STATE OF NEW YORK
VILLAGE OF GREENPORT

BOARD OF TRUSTEES
REGULAR MEETING

March 25, 2013
6:00 P.M.

BEFORE:

DAVID NYCE - MAYOR
GEORGE HUBBARD, JR. - TRUSTEE
CHRISTINA KEMPNER - TRUSTEE
DAVID MURRAY - TRUSTEE
MARY BESS PHILLIPS - TRUSTEE
JEANMARIE ODDON - DEPUTY VILLAGE CLERK
SYLVIA PIRILLO - CLERK (EXCUSED)
JOSEPH PROKOP - VILLAGE ATTORNEY
DAVID ABATELLI - VILLAGE ADMINISTRATOR
JACK NAYLOR - DIRECTOR OF UTILITIES
MAYOR NYCE: I will call this March 25, 2013 Board of Trustees meeting to order. Please stand for the Pledge of Allegiance.

(Whereupon, all rose for the Pledge of Allegiance followed by a Moment of Silence for Dennis J. Carey.)

MAYOR NYCE: There are a couple of corrections on the Title Page. There are no public hearings this evening. That public hearing had been noticed incorrectly, and -- I'm sorry. My fault. There is a public hearing this evening. We have some announcements. We're going to do the Tree Committee presentation. The Green Energy presentation is going to
hold over until after we do our agenda. One of the people, Glynis Berry had a doctors appointment that ran very late this afternoon. So she will not be here until after 6:30. So rather then do it in the middle of our agenda, we will do it at the end. The Board discussion on Sub-Division and Merger of Land, was something that was supposed to happen at the work session and it did not. We will carry that over to the April work session. The Board will discuss it then and take care of it at the April Regular Meeting. I apologize for that confusion. Then we will have a public hearing. There are several announcements: Perry Day Care Center is seeking funding, and is in desperate need. We ask that anyone with the means to assist please contact the Perry Day Care Center directly, or you can contact Village Hall. We can put you in
touch. They are trying to raise funds. They have lost a great deal of State funding, that used to fund their program. It is a very useful program for the community. It's expensive to run and they're actively fundraising at this point. The next announcement is that on the 9th day of April, there is a group that is setting up nationally, a Mayor's Day of Recognition for National Service. They're encouraged all communities to set that day aside, which we're doing. We're not doing a resolution now, because I just

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got the e-mail this morning. Please note that April 9th is the Mayor's Day of Recognition for the National Service. If you want further information go to www.nationalservice.gov.

Under Public Interest. It is important to create a Fire Safety program
for your family. Please be sure to check
the batteries in your smoke and CO
detectors. Also please be sure that your
house is properly numbered outside so that
emergency personnel can easily locate your
home, if needed.

The next order of business then is a
public hearing on proposed Local Law
amendment. This is a proposed Local Law
amending Chapter 115 - Streets and
Sidewalks. Dealing with how curb-cuts are
done to Village streets and sidewalks.
This public hearing was properly noticed.
Anyone wishing to comment on the proposed
amendment, can do so at this time. Your
comments will be taken down for the
record. With that, I will open for public
comment. Is there anyone that wishes to

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desire the Board on this proposed Local
Law amendment?

Mr. Corwin, please? By way of
housekeeping, you wish to comment, please come to the podium and state your name and address for the record.

MR. CORWIN: My name is David Corwin. If you go to Page 4, Paragraph G, "Completion of work. Road surfaces shall be restored within 48-hours of completion of work. And my experience is, road openings are never compacted properly. They always settle. So 48-hours after you open the road, you have to put the asphalt back on top. It's probably not compacted properly. And I would try to find some way to make sure those road openings are compacted properly or given some period of time where some kind of filler covers that road and settles naturally. Thank you.

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

(No Response.)

MAYOR NYCE: If not, I will entertain
a motion to close the hearing? Is there a
motion to close?

TRUSTEE PHILLIPS: Motion to close.

MAYOR NYCE: Motion to close by
Trustee Phillips.

Is there a second?

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed?

(No Response.)

MAYOR NYCE: Motion carries. I will
ask the Deputy Clerk to please place that
on the work session agenda for the April
meeting for discussion by the Board.

Before we get into the presentation,

Trustee Kempner has joined us. This is
your last meeting for the Village Board.
I want to personally thank you for your
service to the Village. You and I
personally got off to a bumpy start, but

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it has been a pleasure to work with you
and thank you for all you have done for
the Village. We wish you continued
success.

