



236 Third Street
Greenport NY
11944

Tel: (631)477-0248
Fax: (631)477-1877

MAYOR
DAVID NYCE
Ext. 215

TRUSTEES
GEORGE HUBBARD JR.
DEPUTY MAYOR

DAVID MURRAY

MARY BESS PHILLIPS

JULIA ROBINS

CLERK
SYLVIA LAZZARI PIRILLO
Ext. 206

TREASURER
CHARLENE KAGEL, CPA
Ext. 217

VILLAGE ADMINISTRATOR
DAVID ABATELLI
Ext. 209

**UTILITIES DISTRICT
SUPERINTENDENT**
JOHN W. NAYLOR, JR., P.E.
Ext. 202

August 26, 2013 at 6:00 PM
Board of Trustees—Regular Meeting
Third Street
Firehouse
Greenport, NY 11944

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

- o Phyllis Diane Atkins
- o Martha Spiess
- o Margery Gerdes Fates-Tessier
- o Garce Mae Moore
- o Mary Ellen Malinauskas
- o Richard Walter Sledjeski
- o Elizabeth A. Terry

ANNOUNCEMENTS

- o Next brush pick-up will be on September 3rd.

PUBLIC INTEREST

- o Billing information

LIQUOR LICENSE APPLICATIONS

PUBLIC HEARINGS

- o Continuation of Matassa Wetlands Permit Application Hearing-
Postponed
- o Wetlands Permit Application – McCarthy - **Postponed**

PUBLIC TO ADDRESS THE BOARD

PRESENTATION from Mayor Nyce re: ACEC New York

BOARD DISCUSSION regarding proposed residential rental regulations
law

REGULAR AGENDA

RESOLUTIONS**RESOLUTION # 08-2013-1**

RESOLUTION adopting the August 2013 agenda as printed.

RESOLUTION # 08-2013-2

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.

RESOLUTION # 08-2013-3

RESOLUTION ratifying the following resolutions previously approved by the Board of Trustees at the trustees' work session held on August 19, 2013:

Resolution approving the request of St. Agnes Church to close Sixth Street between Front and Wiggins Streets, on August 24, 2013 from noon to 3 p.m. for the twelfth annual Parish Picnic.

Resolution authorizing Mayor Nyce to attend the New York Association of Public Power August Meeting in Riverhead, New York on August 20, 2013 and August 21, 2013 at a cost of \$ 150.00 plus all applicable travel costs, to be expensed from line item number A.1210.400 (Mayor Contractual Expense).

RESOLUTION # 08-2013-4

RESOLUTION approving the attached bond resolution dated August 23, 2013 as prepared by Fulbright and Jaworski.

RESOLUTION # 08-2013-5

RESOLUTION adopting the following: Be it resolved that the Village of Greenport hereby establishes the standard work day of six hours for elected officials and seven hours for appointed officials, for retirement purposes, and that the Village will report that information on the attached RS2417 A and B forms.

RESOLUTION # 08-2013-6

RESOLUTION authorizing a two-year extension of the agreement between the Village of Greenport and Bollam, Sheedy, Torani (BST) & Co. LLP, for independent audit services through the audit of fiscal year 2014/2015 in accordance with the firm's proposal, and with an RFP for audit services to be noticed thereafter.

RESOLUTION # 08-2013-7

RESOLUTION authorizing Deborah Boyle to attend the New York Conference of Mayors Fall Training School in Saratoga Springs, NY from September 9, 2013 through September 13, 2013, at a cost of \$ 1,557.24 for lodging and conference, plus all applicable travel costs; to be expensed from line item number A.1410.400 (Clerk Contractual Expense).

RESOLUTION # 08-2013-8

RESOLUTION authorizing the attendance of: Daniel Prindle and Stephen Rutkowski at a laboratory Training Seminar, for the purposes of completing requirements for a Class D Operator License, to be held at H2M Laboratories in Huntington, New York on September 5th, 2013 from 8:00 a.m. to 4:30 p.m.; at a cost of \$ 75.00 per person, to be expensed from line item number F.8318.410 - Employee Training.

