



*September 24, 2012 at 6 p.m.*  
*Board of Trustees - Regular Meeting*  
*Third Street Firehouse, Greenport, NY, 11944*

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  
CHRIS KEMPNER  
DAVID MURRAY  
MARY BESS PHILLIPS

**CLERK**  
SYLVIA LAZZARI PIRILLO  
Ext. 206

**TREASURER**  
CHARLENE KAGEL, CPA  
Ext. 217

**VILLAGE ADMINISTRATOR**  
DAVID ABATELLI  
Ext. 209

**DIRECTOR OF UTILITIES**  
JOHN W. NAYLOR, JR., P.E.  
Ext. 202

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

- o Robert W. Bruce
- o John Randolph Mims
- o Robert Walden

**ANNOUNCEMENTS**

- o Hurricane season is upon us! Please have a plan for your personal safety and that of your family members. Please note that the Suffolk County Joint Emergency Evacuation Program # is via FRES at: 852-4900, or 853-8333, for the Office for People with Disabilities.

**PUBLIC INTEREST**

- o Please create a Fire Safety program for your family. Please be sure to check the batteries in your smoke and CO detectors.
- o Bow hunting applications (for the western portion of Moore's Woods) are available at Village Hall and on-line.
- o There will be a FOIL presentation on October 18<sup>th</sup> from 5:30 p.m. - 7:30 p.m. in the Third Street Firehouse.
- o The Greenport Fire Department will conduct a hydrant test on October 28, 2012 beginning at 9 a.m.

**PUBLIC HEARINGS - None**

**PRESENTATION - None**

**PUBLIC TO ADDRESS THE BOARD**

**REGULAR AGENDA**

**RESOLUTION # 9-2012-1**

RESOLUTION adopting the September, 2012 agenda as printed.

**RESOLUTION # 9-2012-2**

RESOLUTION ratifying the following, as already approved by the Board of Trustees at the public work session meeting held on September 17, 2012:

~ RESOLUTION ratifying the authorization for Mayor Nyce to sign the New York State Liquor Authority Special Event Permit Application for the Greenport Harbor Brewery for the use of Mitchell Park as a sponsor vendor during the 2012 Maritime Festival.

~ RESOLUTION authorizing the attendance of the Mayor at the NYAPP September Business Meeting, with costs of \$ 149 for lodging and associated travel (tolls and ferry costs estimated at \$ 110) with estimated expense of \$ 259 to be drawn from line item A.1210.400 (Mayor Contractual Expense).

~ RESOLUTION authorizing the attendance of the Director of Utilities at the NYAPP September Business Meeting with costs of \$ 298 for lodging, and if traveling separately, with associated travel (tolls and ferry costs estimated at \$ 110, and mileage costs of \$ 176) with the \$ 584 estimated expense to be drawn from line item E.0781.100 (Executive Department).

**RESOLUTION # 9-2012-3**

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

**RESOLUTION # 9-2012-4**

RESOLUTION approving the application for membership of Jason Parker to Relief Hose Company # 2 of the Greenport Fire Department, as already approved by the Greenport Fire Department Board of Wardens on September 20, 2012.

**RESOLUTION # 9-2012-5**

RESOLUTION approving the application for membership of Angel Medina to Eagle Hose Company # 1 of the Greenport Fire Department, as already approved by the Greenport Fire Department Board of Wardens on September 20, 2012.

**RESOLUTION # 9-2012-6**

RESOLUTION directing Clerk Pirillo to notice the annual fire hydrant testing as performed by the Greenport Fire Department, to be held on October 28, 2012 beginning at 9 a.m.

**RESOLUTION # 9-2012-7**

RESOLUTION authorizing Treasurer Kagel to perform the attached budget appropriation, to encumber unused 2011-12 Mooring Expense into Fiscal Year End 2012-13.

**RESOLUTION # 9-2012-8**

RESOLUTION authorizing a salary increase of \$ 1.10 per hour (\$ 2,002 per year) from \$ 20.06 per hour to \$ 21.16 per hour, for Linda Topalian, per Article VII (Salaries and Compensation), Section 9 (a) (Merit Clause) of the current collective bargaining agreement, for the assumption of additional duties, effective September 19, 2012.

**RESOLUTION # 9-2012-9**

RESOLUTION authorizing a salary increase of \$ 1.10 per hour (\$ 2,002 per year) from \$15.50 per hour to \$ 16.60 per hour, for Stephen Gaffga, per Article VII (Salaries and Compensation), Section 9 (a) (Merit Clause) of the current collective bargaining agreement, for the assumption of additional duties, effective September 19, 2012.

