lot more public input and study, which I think this Mayor is looking to push this through for some reason, I don't know. What's the rush?

MAYOR NYCE: There's no rush; not looking to push anything.

MR. SWISKEY: Well, then you should approve and use the old method. And if it runs into next summer and you don't change it until next year, that's what happens. But I get the impression this is going under the table and being pushed.

And it's sort of like this art structure that's going to go in the park. Well, this Board turned it down and said no. They come back with it different and it's it pushed through. I got to tell you, I wouldn't vote for this. You told them no once, and no means no. In other words, I don't -- I mean, the Mayor may be a friend of certain artists in town who want this, but this Board said no, so stick with your no.

Anyway, to get to another subject, the
absentee ballots. A friend of mine, he just went south for the winter. He lives on my street. He asked the Clerk, "Can I get an application for an absentee ballot?" "Go online and get it." Well, no, that don't work that way, it should be in the Clerk's Office. You should be able to go in and pick it up. So I went in today. They started to tell me that, so I insisted. So then they go online and they get an absentee ballot that is a standard for New York State. The only problem with this ballot is it's returnable to the Suffolk County Board of Elections. So, if I send it on the last day that it's eligible, it's going to the County and it's not going to be sent.

This absentee ballot, you can use the State application, but on the back, that should be crossed out, and there should be a letter that this ballot is returnable by a certain date to Village Hall, attention to the Village Clerk, because the Village -- the Board of Elections is not running the Village election.

MAYOR NYCE: Thank you. I'll bring that up to the Clerk's attention.

MR. SWISKEY: Thank you. I would appreciate it, because the poor man went south,
him and his wife, and they couldn't get a ballot.

MAYOR NYCE: Got it. Got it. I'll bring

it up with the Clerk.

MR. SWISKEY: Thank you. And the other

thing was this -- we haven't signed a contract

with A & F yet, have we, Testing?

MAYOR NYCE: Yes.

MR. PALLAS: Yes.

MAYOR NYCE: It was approved and signed.

MR. SWISKEY: When was it signed?

MR. PALLAS: It's ready to be signed. I

think it might be in the packet.

MAYOR NYCE: Oh, I'm sorry, it may be in

the pile. It was approved to be signed.

MR. SWISKEY: Well, that was a real

critical thing we needed to get done. It's over

40 days. I mean, what's going on here? Are we

still calling this outage an accident, because

that doesn't make any sense at all. If it was an

accident, we wouldn't be hiring this firm to
determine what was wrong with our system.

The Village has culpability here, whether

you like it or not. People that lost money --

and you have to be honest with them. If they

lost money because of your actions, the actions
of your contractor, the actions of your engineer, they're entitled to damages through the Village's insurance company. And I think it's time the Village got on this. It's like -- it's still not working right up there, is it? Now, I know I'm not going to get an answer from that one, but, I mean, it just ain't working. I mean, it's two years past due and not working right. Somebody should really start considering and looking into this, and forget A & F.

Maybe these Trustees should take a little interest, especially if you want to be Mayor or something? What the hell happened here and why?

Oh, and I got one more thing I wanted to comment on and see, and this is one that I've -- always gotten me. I would ask this Board, since we have an election, I would ask anybody running for public office or running for re-election to state categorically that they will put a motion on the agenda to do away with paid hospitalization for the Board of Trustees and Mayor. Thank you.

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

MR. SALADINO: I do. I'm not going to ask
about hospitalization. John Saladino, Sixth
Street.

On the agenda is a revision for the code,
Chapter 48.

MAYOR NYCE: Uh-huh.

MR. SALADINO: I spoke at the public
hearing and I raised an issue, and I'm going to
do it again for the Trustee that wasn't here.

In the appendix section, the code had
always read that no commercial activity shall be
allowed on any docks, moorings within the
ownership lease of the Village of Greenport, and
including -- well, you guys know, including ice,
service and repair work, welding of any kind,
packing out. You're changing it to read,
"Without the prior consent of the Village." I'm
not sure why you would do that. You're -- right
now, there is no loophole in this code. You're
creating a loophole. You're creating a way to
circumvent the code, depending on who a person
talks to at any given moment in time.

A phone call at night, perhaps could be a
representative of the Village, somebody in
authority, the Village Board, the Harbor Manager,
or it could not be. It could be somebody that
just answers the phone, and they shouldn't have
the right to decide.