TRUSTEE KEMPNER: Thank you very
much. Thank you to the Mayor and my
colleagues on the Village Board. They
have all been great to work with and all
the staff in the Village who have worked
very hard. And to all the volunteers who
have come in and put in a lot of time to
different Board's and events. Takes a
village.

MAYOR NYCE: Thank you. I also want
to thank Trustee Julia Robins. Welcome.

With that I will turn it over to

Trustee Deputy Mayor Hubbard for the
annual Tree Committee Report.

TRUSTEE HUBBARD: I gave each member of the Board and the Deputy Clerk a copy of this.

The Village of Greenport Tree Committee 2012 Annual Report to Mayor Nyce and The Village Board of Trustees. The Tree Committee is pleased to present this report for 2012. For the sixth year in a row, the Village has earned the Tree City USA designation making the ninth year of recognition, including three awards incurred in the 1990's. The removal of hazardous trees is part of our first mission, "safety." For the 99 trees removed since the reestablishment of the Tree Committee in 2007, including 50 trees removed in 2012 alone. In additional 16 tree stumps were removed in 2012. We continued to viciously upgrade and
diversify the trees planted in the Village. Having overseen the planting of over 297 trees, including 31 in 2012. We have learned to plant great and powerful trees as we rebuild our tree. Again, 2012, the committee work of planting trees, was made light by the use of "Manwaring Manwatering truck." We hope to have access to the truck even earlier this spring. Our tree census continues as we charter new gains and successes for trees. Vehicle collision with trees continue to be a major cause of tree loss. This happens on March 25, 2013 Regular Meeting

Manor Place, Fifth Street, Adams Street.

Greenport Tree Day/Arbor Day dedication was held at Third Street to honor the memory of George Hubbard Sr., and James Munsel. We also helped the class of 2012 plant a senior tree at Greenport High School and delivered tree information to the local lower grades. Resource and
Enhancement. As a recipient of a matching grant for $12,000.00 from New York State DEC, the committee will voucher for reimbursement shortly. In the disheartening days between Irene and Sandy, we gladly accepted another donation from Ed Yard (Phonoetic) who gave us eight Elm Trees. We raffled a quilt made by Carol M. Frasier, sold tree committee t-shirts, sold water bottles and books, and accepted cash donations to help towards our efforts. In all about $2,000.00 was raised. Thanks. In two years, of fierce storms and extreme winds and flooding, the Village had worked tirelessly to keep roads open and safe, utilities online and the quickest return to normal as possible. We join in all of our neighbors in thanking them. We thank Mayor Nyce and the Board of Trustees for
their continued support. Respectfully submitted, March 12, 2013, John Quinlan, Chair and founding member, William White, Holly Dickson, Trustee George Hubbard, Denise Ratburn, Jack Whitestock and Jane Ratsy Williams.

MAYOR NYCE: Thank you very much. I would just like to thank for their support. The Tree Committee has been an extremely hard working volunteer committee. And have done in a very short period of time, an amazing amount of work. And where as often of times, it actually works out very well with our road crew and our line crew in maintaining the trees around the power lines. And John is out there taking down trees. He gets there first. Please pass along our thanks to the Tree Committee.

TRUSTEE HUBBARD: Sure.

MAYOR NYCE: With that, we come to the public portion of our meeting. I will
ask if there is anyone that wishes to
address the Board? Mr. Saladino?

MR. SALADINO: John Saladino, Sixth
Street.

Are there any resolutions that you
are going to vote on that are not on the
agenda?

MAYOR NYCE: No. The agenda is as
printed. I may be asking the Board to --
after the presentation of the Green Energy
Project presentation for continued support
of that project. The next step, assuming
everyone likes the presentation, potential
identification of an application for the
planning grants.

MR. SALADINO: Will the public be
allowed to speak after the presentation?

MAYOR NYCE: I will leave that up to
the Board. There will be public meetings
like this after. This is a presentation to
the Board. There will be community
outreach, assuming the Board likes the
presentation. The next step will be a series of community meetings to elicit comment from the public.

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1  MR. SALADINO: Okay. I have one comment about the agenda. It's -- this budget modification. The pages aren't numbered so, just going to tell you what it is. It's for the Water Department. $23,000.00 into purchase. And $23,000.00 into Residential Village Sales, for $46,000.00. I am not sure where that money is coming from. It doesn't say where.

2  MAYOR NYCE: It's a residential line item for Village Sales of $23,000.00 going into a line item that would be an expense item for Suffolk County Water purchase.

