STATE OF NEW YORK
VILLAGE OF GREENPORT
------------------------------------------ X
BOARD OF TRUSTEES
REGULAR MEETING
------------------------------------------ X

December 26, 2012
6:00 P.M.

BEFORE:
DAVID NYCE - MAYOR
CHRISTINA KEMPNER - TRUSTEE
DAVID MURRAY - TRUSTEE
MARY BESS PHILLIPS - TRUSTEE
GEORGE HUBBARD, JR. - TRUSTEE (EXCUSED)

SYLVIA PIRILLO - VILLAGE CLERK
JOSEPH PROKOP - VILLAGE ATTORNEY
DAVID ABATELLI - VILLAGE ADMINISTRATOR
MAYOR NYCE: It being six o'clock, I will call this meeting to order. I ask that everyone please rise and join me for the Pledge of Allegiance.

(Whereupon, all rose for the Salute to the Flag, followed by a moment of silence for Wayne G. Baylis and Gordon Nelson Schlaefer.)

MAYOR NYCE: Trustee Hubbard is not going to be with us this evening. He is having some health issues. So I want to wish him and his family well. He's fine, but he's not going to be able to attend the meeting this evening.

We have some announcements. Village Hall will be closed at 12:30 on New Year's Eve, and will be closed on New Year's Day. The January work session meeting of the Board of Trustees will be held on January 22, 2013. The Village is seeking seasonal, part-time help as staff for the ice rink. If you're interested, please come to Village Hall. Ask for the Village Administrator or the Village Clerk to get
you to the right place. January 1, 2013 is
the first day that an individual may sign
an independent nominating petition for the
upcoming election. Those can be picked up
at Village Hall through the Clerk’s Office
or I believe they’re also available through
online and NYCOM, and other agencies also
have them as a printable document. There
will be two Village Voter Registration
Days, March 7th from 8:30 a.m., to 5:00
p.m., and on March 9th from 11:00 a.m. to
5:00 p.m. at Village Hall upstairs in the
classroom. If you have issues and
can not mount the stairs, let the people
know at the front desk and we will make
arrangements for someone to come down and
meet you. The annual tax sale will be held
on March 12th at 10:00 a.m. at Village
Hall, also upstairs in the conference room.
The upcoming Village election will be held
on March 19, 2013 voting hours are from
6:00 a.m. to 8:00 p.m. -- 9:00 p.m., I'm
sorry. 6:00 a.m. to 9:00 p.m., here at the
Third Street Firehouse.

Under Public Interest, it is
important to create a Fire Safety program

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for your family. Please be sure to check
the batteries in your smoke and CO
detectors, particularly at this time of
years, people have fires etcetera,
etcetera. It is very important that you
have plans made. Please be sure that your
house is properly numbered outside so that
emergency personnel can easily locate your
home, if needed. There are two public
hearings scheduled for the January 28, 2013
regular meeting of the Board of Trustees
here at the Third Street Firehouse. One is
on Cross Connection and Backflow Prevention
and the other is for Penalties of
Non-Payment of Parking Fines. Both of
these are additions or amendments to the
existing code. The amendments are
available at Village Hall, and I believe
also on the website. They will be
available on the website, if they're not
now. They're available at Village Hall
prior to that public hearing. Those public
hearings are scheduled for 6:00 p.m. on the
the Village Clerk's Office. Let me start
that again. The Village Clerk's Office has
received from CACI Partnerships, LLC a
liquor license application. Is that an
application or a renewal?

CLERK PIRILLO: It's an application.

MAYOR NYCE: It's an application.

That was received on December 11, 2012. We
let people know here in addition to their
being told. We let people know here just
in case they have issues with it they can
contact the State Liquor Authority. There
are no public hearings this evening. I
would like to ask -- we have a couple of
presentations this evening. I would like
to ask John and Maritza Winkler to join us
at the podium here. The Village Clerk
suggested something this year and we're
going to try it. I don't know how long it
will continue but I thought it was a
fantastic idea. There is a great deal of
volunteers in this Village and while people
are thanked regularly, it's not often
enough and it's not visible enough. And she suggested that we have a Volunteer of

The Year. And through all of the stuff that you guys do -- what happened through the process of this, the management staff makes suggestion. They discuss it, they vote on it. So this is not something that the Board does. The people that you deal with on a day to day basis, supervisors, all worked on this selection. You guys. So there is a letter of citation here thanking you for all of your help.