    MAYOR NYCE: And they don't.
    MR. SALADINO: In theory, they don't. In
theory, they don't.
    MAYOR NYCE: In practice, they don't.
    MR. SALADINO: But in reality -- Mr. Mayor,
in times in the past, there's been times that
private citizens decide who and when -- who, and
what, and where, and when went to that dock. I
don't want to belabor the point, because I don't
want to take up a lot of my time now, because
there is something else I would -- but, if you
want, if you'll afford me the time, I could give
you examples. But, aside from that, why create a
loophole? Why create a loophole in the code when
none exists to begin with?

    We have a shipyard. If somebody needs to
repair their boat, the guy's in business to
repair boats. I mean, my thought was, when these
restrictions were placed on the dock, it was to
preserve the dock, to help certain businesses in
town. I just don't think that this one sentence,
"Without the prior consent of the Village," I
think just -- there's a perception in town about
selective enforcement. You don't agree; a lot of people see it that way.

I just don't understand why you would want to set yourself up for that perception, for people to even suggest that, for people to even say, "Well, this guy's allowed to do stuff there and this guy wasn't." "This guy steamed in at 10 o'clock at night, he didn't talk to anybody, and yet he's there." I just don't know why the Village would want to put itself in that position. Just you have a code that works, you're not allowed to do these things at the dock.

It's -- now you're saying, "Well, depending on how we feel or what the circumstances are" -- and I'm sure your motives are noble, but sometimes they can be misconstrued. You know, somebody says, "Well, the only reason that guy's there is because he did this," or "contributed to the Mayor's campaign," or some ridiculous thing.

I would suggest, I would urge the Board -- you weren't here, Trustee Murray wasn't here that night. I would urge the Board to just take that one sentence out. Leave that portion -- as far as the insurance, I think that's great. I think
-- as far as that one portion in the appendix, those seven words, I think you would be better served if you just took them out of the code. I don't really understand the logic for putting them in. So that's my comment on that.

The other thing I would like to ask you about, I had asked the Mayor at the last meeting if there's something you could share with us about the proposed agreement between the North Ferry Company and the Village of Greenport as far as renting the West Pier. I understand you told me it's in negotiation and it can't be discussed.

I called the County Attorney's Office, I think his name is Brown, the County Attorney, and I spoke to somebody in his office, and their opinion was there is no law that prevents you from discussing that. You can, if you choose to, discuss that agreement. The Village wouldn't be put at a disadvantage. If anything, it might enhance our position.

For the people here that don't know, and I'll talk to them through the Board, the ferry company is often between eight and $8500 to rent the West Pier on a long-term basis. I spoke to the Harbor Manager. His projected income for
that property for one year is over $26,000. It's $18,000 less that the Village taxpayers, residents would collect, if we can believe the Harbor Manager.

At the work session, there was a report by someone, I believe Mr. Pallas, about larger boats wishing to use the marina. I spoke to Jeff, the Harbor Manager, last year. He said he had to turn boats away because of lack of space. If we're looking to put this marina on the map, we shouldn't limit our options by taking away rental space.

And I honestly believe that this is something that the residents should know. This is something that should be discussed in front of the residents. It's a Village asset, it produces income for the Village. One way it will produce a lot of money. Eighteen thousand dollars is a lot of money, in my -- maybe not to you guys, but to me it's a lot of money.

So perhaps -- perhaps, before you go forward with these negotiations, you would be willing to discuss it with the public, and let us offer to you our opinion about what should be done with the Village property. Thank you.
MAYOR NYCE: Thank you. Is there anyone else who wishes to address the Board?
(No response.)

MAYOR NYCE: If not, that will conclude the public session of the meeting.

I would like to address the comment just made. We are not discussing that at this time, under advice of Counsel, while we're negotiating that. The information that you have is not complete, but we are being requested by Counsel to not discuss it in the public domain. At the point where we're ready to enter into an agreement, we will be discussing it, but at this point we're not.

MR. SALADINO: Can I ask the Attorney --

MAYOR NYCE: No, you can't, sir.

MR. SALADINO: -- his logic behind that?

MAYOR NYCE: Mr. Saladino, please. I made a -- I made --

MR. SALADINO: David, this is an important issue.

