STATE OF NEW YORK
VILLAGE OF GREENPORT
------------------------------------------ X

BOARD OF TRUSTEES
REGULAR MEETING
------------------------------------------- X

April 22, 2013
6:00 P.M.

BEFORE:

GEORGE HUBBARD, JR. - DEPUTY MAYOR

JULIA ROBBINS - TRUSTEE

DAVID MURRAY - TRUSTEE

MARY BESS PHILLIPS - TRUSTEE

DAVID NYCE - MAYOR (EXCUSED)

SYLVIA PIRILLO - CLERK

JOSEPH PROKOP - VILLAGE ATTORNEY

DAVID ABATELLI - VILLAGE ADMINISTRATOR

JACK NAYLOR - DIRECTOR OF UTILITIES
DEPUTY MAYOR HUBBARD: I will call the meeting to order, it being six o'clock.

Start with the Pledge Allegiance to the flag.

(Whereupon, all stood for the Pledge of Allegiance, followed by a Moment of Silence.)

DEPUTY MAYOR HUBBARD: Under announcements: The 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. The Annual Village Arbor Day Ceremony will be held this year on May 23rd at 10:00 A.M. at the Fifth Street Beach.

The brush pick-up start date was April 16th,
which they have already started. Please check the Village and BID website's for upcoming Memorial Day activities and events. The Tree Committee, is in the ongoing planting of trees, has some trees that have not yet been designated. If you wish to have one planted in front of your home, please contact Village Hall at #477-0248.

Public Interests: 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. Please be sure that your house is properly numbered outside, so that emergency personnel can easily locate your home, if needed.

We have a Liquor License Applications: Chen's Fusion Corporation, d/b/a Front Street Sushi, at 45 Front Street. That's just an announcement. There is no action to take on that; correct, Sylvia?

CLERK PIRILLO: That is correct.
DEPUTY MAYOR HUBBARD: Okay. The next we go to Public Hearings, Chapter 132, Parking on Sterling Street. I would open the Public Hearing. It has been noticed in the paper. The directions and signs were put down there for the public and the Board members to see actually where we're talking about. And I will open it up for anyone who would like to address the Board on the Public Hearing. State your name for the record.

MR. MOORE: My name is Doug Moore, at 145 Sterling Street. I have been a resident

April 22, 2013 Board Meeting

for Sterling Street for over 20 years. Just for disclosure, I am the Chair of the ZBA, and as such, I am a member of the Code Committee; however, I did not participate in the drafting of this code. Nonetheless, as a resident of Sterling Street, I do support Sterling Street. It's very narrow street.
For quite some time, there has been a restriction of parking on the entire area, west side of the street. Not the side that the houses are on. But in recent years, the area that is designated for No Parking and that is being proposed, has had cars parking in that area, due to the large number of cars present. And I think that it is a hazard, the traffic. I doubt a fire engine would be able to get down there if the cars were parked there. I wish that you would also include the section on Sterling Street that abuts Sterling Avenue. That area, the road was actually moved at the request of the property owner. So they could actually establish parking behind the chain on private property. I think it's also necessary not to have parking. That is also a very narrow area. There is an issue on the existing no parking zone. I don't think it's properly signed on the street. On the
top of Sterling Street near Main Street, there are no signs. So I think that you could do better by putting some signs up, and that would be the problem at the top of the street. Parishioners of the Greek Orthodox Church, frequently park on that side of the street. And at that end, I also think it would be restricted for any emergency vehicles. There could be a situation where they couldn't get into our street at all, if both ends were clogged. So I recommend that you do pass and place restrictions on both sides of the street. How far the street should come up as far as no parking? Perhaps it marked a little further than necessary, at this point. I think my wife suggested that you might ask the Fire Chief to look at the site, and determine how much space would ne needed to navigate that corner. Where the parking should be allowed in. Thank you.

DEPUTY MAYOR HUBBARD: Thank you.
Anyone else?

MR. WEISS: My name is Steve Weiss. I live at 117 Sterling Street, and I am probably the one who effected most by this, because the proposal to limit parking on the east side of the street is directly across from my house, and I am in favor of the Village's proposal for all the reasons that Doug said. There is an issue, which is interesting, because whenever things come up like this, everybody always uses, right in my back yard, and we always use Sterling Street, part of it by the water, as Greenport's backyard. People walk their dogs. People push baby carriages. People make a point of driving down Sterling Street when they come to the Village. Just so they can see the water. I would suggest that the Board might consider extending the n parking extending further north. Maybe as far as Henry's property or Gus Wade's property,
which there is another curb in the street, at that point. It is just something that the Board maybe should consider. Thank you.

