

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

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3 BOARD OF TRUSTEES

4 REGULAR SESSION

5 -----x

6
7 Third Street Firehouse
8 Greenport, New York

9 December 22, 2014
10 6:00 P.M.

11
12 B E F O R E:

13 DAVID NYCE - MAYOR

14 GEORGE HUBBARD, JR. - TRUSTEE

15 DAVID MURRAY - TRUSTEE

16 MARY BESS PHILLIPS - TRUSTEE

17 JULIA ROBINS - TRUSTEE

18
19 JOSEPH PROKOP - VILLAGE ATTORNEY

20 PAUL PALLAS - VILLAGE ADMINISTRATOR
21
22
23
24
25

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

3 MAYOR NYCE: Good evening. I will call
4 this meeting to order, and ask everyone to please
5 rise and join me for the Pledge of Allegiance.

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

8 MAYOR NYCE: Please remain standing for a
9 moment of silence for Littia Ann Floyd, Dorothy I.
10 Gillman, Rita V. Gibbons, Britta Viola Stroem,
11 and Lillian White.

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

14 MAYOR NYCE: Thank you. You may be seated.
15 So welcome to the December Board of Trustees
16 meeting for the Village of Greenport. We have
17 several announcements, one public hearing, and a
18 fairly short agenda. I'm sorry, I will speak
19 into the microphone. Sorry. I thought I was
20 using my stage voice; apparently, I'm not. We
21 have a fairly short agenda, several
22 announcements, and a public hearing this evening.

23 And prior to getting started, I wish
24 everyone a very happy holiday. I hope it's off
25 to a booming start for everyone.

1 Under announcements: Village Hall will be
2 open only until noon on December 24th and
3 December 31st, and will be closed on the 25th, in
4 celebration of Christmas, and January 1st, in
5 celebration of New Years Day. Village Hall will
6 also be closed on January 19th in observance of
7 Martin Luther King, Jr. Day. And the January
8 2015 work session will be on the Tuesday, January
9 the 20th of 2015.

10 Also, I want to announce that the annual
11 Greenport Fire Department Washington Birthday
12 Parade celebration will -- is scheduled for
13 February 21st, which is a Saturday, commencing at
14 1 p.m.?

15 TRUSTEE HUBBARD: One o'clock.

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

18 TRUSTEE HUBBARD: I think so, yes.

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

1 that was it.

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

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

6 TRUSTEE HUBBARD: Yeah.

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

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

18 Some notes about the election coming up in
19 2015. There will be an election on March 18th to
20 fill the position of Mayor and two Trustees.
21 There will be two voter registration days, one on
22 March 5th, from 8:30 a.m. to 5 p.m., and on March
23 7th, from 11 a.m. to 5 p.m. The 5th is, I
24 believe, a Thursday, and the 7th is a Saturday.
25 With both of those, they will be held at Village

1 Hall, and they usually are upstairs. If you
2 cannot manage the stairs, please contact somebody
3 at the downstairs desk and they will make
4 arrangements to have somebody come down to meet
5 you.

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

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

18 AUDIENCE MEMBER: Early.

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

23 The next item on our agenda is a public
24 hearing on a wetlands permit application. This
25 application was submitted a while ago and was

1 pulled, has been resubmitted. The public notice
2 for this has been properly noticed. Anybody that
3 wishes to comment on this can do so now for the
4 record, and your comments will be taken down.
5 Ordinarily, what we do is we have the applicant
6 or their representative present the project, and
7 then we'll open it up for comments or -- yeah,
8 comments to the public after that. I'm going to
9 assume Mr. Anderson is the representative for the
10 applicant.

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

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

19 MAYOR NYCE: Terrific.

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

22 MAYOR NYCE: Bruce --

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

25 MAYOR NYCE: No. I was going to say, if

1 it's okay, I'll put this copy out here at the --
2 at the front, and I'll share with George. If
3 anyone would like to follow along, it will be in
4 this general area.

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

18 In today's regulatory world, regulators
19 require that you try to achieve a
20 two-and-a-half-foot depth at low tide. The
21 reason for that is they don't want the boats
22 resting on the bottom, and they don't want the
23 engines to stir up the bottom. So two-and-a-half
24 feet is considered a -- from an environmental
25 standpoint, a reasonable depth of which to wharf

1 out to. And in the numerous dock applications
2 that we do in this, in my business, we start by
3 defining where those depths are, and that's what
4 we utilize the surveyor to determine in this
5 instance.