3  MR. SALADINO: Wouldn't that be a minus next to it? They both have pluses
next to it.

MAYOR NYCE: We have been over this every single month. This is how budget modifications come through in KVS software. It is a net $46,000.00 change --

MR. SALADINO: I understand what you are telling me. I don't understand why the rest of the budget mod's aren't configured like it. The one next to is --

MAYOR NYCE: Then it is clearly a typo. Thank you.

MR. SALADINO: Since perhaps we won't be able to speak later. I just want to mention one thing that I read in the presentation regarding -- that we were provided with some of the issues. Environmental benefits and issues. It says that increase sound within wind. Sounds within reasonable range of
annoyance in approximately 5% of the population in 35-40 decibels. I got this information from OSHA, and from Seeman's Corporation and General Electric who are the largest producers of wind turbines. An OSHA, their standard is normal conversation in a room is 3 decibels. At 50 feet produces 80 decibels. Seeman's have the same figures. 9 miles an hour, their wind turbine, generates 100 decibels. At 13 miles an hour, it's 105 decibels. A friend, as luck would have it, is involved with the western area of power in Wyoming. And they did a survey and they sent it to me. They found that a two megawatt wind turbine had a 3400 feet from the turbine, spinning at 13 miles per hour, is 45 decibels. So that's 3400 feet. I guess in Wyoming that doesn't
really matter. Clark’s Beach is
different. So I am not sure where this
information comes from. This information
comes from OSHA and the manufacturing
standards. So that might be something
for the Board to consider. Thank
you.

MAYOR NYCE: Thank you.

Mr. Corwin?

MR. CORWIN: My name is David Corwin.

Since you brought trees up, there is two
trees on Main Street that need to be
plumed up. They are getting it by
automobiles. There is one in front of
church and one on the side of the church
that needs to be plumed up. I just
noticed on this presentation, that you

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are probably aware of it, obviously you
want to make sure that the Town of
Southold -- you have to get them on
board before you go much further. The
reason I came here tonight was this alcohol thing in the park. And last week, you were all told about the second parts in the public hearing form. I realized that this is an attempt to get a handle on the whole question, but I question alcohol in the park period. In the work session, there is -- came out that people can go to this Dancing in the Park and drink in there, and we kind of turn a blind eye to that. Well, if we turn a blind eye to that, we got to turn eye to the guys that are down there on the job just laying around, and everyone else that wants to come in there. I was told, it's -- the park more and more people are coming in. You saw last summer with the two events with one and one without alcohol. This alcohol thing I have to question. Thank you.

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

Mr. Swiskey: Good evening, I am William Swiskey 184 Fifth Street. Mr. Mayor and Members of the Board before I get into comments that I wish to make, I promised several members that I would make a few comments that were brought to me by this interested group. One, does the Village intend to hire a part-time TCO officer to help manage the parking problem in the downtown area? Would the Village be open to scheduling a general information and back and for the meeting about the parking problem, let's say before May? The purpose of this would be input for a formula for this summer. Thank you. I had promised some people that I would do that, and I would appreciate that you consider some of their ideas. The first thing that I wanted to ask you about is I am a Village
retiree, and I get a 1099 from the Village on a Medicaid reimbursement. So I filled out my taxes and I sent them.

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And a couple of Village retirees called the Village that was based on an opinion from their auditor, that we had an e-mail from the Village or a letter saying that they were wrong. I sent you all an e-mail. I am sure you all got my e-mail. If not, I can’t read it to you. It goes like, do you realize that people who are affected are now going to have to file an amended return? My accountant gets $75 bucks an hour. Does the Village intend to reimburse these costs to the individuals affected? This is a huge mistake. I would ask how did this happen? Who is the individual responsible, and was that person spoken to about committing such an act? Some people were very distressed about the whole thing. As far as the
response to a couple of them, that there
was an auditor's opinion, that they would
have to file a FOIL for that auditor's
opinion because it has to be in writing.
That is the way that it has always been
done. My response from the clerk was that
no such document exist in Village Hall.