MS. WINKLER: Thank you.

MR. WINKLER: Thank you very much.

This is very nice.

MAYOR NYCE: Absolutely. Now, I would like to embarrass, John. John, if you would come on up. Same sort of thing. When we were going to do this, we also had ad hoc units that are completely volunteer. The ad hoc committees, you jump in and do your thing when it's necessary. There is no pay. It's a lot of time. You have taken the Tree Committee and built up this
A juggernaut of a committee that is all volunteer. And the amount of work that you do year round is greatly appreciated by the Board. So along with just Volunteer of the Year, we have our Ad hoc Committee Volunteer of the Year, and we are really pleased to present it to you.

JOHN: Glad to be doing it.

MAYOR NYCE: With that, we will open the public portion of the meeting, and I will ask if there is anyone from the public that wishes to address the Board?

MR. SALADINO: John Saladino, Sixth Street.

Are there any resolutions that aren't on the agenda?

MAYOR NYCE: Not to my knowledge. There may be out of the proposed Executive Session. There may be, but other than that, I am not aware that any other Trustee has anything that they would like to add to the agenda at the meeting tonight.

MR. SALADINO: I have comments on two resolutions, #25 and #26. I was at the work session last Monday, and RESOLUTION
#25 is authorizing a payment for
preparation of a report for roads, lights
and streets. Trustee Philips had put a

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1 dollar figure on that. I don't see that
2 here. She put a $5,000.00 figure on it. I
don't see that here. Is that going to be
3 the amount that we're going to pay? Is
4 somebody --

MAYOR NYCE: When you ask for a
5 request of quotes, you don't put a dollar
6 figure.

MR. SALADINO: I understand that, but
7 it's been my experience, as I am sure it
8 has been yours, that if you do put a dollar
9 figure on the project, it usually comes to
10 that figure. It usually comes in at that.

MAYOR NYCE: Which is why we're not
11 putting a figure on there.

MR. SALADINO: That was my question.

17 I heard a dollar figure at the work session
18 and I don't see it on here.

The other one is RESOLUTION #26, I am
20 not sure I totally understood presentation
21 materials and what that exactly involves at
$5500.00, for presentation materials. I am not sure what that is. What that entails, what happens after that. I thought perhaps -- I don't know if this is a -- I don't know. I thought a better suggestion would be is to have a public hearing and let the Board see if the Board is in favor of this project before you spend any money. Let the Board see if the Town of Southold, DEC, the residents of Greenport and all the residents of the Incorporated Village actually want to have a Green Energy Park at Clarks Beach, and if the majority of the residents do, then spend the $5,000.00 for a presentation for grants and bonds or whatever. But to spend this money first and to have a presentation for the residents and then maybe the residents will voice their opinion against it, it just seems like we're spending a lot of money for -- The people that live in this Village are smart and they tend to know what's right and what they like and don't like. Plus you guys are there to explain to them what exactly is involved. I just don't see
why we have to spend $5500.00 to make a presentation, charts, graphs, photographs. I mean, you guys are certainly capable of doing that. Then if the majority of that people at the public hearing decide that, they would like to move forward, then perhaps you spend that money, but if the majority of them don't. Then it's $5,500.00 that will be saved. So I would urge the Board -- I would urge the Mayor to withdraw this tonight. You know, present this to the residents before you decide to spend any money. The last thing that I would like to say has nothing to do with the agenda. We're all tired about hearing about FOIL Requests. Last week at the work session under the Director of Utilities Report, the first part of the report -- The report was prepared on December 10th. The first part of the report stated that he had PPA Summary available to the Board. It was printed but it would also be available by e-mail if it was easier for them to read it that way. At the end of his report, it
said that the report was prepared. It was
going to be referenced and it was printed,
and it was presented under a separate
cover. It wasn't presented with the
Director's report. I asked for that