DEPUTY MAYOR HUBBARD: Thank you.

April 22, 2013 Board Meeting

MR. WADE: Good evening, Ladies and Gentlemen, Members of the Board. My name is Gus Wade. I reside at 147 Sterling Street in Greenport. And I have a little place called Harbor View Yacht Club, which Mr. Weiss just mentioned. And this problem seems to have arisen sine around 1995 or 1996. Prior to that, there was an ordinance in this Village, and maybe Mr. Abatelli can tell me when they disbanded that ordnance? And when I presented an application for my facility, on 140 Sterling Street, the Village of Greenport mandated that I had one parking space for each boat slip that I had at my facility. Thus, I had 10 boat slips. I was required to have 10 off-street parking slots. So the Village mandated that I
include those 10 spots off street for
parking. And I would have to say that every
weekend, Saturday, Sunday especially Labor
day and 4th of July weekend and all the
holiday weekends, the cars are parked up and
down Sterling Street. To the point where
they park in front of my driveway. They
park in front of my house. They park right
in front of the entrance, because they are
too lazy to walk an extra 100 feet. Now
Mr. Strong has a huge piece of property in
his backyard, and so does Mr. Weiss. Why
the folks that have boats on that side of
the street can't walk the extra 100 feet and
keep their cars off Sterling Street, which
would totally eliminate the problem. My
question to Mr. Abatelli, perhaps you can
tell me why the Village disbanded that
requirement for parking? Were you involved
with any of that at the time?
DEPUTY MAYOR HUBBARD: Keep your direction to the Board with any questions, please.

MR. WADE: I'm sorry. Does anybody have an answer then?

DEPUTY MAYOR HUBBARD: I don't know. That was before I was on the Board. I definitely will find out for you and let you know if it's been disbanded or done away with. I don't know.

MR. WADE: How about the attorney?

TRUSTEE PHILLIPS: Mr. Wade, when you did your property, did you have to have ZBA approval?

MR. WADE: Yes.

TRUSTEE PHILLIPS: So the ZBA may have established that.

MR. WADE: I don't think it was the ZBA. I think it was the Planning Board at the time there was a zoning thing in the code compliance book. I have a code
compliance book at home. I could bring it
and review it again. I am just curious as
to when they took that code out of the code
compliance book that required one parking
spot for every boat slip that was being
used. And I would like to have that
answered tonight. Perhaps the Town Attorney
can tell me when that --

DEPUTY MAYOR HUBBARD: We are just
taking comments. We are not voting on
anything this evening. It's a Public
Hearing. We are not going to vote on it.
We are just taking information from
everybody. We will find out and I will
definitely get back to you and let you know
if it has been changed or what the
guidelines are.

April 22, 2013 Board Meeting

MR. WADE: There shouldn't be any
problem if everybody had a boat slip parked
their cars behind their residence on
Sterling Street, where they should have parked. We would never have a problem on Sterling Street for any type of emergency vehicles getting down the road. I have been there since 1994, and the only time that I see the problem is within the last year or so on weekends and holidays. So I would like to know that information, and if that's the case, simply reinstate the one car per boat slip parking on the property -- whoever owns the property. And if they have 7 boat slips, then they should provide 7 off-street parking facilities on their own parking. If they have 8 slips, let them provide 8 parking slips for the people off the street.

DEPUTY MAYOR HUBBARD: Thank you. I understand.

MR. WADE: Thank you very much.

MR. WEISS: As my name got mentioned in this, I thought I would have something to say. I do have off-street parking for all
my boat slips. I am not required too but I do. And I find no parking signs, if the Village decides to do this, very helpful. Because yes, some of my people do park on the street because they are allowed to park on the street. A no parking sign up there would require them to use the parking spaces that I have provided for them off-street. And I think most everybody else on the street has the same situation. Almost everybody has off-street parking. So no parking signs would be helpful to everybody.

Thank you.

DEPUTY MAYOR HUBBARD: Thank you. Is there anybody else that wishes to address?

MR. MANSINI: Hi. I am John Mansini. I live at 103 Sterling Street. I have been there since 1990. And my first question is how this whole thing arose? Like Will said, I only know what I read in the papers. And I have one clipping here that said this no parking thing was a recommendation by Dave
Abatelli, as cars parked along the waterfront with rogue curves have caused unsafe conditions for southbound traffic.