RESOLUTION # 08-2013-9

RESOLUTION allowing Clerk Pirillo to designate on the official Village schedule the dates of August 1 - August 3, 2014 as the dates of the United States Power Squadrons District 3 Rendezvous, with the finalized Public Assembly Permit details to follow at a later date.

RESOLUTION # 08-2013-10

RESOLUTION approving the Public Assembly Permit Application as submitted by Christopher Hamilton for the use of the Fifth Street Beach/Park on September 14, 2013 from 10 a.m. through 8 p.m. (with a rain date of September 15, 2013) for the Annual Jeremy Hamilton Memorial Scholarship Fund event.

RESOLUTION # 08-2013-11

RESOLUTION authorizing Mayor Nyce to sign and execute the Green Innovation Grant Program Agreement-Clear Water State Revolving Fund-between the Village of Greenport and the New York State Environmental Facilities Corporation, for SRF Project Number C1-5121-06-00/GIGP Application Number 702.

RESOLUTION # 08-2013-12

RESOLUTION authorizing Mayor Nyce to sign the agreement dated August 14, 2013 between the Village of Greenport and a Village employee.

RESOLUTION # 08-2013-13

RESOLUTION rejecting the lowest bid for Liquid Sludge Removal, as submitted by Go Green, for just cause on the recommendation of the Village Attorney, per the bid opening on July 12, 2013.

RESOLUTION # 08-2013-14

RESOLUTION awarding the contract for Liquid Sludge Removal to Russell Reid Waste Hauling at a cost of \$ 169.00 per thousand gallons and \$ 67,600.00 per 400,000 gallons per year per the bid opening on July 12,2013.

RESOLUTION # 08-2013-15

RESOLUTION adopting lead agency status and adopting a negative declaration for the purposes of SEQRA with respect to the Clark's Beach Green Energy Park planning grant application for a planning/feasibility study.

RESOLUTION # 08-2013-16

RESOLUTION hiring Derryl Baumer, effective September 9, 2013, as a full-time Engineering Aide, at a pay rate of \$ 16.00 per hour, for a forty hour work week, and including all applicable benefits, and the standard six-month probationary period.

RESOLUTION # 08-2013-17

RESOLUTION adopting lead agency status and adopting a negative declaration for the purposes of SEQRA with respect to the Village of Greenport Local Waterfront Revitalization Program.

RESOLUTION # 08-2013-18

RESOLUTION adopting the attached Inter-Municipal Agreement forming the Peconic Estuary Protection Committee, at an annual cost to the Village of \$ 3,000.00 to be expensed from line number A.8745.201 (Peconic Estuary Program), and further authorizing Treasurer Kagel to perform the following corresponding budget modification: \$ 3,000.00 from line item A.8510.201 (Greenport Improvement Committee) to A.8745.201 (Peconic Estuary Program).

RESOLUTION # 08-2013-19

RESOLUTION authorizing the Village of Greenport, in conjunction with Southold Town, to request the assignment of grant monies from the Peconic Estuary Program grant for improvements to Moores Drain, specifically for the remediation or replacement of the existing non-functional 21" HDPE pipe with an alternative which provides for better flow characteristics, to improve drainage throughout the Silver Lake / Moores Drain area.

RESOLUTION # 08-2013-20

RESOLUTION authorizing the Village of Greenport to participate in the 2015 Tall Ships Challenge as a Home Port.

RESOLUTION # 08-2013-21

RESOLUTION awarding the contract for Storm Debris Removal to Mattituck Environmental at a cost of \$ 100.00 per cubic yard; \$ 40,000 per 100 cubic yards; \$ 2,500.00 per day; \$ 3,300.00 as a container loading price and a total cost of \$ 42,000; per the bid opening on July 17, 2013 and authorizing Mayor Nyce to execute the contract on behalf of the Village of Greenport.

RESOLUTION # 08-2013-22

RESOLUTION accepting the proposal from Dvirka and Bartilucci for services as proposed, in an amount not to exceed \$74,964.50; for the Village of Greenport Water Quality Improvements Bio-Retention Basins and Related Improvements and further authorizing Mayor Nyce to execute the agreements related to the proposals on behalf of the Village of Greenport.