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So this is a little bit of a mess and it
I think that the Village should take the
high road and payout their expenses and
causd by the Village's mistakes. And
then their is a second one about a FOIL
appeal. I put it way back in October and
then the other day I got a call from the
Village Attorney and he asked me if I had
ever received his response and I said, no.
So he sent it to me. So basically it
says, if I can make it out, the requested
documents that I e-mailed him the first
time. Now they want $0.25 a page for 60
pages for something that is on the
computer. So I emailed all the Village
officials and never got an e-mail. On
my computer I can take any e-mail and
move them to a file and e-mail the file as
a totality. As a test, I moved 60 said
e-mails to a file. Total time was around
7 minutes. I am willing to pay the monies
if necessary. I would at least like an
explanation on why the Village is such
incapable of a simple process? I mean,
with all this KVS software and this and

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that. Now, I don't understand $15.00 for
something that someone from the Village
can e-mail that would take less than 5
minutes. I don't mind but I would like
the Board to explain that to me?

Now, I have a few comments. The read
the Green Energy Proposal as quickly as I
could. There is very little in there
about costs. There is very little about
environmental of the Town. Basically $5500.00 for pictures and a little information about Clark's Beach, that disturbs me as a tax payer. Plus, I do know some of this. The Village did a survey way back in the 70. That file is somewhat in the Village Hall. You may want to dig that out. Basically there is not enough sustained winds there, especially in the summer. I guess this one is for September, which is still a summer month. And I did a little analysis, this averages about $7,000.00 a month. I don't have access to a lot of records but you guys do. You are not likely to get this in the summer. It starts out as a 9 miles per hour wind and goes up to 16 miles per hour wind. And as you get towards 23, the performance drops down. So before you spend any money go
online. I can do it. You can find a lot of it. Mr. Saladino did it. Why do it if it's simply to co-generate during peak times and -- we have a power plant that we just put a few million into it. So before this Board decides to spend any money, at least look into alternative options. I mean, $5500.00 for basically -- it's shot. It's maybe about three pages of this and almost about 35 pages of artist conceptions. Maybe I just -- you know. Look at this page. We paid for this page. I mean, isn't that a little silly? Anyway. Like I said, we can go into that but maybe if you schedule another hearing. Another thing, I looked at the preliminary budget, it's on the website. The first thing that struck me, is that I noticed a column that Treasurer said she was going to put in last year and didn't get any money into this. This year, we
should be able to put it to all the line
items as the Trustees. That is
hospitalization and retirement, because I
was shocked when I made a FOIL request
to the Office of State Comptroller, we
have a Trustee, one of them who also
collects a $25,000.00 hospitalization
benefit and pays basically maybe about
$50.00 bucks a month just for his dental.
Just to set that right. So everybody
knows he pays a little. But he is also in
the retirement system. These retirees's
have coasted the tax payers. I would like
to know the's total costs from the general
fund? I mean I am a tax payer. I will
state it here to anybody. I will tell you
what I pay. These two retirements where
they kick in 2% of their salary, could be
costing us another $15-$20,000.00 a year.
I just had to get that out. That really
blew my mind when I found that out. There
is just a couple of items on the agenda,
13, 14, 21. They have to do with the roof.
We put out a roof bid. I just don't understand why we have to rebid it again.

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It just is beyond me. If the people that you got can't get a decent roof bid and get decent bids back, then I am willing to pay a consultant just to save us -- the roof is getting worse. It's beyond me. I would speak to whoever is in charge of the roof bid and the tank bid and I would tell them that maybe it's time to start looking for another job. And one more comment. It's on the adjourning into Executive Session to discuss the hearing that I was at for the CSCA contract. Now, I would like to be here if there is a vote on that. If after you come out of your Executive Session, and you decide to vote on a resolution, I can leave you my cellphone number or if you don't think that it's going to take that long, I will
sit outside, but I would appreciate the chance to hear that vote.

MAYOR NYCE: It's the law and that will happen.

MR. SWISKEY: You are going to vote tonight?

MAYOR NYCE: No. I said, if we take action after Executive Session, it has to be done in Regular Session and the public has the right to be there. That is the law.

MR. SWISKEY: It's not your answering -- it's my comment period. And I know the Board likes to do things in a proper manner. All I was asking if someone would call me on my cellphone, when you come out of Executive Session and you take a vote, because otherwise, I will stand out in the rain, unless you are willing to adjourn it into a different room. So is that too much to ask? Thank you.
MAYOR NYCE: Thank you. Is there anyone else that wishes to address the Board?

(No Response.)