April 22, 2013 Board Meeting

Now what statistics -- I have been there for 23 years, what is unsafe about it? I don't understand. Has there been traffic accidents there? My house burned down in 2004. The fire truck managed to come down the street. So I don't know about the unsafe conditions. I read something about David Nyce about his bicycle couldn't see up ahead because the ornamental grass in the way. Where is that ornamental grass? Does anybody know?

DEPUTY MAYOR HUBBARD: I can't answer for the Mayor. I can tell you that this was in Mr. Abatelli's report in November of 2012, saying that residents along that street asked for no parking in that section. That is what came before this Board. That is
why a Public Hearing was created for people
to take comments of people that lived in the
area and give us feedback.

MR. MANSINI: Okay. How many people
were actually affected by it? I am affected
by it, it's right in front of my house. Mr.
Weiss is affected by it. It's right in front
of his house. Mr. Owen is affected. It's
right in front of his house, although there
is no parking on his side. So there are only
a few people that are really affected by
this thing. And yet, I only found out about
it when Mr. Abatelli and Ms. Wingate was out
there with a ruler. I wasn't notified about
this and I have been there 23 years. Who
notified? Who started all of this? Was it
David Nyce because he was on his bicycle?
Was it a matter of ornamental grass? What
does the parking have to do with not being
able to see? Is it parking? The cars on
the road that created an obstacle for him or
was it the ornamental grass? Or was it a
shed? There is an illegal shed that is
running along the road that obscures your
view? There are rocks in the road. The road
has been narrowed. Has anyone seen those? I
think the Board should pay a visit to
Sterling Street to some of the neighbors
that are affected to see what we have going
on at that street that may be causing some
of this problem. And until someone can
tell me what the safety issue is, I am
against it.

April 22, 2013 Board Meeting

DEPUTY MAYOR HUBBARD: Okay.

MS. MOORE: I am Mary Moore. I live at
145 Sterling Street. And Mr. Mansini has
brought up the issue of public safety or at
least vehicular safety, and I have for one,
have had problems going around that curve
when there are cars parked there. You can
not see down the curve when there are cars
parked along to that road. And I have
almost hit a car coming directly at me,
trying to come around that corner. Plenty
of times. It's not the first time. It is
an issue of safety, and that is why I am
all for. I don't know how it was started.
I have often complained because it has been
difficult to come around that corner.
Even walking, during the summer time
weekend, it is still problems. And I am
still concerned that someone will have an
accident there. And that is one of the
reasons.

DEPUTY MAYOR HUBBARD: Okay.

MR. STONE: Good evening. My name is
Art Stone. I live at 125 Sterling Street.
I have only been there since the year 2000,
but I am a full-time resident of the street.
So I am there pretty much all the time
other then when I am working. My question
to, and Mr. Mansini brought up, is that why
has this whole issue come up? Why are we all of a sudden worried about the safety on this street? And why are we addressing this one parking issue to solve this safety problem? I see that there are many varied opinions on this, so I think that we should take time to discuss this whole thing and make sure that we have looked a every aspect before we do make a rule. It affects parking. If the question is truly safety, I sit on my porch during the day and I watch the traffic go down Sterling Street. I would say 9 out of 10 cars are going way too fast for the condition. So if this is truly a safety issue, let's slow the traffic down. I think the 15 mile an hour limit would be very adequate. That would prevent people from seeing, with illegal sheds or rocks on the street. The curb there. I think actually cars parked there help keep the speed down the traffic. One repeat
offender is the school bus that drives down the street twice a day. No. 44, Greenport School. She goes down that street like there is no tomorrow. You can hear the engine revving coming around the corner. You can hear the brakes squealing when she is going down the other way. So I really think that speed is a big problem. As far as emergency vehicles coming through, okay, when I drive down, I made a left turn out of my driveway this time, there are four cars parked on the right. There is no way two cars can fit through. So if we have to address the end of that side of Sterling Street, then we must address the whole street. And that is not even including Sunday when there is the church services going on. It is totally impossible to get through. You are doing traffic all the time. I almost got hit one time with a guy pulling out of the church parking lot. And I drive very slowly, I might add. I guess that is about all I have
to say. I think we should investigate this a whole lot before we make any rules on this. And yes, I do have parking behind my property for when I set up my slips. I was required to put up another three slips back there. And I can see what the requirement is. However, when people are commercial waterfront property, which it is, I have friends that came over and I have people that keep their boats there and come over, and yeah, I have sails and a lot of heavy things to carry. So to force them to park all the way in the back, would just make their life miserable for commercial waterfront use. The property is sabotaging it for people that are using their boats. They have groceries to unload. They have sails to unload. More than I could say. Thank you for your time.