**RESOLUTION # 9-2012-10**

RESOLUTION authorizing a salary increase of \$ 3,700 per year to \$ 52,700 (\$ 31.67 per hour) for Village Deputy Treasurer Robert Brandt, effective September 19, 2012.

**RESOLUTION # 9-2012-11**

RESOLUTION authorizing the attendance of Robert Brandt and Linda Topalian at a KVS training class on October 4, 2012, in North Hills, New York at a cost of \$ 20 per person, to be expensed from line item # A.1325.400 (Treasurer Contractual Expense).

**RESOLUTION # 9-2012-12**

RESOLUTION authorizing the attendance of Village Clerk Pirillo, and any interested member of any Village of Greenport statutory Board, at the SCVOA Training for Village Planning and Zoning Officials, on October 17, 2012 from 5:30 – 9:30 p.m., at the Hotel Indigo in Riverhead, New York, at a cost of \$ 45 per person. For Clerk Pirillo, the cost will be expensed from line item number A.1410.400 (Clerk Contractual Expense), with the cost for other attendees to be expensed from the applicable respective line items.

**RESOLUTION # 9-2012-13**

RESOLUTION allowing Clerk Pirillo to designate on the official Village schedule the dates of July 25, 2013 through July 28, 2013 as the dates of the 2013 United States Power Squadron District 3 Rendezvous, with finalized Public Assembly Permit details to follow at a later date.

**RESOLUTION # 9-2012-14**

RESOLUTION authorizing the owner/manager(s) of the Blue Canoe to maintain the Village property adjacent to the Blue Canoe property, and to replace, at the expense of the Blue Canoe, a section of privet hedge adjacent to the Village sidewalk on the west side of Third Street, with Blue Canoe to obtain any required permits.

**RESOLUTION # 9-2012-15**

RESOLUTION approving the request of Blue Canoe to contract with a pest management firm to place, maintain and remove pest containment stations along the fence that separates Mitchell Park from the Blue Canoe property at 104 Third Street.

**RESOLUTION # 9-2012-16**

RESOLUTION to set aside a contingency amount of \$22,770 to cover potential extra programming and site configuration costs associated with synching the new Basler Excitation Control System. Monies will be drawn from this contingency on a time and material basis only if deemed absolutely necessary due to unanticipated down-time and commissioning problems. No charges will be incurred until after the initial \$20,030 credit is expended.

**RESOLUTION # 9-2012-17**

RESOLUTION authorizing Mayor Nyce to sign Change Order Number 5C in the amount of \$8,395 for the installation of bullet, vandal and fire-resistant glass block in the five (5) window openings adjacent to the new transformer.

**RESOLUTION # 9-2012-18**

RESOLUTION authorizing the Utilities Department to obtain bids for required repairs to the Power Plant roof, and further directing Clerk Pirillo to notice the bid accordingly.

**RESOLUTION # 9-2012-19**

RESOLUTION authorizing Mayor Nyce to sign Change Order Number 19G in the amount of \$10,000 with a corresponding time extension of 35 days to cover unforeseen costs associated with the extra work needed to be performed at the screw pumps with no change in contract time.

**RESOLUTION # 9-2012-20**

RESOLUTION authorizing Mayor Nyce to sign Change Order Number 10E in the amount of \$3,645.79 to cover electrical work mandated by the New York State Department of Environmental Conservation to provide additional alarms and controls which would provide additional protections in the event of a power failure with no change in contract time.

**RESOLUTION # 9-2012-21**

RESOLUTION authorizing a salary increase of \$ 1.89 per hour (\$ 3,931.20 per year) from \$ 18.86 per hour to \$ 20.75 per hour, for Adam Hubbard, per Article VII (Salaries and Compensation), Section 9 (c) (Merit Clause) of the current collective bargaining agreement, for the completion of a job-related course of study of at least thirty (30) hours, effective September 19, 2012.

**RESOLUTION # 9-2012-22**

RESOLUTION ratifying the hiring of Ryan Harahan as seasonal, part-time Park Attendant at \$ 7.25 per hour, effective September 14, 2012.

**RESOLUTION # 9-2012-23**

RESOLUTION approving the appointment of Peter Jaquet to the Village of Greenport Planning Board, effective September 25, 2012; for a term to expire on April 4, 2013.