MAYOR NYCE: If not, that will conclude the public portion. I know that the people here are ready to present. We have a fairly short agenda. So if it's all right, while they set-up and prepared, that we do the agenda. I do not believe there will be any action taken after

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Executive Session. If I get a census from the Board that there will be, you will be notified. We will return to the next room and discuss it. And yes, there will be, if need and take action, the public will be allowed to do that. As far as Mr. Swiskey's first comment about the TCO and all the rest of the stuff, having to do with the Business District and BID, we are
working with the BID to take care of all
these things. As far as the 1099's you
brought in your e-mail. You did not
bring in the Treasure's response to your
e-mail, which was that the situation was
corrected and corrected with enough
time --

MR. SWISKEY: No --

MAYOR NYCE: Please do not
interrupt or I will ask you to leave.

Thank you.

MR. SWISKEY: Thank you.

MAYOR NYCE: With that, we will
move into the regular agenda, and noted
changes of the presentation, I will offer
a RESOLUTION to adopt the March, 2013

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agenda as printed. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: Seconded by Trustee
Phillips.

All those in favor?
TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: 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
RESOLUTION #2.
TRUSTEE KEMPNER: RESOLUTION 
#3-2013-2, RESOLUTION 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 HUBBARD: Second.
MAYOR NYCE: All those in favor?
TRUSTEE KEMPNER: Aye.
TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #3-2013-3, RESOLUTION approving the application for membership of Melinda S. Carrig to the Rescue Squad of the Greenport Fire Department, as already approved by the Greenport Fire Department Board of Wardens on March 20, 2013. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?
TRUSTEE MURRAY: RESOLUTION #3-2013-4, RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustments. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: And with that second, by way of discussion, noted the comment made on the Water Department transaction if that is a type.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION
#3-2013-5, RESOLUTION approving the attached Inter-Municipal Agreement between the Village of Greenport and the Town of Southold, with a term of five years, as to the sharing of information concerning certain property records regarding assessments and property information of properties that are located within the Town of Southold in the territory of the Village of Greenport. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE KEMPNER: RESOLUTION

#3-2013-6, RESOLUTION authorizing Treasurer Kagel to create a capital reserve account in the Electric Fund. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: By way of discussion, this is something that we are doing to formalize. Any monies above and beyond, we have earmarked for capital improvement. It was brought up during the audit, that a couple of things that were missing, that were used for improvements. We didn't have a capital reserve fund set aside. This formalizes it. It was an oversight on our part that this was not set aside for that.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

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

Any opposed or abstentions?
(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE HUBBARD:  RESOLUTION

#3-2013-7, RESOLUTION approving the
request of the Floyd Memorial Library for
the use of a portion of Mitchell Park from
4:00 P.M. to 8:00 P.M. on July 30, 2013
for the annual Concert for Children.  So
moved.

TRUSTEE PHILLIPS:  Second.
MAYOR NYCE:  All those in favor?
TRUSTEE KEMPNER:  Aye.
MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION #3-2013-8, RESOLUTION allowing the New York State Department of Environmental Conservation to establish a monitoring station at the Greenport Village Dock, which would involve possibly suspending mesh bags of mussels on black nylon lines, to continue sampling into mid-July 2013; dependent upon the result of monitored phytoplankton samples. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: By way of discussion, this is something that we have done with the DEC for the last couple of years.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE PHILLIPS: RESOLUTION #3-2013-9, RESOLUTION approving the Public Assembly Permit Application as submitted by the Relief Hose and Phenix Hook and Ladder Companies of the Greenport Fire Department for the use of the polo grounds at Moore's Lane, for the annual Relief Hose and Phenix Hook and Ladder Companies carnival, from 6:00 P.M. to 12:00 A.M. on July 2, 2013 through July 6, 2013. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.
Any opposed or abstentions?

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1 (No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION #3-2013-10, RESOLUTION approving the Public Assembly Permit application as submitted by the East End Seaport Museum fr the use of various Village streets and facilities, for the annual Maritime Festival, from 9:00 A.M. to 5:00 P.M. on September 21, 2013 and September 22, 2013. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: Any discussion on this motion?

(No Response.)

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION

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#3-2013-11, RESOLUTION authorizing the suspension of the open container law of the Village of Greenport, Sections 35-3B and 35-3C if the Greenport Village Code, for the Festival perimeters of the East End Seaport Museum Maritime Festival, from 9:00 A.M. to 5:00 P.M. on September 21, 2013 and September 22, 2013; per the Public Assembly Permit Application as submitted.

So moved.

TRUSTEE MURRAY: Second.

TRUSTEE PHILLIPS: This open container law, is this something that we need to do right now or can we table it
when we can get a better handle about the
Maritime's goals and ideas?