DEPUTY MAYOR HUBBARD: Thank you for your time. Anyone else want to address the
Public Hearing?

(No Response.)

DEPUTY MAYOR HUBBARD: Okay. I will take a motion. Do you want to close the Public Hearing? Do you want to keep it open and bring it back up at the work session?

TRUSTEE PHILLIPS: I would like to keep it open for comment, because I am not sure that everyone -- I mean, I am sure the neighbors, but I think that there are some ideas that were brought up.

So I will make a motion to keep the Public Hearing open.

TRUSTEE MURRAY: I will second that.

I also think that maybe we should waiting for the season to investigate this that these gentlemen have mentioned because I am a little unfamiliar with the problem during the season. I know it is crowed. I think that we should take into consideration for
the people that don't want to see it one way. There are many streets in the Village when there are two cars parked on both side. It's just a Greenport thing. I think we should keep it open for some time in the season.

DEPUTY MAYOR HUBBARD: Okay. We have a motion and a second to keep the Public Hearing open.

DEPUTY MAYOR HUBBARD: Motion carried.

Now for the public to address the Board. Then we have the agenda.

Any comments?

MR. SWISKEY: William Swiskey, 184
Fifth Street. I just have a couple of questions on a couple of these change orders here. I see one that we are putting $3,500.00 into labor counsel. Didn't we just do a big change order now? I mean, what's going on with labor counsel? It's costing us a lot of money. It was like $6,000.00 a couple of months ago and now this one. Oh, while I am thinking about it, are there any motions that are not on the agenda?

DEPUTY MAYOR HUBBARD: Not that I know of, no.

MR. SWISKEY: Are we going into Executive Session tonight?

DEPUTY MAYOR HUBBARD: Briefly we are for a contract discussion.

April 22, 2013 Board Meeting

MR. SWISKEY: All right. There is one more change order here. It had to do with the -- basically it had to do with the -- we took monies from the sewer plant -- sewer
department to pay for the Eco Park Study. I forget what the amount was. Two questions so far. Does anyone know what the Eco Park Study has cost us so far? And two, why are we taking it from different departments? I mean, this should be a General Fund expense. It just doesn't seem right to me to ask rate payers to kick in to study the Mayor's dream. Let it take it from the General Fund Surplus or something. To take it from sewer, because you have a big barn that you have to float when the bond closes out or the State, you know, it's just for dream. Sticking it to the rate payers doesn't seem right. Thank you.

DEPUTY MAYOR HUBBARD: Anybody else wish to address the Board?

(No Response.)

DEPUTY MAYOR HUBBARD: Then we will move onto our regular agenda.

I would offer Resolution #04-2013-1,
RESOLUTION adopting the April 2013 agenda as printed.

So moved.

TRUSTEE PHILLIPS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

I will be reading with the agenda. So Trustee Murray will start the next.

TRUSTEE MURRAY: Resolution #04-2013-2,

RESOLUTION accepting the monthly reports of the Greenport Fire Department, Village Clerk, Village Treasurer, Village Administrator, Director of Utilities, Village Attorney, Mayor and Board of Trustees.

So moved.

TRUSTEE ROBBINS: Second.
TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE ROBBINS: Resolution #04-2013-3, RESOLUTION ratifying the following, as approved at the April 15, 2013 work session meeting of the Board of Trustees: RESOLUTION authorizing Mayor Nyce to sign the Worksite Memorandum of Understanding between the Village of Greenport and the Suffolk County Department of Labor, Licensing and Consumer Affairs.

DEPUTY MAYOR HUBBARD: Second.

All in favor?

TRUSTEE MURRAY: Aye.
TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

Resolution #04-2013-4, RESOLUTION

April 22, 2013 Board Meeting

approving the payment schedule as proposed by the Greenport Fire Department to reimburse Member Jerome Martoccia for the successful completion of Paramedic training classes, at $1,120.00 per year for five years, to be expensed from Line Item #A.3410.455 (EMS Training).

So moved.

TRUSTEE PHILLIPS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.
15  Opposed?
16  (No Response.)
17  DEPUTY MAYOR HUBBARD: Motion carried.
18  TRUSTEE PHILLIPS: Resolution
19  #04-2013-5, RESOLUTION authorizing Treasurer
20  Kagel to perform the attached budget
21  modifications.
22  So moved.
23  TRUSTEE MURRAY: Second.
24  DEPUTY MAYOR HUBBARD: All in favor?
25  TRUSTEE MURRAY: Aye.