MAYOR NYCE: John. You're out of order, John. I gave you -- I gave --

MR. SALADINO: David, this is an important issue.
MAYOR NYCE: John. Mr. Saladino.

MR. SALADINO: If you would have -- if you would have responded to me at the microphone --

MAYOR NYCE: Mr. Saladino, you are --

MR. SALADINO: -- we wouldn't be having this discussion.

MAYOR NYCE: Mr. Saladino, you're out of order.

MR. SALADINO: I'm out of order, David --

MAYOR NYCE: You're out of order.

MR. SALADINO: I'm out of order --

MAYOR NYCE: You're out of order and I'm going to ask you to leave in a minute.

MR. SALADINO: -- because you're not being responsive to the public, that's why I'm being out of order.

MAYOR NYCE: John. Mr. Saladino.

MR. SALADINO: This is an important issue that the --

MAYOR NYCE: You're out of order.

MR. SALADINO: This is okay with you guys?

MAYOR NYCE: You're out of order.

MR. SALADINO: This is okay with you guys?

A member of the public is standing here asking for an explanation about serious money and being
dismissed?

MAYOR NYCE: Not being dismissed. I --

MR. SALADINO: I am being dismissed.

You're not being responsive to my question.

MAYOR NYCE: Mr. Saladino, you are out of order, sir. That was interesting.

MR. SALADINO: Yeah, it really was.

MAYOR NYCE: Would you like to leave now, please?

MR. SALADINO: No, no.

MAYOR NYCE: You're out of order.

MR. SALADINO: I don't believe I am out of order.

MAYOR NYCE: Until you come back into order and remain in order, you will be asked to leave.

MR. SALADINO: I'm not leaving, David. I'm not leaving. I didn't do anything to warrant being dismissed.

MAYOR NYCE: You are out of order, Mr. Saladino.

MR. SALADINO: Well, now I'm quiet.

MAYOR NYCE: And you will remain quiet. The next time you're out of order, you will be asked to leave. Thank you.

MR. SALADINO: You could ask.
MR. SWISKEY: Pathetic.

MAYOR NYCE: Try and regain my train of thought.

As to the comments about the use of Mitchell Park, it's not being rushed, it has not been rushed from the start. We are, have been, and will continue to elicit public comment on the matter. We are not making a decision tonight on that. It will be ongoing.

At the work session, we asked for an opinion piece from the Village Attorney that would be thorough to inform the Board as to what is legal and what is not legal based on either continuing to issue Mass Public Assembly Permits, or to not issue Mass Public Assembly Permits. The Board is making no decision on Mass Public Assembly Permits this evening. The Board is being asked to consider the placement of a temporary sculpture at the observation deck above the Marina office. It has nothing to do with Mass Public Assembly Permits.

MS. PHILLIPS: Mr. Mayor, if I may make a comment, please.

We have been dealing with this for a while. We have people who are interested in using
Mitchell Park and who would like to put in Mass Assembly Permits. We have a business community down the street that depends on those events, because Mitchell Park was part of the economic engine to develop customers to come into the park.

What I'm asking and what I keep pushing for is that we keep needing to move this forward. Either we, in all honesty, take the moratorium off, go back to the Mass Assembly Permit, and still do the fact-finding that we're doing to come up with some code changes or some policy changes. But if we don't decide to do something before the month of February, I fear that some of the business community will lose the opportunity of having events in the park that are approved by us, but that will also bring customers to their storefront. That's all I'm asking.

I would like to hear from the public. I have been asking the public to comment. It is important that we get it. I do not want this to turn into the parking meter situation that we had where we went through and did all of this work, and then because all of a sudden everybody's attention came on it, it turned the room into a
full -- room full of people. The communication
needs to keep coming into us, and that's why I'm
only trying to draw the attention to it, that we
need to keep moving forward.

MAYOR NYCE: That is well understood. And
we are continuing to gather the information, and,
yes, it needs to move forward.

With that, I will offer a Resolution
adopting the December 2014 agenda as printed. So
moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

I'll ask Trustee Murray to read

Resolution #2.

TRUSTEE MURRAY: RESOLUTION #12-2014-2,
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 HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #12-2014-3, RESOLUTION accepting the application for membership of Julie Lillis to the Star Hose Company #3 of the Greenport Fire Department, as approved on December 17, 2014 by the Village of Greenport Fire Department Board of Wardens. So moved.