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report, and I got an e-mail back from
Mr. Naylor saying that he has it printed
out but I will have to file FOIL request.
He was advised by his attorney that he
couldn't give it to me. I reminded him of
what the law said, and his contention was
he was told that he couldn't give it out.
When I came to the meeting, the Director
was here and I spoke to him. And he
suggested that I talk to the attorney, and
I did. The attorneys explanation was, was
that, what's the big deal? Just FOIL for
it the next day. I explained my position
that I wanted to follow along, which is my
right. And he just kept going back and
forth. Just FOIL for it. Just FOIL for
it. I didn't want the report 24 days
later. I wanted the report the following
morning if it was discussed, which he said
it was going to be. The last thing that
the attorney told me, that troubled me was
that when I pressed him for an answer, he
told me he can't let anything leave Village
Hall without him checking it first.

MR. PROKOP: I never said that. I

never said that to you.

MR. SALADINO: Yeah, you did.

MR. SWISKEY: I heard it.

MAYOR NYCE: We're not going to get
into back and forth --

MR. SALADINO: I agree with you, Mr.
Mayor. I agree with you.

MAYOR NYCE: Please just finish your
statement.

MR. SALADINO: I have a problem with
that. I have a problem with information
that the public is entitled to that is
being withheld for whatever reason. We're
talking about a PPA report that was part of
the Directors of Utilities Report, and it
was for last month. It's not even a future
contract. It's the last month. I mean,
why is this stuff secret? Why is this
stuff -- I'm obviously asking why. I
talked to the Director of Utilities afterwards. Now, he's not here for him to deny it, and I regret that, but he had told me, if he had to make a choice in making a citizen happy or making the Village Board happy, he's going to make the Village Board happy, regardless of the law. I have a problem with that. I have a real problem with that. You can look like this is an incredible statement. You can look like I am -- This is the truth. This is the truth as it happened. And I just don't understand why we have to conduct business like that. This was an innocuous report. This had nothing to do with any secrets or contracts, but yet, it was withheld. It was withheld when it was published. It says here that it was available, referenced. Just provided under a separate cover. Again, I know everyone is tired about hearing about FOIL Request. I know that Trustees, at the Village's expense brought the FOIL officer here to explain to the people. I know there was a demonstration of a title of FOIL. I mean,
this was the perfect way to get around the frivolous FOIL requests. Just provide the public with the information that you're entitled to. I just don't know what the problem is. As far as what happened between the attorney and I, that was the

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conversation as I remembered it. There were other people present. This is not a trial, but if in the future this happens again, I would like to be reassured by this Board that this is not going to happen again. That these public documents should be made available. It's the law. How do you just ignore the law? Thanks for listening.

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

MR. SWISKEY: William Swiskey, 184 Fifth Street. The first thing that I would like to address is the refinancing, when Bill Freitag showed up from Bollum & Sheedy, and congratulated the treasurer and the Board. Basically his words were -- I can get the minutes if you want. You saved
a million dollars, but that was a completely false statement because I have all the information about the refinancing. The total payout's -- You can snicker me all you want, Mr. Mayor, but I mean, it's a 104 page document. And over the life of the refinance, it is costing the Village an additional one million dollars. Now, I e-mailed every one of you after the meeting and asking if you could clarify this for me. But that was such a blatantly misrepresentation. I don't want -- it was basically a false statement. I won't call it a lie. But we didn't save any money, and basically in 2017, 2018, we won't have enough money to pay the refinancing. Now, I understand that some of you leave office in 2015 and you won't have to worry about, but some places -- it's looking like it can go -- Oh, no. You can I make this up. I will invite anyone that wants including the Village Board -- these are your numbers. Not mine. So I would still like to get a straight answer on that and nobody bothers to answer the e-mail. It's like -- it's
real amazing to me. You know, previous
mayors, they go out of their way to
basically -- if you have a question, they
would send you -- answer you. This Board
seems not to want to answer it. It's like,
I was standing there when the statement
that the attorney made to Mr. Saladino --