RESOLUTION # 08-2013-23

RESOLUTION accepting the proposals from Young and Young, for services as described in the NYSERDA grant agreement in the amount of \$ 7,500 for the Eastern Greenport Study and \$ 7,500 for the Western Greenport Study, with an additional \$100 budget for reimbursable expenses, subject to obtaining waiver confirmation from NYSERDA.

RESOLUTION # 08-2013-24

RESOLUTION authorizing Mayor Nyce to sign Change Order 2E with a value of \$ 3,990.00 for the re-installation and programming of the two MultiLin units at the Power Plant.

RESOLUTION # 08-2013-25

RESOLUTION accepting the proposals from Dvirka and Bartilucci in the amount of \$18,000; for the Eastern Greenport Study and \$15,800 for the Western Greenport Study and authorizing Mayor Nyce to execute the related contract on behalf of the Village of Greenport.

RESOLUTION # 08-2013-26

RESOLUTION requesting from NYSDEC/NYSEFC a waiver for the MBE/WBE requirements due to the large increased cost (194%) which the Village would incur for compliance with these requirements.

RESOLUTION # 08-2013-27

RESOLUTION accepting the proposal from Cameron Engineering for services as described in the NYSERDA grant agreement, in the amount of \$28,500 with an additional \$100 for reimbursable expenses and authorizing Mayor Nyce to execute related contract on behalf of the Village of Greenport.

RESOLUTION # 08-2013-28

RESOLUTION ratifying the hiring, effective August 5, 2013; of the following park and recreation center staff:

- Taylor Hart at a pay rate of \$ 9.00 per hour,
- Shauna Scholl at a pay rate of \$ 9.00 per hour,
- Marianne Naleski at a pay rate of \$ 8.50 per hour,
- Elizabeth Corwin at a pay rate of \$ 7.25 per hour,
- Courtney Kart at a pay rate of \$ 7.25 per hour, and
- John J. Kinsey at a pay rate of \$ 7.25 per hour.

RESOLUTION # 08-2013-29

RESOLUTION ratifying the wage rates for the following:

- \$ 10.00 per hour for Kerstan Pringle, effective June 24, 2013
- \$ 10.00 per hour for Emily Fingerle, effective July 22, 2013 and
- \$ 10.00 per hour for Audre Allen, effective July 22, 2013.

RESOLUTION # 08-2013-30

RESOLUTION approving the Memorandum of Agreement dated August 15, 2013 between the Village of Greenport and the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO regarding the arbitration procedure as set forth in the current Collective Bargaining Agreement between the Village of Greenport and the CSEA.

RESOLUTION # 08-2013-31

RESOLUTION approving all checks per the Voucher Summary Report dated August 23, 2013, in the total amount of \$ 881,796.24 consisting of:

- All regular checks in the amount of \$ 803,106.14, and
 - All prepaid checks (including wire transfers) in the amount of \$ 78,690.10.



Office of the New York State Comptroller
 New York State and Local Retirement System
 Employees' Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

Standard Work Day and Reporting Resolution

RS 2417-A

(12/10)

BE IT RESOLVED, that the Village of Greenport / Location code 40112 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not Submitted (Check box if no record of activities completed or timekeeping system)
Elected Officials									
Trustee	George Hubbard	9991	41448507	6	2007/2015	N	4.25		
Trustee	Julia Robins	9578	60302577	6	2013/2017	N	0		X
Trustee	Mary Bess Phillips	3641	43143411	6	2013/2017	N	4.85		
Appointed Officials									
Village Clerk	Sylvia Lazari Pirillo	4561	42371104	7	2013/2014	N	20		
Village Administrator	David Abatelli	2656	35438431	7	2013/2014	N	20		
Village Treasurer	Charlene Kagel	9686	37707320	7	2013/2014	Y	4.5		

If additional rows are needed, please use form RS2417-B and attach. * WISHES TO WITHDRAW FROM NYS RETIREMENT

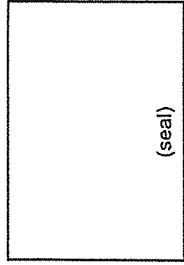
On this _____ day of _____, 20____, _____ (Signature of clerk) Date enacted: _____
 I, _____, clerk of the governing board of the Village of Greenport (Name of Employer), of the State of New York, do hereby certify that I have

compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the Village of Greenport (Name of Employer)

This document consists of 2 page(s) (see additional RS2417-B forms attached).