MR. ROBINSON: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

MR. ROBINSON: RESOLUTION #12-2014-4,

RESOLUTION accepting the current Length of Service Award Program qualification parameters as adopted by the Board of Wardens of the Greenport Fire Department for the 2014 year-end service award points. So moved.

MS. PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

MS. PHILLIPS: RESOLUTION #12-2014-5,

RESOLUTION approving the request of the Greenport Fire Department to host the annual Washington's Birthday Parade and celebration on February 21st, 2015; and approving the closing to vehicular
traffic of the Village streets for the duration
of the Parade, and approving the use of the Third
Street Firehouse for the celebration. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #12-2014-6,

RESOLUTION hiring the part-time, seasonal
employees for the Recreation Department per the
attached list. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: A substantial list. I'd like
to welcome them all aboard.

All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #12-2014-7, RESOLUTION authorizing Mayor Nyce, Trustee Robins and Village Administrator Pallas to attend the NYAPP Annual Winter meeting from January 14th to 15th, 2015, in Albany, New York, at a conference fee of $235.00 per person and a room rate of $149.00 per person per night, plus all applicable travel costs, to be expensed from accounts A.1210.400 (Mayor Contractual Expense), A.1010.400 (Board of Trustees Contractual Expense) and E.0781.100 (Executive Department).

So moved.

MR. ROBINSON: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)
MAYOR NYCE: That motion carries.

MR. ROBINSON: RESOLUTION #12-2014-8, RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #1259, for the funding of Village-Wide security systems, and directing that Budget Amendment #1259 be included as part of the formal meeting minutes for the December 22nd, 2014 regular meeting of the Board of Trustees. So moved.

MS. PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2014-9, RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #1260, to increase appropriations for the second payment of the Tall Ships 2015 port fee, and directing that Budget Amendment #1260 to be included as part of
the formal meeting minutes for the December 22nd, 
2014 regular meeting of the Board of Trustees. 
So moved.

TRUSTEE MURRAY: Second.
MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
MAYOR NYCE: That motion carries.
TRUSTEE MURRAY: RESOLUTION #12-2014-10,
RESOLUTION authorizing Treasurer Brandt to 
perform attached Budget Amendment #1261, for the 
funding of increased utility usage, and directing 
that Budget Amendment #1261 be included as part 
of the formal meeting minutes for the December 
22nd, 2014 regular meeting of the Board of 
Trustees. So moved.

TRUSTEE HUBBARD: Second.
MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
MAYOR NYCE: That motion carries.
TRUSTEE HUBBARD: RESOLUTION #12-2014-11, RESOLUTION approving the attendance of Jeanmarie Oddon and Deborah Boyle at the New York Conference of Mayors 2015 Village Election Workshop on January 14, 2015, at a cost of $45.00 per person for registration, plus all applicable travel costs, to be expensed from account #A.1410.400 (Clerk Contractual Expense). So moved.
MR. ROBINSON: Second.
MAYOR NYCE: All those in favor?
TRUSTEE HUBBARD: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.
Any opposed or abstentions?
(No response.)
MAYOR NYCE: That motion carries.
MS. PHILLIPS: Mayor Nyce, on the next two resolutions, #12 and #13, I'm going to be removing myself from the table.

MAYOR NYCE: I'll read #13 in your stead.

MR. ROBINSON: RESOLUTION #12-2014-12, RESOLUTION adopting the attached SEQRA resolution regarding the proposed Local Law of 2014 amending Chapter 48 of the Village of Greenport Code - Boats and Boating, adopting Lead Agency status, determining the adoption of the local law to be an unlisted action, determining that the adoption of the local law will not have a significant impact on one or more aspects of the environment, and adopting a negative declaration for purposes of SEQRA, as stated in the attached resolution.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: Second by Trustee Hubbard.

I'm going to note on both Resolutions 12 and 13 Trustee Phillips is recusing herself.

I will call the vote. All those in favor on Resolution 12?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

In Trustee Phillips' place, I will read Resolution 13.


TRUSTEE MURRAY: Second.

MAYOR NYCE: By way of discussion, there was some question about the permission clause. What I would answer to that is that when the Code Committee reviewed this at length, the -- in their estimation, what they were doing was closing a loophole, not opening one; that instead of work happening there sort of as people needed it, that it would be done by permission, and that insurance paperwork would be filed with the Village, so that we were aware of what's going on, as opposed to not aware of what's going on. And that was the committee's intent in putting that clause into the law or into the code.