April 22, 2013 Board Meeting  

1  TRUSTEE ROBBINS: Aye.
2  TRUSTEE PHILLIPS: Aye.
3  DEPUTY MAYOR HUBBARD: Aye.
4  Opposed?
5  (No Response.)
6  DEPUTY MAYOR HUBBARD: Motion carried.
7  TRUSTEE MURRAY: Resolution
8  #04-2013-6, RESOLUTION to close the budget
9  hearing that was opened on April 8, 2013.
10   So moved.
11   TRUSTEE ROBBINS: Second.
12   DEPUTY MAYOR HUBBARD: All in favor?
13   TRUSTEE MURRAY: Aye.
14   TRUSTEE ROBBINS: Aye.
15   TRUSTEE PHILLIPS:  Aye.
16   DEPUTY MAYOR HUBBARD:  Aye.
17   Opposed?
18   (No Response.)
19   DEPUTY MAYOR HUBBARD:  Motion carried.
20   TRUSTEE ROBBINS:  Resolution
21   #04-2013-7, RESOLUTION to approve the
22   2013/2014 tentative budget as proposed.
23   So moved.
24   DEPUTY MAYOR HUBBARD: Second.
25   All in favor?

April 22, 2013 Board Meeting

1   TRUSTEE MURRAY: Aye.
2   TRUSTEE ROBBINS: Aye.
3   TRUSTEE PHILLIPS:  Aye.
4   DEPUTY MAYOR HUBBARD:  Aye.
5   All opposed?
DEPUTY MAYOR HUBBARD: Motion carried.

Resolution #04-2013-14, motion to approve and authorize Mayor Nyce to execute Change Order No. 6C, at a cost of $4,881.00, for the installation of a fire rated door at the Power Plant entrance to the transformer area.

So moved. Sorry. My mistake. Let me back up here.

Resolution #04-2013-8, RESOLUTION authorizing the attendance of Clerk Pirillo and Deputy Clerk Oddon at the SCVOA Zoning and Planning Training seminar from 5:30 P.M. to 9:30 P.M. on May 15, 2013 in Riverhead, at a cost of $55.00 per person, plus any applicable travel costs, to be expensed from Line Item #A.1410.400 (Clerk Contractual Expense) and further authorizing the attendance of six to eight Zoning and
Planning Board members and up to three staff members, to be expensed from appropriate corresponding line item numbers.

So moved.

TRUSTEE PHILLIPS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: Resolution #04-2013-9, RESOLUTION awarding the vendor contract for the video recording and audio taping of the monthly Village Board of Trustees' meeting, as well as other meetings as required, to Webster Productions, Inc., per the proposal as submitted, and as opened on March 1, 2013.

So moved.

TRUSTEE MURRAY: Second.
DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE MURRAY: Resolution #04-2013-10, RESOLUTION to schedule a public hearing for May 28, 2013 at 6:00 P.M. at the Third Street Firehouse, and directing Clerk Pirillo to notice accordingly, for the Wetlands Permit Application as submitted by Nancy Louise Pope of 8 Sandy Beach Road, a/k/a 106 Beach Street, for a new foundation and the raising of the building, as well as the rebuild of damaged parts of the structure and the reconstruction of the front and rear decks, and the construction of a new addition approximately 60 square
So moved.

TRUSTEE ROBBINS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

April 22, 2013 Board Meeting

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE ROBBINS: Resolution

#04-2013-11, RESOLUTION directing the Conservation Advisory Council to meet regarding the Wetlands Permit Application as submitted by Nancy Louise Pope, and to submit the corresponding report to the Board of Trustees by May 20, 2013.

So moved.

DEPUTY MAYOR HUBBARD: Second.
15 All in favor?
16 TRUSTEE MURRAY:  Aye.
17 TRUSTEE ROBBINS:  Aye.
18 TRUSTEE PHILLIPS:  Aye.
19 DEPUTY MAYOR HUBBARD:  Aye.
20 Opposed?
21 (No Response.)
22 DEPUTY MAYOR HUBBARD:  Motion carried.
23 Resolution #04-2013-12, RESOLUTION
24 authorizing the Village of Greenport Tree
25 Committee to solicit bids for the removal of
26 April 22, 2013 Board Meeting
27
28 trees and tree stumps, including the removal
29 of one stump at the Fifth Street Beach,
30 which is to be expensed from the Parks Line
31 Item.
32 So moved.
33 TRUSTEE PHILLIPS:  Second.
34 DEPUTY MAYOR HUBBARD:  All in favor?
35 TRUSTEE MURRAY:  Aye.
36 TRUSTEE ROBBINS:  Aye.
37 TRUSTEE PHILLIPS:  Aye.
DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: Resolution #04-2013-13, RESOLUTION authorizing the attendance of Village Clerk Pirillo and Village Administrator Abatelli at the Suffolk County Academy of Law "Law in the Workplace" Conference on June 7, 2013 in Hauppauge, New York. The $150.00 fee for Clerk Pirillo is to be expensed from Line Item No. 1410.400 (Clerk Contractual) and the $175.00 fee for Village Administrator Abatelli is to be expensed from Line Item No. R.7020.407 (Miscellaneous Expense).