**RESOLUTION # 9-2012-24**

RESOLUTION approving the appointment of Linnea Atkinson-Loveless to the Village of Greenport Planning Board, effective September 25, 2012; for a term to expire on April 3, 2014.

**RESOLUTION # 9-2012-25**

RESOLUTION approving the appointment of Julia Robins to the Village of Greenport Planning Board, effective September 25, 2012; for a term to expire on April 2, 2015.

**RESOLUTION # 9-2012-26**

RESOLUTION approving the appointment of Patricia Mundus to the Village of Greenport Planning Board, effective September 25, 2012; for a term to expire on April 7, 2016.

**RESOLUTION # 9-2012-27**

RESOLUTION approving the appointment of Bradley Burns to the Village of Greenport Planning Board, effective September 25, 2012; for a term to expire on April 6, 2017.

**RESOLUTION # 9-2012-28**

RESOLUTION ratifying the authorization of Mayor Nyce to sign the Joint Application Form (involving the U.S. Army Corps of Engineers, New York State Department of Environmental Conservation, New York State Office of General Services and the New York State Department of State) for the dredging of Stirling Basin.

**RESOLUTION # 9-2012-29**

RESOLUTION authorizing the hiring of Hawkins Delafield as bond counsel for the Village of Greenport per the proposal dated July 2, 2012, as vetted through and recommended by the Village of Greenport Audit Committee.

**RESOLUTION # 9-2012-30**

RESOLUTION approving the request of the Greenport Harbor Brewery to close Carpenter Street from the front of the Brewery to the rear entrance of the Capital One Bank on October 7, 2012 from noon – 6 p.m. for the First Annual Greenport Harbor “Malt and Mollusks Festival”.

**RESOLUTION # 9-2012-31**

RESOLUTION affirming that the issuance of a bond for a new street sweeper is a Type II action for purposes of SEQRA.

**RESOLUTION # 9-2012-32**

RESOLUTION adopting the attached bond resolution from Hawkins Delafield and Wood, LLP in the amount of \$ 160,000 for the purchase of a new street sweeper, and directing Clerk Pirillo to notice the bond resolution.

**RESOLUTION # 9-2012-33**

RESOLUTION approving all checks per the Voucher Summary Reports dated September 19, 2012, in the total amount of \$ 949,614.88 consisting of:

- All regular checks in the amount of \$ 752,768.33
- All prepaid checks in the amount of \$ 184,892.28, and
- All Greenport Fire Department checks in the amount of \$ 11,954.27.





BOND RESOLUTION OF THE VILLAGE OF GREENPORT,  
NEW YORK, ADOPTED SEPTEMBER 24, 2012,  
AUTHORIZING THE ACQUISITION OF A STREET SWEEPER  
FOR USE BY THE HIGHWAY DEPARTMENT, STATING THE  
ESTIMATED MAXIMUM COST THEREOF IS \$160,000,  
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,  
AND AUTHORIZING THE ISSUANCE OF \$160,000 SERIAL  
BONDS OF SAID VILLAGE TO FINANCE SAID  
APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GREENPORT, IN THE  
COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not  
less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Greenport, in the County of Suffolk, New York (herein  
called the "Village"), is hereby authorized to acquire a street sweeper for use by the Highway  
Department. The estimated maximum cost thereof, including preliminary costs and costs  
incidental thereto and the financing thereof, is \$160,000 and said amount is hereby appropriated  
for such purpose. The plan of financing includes the issuance of \$160,000 serial bonds of the  
Village to finance said appropriation, and the levy and collection of taxes on all the taxable real  
property in the Village to pay the principal of said bonds and the interest thereon as the same  
shall become due and payable.

Section 2. Serial bonds of the Village in the principal amount of \$160,000 are  
hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a)

the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, 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

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this

resolution, to publish or cause to be published, in full, in "*The Suffolk Times*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GREENPORT, NEW YORK

PLEASE TAKE NOTICE that on September 24, 2012, the Board of Trustees of the Village of Greenport, in the County of Suffolk, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Greenport, New York, adopted September 24, 2012, authorizing the acquisition of a street sweeper for use by the Highway Department, stating the estimated maximum cost thereof is \$160,000, appropriating said amount for such purpose, and authorizing the issuance of \$160,000 serial bonds of said Village to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to acquire a street sweeper for use by the Highway Department; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$160,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$160,000 serial bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$160,000 serial bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: September 24, 2012

Sylvia Pirillo, RMC  
Village Clerk