TRUSTEE HUBBARD: Okay. So just to clarify
that, when North Fork Welding goes down there and
works on a boat, they're supposed to ask
permission to do that?

MAYOR NYCE: They will be doing that --

TRUSTEE HUBBARD: Before --

MAYOR NYCE: Beforehand.

TRUSTEE HUBBARD: -- they just went and did
it, nobody asked for permission?

MAYOR NYCE: Absolutely.

TRUSTEE HUBBARD: And that's what this is
supposed to do?

MAYOR NYCE: Yes.

TRUSTEE HUBBARD: Anybody that's going down
there to do work, they're supposed to let
somebody know they're going on the dock to do it?

MAYOR NYCE: Yes, absolutely. And that the
boat owner is required to make sure that the
Village has certificates of insurance of anyone
doing the work. If it's a local company that
does work often, they can leave it on file. But,
yes, the idea is that anyone doing work there on
an emergency basis, it's done with prior
permission of, in this case, the Village
Administrator.

TRUSTEE HUBBARD: Okay. But just, I mean,
Saturday afternoon or Sunday afternoon, when
nobody's around and a boat breaks down, and North
Fork Welding has to go down there to fix
something, they've always just done it, this is
going to create that probably they would not be
able to do that, then?

MAYOR NYCE: That's a possibility. But at
least it would be done with permission, not
without permission.

TRUSTEE HUBBARD: Okay. But it's hard to
get permission on a Sunday afternoon. That's --

MAYOR NYCE: The Marina Office should be
there.

TRUSTEE HUBBARD: I mean, it says they
shouldn't be doing it at all, but they've been
doing it. I understand --

MAYOR NYCE: Right.

TRUSTEE HUBBARD: -- how did works, but, I
mean, just to put it all in writing, are we going
to do like a blanket thing for certain people?

People that work there, like North Fork Welding
is down there taking care of most of the boats.

MAYOR NYCE: Yes.

TRUSTEE HUBBARD: I'd hate to see a
Saturday afternoon, somebody needs something
welded, and say, "There's nobody around to give permission." What do we do?

MAYOR NYCE: There will be someone there to give permission. There will be someone at the Marina Office, and if they need to, they will contact the Village Administrator on his cell phone. But there will be permission granted. And if -- like I said, if there are people that do work consistently, we're looking for insurance certificates, so they would have them on file, and there would be a list of those vendors. But instead of it happening and us hearing about it afterwards, the work, we would hear about it prior and grant that permission.

MR. ROBINSON: So, on the flip side of that, though, is it possible that permission could be denied then as well?

MAYOR NYCE: Yes

MR. ROBINSON: Because, I mean, you know, it's not just a blanket "okay," that if you call, you're in, basically.

MAYOR NYCE: Right. Any further discussion on this motion?

(No response.)

MAYOR NYCE: I'll call the vote. All those
in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

MAYOR NYCE: Aye. Opposed?

TRUSTEE HUBBARD: I'm opposed.

MAYOR NYCE: Okay there are three in the affirmative, one opposed, and one recused. That motion carries.

TRUSTEE MURRAY: RESOLUTION #12-2014-14, RESOLUTION adopting the attached SEQRA resolution regarding the proposed local law of 2014 amending Chapter 65, Section 7K of the Village of Greenport Code - Fire Suppression Inspection Fees, adopting Lead Agency status, determining the adoption of the local law to be an unlisted action, determining that the adoption of the local law will not have a significant impact on one or more aspects of the environment, and adopting a negative declaration for purposes of SEQRA, as stated in the attached resolution. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

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

Any opposed or abstentions?
(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #12-2014-15,
RESOLUTION adopting the proposed Local Law of 2014 as attached, amending Chapter 65, Section 7K of the Village of Greenport Code - Fire Suppression Inspection Fees. So moved.

MR. ROBINSON: Second.

MAYOR NYCE: Again, by way of explanation, this was a proposed amendment to the chapter allowing for the Village to assign a fee commensurate with the amount of work necessary to review these applications. These are initial applications, not ongoing inspections, just initial applications of fire suppression systems.

All those favor?

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

MAYOR NYCE: That motion carries.