(seal)



Office of the New York State Comptroller
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

Standard Work Day and Reporting Resolution Continuation Form

RS 2417-B (12/10)

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not Submitted (Check box if no record of activities completed or timekeeping system)
Elected Officials									
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
Appointed Officials									
Deputy Treasurer	Robert W. Brandt, Jr	9275	50425495	7	2013/2014	Y	20		<input type="checkbox"/>
Deputy Village Clerk	Jeanmarie Oddon	9103	50300052	7	2013/2014	N	20		<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>
									<input type="checkbox"/>

BOARD OF TRUSTEES
VILLAGE OF GREENPORT
SEQRA RESOLUTION REGARDING
GREENPORT ECO ENERGY PARK
FEASIBIILITY STUDY

WHEREAS the Board of Trustees of the Village of Greenport are considering a Greenport ECO Energy Park Feasibility Study; and

WHEREAS the Board of Trustees of the Village of Greenport has reviewed the completion of the proposed feasibility study for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees hereby adopts Lead Agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the completion of the feasibility study is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the completion of the feasibility study;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or

goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant or two or more related actions each of which is not significant but when reviewed together are significant, and;

Will not have a significant negative impact on the environment in the action, and hat it is therefore;

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

Upon motion of _____ seconded by _____,

Who moved this Resolution to adoption. The resolution is carried as follows:

Trustee Hubbard - _____

Trustee Murray _____

Trustee Phillips _____

Trustee Robins _____

Mayor Nyce: _____

BOARD OF TRUSTEES
VILLAGE OF GREENPORT
SEQRA RESOLUTION REGARDING
BOND RESOLUTION DATED AUGUST 23, 2013

WHEREAS the Board of Trustees of the Village of Greenport is considering a Bond Resolution dated August 23, 2013; and

WHEREAS the Board of Trustees of the Village of Greenport has reviewed the bond resolution dated August 23, 2013 for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees hereby adopts Lead Agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the adoption of the bond resolution is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the adoption of the bond resolution;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant or two or more related actions each of which is not significant but when reviewed together are significant, and;

Will not have a significant negative impact on the environment in the action, and that it is therefore;

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

Upon motion of _____ seconded by _____,

Who moved this Resolution to adoption. The resolution is carried as follows:

Trustee Hubbard - _____

Trustee Murray _____

Trustee Phillips _____

Trustee Robins _____

Mayor Nyce: _____

BOARD OF TRUSTEES

VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING
ASSIGNMENT OF GRANT MONIES FROM THE
PECONIC ESTUARY PROGRAM FOR MOORES DRAIN

WHEREAS the Board of Trustees of the Village of Greenport is considering an application to obtain grant monies from the Peconic Estuary Program For Moores Drain; and

WHEREAS the Board of Trustees of the Village of Greenport has reviewed the application for an assignment for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees hereby adopts Lead Agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the request for an assignment of grant monies is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the application for an assignment of the grant monies;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or

goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant or two or more related actions each of which is not significant but when reviewed together are significant, and;

Will not have a significant negative impact on the environment in the action, and hat it is therefore;

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

Upon motion of _____ seconded by _____,

Who moved this Resolution to adoption. The resolution is carried as follows:

Trustee Hubbard - _____

Trustee Murray _____

Trustee Phillips _____

Trustee Robins _____

Mayor Nyce: _____

BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING
CLARKS BEACH GREEN ENERGY PARK PLANNING GRANT

WHEREAS the Board of Trustees of the Village of Greenport is considering a Clark's Beach Green Energy Park planning grant; and