MAYOR NYCE: Their goals and ideas
are to work within the parameters of what
we set. This RESOLUTION will be in
keeping with what we have done in the
past. What we do or what we require on
Village property within that, we stipulate
to the museum. If you talk about them
having someone contribute to the festival

and vending in the park, we can say that
not happen. They are aware that there is
an issue with that happening. So they are
aware of that. So there is no need to
table this. Is there any further
discussion?

TRUSTEE PHILLIPS: I think the
alcohol subject has different
ramifications. I am just asking that we
table this until next month?
MAYOR NYCE: I understand how you feel. I am saying that this doesn't change anything about how you feel. If we want to stipulate to them that they cannot have people vending beer in the park we can do that.

TRUSTEE PHILLIPS: I just think that we should discuss and have a better handle on what goes on. The topic has come up and I think that we should be smart about it. Perhaps, I would like to put a motion to table this.

MAYOR NYCE: I don't think we need --

AUDIENCE MEMBER: You need a second --

MAYOR NYCE: I don't need anyone to tell me on how -- you call me stupid again. You are definitely gone.

AUDIENCE MEMBER: Stupid.

MAYOR NYCE: Okay. You are gone.
Thank you.

Okay. We have a motion to table. Is there a second to table?

(No Response.)

MAYOR NYCE: There being no second to table. We have a motion read and seconded.

I will call a vote.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

TRUSTEE PHILLIPS: No.

MAYOR NYCE: We have one against.

That motion carries.

TRUSTEE MURRAY: RESOLUTION #3-2013-12, RESOLUTION approving the request by Eastern Long Island Hospital to

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use the softball field on Moore's Lane for

the annual "Hospital Challenge" from

5:00 P.M. to 9:00 P.M. on May 10, 2013

(for practice) and May 17, 2013 (for the

actual game.) So moved.

TRUSTEE HUBBARD:  Second.

MAYOR NYCE:  All those in favor?

TRUSTEE KEMPNER:  Aye.

TRUSTEE HUBBARD:  Aye.

TRUSTEE MURRAY:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE PHILLIPS:  RESOLUTION

#3-2013-13, RESOLUTION approving the

request by Shelly Scoggins of The Market

to close Main Street from Bay Avenue to

the southern terminus at Claudio's Circle,

and to close Front Street from Main

Street west to First Street, from

9:45 A.M. to 11:00 A.M. on
Waiter Race. So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: By way of discussion, this was a cool event that they ran last year. I will ask the Deputy Clerk to make sure -- last year, there was snag and the police department didn't get informed. I would ask that they double check.

TRUSTEE PHILLIPS: And I would say, that it was a very exciting event last year. Talking to Shelly, she was very excited. I would say that people should come and see it.

MAYOR NYCE: It was excited.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.
MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION

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#3-2013-14A, RESOLUTION rejecting all bids as received and opened on March 14, 2013 for the shingle roof replacement at the Village of Greenport Lighting Plant. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE HUBBARD: RESOLUTION

#3-2013-14B, RESOLUTION directing Village Clerk Pirillo to re-notice the Village of Greenport Lighting Plant shingle roof replacement request for bids accordingly.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

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TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION

#3-2013-15, RESOLUTION authorizing the attendance of Director of Utilities Naylor at the New York Association of Public Power Annual Conference in Saratoga
Springs, New York from April 9, 2013 through April 11, 2013; at a total cost not to exceed $715.00 including: Registration, lodging and any applicable travel expenses, to be expensed from line item number E.0781.100 (Executive Department.) So moved.

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

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Any opposed or abstentions?
(No Response.)
MAYOR NYCE: That motion carries.
TRUSTEE PHILLIPS: RESOLUTION #3-2013-16, RESOLUTION authorizing the attendance of Mayo Nyce at the New York
Association of Public Power Annual Conference in Saratoga Springs, New York from April 9, 2013 through April 11, 2013; at a total cost not to exceed $715.00 including: Registration, lodging and any applicable travel expenses, to be expensed from line item number A.1210.100 (Mayor Personal Expense.) So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

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TRUSTEE KEMPNER: RESOLUTION #3-2013-17, RESOLUTION declaring that the
following Village of Greenport-owned vehicles are no longer suitable or necessary for municipal purposes and are therefore declared to be surplus vehicles to be disposed for the best price possible:

1980 GMC Brigadier-Diesel 80000 Series Digger Derrick known as G-10.


TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE HUBBARD: RESOLUTION

#3-2013-18, RESOLUTION adopting the attached resolution designating Mayor David Nyce as the authorized representative of the Village of Greenport for the GIGP Grant Application #702, and specifying parties authorized to submit documents to the New York State Environmental Facilities Corporation. So moved.