that was made. And I seem to agree with
Mr. Saladino's recollection because I also
had an incident at one time when I filed a
complaint about a sign that was basically
illegal, and it violated about -- just
about every Village sign law, and I was
told by Village officials and the Building
Department that I am not going to basically
make trouble for my bosses. Now to me,
that shows a little bit of lack of
integrity. You either have integrity in
this life or you don't. And as elected
officials, I think you're entitled to it.
I mean, yeah, you might get spanked a
little bit, but that's life. I'm sorry
about that. We expect a much higher
standard from our Village Officials then
here. I mean, no one answers e-mails.

Statements are made that are basically totally false. And yeah -- smile all you want Dave, I can smile too. But I will make this statement, your famous statement is well, "Mr. Swiskey made it up." Well, my statement, I will meet with you any time with the press and the TV and my statement

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is the Mayor is making it up as he goes. Just to make it to fit the reality he wants to make it fit, but that is not the reality. Anyway, I have a couple of other items here. It's like, the transformer for the #6 unit, which is the biggest unit, it amounts for half of the capacity, it blew up on -- two months ago. So that means, that it has been out of service for almost two months and yet, during this whole time since June when everything was out of service, the Mayor insisted that the plant could run. Well, Mr. Mayor, I will pay a thousand dollars to see that tomorrow. I mean, it just can't happen. I mean, that is another false that you put forward to the public. Why the lies to the public? I
just don't understand. You can -- that's good. That's like what my grandchildren
do. I mean --

MAYOR NYCE: Bill, if you're going to be insulting, you're going to get shutdown.

MR. SWISKEY: What?

MAYOR NYCE: You are not --

MR. SWISKEY: Why are you interrupting --

MAYOR NYCE: You are not going to compare me to children. You will be removed. Be respectful while you're there or you will be --

MR. SWISKEY: You through Mr. Saladino out. That wasn't respectful. He was there trying to get an honest question. You were --

MAYOR NYCE: Mr. Saladino was out of order. When he did not come to order, he was asked to leave.

MR. SWISKEY: Here is one. Maybe when you get to your thing, you can explain to the public and to the TV, how something like this -- I mean, did we save all this
money? Did we not? I can provide these to
the press if they want it, or go to the
Village Hall and FOIL for the report. You
would be surprised. Anyway, getting to a
couple of items on the agenda. One of them
has to do with the no parking on Sterling
Street -- Sterling Avenue. Well, it seems
to me that everything that has come forward
as a proposal for a local law is supposed
to have gone through the code committee. I
mean, Trustee Murray suggested months ago
-- I don't know, six months ago, a rental
law. It went to the Code Committee. It
has been in and out. Has this gone to the
Code Committee? I would urge you to put it
into the Code Committee. Run it through
the process first. The same as it has
seemed to come standard procedure now.
Instead, this just winds up. I don't
understand it. Why hasn't it been through
the procedure? Maybe you can answer that.
And the $5500.00 for the proposed Green
Energy Park. Has this Board considered
selling the rest of Clarks Beach, so
perhaps we have some money in 2016, 2017 to
pay these extra eight years of bonding, because the tax rate then would be 60%?

Plus this is a very specific amount, $5500.00. Is this a quote you got from somebody? Do you have somebody in mind?

Then how did you get $5500.00? Somebody had to give you that figure. I don't understand it. In other words, it's not like an RFP or creation of materials pertaining to a proposed energy park at Clarks Beach. This is very specific. It's almost like this is the price that someone is giving you. I am going to give you a little advice, and I know you won't take it, but if Genesis Engineering is proposing this, I wouldn't -- If I was the Board, I would vote it down.

There is one more thing. This shingle replacement at the roof, that -- a couple of people on this Board, this is a roof. Why does a roof have 76 pages of whatever it was, 12 drawings. We can't get a roof put on? I would say whoever is in charge of replacing this roof needs to be
very seriously looked at. Thank you. Have a good night.

MAYOR NYCE: Is there anyone else that wishes to address the Board?
(No Response.)