6 So the survey in front of you depicts those
7 water depths, and as you can see, by extending
8 the dock an additional eight feet, you reach to
9 2.8 to 2. -- 3.1 at the seaward edge of the dock,
10 and approximately two feet at the landward edge
11 of the floating dock. So the purpose of
12 extending this dock is to provide for reasonable
13 and safe navigation into and out of Stirling
14 Harbor.

15 This has been an application that's been
16 under regulation for quite a long time, and, to
17 date, we've obtained a permit from the New York
18 State DEC. We have New York State Department of
19 State certify that we are -- that they concur
20 with its consistency with respect to the State's
21 coastal management laws and regulations. And,
22 finally, most recently, in your file you'll find
23 a permit issued from the Army Corps of Engineers.
24 All of these permits authorize the same docking
25 facility, which also includes a dolphin that will

1 be 18 feet off the northwest edge of the floating
2 dock, as extended now, eight additional feet into
3 the water.

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

25 Because there has been interest in and

1 concerns expressed with respect to navigation,
2 not to the study of Stirling Harbor itself, in
3 the series of aerial photographs before you is
4 our study of the harbor. And the purpose there
5 is to compare the navigable channels in Stirling
6 Harbor to determine what impact, if any, the
7 extension of this dock might have into and out of
8 Stirling Harbor.

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

18 The overall width of the channel is 108
19 feet, and that's shown on the survey. So we
20 compare that with other areas in Stirling Harbor,
21 and what we find, that navigable channels and
22 passageways extend anywhere from 25 feet to the
23 90 feet that we're showing here. And we note
24 that the entrance to Stirling Harbor is about 75
25 feet wide. And the point of that is just to

1 determine that -- is to demonstrate that this
2 proposed dock as extended will in no way impact
3 upon the navigation into and out of the creek.
4 Obviously, boats going into and out of Stirling
5 Creek regularly throughout the boating season,
6 particularly in this mouth, and also up in some
7 of the tighter areas, such as up near the
8 hospital, which is shown in the aerial, certainly
9 into and out of the marinas that dot the eastern
10 shoreline and western shoreline. And so we were
11 required to do that as part of our regulatory
12 process that we under -- was undertaken by the
13 Army Corps of Engineers.

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

20 So, just to recap, the application as
21 framed is made because, at present, the dock that
22 exists there today, the water is too shallow, and
23 you need to extend it by eight feet to reach
24 reasonable water level, which is two-and-a-half
25 to three feet, as determined by DEC. That in

1 extending it eight feet, it lines up exactly, as
2 a matter of fact, with the pier line existing
3 along that side of the creek. And based upon the
4 moderately deeper water, the fact that there is
5 no impediment to navigation, we think -- it is
6 our position that the Village Board should be
7 comfortable in approving this application.

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

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

15 MR. ANDERSON: That's fine

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

21 I do also need to note -- I'm sorry, I
22 should have noted earlier, our Village Clerk,
23 Sylvia Pirillo, is not present tonight, she's
24 absent. Her grandmother was taken to the
25 hospital today, unfortunately. And then the

1 Deputy Clerk's husband was just taken to the
2 hospital, so she also will not be here. Our
3 thoughts go with both of them. We wish them all
4 the best. Sir.

5 MR. TASKER: Good evening. I'm Arthur
6 Tasker. I live at 17 Beach Street in Greenport.
7 That's on Sandy Beach, a small colony of 20-some
8 bungalows that we've enjoyed for many, many
9 years, and hope to continue to. I am one of the
10 owners, but I'm also speaking tonight for other
11 owners who oppose this application, including the
12 11 who wrote letters that are part of the file in
13 objection to this project.

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

22 When we grew up there, when I was growing
23 up there, we ate the clams, and the mussels, and
24 the steamers, and the crabs in there without any
25 fear at all, and now all of those are extinct, or

1 certainly inevitable. This Board needs to
2 prevent further harmful deterioration of at least
3 this part of Stirling Creek.

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

7 Mr. Matassa has proposed a deep-water -- a
8 deep-water dock, and I'll provide this photo to
9 you. This is a photo of the sign that he had on
10 the property last summer, and it reads, "For
11 Sale, new waterfront home with deep-water dock,
12 build to suit." As his representative has
13 already said, he wants to move the dock out to
14 where there'll be at least two-and-a-half feet of
15 water. But, at the same time, in response to a
16 query from the Conservation Advisory Committee
17 about his application, he said he wants to moor a
18 41-foot Albemarle there. Well, if you look up
19 the specs for a 41-foot Albemarle Sportfishing,
20 it draws four feet of water. I don't see how
21 you're going to get that boat up to the dock.