So moved.

TRUSTEE MURRAY: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.
TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE MURRAY: Resolution #04-2013-14, motion to approve and authorize Mayor Nyce to execute Change Order No. 6C, at a cost of $4,881.00, for the installation of a fire rated door at the Power Plant entrance to the transformer area.

So moved.

TRUSTEE ROBBINS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

All opposed?

April 22, 2013 Board Meeting
DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE ROBBINS: Resolution #04-2013-15, RESOLUTION to accept with regret the resignation of Devin Justman from the Village of Greenport Utilities Department, effective April 12, 2013.

So moved.

DEPUTY MAYOR HUBBARD: Second.

All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

Resolution #04-2013-16, RESOLUTION to authorize Director of Utilities Naylor to begin the process of hiring an Engineer Aide, including posting of the open position, and canvassing of the corresponding Civil Service List.

So moved.
DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

All opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: Resolution #04-2013-17, RESOLUTION hiring current part-time Parks employee Michael Flora as a full-time Laborer in the Road Department at a pay rate of $14.00 per hour for forty hours per week, effective April 24, 2013. This hiring includes the requisite six-month probationary period, as well as all applicable benefits.

So moved.

TRUSTEE MURRAY: Second.
DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

All opposed?

April 22, 2013 Board Meeting

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE MURRAY: Resolution #04-2013-18, RESOLUTION authorizing the renewal of the outside contractor agreement between Kathleen "Kate" McDowell and the Village of Greenport, to be effective April 1, 2013; for the management of McCann Campground, with the same terms and conditions as the existing agreement, for the 2012 season, between Kathleen McDowell and Village of Greenport.

So moved.

TRUSTEE ROBBINS: Second.

DEPUTY MAYOR HUBBARD: All in favor?
TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: I would like to say that it's a pleasure for her to come back to that position. She did very well and I think that we are very fortunate to have someone like her on that campground.

TRUSTEE ROBBINS: Resolution #04-2013-19, RESOLUTION amending RESOLUTION # 2-2013-16 from the February 2013 regular meeting of the Board of Trustees, to allow for an expenditure of $4,335.00 for the removal of trees at Greenhill Cemetery.

So moved.

DEPUTY MAYOR HUBBARD: Second.
All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

Resolution #04-2013-20, RESOLUTION authorizing Village Clerk Pirillo to sign and execute the annual Village Marine Pump-Out Station agreement between the Village of Greenport and the Town of Southold.

So moved.

April 22, 2013 Board Meeting

TRUSTEE PHILLIPS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.
Opposed?
(No Response.)
DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: Resolution #04-2013-21, RESOLUTION adopting the attached SEQRA resolution regarding the proposed Local Law of 2013 creating Chapter 118 of the Village of Greenport Code Sub-Division and Merger of Land, adopting lead agency status, determining the adoption of Local Law will not have a significant impact on one of more aspects of the environment and adopting a negative declaration for purposes of SEQRA, as stated in the attached resolution.

So moved.

TRUSTEE MURRAY: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.
TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE MURRAY: Resolution #04-2013-22, RESOLUTION adopting the proposed Local Law of 2013 as attached creating 118 of the Village of Greenport Code - Sub-Division and Merger of Land.

So moved.

TRUSTEE ROBBINS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE ROBBINS: Resolution #04-2013-23, RESOLUTION adopting the attached SEQRA resolution regarding the
proposed Local Law of 2013 amending Chapter 115 of the Village of Greenport Code, Streets and Sidewalks, adopting lead agency status, determining the adoption of the local law to be an unlisted action, determining that the adoption of the local law will not have a significant impact on one or more aspects of the environment and adopting a negative declaration for purposes of SEQRA, as stated in the attached resolution.

So moved.

DEPUTY MAYOR HUBBARD: Second.

All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.
Resolution #04-2013-24, RESOLUTION

adopting the proposed Local Law of 2012 as
attached amending Chapter 115 of the Village of Greenport Code, Streets and Sidewalks.

So moved.