WHEREAS the Board of Trustees of the Village of Greenport has reviewed the Clark's Beach Green Energy Park planning grant for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees hereby adopts Lead Agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the Clarks Beach Green Energy Park planning grant is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the Clark's Beach Green Energy Park planning grant;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant or two or more related actions each of which is not significant but when reviewed together are significant, and;

Will not have a significant negative impact on the environment in the action, and that it is therefore;

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

Upon motion of _____ seconded by _____,

Who moved this Resolution to adoption. The resolution is carried as follows:

Trustee Hubbard - _____

Trustee Murray _____

Trustee Phillips _____

Trustee Robins _____

Mayor Nyce: _____

BOARD OF TRUSTEES
VILLAGE OF GREENPORT
SEQRA RESOLUTION REGARDING
THE AMENDMENT TO THE VILLAGE LWRP

WHEREAS the Board of Trustees of the Village of Greenport is considering an amendment to the Village of Greenport LWRP; and

WHEREAS the Board of Trustees of the Village of Greenport has reviewed the proposed amendment to the LWRP for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees hereby adopts Lead Agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the amendment to the LWRP is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the adoption on the amendment to the LWRP;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a

substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna,
substantial interference with the movement of any resident or migratory fish or wildlife species,

impacts on habitats, or other significant adverse impact on natural resources, impairment of a

critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant or two or more related actions each of which is not significant but when reviewed together are significant, and;

Will not have a significant negative impact on the environment in the action, and that it is therefore;

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

Upon motion of _____ seconded by _____,

Who moved this Resolution to adoption. The resolution is carried as follows:

Trustee Hubbard - _____

Trustee Murray _____

Trustee Phillips _____

Trustee Robins _____

Mayor Nyce: _____

Southampton Town Board

116 Hampton Road
Southampton, NY 11968



Sundy A. Schermeyer Town Clerk

Telephone: (631) 287-5740

Fax: (631) 283-5606

Hampton Bays Annex: (631) 723-2712

August 16, 2013



Mayor David Nyce
Greenport Village
236 Third Street
Greenport, NY 11944

Dear Mayor David Nyce:

Please be advised that the Town Board, at a meeting held on August 13, 2013 1:00 PM, reviewed the following resolution(s):

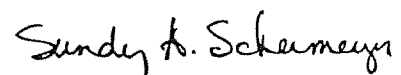
Town Board Resolution 2013-783

Adopted [Unanimous]

Resolution Authorizing the Supervisor to Execute an Inter Municipal Agreement with Certain Neighboring Municipalities to Form the Peconic Estuary Protection Committee

CC: Kim Myers
Erika Smith
Allison Mancuso
Carl Benincasa
John MacDonald, Purchasing
Kathleen Murray
Kim Ottati
Tara Coady
Christopher Nuzzi, Councilman
Cindy Guerriero
Anna Throne-Holst, Supervisor
James Malone, Councilman
Bridget Fleming, Councilwoman
Christine Preston Scalera, Councilwoman
Dorota Godlewski
Leonard Marchese, Comptroller
Sundy A. Schermeyer, Town Clerk
Lisa Dunlap
Michael Baldwin
Tiffany Scarlato
Paul Rubano
John Capone
Sandra Cirincione
Russell Kratochvil
Marty Shea
Honorable Diane Wilhelm, Town Clerk
Beth Kamper, Village Clerk
Patricia Eddington, Brookhaven Town Clerk
Georgia Welch
Honorable Frederick Overton, Town Clerk
Honorable Elizabeth Neville, Town Clerk
Honorable Dorothy Ogar, Town Clerk
Subimal Chakraborti, P.El, Regional Director
Timothy Hogue
Peconic Estuary Program
Julie Kranz

Sincerely Yours,

A handwritten signature in black ink that reads "Sundry A. Schermeyer". The signature is written in a cursive style with a large initial 'S'.