22 Now, he also spoke of a 38-foot boat. The
23 boat size seems to be changing. Maybe we'll come
24 up with a size that will fit the dock. But that
25 raises the question about, if you've got a boat

1 that size with a 40-foot dock, what do you need
2 an 18 -- a dolphin 18 feet away? Well, that's to
3 moor an even bigger boat on there, because when
4 you put the 18-foot dolphin 18 feet away on the
5 40-foot dock, you've got enough room, lengthwise
6 at least, to moor a 75-foot boat, for example.
7 The dolphin is perfect to help swing the boat
8 around, so that you can turn it back out for the
9 next trip out.

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

20 Prop dredging, for those of you who don't
21 know, is you tie your boat up tight to the dock,
22 you turn the wheels on full bore, and you flush
23 out the sand and silt beneath your boat until you
24 got a nice cozy little place to dock your boat.
25 And then, if you tilt the boat at the correct

1 angle, you could even make a little arm that goes
2 out into the deep water. That is done in the
3 creek with some regularity, because there are one
4 or two other large boat there that maintain their
5 slip by prop dredging.

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

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

23 Mr. Prokop went on to say, "So we have to
24 be very careful what the Town Trustees have to
25 review when we have a plan that is dated two

1 months later." It appears that the Town Trustees
2 approved a different set of plans than the
3 Village is looking at. The file does not
4 indicate whether this inconsistency was ever
5 resolved.

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

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

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

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

1 handle big boats.

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

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

12 MR. SALADINO: John Saladino.

13 MAYOR NYCE: Just, John, for --

14 MR. SALADINO: I'm a member --

15 MAYOR NYCE: Okay, good.

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

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

21 MR. SALADINO: They did.

22 MAYOR NYCE: Okay.

23 MR. ANDERSON: What is your name?

24 MR. SALADINO: My name?

25 MR. ANDERSON: Yeah.

1 MAYOR NYCE: John -- he said that, John
2 Saladino.

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

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

22 But we would just like to reiterate our
23 position. The application, there's nothing --
24 except for the ACE, the Army Corps of Engineers'
25 report, there's nothing new to this application

1 as it was then. We feel our opinion today stands
2 as it was then. Thank you.

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

6 (No response.)

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

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

15 MAYOR NYCE: Sir, I'm sorry.

16 MR. MATASSA: I'm Vincent Matassa.

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

19 MR. MATASSA: Hello. I'm Vincent Matassa.
20 I just -- I just want to make sure that the Town
21 has copies of all the letters of approvals. And
22 these are -- I know they received letters of
23 objection for this application. These are --
24 this is a petition signed by many of the
25 homeowners on Sandy Beach Road that are in favor

1 of this application. I don't know if the Mayor
2 has copies. I believe they were all e-mailed.

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

7 MR. MATASSA: The letters of support?

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

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

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

20 I walked the docks loaded with commercial
21 fishing boats, and many times I would be there
22 when they returned with their catch. I would
23 listen to their stories, amongst them Rich
24 Fiedler's dad and uncle. I was hooked, and
25 dreamed one day to have my own boat and fish for

1 giant tuna.

2 Throughout the '70s, I would trailer my
3 small boat to Greenport and stop in at White's
4 tackle to buy bait and discuss the hot fishing
5 spot of the day.

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

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

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

1 days and dreams of Greenport. Excuse me.

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

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

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

15 (No response.)

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

19 TRUSTEE HUBBARD: No.

20 MR. ANDERSON: I would just respond
21 quickly.

22 MAYOR NYCE: Okay.

23 MR. ANDERSON: If you want me to.

24 MAYOR NYCE: To -- I don't know that
25 it's --

1 MR. ANDERSON: Yeah. Well, first of all,
2 well, let me correct the record.

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

12 MAYOR NYCE: Right, absolutely

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

17 The dolphin that's proposed there is a
18 normal part of a dock, we apply for them all the
19 time. There is no regulatory mechanism to get at
20 the size of the vessel, because you don't
21 regulate that. And the docking is -- the dock
22 itself is 6-by-20, which is a standard dock,
23 which is what DEC, Trustees, Army Corps,
24 Department -- say that's a standard residential
25 dock. There's nothing really unique about this

1 project whatsoever.

2 And as for the CAC, they may object to it,
3 but there's not a technical basis for that
4 objection that I can find. Thank you.

5 MAYOR NYCE: Thank you.

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

14 MR. SALADINO: Some of them.

15 MAYOR NYCE: Some of them.

16 MR. ANDERSON: The pier line exists --

17 MAYOR NYCE: Right.

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

23 MAYOR NYCE: That would be my
24 understanding, too. And I would ask both the
25 Village Attorney and Village Administrator look

1 into that item, as it was brought up, to
2 ascertain whether or not those docks were built
3 without permit.

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

6 (No response.)