MAYOR NYCE: If not, that would conclude the public portion. Mr. Prokop,
did you want to make any comment?

MR. PROKOP: If I could, I would like to, please. I did not make the statement

that was attributed to me. I did have a conversation with Mr. Saladino regarding the document that he was requesting. And the remarks that were attributable to me was not what I said. That is all I would like to say.

MAYOR NYCE: I --

MR. PROKOP: And I -- I'm sorry, I didn't mean to speak over you. I have worked with the Village facilitating the system at all times, and make it as efficient and friendly to the public as possible.

MAYOR NYCE: Thanks. I would add to that. The purpose in some instances,
Mr. Saladino, for the documenting of what documents have been handed out is for our own record. To see what is being requested and how it is being requested. To track it. So we have a document request form and a FOIL request form, and part of it, just to make sure that different management is aware of what's going in and out of the building. So if that was inconvenient, for that, I apologize.

RESOLUTION #26, is requesting monies up to $5500.00 to create a presentation materials on a project that if proposed, because it's so multifaceted, in order to properly present it to this Board, to see if we want to move forward, I need to have something concrete to present. That is going to include some site photographs, some topography maps. A listing of the different components, possible estimates on some things. Basically research on costs. None of which any one on this Board is either is capable or going to do. It's going to be time consuming. But because I
think the project is potentially important enough, I think the money is well spent. $5500.00 is not a small sum of money, but the potentials out there for granting opportunities and possibilities for the Village far exceed the risk, for the sum of asking up to $5500.00. That is a number that we pulled out. If it comes in less than that, fantastic. It will certainly not go over that. The refinancing, the Village is not allowed to refinance its debt unless the State Comptroller agrees that there is a benefit to the taxpayers of that municipality. The State Comptroller did agree in this case. That there was a benefit to the taxpayers. We then worked with MUNISAP and Darrel Markers, both of whom found that there was a substantial savings in the refinancing. There is more money paid over time at a lesser interest rate and the payments become lower, making it possible for us over time to pay down the debt. In two years time, we would not have enough money in the bank to pay our debt. The refinancing was in fact
important component in our financial
stability. It is not costing us a million
dollars to refinance. No it is not,
Mr. Swiskey, you're reading the documents
incorrectly.

MR. SWISKEY: No, I can read
documents.

MAYOR NYCE: Mr. Swiskey, you will
not speak now. You had your chance to
speak. What I am saying to you, you have
taken a bunch of documents, once again, and

made your own conclusions. The
Comptroller's Office, MUNISAP and our
auditors are not in some sort of
collaboration to defraud the taxpayers of
this Village --

MR. SWISKEY: -- by making more
payments.

MAYOR NYCE: Mr. Swiskey, you will
please hold your comment when I am
speaking. Thank you. The refinancing has
been approved by, condoned by all those
groups and is a huge benefit to this
Village in the long term.
With that, we will move into our regular agenda. As Trustee Hubbard is not here tonight, I will read for him. I will offer RESOLUTION #12-2012-1, adopting the December 2012 agenda as printed. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will ask Trustee Kempner to read the next resolution.

TRUSTEE KEMPNER: RESOLUTION #12-2012-2, RESOLUTION ratifying the following, as approved at the December 17, 2012 work session meeting of the Board of Trustees:

RESOLUTION ratifying the hiring of the following part-time, seasonal employees, effective November 29, 2012:
Michael Flora as Part Maintenance worker at $11.50 per hour, and Jacqueline Scully as Park Attendant/Cashier at $9.50 per hour. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will offer a RESOLUTION #12-2012-3, accepting the monthly reports of the Greenport Fire Department, Village Clerk, Village Treasurer, Village Administrator, Director of Utilities, Village Attorney, Mayor and the Board of Trustees. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #12-2012-4, RESOLUTION approving the application of membership of David Meyer to Eagle Hose Company #1 of the Greenport Fire Department, as approved by the Greenport Fire Department Board of Wardens on December 19, 2012. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

TRUSTEE PHILLIPS: RESOLUTION #12-2012-5, RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustments to record the use of funds from the retirement reserve fund for
the 2012/2013 New York State retirement payment, to be transferred from the Trust and Agency Account. So moved.