April 22, 2013 Board Meeting

1. TRUSTEE PHILLIPS: Second.

2. DEPUTY MAYOR HUBBARD: All in favor?

3. TRUSTEE MURRAY: Aye.

4. TRUSTEE ROBBINS: Aye.

5. TRUSTEE PHILLIPS: Aye.

6. DEPUTY MAYOR HUBBARD: Aye.

7. Opposed?

8. (No Response.)

9. DEPUTY MAYOR HUBBARD: Motion carried.

10. TRUSTEE PHILLIPS: Resolution #04-2013-25, RESOLUTION to schedule a Public Hearing for June 24, 2013 at 6:00 P.M. at the Third Street Firehouse regarding a proposed local law creating Chapter 103, of the Village of Greenport Code, Rental
Regulations for Residential Properties.

So moved.

TRUSTEE MURRAY: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

April 22, 2013 Board Meeting

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE MURRAY: Resolution

#04-2013-26, RESOLUTION ending the
moratorium on sub-divisions, to be effective
upon the filing of Local Law #______ of 2013
regarding Sub-Division and Merger of Land
with the New York State Department of State.

So moved.

TRUSTEE ROBBINS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.
TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE ROBBINS: Resolution #04-2013-27, RESOLUTION approving the attached bond resolution in the amount of $330,663.00, and amending RESOLUTION #01-2013-6 from the January 28, 2013 regular meeting of the Board of Trustees.

So moved.

DEPUTY MAYOR HUBBARD: Second.

All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

All opposed?
DEPUTY MAYOR HUBBARD: Motion carried.

CLERK PIRILLO: Deputy Mayor, can I ask for a role call vote on this last one that you just did?

DEPUTY MAYOR HUBBARD: Okay. I will ask the Clerk to call the role on the last resolution.

CLERK PIRILLO: I appreciate it. Thank you.

Trustee Murray?

TRUSTEE MURRAY: Yes.

CLERK PIRILLO: Trustee Robbins?

TRUSTEE ROBBINS: Yes.

CLERK PIRILLO: Trustee Phillips?

TRUSTEE PHILLIPS: Yes.

CLERK PIRILLO: Deputy Mayor Hubbard?

DEPUTY MAYOR HUBBARD: Yes.

CLERK PIRILLO: Thank you.
that the Village of Greenport authorizes and appropriates a minimum of 10% local match as required by the Green Innovation Grant Program and the GIGP project Wastewater Rentention Program. Under the GIGP Program, this local match must be at least 10% of the total actual project costs. The source of the local match, and any amount in excess of the match, shall be General Fund and in-kind services. The maximum local share shall not exceed $42,862.00 based upon a total estimated maximum project costs of $330,663.00. The Mayor of the Village of Greenport may increase this local match through the use of in-kind services without further approval of the Village of Greenport.

So moved.

TRUSTEE PHILLIPS: Second.

The Mayor may increase the in-kind services without further approval from the Board, is that what you mean?

DEPUTY MAYOR HUBBARD: I assume that
it is the Village Board.

MR. PROKOP: This language was given to us by EFC. If you would like to change it to the Board of Trustees of the Village of Greenport, I am sure that will be find. So the wording would be without further approval of the Board of Trustees of the Village of Greenport. That is the proposed amendment, if there is a motion.

TRUSTEE PHILLIPS: I will make that motion.

DEPUTY MAYOR HUBBARD: Second on the motion to amend?

TRUSTEE ROBBINS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?
DEPUTY MAYOR HUBBARD: Motion carried.
So we approved the amendment. Motion on the approved RESOLUTION as a whole. I will make the motion.

TRUSTEE PHILLIPS: I will second it.
DEPUTY MAYOR HUBBARD: Seconded by Trustee Phillips to approve the RESOLUTION as a whole.
All in favor?
TRUSTEE MURRAY: Aye.
TRUSTEE ROBBINS: Aye.
TRUSTEE PHILLIPS: Aye.
DEPUTY MAYOR HUBBARD: Aye.
Opposed?
(No Response.)
DEPUTY MAYOR HUBBARD: Motion carried.
TRUSTEE PHILLIPS: Resolution #04-2013-29, RESOLUTION that the Board of Trustees of the Village of Greenport hereby adopts lead agency status, and determines
that the proposed New York State EFC GIGP Wastewater Retention Project will not have a significant adverse effect on the environment for the reasons set forth in the attached Notice of Determination of Non-Significance, and will not have a significant negative impact on the environment in that the action; 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 protection of erosion, flooding, leaching or drainage problems, 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 or habitats, or other
significant adverse impact on natural resources, impairment of a critical environmental area; will not result in the creation of a material conflict with a community's current plans or goals, will not result in the creation of a hazard to human health, will not result in a substantial change in land use, will not encourage or attract an additional large number of people to a place for more than a few days, will not result in the creation of a material demand for other actions, 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, or two or more related actions each of which is not significant, or two or more related actions, each of which is not significant but when reviewed together are significant.