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

22 Those are the comments from the CAC. It
23 should be noted that they are the advisory board
24 that we have as part of our LWRP, to make sure
25 that we are staying consistent with our LWRP.

1 And, I'm sorry, we've moved past --

2 MR. MATASSA: You already said.

3 MAYOR NYCE: Yeah.

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

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

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

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

16 TRUSTEE ROBINS: I'll second that.

17 MAYOR NYCE: You would be making the
18 motion.

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

20 MAYOR NYCE: The motion is made my Trustee
21 Robins.

22 TRUSTEE HUBBARD: I'll second the motion.

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

25 MAYOR NYCE: Motion to close the public

1 hearing.

2 TRUSTEE ROBINS: I'm making a motion to
3 close the public hearing.

4 AUDIENCE MEMBER: He can only speak once?

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

7 TRUSTEE HUBBARD: Second.

8 MAYOR NYCE: All those in favor?

9 TRUSTEE HUBBARD: Aye.

10 TRUSTEE MURRAY: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE ROBINS: Aye.

13 MAYOR NYCE: Aye.

14 Any opposed or abstentions?

15 (No response.)

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

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

22 And with that, I do have one other thing to
23 mention before we go into the Public Portion of
24 the meeting. As many of you might know, at the
25 work session this month, Mr. Fisher from the

1 Railroad Museum sat with us and made a proposal
2 to us that we support the Railroad Museum's
3 application to the MTA and Long Island Railroad
4 to go into a lease of that property by
5 themselves, without the Village involvement. We
6 discussed at the work session that the Board
7 would discuss it and move forward. And I got a
8 subsequent email. We're not going to discuss and
9 move forward tonight necessarily, as we joked at
10 the work session. The Railroad doesn't move that
11 fast either. So, likely, the Board will discuss
12 it over the course of the month, and we'll
13 probably take it up at the January meeting.

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

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

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

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

25 MAYOR NYCE: Yes.

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

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

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

22 TRUSTEE PHILLIPS: Right.

23 MAYOR NYCE: -- views either in email,
24 during the month, or at this meeting. Yeah,
25 absolutely.

1 MS. PHILLIPS: But I just would like to
2 remind people they have the opportunity to --

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

7 MR. SWISKEY: I would.

8 MAYOR NYCE: We almost got away.

9 MR. SWISKEY: William Swiskey, 184 Fifth
10 Street.

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

25 And has this Village consulted with like

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

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

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

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

25 Anyway, to get to another subject, the

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

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

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

24 MR. SWISKEY: Thank you. I would
25 appreciate it, because the poor man went south,

1 him and his wife, and they couldn't get a ballot.

2 MAYOR NYCE: Got it. Got it. I'll bring
3 it up with the Clerk.

4 MR. SWISKEY: Thank you. And the other
5 thing was this -- we haven't signed a contract
6 with A & F yet, have we, Testing?

7 MAYOR NYCE: Yes.

8 MR. PALLAS: Yes.

9 MAYOR NYCE: It was approved and signed.

10 MR. SWISKEY: When was it signed?

11 MR. PALLAS: It's ready to be signed. I
12 think it might be in the packet.

13 MAYOR NYCE: Oh, I'm sorry, it may be in
14 the pile. It was approved to be signed.

15 MR. SWISKEY: Well, that was a real
16 critical thing we needed to get done. It's over
17 40 days. I mean, what's going on here? Are we
18 still calling this outage an accident, because
19 that doesn't make any sense at all. If it was an
20 accident, we wouldn't be hiring this firm to
21 determine what was wrong with our system.

22 The Village has culpability here, whether
23 you like it or not. People that lost money --
24 and you have to be honest with them. If they
25 lost money because of your actions, the actions

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

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

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

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

25 MR. SALADINO: I do. I'm not going to ask

1 about hospitalization. John Saladino, Sixth
2 Street.

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

5 MAYOR NYCE: Uh-huh.

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

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

22 A phone call at night, perhaps could be a
23 representative of the Village, somebody in
24 authority, the Village Board, the Harbor Manager,
25 or it could not be. It could be somebody that

1 just answers the phone, and they shouldn't have
2 the right to decide.

3 MAYOR NYCE: And they don't.

4 MR. SALADINO: In theory, they don't. In
5 theory, they don't.

6 MAYOR NYCE: In practice, they don't.

7 MR. SALADINO: But in reality -- Mr. Mayor,
8 in times in the past, there's been times that
9 private citizens decide who and when -- who, and
10 what, and where, and when went to that dock. I
11 don't want to belabor the point, because I don't
12 want to take up a lot of my time now, because
13 there is something else I would -- but, if you
14 want, if you'll afford me the time, I could give
15 you examples. But, aside from that, why create a
16 loophole? Why create a loophole in the code when
17 none exists to begin with?