MAYOR NYCE: Second. All those in favor?


Any opposed or abstentions?

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

TRUSTEE KEMPNER: RESOLUTION

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#12-2012-6, RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustments, as recommended by Director of Utilities Naylor, to rectify shortages in the sewer fund. So moved.

TRUSTEE MURRAY: Second. MAYOR NYCE: All those in favor?

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will offer RESOLUTION #12-2012-7, ratifying the authorization to issue a check made payable to David Abatelli as Village Administrator, in the amount of $625.00, to be used to set up the required cash drawer/banks for the operation of the Village of Greenport ice skating rink. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #12-2012-8, RESOLUTION authorizing Clerk Pirillo to prepare a Request for Proposals for the video recording of the Village Board regular meetings, and other Village
meetings as required, and to direct Clerk Pirillo to notice the Request for Proposals accordingly. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2012-9, RESOLUTION approving the reimbursement of $23.32 (42 miles x $.555 per mile) to Zoning Board of Appeals member David Corwin, for round-trip, mileage expended to and from Riverhead, New York; to attend the SCVOA training class for Village Planning and Zoning officials, held on October 17, 2012. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.
TRUSTEE MURRAY:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE KEMPNER:  RESOLUTION #12-2012-10, RESOLUTION authorizing the attendance of Deborah Boyle and Jeanmarie Oddon at the 2013 Village Election Workshop as sponsored by the New York Conference of Mayors, at the Garden City Hotel from 8:30 a.m. to 11:30 a.m. on January 9, 2013. So moved.

TRUSTEE PHILLIPS:  Second.

MAYOR NYCE: By way of discussion, there is no cost for this as they will be taking the Village vehicle, that I am told is available, and everything else is paid.

All those in favor?

TRUSTEE KEMPNER:  Aye.

TRUSTEE MURRAY:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?
MAYOR NYCE: That motion carries.
I will offer RESOLUTION #12-2012-11, setting two Village Voter Registration Days, as follows:
Thursday, the 7th of March, from 8:30 a.m. to 5:00 p.m.
Saturday, the 9th of March, from 11:00 a.m. to 5:00 p.m. So moved.
TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?
TRUSTEE KEMPNER: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?
(No Response.)
MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #12-2012-12, RESOLUTION allowing a non-Village resident to serve as an Election Inspector for the upcoming Village Election on March 19, 2013. So moved.

TRUSTEE PHILLIPS: Second.
MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION

#12-2012-13, RESOLUTION allowing the Clerk's Office to appoint three Election Inspectors and one Chair for the upcoming election on March 19, 2013. The appointees are:

Eileen Kiski, Josephine Geehreng, Keith McCamy, and Ingrid Helfrich. They are to be paid at $10.00 per hour inspector and $11.00 per hour for the Chairperson of the Inspectors, and authorizing the Inspectors to work on the two Village registration days, as well as the day of the election. This will be expensed from Line Item #A.1450.100 (Election Personnel Services).

So moved.

TRUSTEE MURRAY: Second.
MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION #12-2012-14, RESOLUTION setting the date and times of the 2013 Village Board Elections as March 19, 2013 from 6:00 a.m. to 9:00 p.m., and to further identify the polling place of the upcoming Village election on March 19, 2013 to be the Greenport Firehouse at Third Street in Greenport, New York. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
MAYOR NYCE: That motion carries.

I will offer a RESOLUTION #12-2012-15, confirming that the 2013 Village of Greenport tax sale will be held on March 12, 2013 at 10:00 a.m., and directing Clerk Pirillo to notice the tax sale accordingly. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #12-2012-16, RESOLUTION amending Resolution #10-2012-11 from the October 2012 regular meeting of the Board of Trustees, to allow for an additional reimbursement of $26.55 to David Abatelli, accounting for room tax and tolls to and from Middletown, New York during his attendance at the New York State
Building Officials' Conference on December 5th and 6th, 2012. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2012-17, RESOLUTION approving the reimbursement of $918.35 to Ray Dunbar, as recommended by Director of Utilities Naylor, for expenses incurred during the completion of 60 hours of mandatory refresher training corresponding to the Grade 3A Operator's License for the Wastewater Treatment Plant. This reimbursement is to be expensed from Line Item #G.8110.425 (Employee Training). So moved.