TRUSTEE KEMPNER: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE MURRAY: RESOLUTION

#3-2013-19, RESOLUTION awarding the contract for the Mitchell Park Marina electrical upgrade to Baltray Enterprises, d/b/a Bancker Electric, for a total of

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$288,786.00 and to further authorize Mayor Nyce to sign and execute the contract after the $400,000.00 in bond funding is in place, which is expected to be on March 28, 2013; following the end of the estoppel period. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE PHILLIPS: RESOLUTION

#3-2013-20, RESOLUTION authorizing a
Request for Proposals for cleaning
services at Village Hall and other Village
facilities, and further directing Village
Clerk Pirillo to notice the Request for
Proposals for cleaning services
accordingly. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION

#3-2013-21, RESOLUTION authorizing Village
Treasurer Kagel and Director of Utilities Naylor to peruse the current budget, and subsequently report to the Board of Trustees in which line items monies may be available to pay for the cost of the shingle roof replacement at the Village of Greenport Power Plant. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #3-2013-22, RESOLUTION correcting RESOLUTION #12-2012-24 from the December 2012 Regular Meeting of the
Board of Trustees changing the date of the public hearing on a proposed local law amending Chapter 132 of the Greenport Village Code, creating a "no parking" zone on the east side of Sterling Street to April 22, 2013 at 6:00 P.M. at the Third Street Firehouse, Third Street, New York.

So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: By way of discussion, I apologize to those that showed up. There was a couple of people tonight. This information did not get to -- the information necessary for the public hearing is available at Village Hall. If anyone would like to find out what the proposed law would look like. I would ask that Deputy Clerk also post on the website as well.

All those in favor?
TRUSTEE KEMPNER:  Aye.

TRUSTEE HUBBARD:  Aye.

TRUSTEE MURRAY:  Aye.

TRUSTEE PHILLIPS:  Aye.

MAYOR NYCE:  Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE:  That motion carries.

TRUSTEE MURRAY:  RESOLUTION

#3-2013-23, RESOLUTION determining that

the Water Quality Improvement Project GIGP

Application No.:702/CWSRF Project

No.:5121-06-00) ha been determined by the

Village to be an unlisted action and that

the Village is proceeding with a

coordinated review proposing that the

Village adopts lead agency status,

determines that the action is an unlisted

action and adopting a negative

Declaration, with the New York State

Department of Environmental Conservation,

the New York State Department of State,

the United States Army Corps of Engineers,
the Suffolk County Department of Planning,
and the Town of Southold, as per NYCRR
617(a)(3) and 6 NYCRR 617(b)(3) as
requested by the New York State EFC. So
moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: By way of explanation, we
did this last month, and because of the
grant funding and the way that the funding
is coming through, it was required that we
adopt as lead agencies with the agencies
that are listed.

All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.
TRUSTEE PHILLIPS: RESOLUTION

#3-2013-24, RESOLUTION establishing the source of the required ten percent matching funds for the proposed New York State EFC GIGP grant as being local funds from the Village General Fund Balance. So moved.

TRUSTEE HUBBARD: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE KEMPNER: RESOLUTION

#3-2013-25, RESOLUTION determining that the bonding, grant from the New York State
EFC, and the project described as the planning and study of the feasibility of a possible eastern extension of the Village of Greenport sewer system is a Type II action for purposes of SEQRA pursuant to 6 NYCRR 617.5(c)(21) which states that; "(c) the following states are not subject to review under this Part:....(21) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commerce, engage in or approve such action." So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: Same comment as to two resolutions ago.

All those in favor?

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

Any opposed or abstentions?
(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE HUBBARD: RESOLUTION #3-2013-26, RESOLUTION determining that the bonding, grant from the New York State EFC, and the project described as the planning and study of the feasibility of a possible western extension of the Village

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of Greenport sewer system is a Type II action for purposes of SEQRA pursuant to 6 NYCRR 617.5(c)(2) which states that; "(c) the following states are not subject to review under this Part:.....(21) conducting concurrent environmental, engineering, economic, feasibility and
other studies and preliminary planning and
budgetary processes necessary to the
formulation of a proposal for action,
provided those activities do not commit
the agency to commerce, engage in or
approve such action." So moved.