18 We have a shipyard. If somebody needs to
19 repair their boat, the guy's in business to
20 repair boats. I mean, my thought was, when these
21 restrictions were placed on the dock, it was to
22 preserve the dock, to help certain businesses in
23 town. I just don't think that this one sentence,
24 "Without the prior consent of the Village," I
25 think just -- there's a perception in town about

1 selective enforcement. You don't agree; a lot of
2 people see it that way.

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

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

21 I would suggest, I would urge the Board --
22 you weren't here, Trustee Murray wasn't here that
23 night. I would urge the Board to just take that
24 one sentence out. Leave that portion -- as far
25 as the insurance, I think that's great. I think

1 -- as far as that one portion in the appendix,
2 those seven words, I think you would be better
3 served if you just took them out of the code. I
4 don't really understand the logic for putting
5 them in. So that's my comment on that.

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

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

21 For the people here that don't know, and
22 I'll talk to them through the Board, the ferry
23 company is often between eight and \$8500 to rent
24 the West Pier on a long-term basis. I spoke to
25 the Harbor Manager. His projected income for

1 that property for one year is over \$26,000. It's
2 \$18,000 less that the Village taxpayers,
3 residents would collect, if we can believe the
4 Harbor Manager.

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

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

21 So perhaps -- perhaps, before you go
22 forward with these negotiations, you would be
23 willing to discuss it with the public, and let us
24 offer to you our opinion about what should be
25 done with the Village property. Thank you.

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

3 (No response.)

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

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

15 MR. SALADINO: Can I ask the Attorney --

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

17 MR. SALADINO: -- his logic behind that?

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

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

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

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

1 MAYOR NYCE: John. Mr. Saladino.

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

4 MAYOR NYCE: Mr. Saladino, you are --

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

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

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

10 MAYOR NYCE: You're out of order.

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

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

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

17 MAYOR NYCE: John. Mr. Saladino.

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

20 MAYOR NYCE: You're out of order.

21 MR. SALADINO: This is okay with you guys?

22 MAYOR NYCE: You're out of order.

23 MR. SALADINO: This is okay with you guys?

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

1 dismissed?

2 MAYOR NYCE: Not being dismissed. I --

3 MR. SALADINO: I am being dismissed.

4 You're not being responsive to my question.

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

7 MR. SALADINO: Yeah, it really was.

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

10 MR. SALADINO: No, no.

11 MAYOR NYCE: You're out of order.

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

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

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

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

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

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

25 MR. SALADINO: You could ask.

1 MR. SWISKEY: Pathetic.

2 MAYOR NYCE: Try and regain my train of
3 thought.

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

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

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

24 We have been dealing with this for a while.
25 We have people who are interested in using

1 Mitchell Park and who would like to put in Mass
2 Assembly Permits. We have a business community
3 down the street that depends on those events,
4 because Mitchell Park was part of the economic
5 engine to develop customers to come into the
6 park.

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

19 I would like to hear from the public. I
20 have been asking the public to comment. It is
21 important that we get it. I do not want this to
22 turn into the parking meter situation that we had
23 where we went through and did all of this work,
24 and then because all of a sudden everybody's
25 attention came on it, it turned the room into a

1 full -- room full of people. The communication
2 needs to keep coming into us, and that's why I'm
3 only trying to draw the attention to it, that we
4 need to keep moving forward.

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

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

11 TRUSTEE MURRAY: Second.

12 MAYOR NYCE: All those in favor?

13 TRUSTEE HUBBARD: Aye.

14 TRUSTEE MURRAY: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR NYCE: Aye.

18 Any opposed or abstentions?

19 (No response.)

20 MAYOR NYCE: That motion carries.

21 I'll ask Trustee Murray to read

22 Resolution #2.

23 TRUSTEE MURRAY: RESOLUTION #12-2014-2,
24 RESOLUTION accepting the monthly reports of the
25 Greenport Fire Department, Village Administrator,

1 Village Treasurer, Village Clerk, Village
2 Attorney, Mayor and Board of Trustees. So moved.

3 TRUSTEE HUBBARD: Second.

4 MAYOR NYCE: All those in favor?

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No response.)

12 MAYOR NYCE: That motion carries.

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

20 MR. ROBINSON: Second.

21 MAYOR NYCE: All those in favor?

22 TRUSTEE HUBBARD: Aye.

23 TRUSTEE MURRAY: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No response.)

4 MAYOR NYCE: That motion carries.

5 MR. ROBINSON: RESOLUTION #12-2014-4,
6 RESOLUTION accepting the current Length of
7 Service Award Program qualification parameters as
8 adopted by the Board of Wardens of the Greenport
9 Fire Department for the 2014 year-end service
10 award points. So moved.