MAYOR NYCE: Correction, 407.
TRUSTEE PHILLIPS: I'm sorry.

MAYOR NYCE: Is there a second?

TRUSTEE MURRAY: Second.

MAYOR NYCE: Just by way of discussion, this was discussed at the work session, it has been told through Mr. Naylor that we do need to have this advance. So the Board can approve this in advance instead of ratifying it. He does need the class. It is necessary. I did stress to him that it must be presented to the Board prior.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

Regular Meeting December 26, 2012

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION #12-2012-18, RESOLUTION expressing the support of the Board of Trustees for the tax exempt financing, as attached, as recommended by the American Public Power
Association, and authorizing Mayor Nyce to sign the corresponding letter of support.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: Seconded by Trustee Phillips. By way of discussion and explanation as Mr. Naylor said at the work session. This is to disallow tax free bonds. This is to raise money. This is our support with other public entities to make this continue, and a letter drafted to our federal representatives that goes with the forms.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will offer a RESOLUTION #12-2012-19, ratify the hiring of the following part-time, seasonal employees,
effective November 29, 2012: Patrick Broderick, Gabrielle Mastaglio and Kirstin Zabel as Park Attendants/Cashiers at a pay rate of $9.50 per hour. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #12-2012-20, RESOLUTION ratifying the hiring of the following part-time, seasonal Park Attendants effective December 18, 2012: Patrick Robbins, Sara Kravitz, Yanet Garcia, Danny Nugent, Leah LaFreniere,
Village Attorney would like me to abstain because Leah LaFreniere's happens to be my niece. So I am going to abstain.

MAYOR NYCE: Okay.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE PHILLIPS: Abstain.

MAYOR NYCE: That motion carries with one abstention.

TRUSTEE PHILLIPS: RESOLUTION #12-2012-21, RESOLUTION hiring Michelle Sarabia, effective December 17, 2012, as a part-time Recreation Center Aide, at a pay rate of $8.00 per hour. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION

#12-2012-22, RESOLUTION amending RESOLUTION #11-2012-14 from the November 26, 2012 regular meeting of the Board of Trustees scheduling a public hearing on January 28, 2013 (in lieu of January 22, 2013) at 6:00 p.m. at the Third Street firehouse regarding a proposed local law amending Chapter 136 - "Water"- of the Greenport Village Code, a proposed local law adopting regulations for Cross Connection and Backflow Prevention, and directing Clerk Pirillo to notice the public hearing accordingly. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: By way of explanation, when we set that public hearing, we set it for a work session. So it was changed to a regular meeting. So the public can attend those public hearings.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I will offer RESOLUTION #12-2012-23, scheduling a public hearing on January 28, 2013 at 6:00 p.m. at the Third Street Firehouse regarding a proposed local law amending Chapter 132-Vehicles and Traffic - of the Greenport Village Code to add Sections 132-23A(C), 132-23B(C) and 132-37C, regarding Penalties for Non-Payment of Parking fines, and directing Clerk Pirillo to notice the public hearing accordingly. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.
Mayor Nyce: That motion carries.

Trustee Murray: Resolution #12-2012-24, Resolution scheduling a public hearing on March 25, 2013 at 6:00 p.m. at the Third Street Firehouse regarding a proposed local law amending Chapter 32 of the Greenport Village Code, creating a "no parking" zone on the east side of Sterling Avenue. So moved.

Trustee Phillips: Second, but I will also ask a question on this. The purpose of this public hearing is just to generate the --

Mayor Nyce: It was presented by the Village Administrator because -- I don't think you or Trustee Kempner were at that meeting.

Trustee Phillips: There was a meeting that was discussed back in October?

Mayor Nyce: Yes. I was just --

Trustee Phillips: Okay. That is the reason that I am asking. I am fine with it.