So moved.
TRUSTEE MURRAY: I will second that.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE MURRAY: Resolution

#04-2013-30, RESOLUTION that the Board of Trustees of the Village of Greenport as Lead Agency hereby adopts a Negative Declaration for purposes of SEQRA with respect to the NYSEFC GIGP Wastewater Retention grant and project.

So moved.

TRUSTEE ROBBINS: Second.

April 22, 2013 Board Meeting
TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

All opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE ROBBINS: Resolution #04-2013-31, RESOLUTION approving a payment in the amount of $55,000.00 to the Suffolk County Supreme Court related to the Amer condemnation action.

So moved.

DEPUTY MAYOR HUBBARD: Second.

All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

Resolution #04-2013-32, RESOLUTION to set aside monies from Fund Balance to
overhaul the Carousel Unit, from Capital
Improvements and Repairs.

So moved.

TRUSTEE PHILLIPS: Second.

DEPUTY MAYOR HUBBARD: All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: Resolution

#04-2013-33, RESOLUTION appointing Devin
McMahon to the Village of Greenport Planning
Board, effective immediately, to fill the
balance of the term of Julia Robbins, which
expires on April 2, 2015.

So moved.

TRUSTEE MURRAY: Second.

DEPUTY MAYOR HUBBARD: All in favor?
TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

April 22, 2013 Board Meeting

All opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

TRUSTEE MURRAY: Resolution #04-2013-34, RESOLUTION accepting the request for a leave of absence as submitted by Nathan Phillips, to be effective April 24, 2013. Should there be a date on this?

DEPUTY MAYOR HUBBARD: Let's get a second on this. I will second it.

TRUSTEE MURRAY: Should there be a date on this?

DEPUTY MAYOR HUBBARD: I don't know. Could we just accept it as a leave of absence?

TRUSTEE PHILLIPS: I can't answer
that.

TRUSTEE MURRAY: It's a seven month leave of absence.

MR. PROKOP: This was as requested in writing by Mr. Phillips. And then I would also specify the date. I would do that because that becomes a condition of your approval.

TRUSTEE MURRAY: I haven't had one since I have been a Trustee, but is it common for a seven month leave of absence?

DEPUTY MAYOR HUBBARD: Under the contract, it is allowable per the Union Contract. No one has requested one since I have been on the Board but it is in the contract.

TRUSTEE MURRAY: It's not a labor question is it, Joe?

MR. PROKOP: It is a labor matter. I am not sure I understand your question. It
is a labor question.

TRUSTEE PHILLIPS: Should we discuss this in Executive Session?

TRUSTEE MURRAY: I would like to.

MR. PROKOP: Since it involves a contract that the Village is in, it is a matter for Executive Session. We could go now briefly or we could go at the end.

DEPUTY MAYOR HUBBARD: Do you want to just table it for Executive Session?

TRUSTEE MURRAY: I will make a motion to table RESOLUTION #2013-34 till we go in Executive Session.

DEPUTY MAYOR HUBBARD: I will second that.

All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?
TRUSTEE PHILLIPS: I am going to abstain.

DEPUTY MAYOR HUBBARD: 3 to 0 with 1 abstained. We will discuss it in Executive Session.

TRUSTEE ROBBINS: Resolution #04-2013-35, RESOLUTION approving all checks per th Voucher Summary Report dated April 18, 2013, in the total amount of $795,337.81, consisting of: All regular checks in the amount of $305,156.35, and all prepaid checks, including wire transfers, in the amount of $490,181.46.

So moved.

DEPUTY MAYOR HUBBARD: Second.

All in favor?

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?
DEPUTY MAYOR HUBBARD: Motion carried.

I will offer a motion to adjourn into Executive Session per labor discussion and one contract discussion that the Village Attorney had asked for.

TRUSTEE MURRAY: Second.

DEPUTY MAYOR HUBBARD: Seconded by Trustee Murray. We are going to go into Executive Session.

TRUSTEE MURRAY: Aye.

TRUSTEE ROBBINS: Aye.

TRUSTEE PHILLIPS: Aye.

DEPUTY MAYOR HUBBARD: Aye.

Opposed?

(No Response.)

DEPUTY MAYOR HUBBARD: Motion carried.

(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, May 8, 2013.

______________
(Jessica DiLallo)