Sundry A. Schermeyer
Town Clerk



TOWN BOARD RESOLUTION 2013-783

ADOPTED

Item # 6.22

DOC ID: i8404

Resolution Authorizing the Supervisor to Execute an Inter Municipal Agreement with Certain Neighboring Municipalities to Form the Peconic Estuary Protection Committee

WHEREAS, the County of Suffolk, the Town of Brookhaven, the Town of East Hampton, the Town of Riverhead, the Town of Shelter Island, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor, and the New York State Department of Transportation (hereinafter "The Municipalities") recognize the importance of the Peconic Estuary as a vital ecosystem which serves important environmental and economic interest shared by the people living in the surrounding region; and

WHEREAS, the Peconic Estuary Protection Committee (hereinafter the "Committee") has undertaken great efforts to develop a Comprehensive Conservation and Management Plan which establishes long term goals for the use and improvement of the Peconic Estuary; and

WHEREAS, the Committee shall be funded by yearly contributions to be paid by the municipalities to achieve the discussed goals such as improving the water quality of the Peconic Estuary, restoring and enhancing the surrounding tidal wetlands , pollution control and reduction; and

WHEREAS, New York State General Municipal Law Article 5-G, Section 119-o, authorizes municipalities to enter into agreements for the performance of various functions: and

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Southampton that the Supervisor is hereby authorized to execute an Inter Municipal Agreement ("IMA") with the County of Suffolk, the Town of East Hampton, the Town of Riverhead, the Town of Shelter Island, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor, and the New York State Department of Transportation for the purpose collectively working to improve the Peconic Estuary; and be it further

RESOLVED, that the terms and conditions of the IMA shall be reviewed and approved by the Town Attorney; and be it further

RESOLVED, the source of funding shall be Capital Project Stormwater Management in an amount not to exceed \$10,000.00 and the Comptroller is hereby authorized and directed to disburse the necessary funding as applicable under the IMA.

Financial Impact:

The source of funding shall be Capital Project Stormwater Management in an amount not to exceed \$10,000.00

RESULT: ADOPTED [UNANIMOUS]

MOVER: Christine Preston Scalera, Councilwoman

SECONDER: Chris Nuzzi, Councilman

AYES: Throne-Holst, Malone, Scalera, Fleming, Nuzzi

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2014	Period: 8	Trans Type: B1 - Transfer	Status: Batch
Trans No: 989	Trans Date: 08/23/2013	User Ref: ROBERT	
Requested:	Approved:	Created by: ROBERT	08/23/2013
Description: TO FUND PECONIC ESTUARY PROGRAM			Account # Order: No
			Print Parent Account: No

Account No.	Account Description	Amount
A.8510.201	GREENPORT IMPROVEMENT COMMITTEE..	-3,000.00
A.8745.201	PECONIC ESTUARY PROGRAM	3,000.00
Total Amount:		0.00



NORTON ROSE FULBRIGHT

Fulbright & Jaworski LLP
666 Fifth Avenue, 31st Floor
New York, New York 10103-3198
United States

Randolph J. Mayer
Partner
Direct line +1 212 318 3383
randolph.mayer@nortonrosefulbright.com

Tel +1 212 318 3000
Fax +1 212 318 3400
nortonrosefulbright.com

VIA EMAIL: ckagel@greenportvillage.org; rbrandt@greenportvillage.org;
spirillo@greenportvillage.org

August 23, 2013

Ms. Charlene Kagel
Village Treasurer
Village of Greenport
236 Third Street
Greenport, New York 11944

Re: Village of Greenport, Suffolk County, New York
Bond Resolution for Phase II Improvements to the Village
Electrical Generation and Distribution Facilities
\$1,050,000 Bonds
Our File: 10602168

Dear Charlene:

Pursuant to your request enclosed please find the following:

- (a) Bond resolution to pay the cost of Phase II Improvements to the Village electrical generation and distribution system. This resolution requires the affirmative vote of at least five of the seven members of the Board of Trustees and is subject to permissive referendum.
- (b) Notice of adoption. This notice must be published once in the official newspaper(s) designated in Section 11 of the resolution. The bond resolution will be invalid unless such publication occurs within ten (10) calendar days of adoption of the resolution. (The form of notice enclosed is for your use in submitting the notice to the printer and does not have to be returned to us).

- (c) Affidavit of posting of the notice of adoption, which must be posted in at least six conspicuous places throughout the Village within ten (10) of adoption of the resolution. The proceedings will be invalid if this posting is not timely.