11 MS. PHILLIPS: Second.

12 MAYOR NYCE: All those in favor?

13 TRUSTEE HUBBARD: Aye.

14 TRUSTEE MURRAY: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR NYCE: Aye.

18 Any opposed or abstentions?

19 (No response.)

20 MAYOR NYCE: That motion carries.

21 MS. PHILLIPS: RESOLUTION #12-2014-5,
22 RESOLUTION approving the request of the Greenport
23 Fire Department to host the annual Washington's
24 Birthday Parade and celebration on February 21st,
25 2015; and approving the closing to vehicular

1 traffic of the Village streets for the duration
2 of the Parade, and approving the use of the Third
3 Street Firehouse for the celebration. So moved.

4 TRUSTEE MURRAY: Second.

5 MAYOR NYCE: All those in favor?

6 TRUSTEE HUBBARD: Aye.

7 TRUSTEE MURRAY: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR NYCE: Aye.

11 Any opposed or abstentions?

12 (No response.)

13 MAYOR NYCE: That motion carries.

14 TRUSTEE MURRAY: RESOLUTION #12-2014-6,
15 RESOLUTION hiring the part-time, seasonal
16 employees for the Recreation Department per the
17 attached list. So moved.

18 TRUSTEE HUBBARD: Second.

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

21 All those in favor?

22 TRUSTEE HUBBARD: Aye.

23 TRUSTEE MURRAY: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No response.)

4 MAYOR NYCE: That motion carries.

5 TRUSTEE HUBBARD: RESOLUTION #12-2014-7,
6 RESOLUTION authorizing Mayor Nyce, Trustee Robins
7 and Village Administrator Pallas to attend the
8 NYAPP Annual Winter meeting from January 14th to
9 15th, 2015, in Albany, New York, at a conference
10 fee of \$235.00 per person and a room rate of
11 \$149.00 per person per night, plus all applicable
12 travel costs, to be expensed from accounts
13 A.1210.400 (Mayor Contractual Expense),
14 A.1010.400 (Board of Trustees Contractual
15 Expense) and E.0781.100 (Executive Department).
16 So moved.

17 MR. ROBINSON: Second.

18 MAYOR NYCE: All those in favor?

19 TRUSTEE HUBBARD: Aye.

20 TRUSTEE MURRAY: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE ROBINS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No response.)

1 MAYOR NYCE: That motion carries.

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

10 MS. PHILLIPS: Second.

11 MAYOR NYCE: All those in favor?

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE MURRAY: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 TRUSTEE ROBINS: Aye.

16 MAYOR NYCE: Aye.

17 Any opposed or abstentions?

18 (No response.)

19 MAYOR NYCE: That motion carries.

20 TRUSTEE PHILLIPS: RESOLUTION #12-2014-9,
21 RESOLUTION authorizing Treasurer Brandt to
22 perform attached Budget Amendment #1260, to
23 increase appropriations for the second payment of
24 the Tall Ships 2015 port fee, and directing that
25 Budget Amendment #1260 to be included as part of

1 the formal meeting minutes for the December 22nd,
2 2014 regular meeting of the Board of Trustees.
3 So moved.

4 TRUSTEE MURRAY: Second.

5 MAYOR NYCE: All those in favor?

6 TRUSTEE HUBBARD: Aye.

7 TRUSTEE MURRAY: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR NYCE: Aye.

11 Any opposed or abstentions?

12 (No response.)

13 MAYOR NYCE: That motion carries.

14 TRUSTEE MURRAY: RESOLUTION #12-2014-10,
15 RESOLUTION authorizing Treasurer Brandt to
16 perform attached Budget Amendment #1261, for the
17 funding of increased utility usage, and directing
18 that Budget Amendment #1261 be included as part
19 of the formal meeting minutes for the December
20 22nd, 2014 regular meeting of the Board of
21 Trustees. So moved.

22 TRUSTEE HUBBARD: Second.

23 MAYOR NYCE: All those in favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No response.)

6 MAYOR NYCE: That motion carries.

7 TRUSTEE HUBBARD: RESOLUTION #12-2014-11,
8 RESOLUTION approving the attendance of Jeanmarie
9 Oddon and Deborah Boyle at the New York
10 Conference of Mayors 2015 Village Election
11 Workshop on January 14, 2015, at a cost of \$45.00
12 per person for registration, plus all applicable
13 travel costs, to be expensed from account
14 #A.1410.400 (Clerk Contractual Expense). So
15 moved.