TRUSTEE MURRAY: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

TRUSTEE MURRAY: RESOLUTION

#3-2013-27, RESOLUTION approving all

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checks per the Voucher Summary Report
dated March 20, 2013; in the total amount
of $413,204.40 consisting of:
All regular checks in the amount of $384,430.65, All prepaid checks in the amount of $28,773.75. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

Any opposed or abstentions?

(No Response.)

MAYOR NYCE: That motion carries.

At this point, I would like to take a break and everyone stretch their legs and then have Linda set-up for their presentation on the Green Energy Project.

Green Energy Project Presentation Synopsis presented by Glynis Berry and Hideaki Ariizumi, and Lillian Ball.

The Village of Greenport proposes the
establishment of an Eco Energy Park on an 8.7 acre parcel that it owns at Clark's Beach. The site currently contains the Village outfall pipe from its sewage treatment plan. Renewable energy generation from both solar and wind installations will be designed to supplement the five-megawatt, hydroelectric power purchases already serving the Village's basic needs. The goal is to build a two to four megawatt, self-generated system to replace the costly, open-market purchases of additional electric power made when demand exceeds the limits of the hydro-generation contract. Currently during peak months the overage represents a high percentage of the monthly costs, compared to a much lower percentage of monthly costs, compared to much lower percentage of consumption. The site will
also be developed as a public park, educational facility, conference center, and demonstration style for a range of sustainable and green infrastructure. The goals are to reduce flat-line electrical costs for the Greenport system by generating electricity normally purchased on the open market. Generate and use renewable energy. Provide public access, educational and recreational opportunities serving the local population. Energy: One megawatt wind turbine will generate on the northern section of the site near the Long Island Sound. One megawatt wind turbine generator at the Village sewer facility. Site Improvements: New entry and parking area to accommodate parking spaces, solar charging station for electric vehicles. Permeable pavement, bicycle rack. Stabilized route to support fire and maintenance truck access to the
site and existing outfall system. Bluff enhancement at the base of the cliff face. Collection of building, solar panel and path stormwater run-off for reuse, irrigation and rain gardens. Proposed wetland to daylight sewer outfall for treatment and polishing for further nitrogen removal before dispersal to the LI Sound. New, themed trails throughout the site with links to the bay to sound trail system being developed by the Town of Southold and the Village of Greenport, including proposed trails on the adjacent, county-owned properties preserved as open space. Trail, site, and building themes revolve around concepts related to the sun, earth, wind and water. Community garden and composting area. Signage for entry, identification of natural species, explanation of systems, sustainable
practices and other educational purposes.

Camping facilities: Up to twenty cabins or camp sites for overnight accommodations with either integral or an additional toilet facility depending upon sitting.

Project partners and participants.


MAYOR NYCE: Just to do a wrap-up.

There will be plenty of time to do a
question and answer. Again, this is the 
initial concept that I would thank Glynis, 
Hideaki and Lillian. We are stressing 
that there be an educational component. 
Sustainability of our area is do projects 
like this to keep our kids active in the 
area and acting with us. The basic 
portion of this, all through this process 
that we engage the local community, 
especially young kids. The rest will work 
itself out. I think that numbers work and 
I think that it's going to be a 
potentially very, very good project for 
the Village to undertake. I can go on 
this for a while. 

What I would like to ask the Board at 
this point, if there is consensus for me 

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to continue moving forward with public 
outreach and public officials and start to 
look for grants. If there is a consensus
to move forward that I will work with Glynis, Lillian and Hideaki. I know that this is up on the website but maybe get this proposal out to as many people as possible.

Does anyone on the Board have any serious issues?

(No Response.)

MAYOR NYCE: What is the Board's -- continue moving forward?

TRUSTEE HUBBARD: I have no problem of going to the next stage.

TRUSTEE PHILLIPS: It's a concept.

It can change up to 25 times.

MAYOR NYCE: Yes.

TRUSTEE PHILLIPS: I think it's definitely something worth looking into.

It's in our heritage. There are going to be some people who will not agree with it and there are going to be people that are excited. I think it's important to get people's opinions in this process.
MAYOR NYCE: I would very much like to thank Glynis, Lillian and Hideaki for their presentation.

We have one bit of business and that is, to offer a RESOLUTION to enter Executive Session to discuss contract negotiations. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR NYCE: All those in favor?

TRUSTEE KEMPNER: Aye.

TRUSTEE HUBBARD: Aye.

TRUSTEE MURRAY: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR NYCE: Aye.

We're adjourned.

(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, April 8, 2013.
(Jessica DiLallo)