When available please furnish me with the following:

- (a) Certified copy of the bond resolution.
- (b) Originally signed Clerk's affidavit of posting of the notice of adoption.
- (c) Original printer's affidavit of publication of the notice of adoption from the newspaper or newspapers in which the notice was published.

Upon receipt of these items, we will furnish you with a form of Legal Notice of Estoppel, which can be published after the enclosed resolution becomes effective.

Please do not hesitate to call if you have any questions.

Very truly yours,

Randolph J. Mayer
RJM:amm
Enclosures

At a regular meeting of the Board of Trustees of the Village of Greenport, Suffolk County, New York, held at the Village Hall, in Greenport, New York, in said Village, on August 26, 2013, at _____ o'clock _____M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Trustee _____, who moved its adoption, seconded by Trustee _____, to-wit:

RESOLUTION DATED AUGUST 26, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,050,000 SERIAL BONDS OF THE VILLAGE OF GREENPORT, SUFFOLK COUNTY, NEW YORK, TO PAY PART OF THE \$1,050,000 ESTIMATED MAXIMUM COST OF A PHASE II OF IMPROVEMENTS TO AND THE RECONSTRUCTION OF ELECTRICAL GENERATING AND DISTRIBUTION FACILITIES OF SAID VILLAGE, INCLUDING THE COST OF AN ENGINEERING STUDY TO CREATE A CAPITAL PLAN FOR SAID IMPROVEMENT AND RECONSTRUCTION.

WHEREAS, on February 19, 2004, the Village Board of Trustees of the Village of Greenport, Suffolk County, New York, adopted a bond resolution to authorize the issuance of \$750,000 bonds to pay the cost of an engineering study to create a capital plan for improvements to and reconstruction of electrical and generating facilities of said Village;

WHEREAS, on August 27, 2007, the Village amended said bond resolution to provide for the financing of the actual improvements and reconstruction, increase the amount of bonds authorized to \$1,750,000 and increase the period of probable usefulness applicable to the previously-authorized obligations to thirty years;

WHEREAS, on April 4, 2011, the Village amended said bond resolution to increase the estimated maximum cost of the project to \$2,450,000, an increase of \$700,000, and changed the plan of finance to provide an additional \$700,000 current funds therefor;

WHEREAS, the Village, on October 17, 2011, authorized an additional \$700,000 bonds in place of the current funds;

WHEREAS, the Village has since determined to undertake different, additional improvements to and reconstruction of the electrical generating and distribution facilities of the Village, as a Phase II thereof, and it is now desired to provide for the financing of the cost thereof; and

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed;

NOW, THEREFORE, BE IT

RESOLVED, by the Board of Trustees of the Village of Greenport, Suffolk County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of a Phase II of improvements to and the reconstruction of electrical generating and distribution facilities of the Village of Greenport, in and for Village of Greenport, Suffolk County, New York, including preliminary, planning, design and other incidental expenses in connection therewith, there are hereby authorized to be issued \$1,050,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. The estimated maximum cost of the aforesaid class of objects or purposes is hereby determined to be \$1,050,000, and the plan for the financing thereof is by the issuance of \$1,050,000 bonds of said Village authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years pursuant to subdivision five of paragraph a of Section 11.00 of the Local Finance Law. The maximum maturity of the bonds authorized hereby will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Greenport, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Greenport, Suffolk County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Village Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of said Village; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of the Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated

official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. Upon this resolution taking effect, the same shall be published in summary form in _____, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 36.00 of the Local Finance Law and Article 9 of the Village Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * *

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Village of Greenport, Suffolk County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of
Trustees of said Village, including the resolution contained therein, held on August 26, 2013, with
the original thereof on file in my office, and that the same is a true and correct transcript therefrom
and of the whole of said original so far as the same relates to the subject matters therein referred
to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or other
news media as follows:

Newspaper and/or Other News Media

Date Given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village on August _____, 2013.

Village Clerk

(CORPORATE
SEAL)

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Board of Trustees of Village of Greenport, Suffolk County, New York, at a meeting held on August 26, 2013, duly adopted the resolution summarized below, subject to a permissive referendum.