16 MR. ROBINSON: Second.

17 MAYOR NYCE: All those in favor?

18 TRUSTEE HUBBARD: Aye.

19 TRUSTEE MURRAY: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 TRUSTEE ROBINS: Aye.

22 MAYOR NYCE: Aye.

23 Any opposed or abstentions?

24 (No response.)

25 MAYOR NYCE: That motion carries.

1 MS. PHILLIPS: Mayor Nyce, on the next two
2 resolutions, #12 and #13, I'm going to be
3 removing myself from the table.

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

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

17 TRUSTEE HUBBARD: Second.

18 MAYOR NYCE: Second by Trustee Hubbard.
19 I'm going to note on both Resolutions 12 and 13
20 Trustee Phillips is recusing herself.

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

23 TRUSTEE HUBBARD: Aye.

24 TRUSTEE MURRAY: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No response.)

4 MAYOR NYCE: That motion carries.

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

7 RESOLUTION #12-2014-13, adopting the
8 proposed Local Law of 2014, as attached, amending
9 Chapter 48 of the Village of Greenport Code -
10 Boats and Boating. So moved.

11 TRUSTEE MURRAY: Second.

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

25 TRUSTEE HUBBARD: Okay. So just to clarify

1 that, when North Fork Welding goes down there and
2 works on a boat, they're supposed to ask
3 permission to do that?

4 MAYOR NYCE: They will be doing that --

5 TRUSTEE HUBBARD: Before --

6 MAYOR NYCE: Beforehand.

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

9 MAYOR NYCE: Absolutely.

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

12 MAYOR NYCE: Yes.

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

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

25 TRUSTEE HUBBARD: Okay. But just, I mean,

1 Saturday afternoon or Sunday afternoon, when
2 nobody's around and a boat breaks down, and North
3 Fork Welding has to go down there to fix
4 something, they've always just done it, this is
5 going to create that probably they would not be
6 able to do that, then?

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

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

12 MAYOR NYCE: The Marina Office should be
13 there.

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

17 MAYOR NYCE: Right.

18 TRUSTEE HUBBARD: -- how did works, but, I
19 mean, just to put it all in writing, are we going
20 to do like a blanket thing for certain people?
21 People that work there, like North Fork Welding
22 is down there taking care of most of the boats.

23 MAYOR NYCE: Yes.

24 TRUSTEE HUBBARD: I'd hate to see a
25 Saturday afternoon, somebody needs something

1 welded, and say, "There's nobody around to give
2 permission." What do we do?

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

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

18 MAYOR NYCE: Yes

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

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

24 (No response.)

25 MAYOR NYCE: I'll call the vote. All those

1 in favor?

2 TRUSTEE MURRAY: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR NYCE: Aye. Opposed?

5 TRUSTEE HUBBARD: I'm opposed.

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

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

22 TRUSTEE HUBBARD: Second.

23 MAYOR NYCE: All those in favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

1 TRUSTEE ROBINS: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No response.)

6 MAYOR NYCE: That motion carries.

7 TRUSTEE HUBBARD: RESOLUTION #12-2014-15,
8 RESOLUTION adopting the proposed Local Law of
9 2014 as attached, amending Chapter 65, Section 7K
10 of the Village of Greenport Code - Fire
11 Suppression Inspection Fees. So moved.

12 MR. ROBINSON: Second.

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

20 All those favor?

21 TRUSTEE HUBBARD: Aye.

22 TRUSTEE MURRAY: Aye.

23 TRUSTEE ROBINS: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 MAYOR NYCE: Aye.

1 Any opposed or abstentions?

2 (No response.)

3 MAYOR NYCE: That motion carries.

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

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

13 The site will be returned to its
14 original condition by Andrea Cote, there will be
15 no cost to the village;

16 Andrea Cote will provide proof to the
17 village of Greenport of any and all requested
18 insurance(s);

19 And all agreement details must be
20 approved by the village Attorney and Village
21 Administrator.

22 So moved.

23 MAYOR NYCE: Is there a second?

24 TRUSTEE HUBBARD: Second.

25 MAYOR NYCE: By way of discussion, the

1 application is substantially the same, with the
2 exception of the location. The Board had
3 concerns about this initial application based on
4 its location and a big concrete disc being placed
5 in the park, etcetera, etcetera. This other
6 location was identified, which seems to be a good
7 fit, and I'm excited to see the project move
8 forward.

9 Is there any further discussion on it?

10 (No response.)

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

13 TRUSTEE HUBBARD: Aye.

14 TRUSTEE MURRAY: Aye.

15 TRUSTEE ROBINS: Aye.

16 MAYOR NYCE: Aye.

17 Opposed?

18 MS. PHILLIPS: Opposed.

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

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

1 force between the Village of Greenport and CSEA
2 Local 1000. So moved.