Mayor Nyce: If there is no further discussion, I will call a vote.
All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.


TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION #12-2012-26, RESOLUTION authorizing the
expenditure, and fund identification for,
up to $5500.00 for the creation of
presentation materials regarding the
proposed Green Energy Park project at
Clark's Beach. So moved.

TRUSTEE PHILLIPS: Second, and I may
have a question. The $5500.00, this
particular amount come out of the General
Fund?

MAYOR NYCE: My proposal would be for
it to come out of both funds. It will be
some general and Village fund. It was
going to be split amongst the ones that
were going to be effected by the project.

TRUSTEE PHILLIPS: So could we in
this resolution that those will be split --

MAYOR NYCE: Absolutely.

TRUSTEE PHILLIPS: Perhaps that would
make it more clear in the resolution and
more understandable.

MAYOR NYCE: Not a problem. I will
offer a motion to amend.

Is there a second to amend?

TRUSTEE MURRAY: I will second that.

MAYOR NYCE: So then it would be
instead of the fund identification, it would be resolution authorizing the expenditure split amongst the funds for up to the agreeable amount. I will ask for a vote for the resolution to be amended.

All those in favor?

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

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
Now, we need to vote on the resolution as it exist amended.
Is there any further discussion on the resolution?

(No Response.)

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.
TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
MAYOR NYCE: That motion carries.

I will offer a RESOLUTION #12-2012-27, rejecting all bids as received for the "Shingle Roof Replacement" at the Village of Greenport Light Plant, per the bid opening held on November 20, 2012 at 3:00 p.m., and further authorizing the creation of a new bid specifications for the roof replacement project, which are not to include a performance bond and authorizing Clerk Pirillo and Director of Utilities Naylor to re-bid the project. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: By way of explanation, as we discussed at the work session, the price was well above what we wanted to pay. The Director of Utilities and the Village Attorney through discussion determined that since the project will likely be paid in one payment upon completion of the job, that the performance bond there just to make sure that the contract performs the project would be redundant. That we could do away
with it. That would save them some money, and bring the amount down. This does not in any way diminish the bonding itself on the project.

Any further discussion on the motion?

TRUSTEE PHILLIPS: I guess my question is what we did in the past.

MAYOR NYCE: The Village Attorney put this together.

TRUSTEE PHILLIPS: I am uncomfortable with it, but I don’t want to hold this up. We need to move.

MAYOR NYCE: If there is no further discussion, I will call a vote?

(No Response.)

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

Regular Meeting December 26, 2012
#12-2012-28, RESOLUTION authorizing Village Attorney Prokop to prepare an agreement for the dockage between the Village of Greenport and the Fireboat FIREFIGHTER Museum. So moved.

MAYOR NYCE: I will second that.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE PHILLIPS: I am abstaining.

MAYOR NYCE: Three in the affirmative and one abstention. That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #12-2012-29, RESOLUTION approving all checks per the Voucher Summary Report dated December 19, 2012; in the total amount of $796,248.82 consisting of:

- All regular checks in the amount of $433,436.47,
- all prepaid checks in the amount of $47,993.89, and
- all wire transfers in the amount of $314,818.46. So moved.

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TRUSTEE MURRAY: Second.
MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

I would like to on behalf of the Village Board wish everyone a Happy New Year. I hope you all had a very Merry Christmas, Happy Hanukkah. Also Happy Kwanzaa starting today. And with that I will offer a RESOLUTION adjourning the regular meeting of the Board of Trustees and entering into Executive Session to discuss the performance record of an employee. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.
Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

We're adjourned. Thank you.

(Whereupon, the meeting concluded.)
CERTIFICATION

I, Jessica DiLallo, a Notary Public for and within the State of New York, do hereby certify:

THAT, the witness(es) whose testimony is herein before set forth, was duly sworn by me, and

THAT the within transcript is a true record of the testimony given by said witness(es).

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

IN WITNESS WHEREOF, I have hereunto set my hand this day, January 6, 2013.

____________________
(Jessica DiLallo)

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