The resolution provides that the faith and credit of the Village of Greenport, Suffolk County, New York, are irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable; that an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; that the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds authorized by such resolution, including renewals of such notes, is delegated to the Village Treasurer; that all other matters, except as provided in such resolution, relating to the bonds authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed in such resolution and the manner of the execution of the same and also including the consolidation with other issues, and the authority to issue such obligations on the basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Village Treasurer; and that this LEGAL NOTICE shall be published.

A summary of the bond resolution follow:

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,050,000 SERIAL BONDS OF THE VILLAGE OF GREENPORT, SUFFOLK COUNTY, NEW YORK, TO PAY PART OF THE \$1,050,000 ESTIMATED MAXIMUM COST OF A PHASE II OF IMPROVEMENTS TO AND THE RECONSTRUCTION OF ELECTRICAL GENERATING AND DISTRIBUTION FACILITIES OF SAID VILLAGE, INCLUDING THE COST OF AN ENGINEERING STUDY TO CREATE A CAPITAL PLAN FOR SAID IMPROVEMENT AND RECONSTRUCTION.

The period of probable usefulness of the aforesaid class of objects or purposes is thirty years pursuant to subdivision five of paragraph a of Section 11.00 of the Local Finance Law.

THE FULL TEXT OF THIS BOND RESOLUTION IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE VILLAGE CLERK LOCATED AT 236 THIRD STREET, GREENPORT, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: Greenport, New York
_____, 2013

Sylvia Pirillo
Village Clerk

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Village of Greenport, Suffolk County, New York,
DEPOSE AND SAY:

That on _____, 2013, I caused to be posted a summary Notice of Adoption of A
bond resolution adopted February _____, 2013, at the following six (6) conspicuous public places
in said Village:

A true, correct and complete copy of such summary Notice of Adoption, in the exact form
in which the same was actually posted, is set forth below:

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Board of Trustees of Village of Greenport, Suffolk
County, New York, at a meeting held on August 26, 2013, duly adopted the resolution
summarized below, subject to a permissive referendum.

The resolution provides that the faith and credit of the Village of Greenport, Suffolk
County, New York, are irrevocably pledged for the payment of the principal of and interest on
such obligations as the same respectively become due and payable; that an annual
appropriation shall be made in each year sufficient to pay the principal of and interest on such
obligations becoming due and payable in such year; that the power to authorize the issuance of
and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds
authorized by such resolution, including renewals of such notes, is delegated to the Village
Treasurer; that all other matters, except as provided in such resolution, relating to the bonds
authorized, including the date, denominations, maturities and interest payment dates, within the
limitations prescribed in such resolution and the manner of the execution of the same and also
including the consolidation with other issues, and the authority to issue such obligations on the

basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Village Treasurer; and that this LEGAL NOTICE shall be published.

A summary of the bond resolution follow:

BOND RESOLUTION DATED AUGUST 26, 2013.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,050,000 SERIAL BONDS OF THE VILLAGE OF GREENPORT, SUFFOLK COUNTY, NEW YORK, TO PAY PART OF THE \$1,050,000 ESTIMATED MAXIMUM COST OF A PHASE II OF IMPROVEMENTS TO AND THE RECONSTRUCTION OF ELECTRICAL GENERATING AND DISTRIBUTION FACILITIES OF SAID VILLAGE, INCLUDING THE COST OF AN ENGINEERING STUDY TO CREATE A CAPITAL PLAN FOR SAID IMPROVEMENT AND RECONSTRUCTION.

The period of probable usefulness of the aforesaid class of objects or purposes is thirty years pursuant to subdivision five of paragraph a of Section 11.00 of the Local Finance Law

THE FULL TEXT OF THIS BOND RESOLUTION IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE VILLAGE CLERK LOCATED AT 236 THIRD STREET, GREENPORT, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: Greenport, New York
_____, 2013

Sylvia Pirillo
Village Clerk

Village Clerk

Sworn to before me on
_____, 2013.

Notary Public