MR. ROBINSON: RESOLUTION #12-2014-16,
RESOLUTION approving the proposal for a temporary
art structure to be placed at the observation
deck of the Mitchell Park Marina office, as
presented by Andrea Cote, with the following
stipulations:

There will be no permanent damage to the
observation deck at the Mitchell Park Marina
office;

The site will be returned to its
original condition by Andrea Cote, there will be
no cost to the Village;

Andrea Cote will provide proof to the
Village of Greenport of any and all requested
insurance(s);

And all agreement details must be
approved by the Village Attorney and Village
Administrator.

So moved.

MAYOR NYCE: Is there a second?

TRUSTEE HUBBARD: Second.

MAYOR NYCE: By way of discussion, the
application is substantially the same, with the
exception of the location. The Board had
congermed about this initial application based on
its location and a big concrete disc being placed
in the park, etcetera, etcetera. This other
location was identified, which seems to be a good
fit, and I'm excited to see the project move
forward.

Is there any further discussion on it?
(No response.)

MAYOR NYCE: So we'll call the vote. All
those in favor?

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

Opposed?

MS. PHILLIPS: Opposed.

MAYOR NYCE: That motion carries, four in
the affirmative and one opposed.

MS. PHILLIPS: RESOLUTION #12-2014-17,
RESOLUTION ratifying the Memorandum of Agreement,
dated December 9, 2014, between the Village of
Greenport and CSEA Local 1000 regarding the
collective bargaining agreement currently in
force between the Village of Greenport and CSEA Local 1000. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBINS: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #12-2014-18,

RESOLUTION approving all checks per the Voucher Summary Report dated December 19th, 2014, in the total amount of $609,685.41 consisting of:

- All regular checks in the amount of $511,153.56, and

- All prepaid checks (including wire transfers) in the amount of $98,531.85.

So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE HUBBARD: Aye.

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

Any opposed or abstentions?
(No response.)

MAYOR NYCE: That concludes the business before this Board. I'd like to wish everyone a very happy Christmas and happy New Year, happy Hanukkah. Everyone enjoy, and here's to a healthy and happy new year.

At 7:07, I will offer a motion to adjourn.

MS. PHILLIPS: Second.

MAYOR NYCE: All those favor?

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

Any opposed or abstentions?
(No response.)

MAYOR NYCE: That motion carries. Thank you all very much.

(Whereupon, the meeting was adjourned at 7:07 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 December 22, 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 8th day of January, 2015.

_________________________________________
Lucia Braaten
VILLAGE OF GREENPORT
Budget Adjustment Form

Year: 2015  Period: 11  Trans Type: B2 - Amend
Trans No: 1259  Trans Date: 11/13/2014  User Ref: ROBERT
Requested: P. PALLAS  Approved:  Created by: ROBERT

Description: FUNDING OF SECURITY SYSTEMS VILLAGE WIDE

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.1620.400</td>
<td>BUILDING CONTR EXP.</td>
<td>7,065.00</td>
</tr>
<tr>
<td>A.5990</td>
<td>APPROPRIATED FUND BALANCE</td>
<td>11,330.00</td>
</tr>
<tr>
<td>G.5990</td>
<td>APPROPRIATED FUND BALANCE</td>
<td>5,035.00</td>
</tr>
<tr>
<td>G.8130.202</td>
<td>TRTMNT PLANT MISC EQUIPMENT...</td>
<td>5,635.00</td>
</tr>
<tr>
<td>E.5990</td>
<td>APPROPRIATED FUND BALANCE</td>
<td>4,210.00</td>
</tr>
<tr>
<td>E.0388</td>
<td>MISCELLANEOUS GENERAL EQUIPMEN</td>
<td>4,210.00</td>
</tr>
<tr>
<td>A.5110.416</td>
<td>VILLAGE IMPROVEMENTS...</td>
<td>3,305.00</td>
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Total Amount: 42,350.00
**VILLAGE OF GREENPORT**

**Budget Adjustment Form**

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>R.2089.425</td>
<td>OTHER CULTURE AND RECREATION.TALL SHIPS</td>
<td>12,500.00</td>
</tr>
<tr>
<td>R.7989.425</td>
<td>TALL SHIPS</td>
<td>12,500.00</td>
</tr>
</tbody>
</table>