3 TRUSTEE MURRAY: Second.

4 MAYOR NYCE: All those in favor?

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE ROBINS: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No response.)

12 MAYOR NYCE: That motion carries.

13 TRUSTEE MURRAY: RESOLUTION #12-2014-18,
14 RESOLUTION approving all checks per the Voucher
15 Summary Report dated December 19th, 2014, in the
16 total amount of \$609,685.41 consisting of:

17 o All regular checks in the amount of
18 \$511,153.56, and

19 o All prepaid checks (including wire
20 transfers) in the amount of \$98,531.85.

21 So moved.

22 TRUSTEE HUBBARD: Second.

23 MAYOR NYCE: All those in favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

1 TRUSTEE ROBINS: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No response.)

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

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

12 MS. PHILLIPS: Second.

13 MAYOR NYCE: All those favor?

14 TRUSTEE HUBBARD: Aye.

15 TRUSTEE MURRAY: Aye.

16 TRUSTEE ROBINS: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No response.)

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

23 (Whereupon, the meeting was adjourned at
24 7:07 p.m.)

25

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

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 Status: Batch
Trans No: 1259 Trans Date: 11/13/2014 User Ref: ROBERT
Requested: P. PALLAS Approved: Created by: ROBERT 11/13/2014
Description: FUNDING OF SECURITY SYSTEMS VILLAGE WIDE

Account # Order: No

Print Parent Account: No

Account No.	Account Description	Amount
A.1620.400	BUILDING CONTR EXP..	7,965.00
A.5990	APPROPRIATED FUND BALANCE	11,330.00
G.5990	APPROPRIATED FUND BALANCE	5,635.00
G.8130.202	TRTMNT PLANT MISC EQUIPMENT..	5,635.00
E.5990	APPROPRIATED FUND BALANCE	4,210.00
E.0388	MISCELLANEOUS GENERAL EQUIPMEN	4,210.00
A.5110.416	VILLAGE IMPROVEMENTS..	3,365.00
Total Amount:		42,350.00

Date Prepared: 12/08/2014 09:14 AM

VILLAGE OF GREENPORT

Budget Adjustment Form

GLR4150 1.0

Page 1 of 1

Year: 2015 Period: 12 Trans Type: B2 - Amend Status: Batch
Trans No: 1260 Trans Date: 12/08/2014 User Ref: ROBERT
Requested: R. BRANDT Approved: Created by: ROBERT 12/08/2014
Description: INCREASE APPROPRIATIONS FOR THE SECOND PAYMENT FOR TALL SHIPS
2015 Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
R.2089.425	OTHER CULTURE AND RECREATION.TALL SHIPS	12,500.00
R.7989.425	TALL SHIPS	12,500.00
Total Amount:		25,000.00

VILLAGE OF GREENPORT**Budget Adjustment Form**

Year: 2015 Period: 12 Trans Type: B1 - Transfer Status: Batch
Trans No: 1261 Trans Date: 12/09/2014 User Ref: ROBERT
Requested: R. BRANDT Approved: Created by: ROBERT 12/09/2014
Description: FUNDING OF INCREASED UTILITY USAGE

Account # Order: No

Print Parent Account: No

Account No.	Account Description	Amount
E.0782	MANAGEMENT SERVICES	-1,050.00
E.0724.110	WATER SERVICE..	1,050.00
R.7231.420	DOCKS.UTILITY..	3,600.00
R.7231.407	DOCKS.R & M..	-3,600.00
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 Onufrak - \$ 8.75

Cora Small - \$ 8.75

Ashley Payne - \$ 8.75

Sarah Shannon - \$ 8.75

Dominique Kart - \$ 8.75

Abigail 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 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 -

Adopted December 22, 2014

Trustee Murray -

Trustee Phillips -

Sylvia Lazzari Pirillo, Village Clerk

Trustee Robins -

Village Seal:

Mayor Nyce -

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

New York, hereby enacts by this Local Law of 2014, a Local Law of the Village of Greenport.

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 -

Adopted December 22, 2014

Trustee Murray -

Trustee Phillips -

Sylvia Lazzari Pirillo, Village Clerk

Trustee Robins -

Village Seal:

Mayor Nyce -

November 8, 2014

LOCAL LAW NO. OF THE YEAR 2014

AMENDING SECTION 65-7K 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 ~~ansel~~ fire suppression system inspection."

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 New York, hereby enacts by this Local Law of 2014, a Local Law of the Village of Greenport.

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 ~~ansel s~~fire 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.