**Total Amount:** 25,000.00
# VILLAGE OF GREENPORT

## Budget Adjustment Form

**Year:** 2015  
**Trans No:** 1261  
**Period:** 12  
**Trans Date:** 12/09/2014  
**Requested:** R. BRANDT  
**Description:** FUNDING OF INCREASED UTILITY USAGE  
**Status:** Batch

### Account Details

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Account Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>E.0782</td>
<td>MANAGEMENT SERVICES</td>
<td>-1,050.00</td>
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<tr>
<td>E.0724.110</td>
<td>WATER SERVICE..</td>
<td>1,050.00</td>
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<tr>
<td>R.7231.420</td>
<td>DOCKS.UTILITY..</td>
<td>3,600.00</td>
</tr>
<tr>
<td>R.7231.407</td>
<td>DOCKS.R &amp; M..</td>
<td>-3,600.00</td>
</tr>
</tbody>
</table>

**Total Amount:** 0.00
2014/15 RECREATION DEPARTMENT HIREES AND HOURLY PAY RATES
PER THE DECEMBER 22, 2014
REGULAR BOARD OF TRUSTEES MEETING

John Averette - $ 10.00
Sarah Doherty - $ 9.00
Donna Koster - $ 9.00
Courtney Kart - $ 9.00
Jenna Geiser - $ 9.00
Paige Confort - $ 9.00

Brian Hallock - $ 8.75
Jon Jacobs - $ 8.75
Danny Nugent - $ 8.75
Michael Onufrik - $ 8.75
Cora Small - $ 8.75
Ashley Payne - $ 8.75
Sarah Shannon - $ 8.75
Dominique Kart - $ 8.75
Abagail Cacoric - $ 8.75
Caitlyn Macomber - $ 8.75
Walter Hildebrandt - $ 8.75
Timothy McDonald - $ 8.75
Sean Conway - $ 8.75
Edward Ferger - $ 8.75
Luke Kosmynka - $ 8.75
Markis Croteau - $ 8.75
Patrick Robbins - $ 8.75
Kevin Izzo - $ 8.75
BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING THE
ADOPTION OF A LOCAL LAW OF 2014
AMENDING CHAPTER 48 – BOATS AND BOATING - OF THE
GREENPORT VILLAGE CODE

WHEREAS a local law of 2014 amending Chapter 48 – Boats and Boating of the
Greenport Village Code has been proposed; and

WHEREAS the Board of Trustees of the Village of Greenport has duly
considered the obligations of the Village of Greenport 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 approval of the adoption of the local law and it is further

RESOLVED that the Board of Trustees hereby determines that this adoption of the local
law is an Unlisted Action for purposes of SEQRA; it is further;

RESOLVED that the Board of Trustees of the Village Greenport hereby determines that
the adoption of the local law;

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 or more related actions each of which is not significant but when reviewed together are significant, and that it is therefore;

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

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

Trustee Hubbard -

Trustee Murray -

Trustee Phillips -

Trustee Robins -

Mayor Nyce -

Adopted December 22, 2014

Sylvia Lazzari Pirillo, Village Clerk

Village Seal:
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 the foresaid 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.
BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING THE
ADOPTION OF A LOCAL LAW OF 2014
AMENDING CHAPTER 65, SECTION 7K – FIRE SUPPRESSION INSPECTION FEES - OF
THE
GREENPORT VILLAGE CODE

WHEREAS a local law of 2014 amending Chapter 65, Section 7K – Fire Suppression
Inspection fees of the Greenport Village Code has been proposed; and

WHEREAS the Board of Trustees of the Village of Greenport has duly
considered the obligations of the Village of Greenport 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 approval of the adoption of the local law and it is further

RESOLVED that the Board of Trustees hereby determines that this adoption of the local
law is an Unlisted Action for purposes of SEQRA; it is further;

RESOLVED that the Board of Trustees of the Village Greenport hereby determines that
the adoption of the local law;

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, and that it is therefore;

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

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

Trustee Hubbard -

Trustee Murray -

Trustee Phillips -

Trustee Robins -

Mayor Nyce -

Adopted December 22, 2014

Sylvia Lazzari Pirillo, Village Clerk

Village Seal:
November 8, 2014

LOCAL LAW NO. OF THE YEAR 2014

AMENDING SECTION 65-7(K) 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 aerial 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 ofassel sfire suppression system installation  $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.