

1 VILLAGE OF GREENPORT  
2 COUNTY OF SUFFOLK STATE OF NEW YORK  
-----X

3 BOARD OF TRUSTEES  
4 WORK SESSION

5 -----X

6  
7 Third Street Firehouse  
8 Greenport, New York

9 October 20, 2014  
10 6:00 P.M.

11  
12 B E F O R E:

- 13 DAVID NYCE – MAYOR  
14 GEORGE HUBBARD, JR. – TRUSTEE  
15 DAVID MURRAY – TRUSTEE  
16 MARY BESS PHILLIPS – TRUSTEE  
17 JULIA ROBINS – TRUSTEE  
18  
19 JOSEPH PROKOP – VILLAGE ATTORNEY  
20 SYLVIA LAZZARI PIRILLO – VILLAGE CLERK  
21 PAUL PALLAS – VILLAGE ADMINISTRATOR

22  
23  
24  
25

ROBERT BRANDT – VILLAGE TREASURER

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1 (Whereupon, the meeting was called to order  
2 at 6:04 p.m.)

3 MAYOR NYCE: It being just after six, we'll  
4 call this meeting to order. Please join me for  
5 the Pledge of Allegiance.

6 (Whereupon, all stood for the Pledge of  
7 Allegiance.)

8 MAYOR NYCE: Thanks. You may be seated.  
9 This is the October work session, Village Board  
10 of Trustees.

11 We have our monthly reports. Our first  
12 report will be from the Fire Department, Chief  
13 Harry Breese. Chief, how are you?

14 CHIEF BREESE: Good. How are you doing,  
15 buddy?

16 MAYOR NYCE: Good.

17 CHIEF BREESE: You got my monthly -- all my

18 monthly reports, correct?

19 MAYOR NYCE: Yes.

20 CHIEF BREESE: Attached to the resolutions  
21 was a report from H2M, our Architects.

22 MAYOR NYCE: Yes.

23 TRUSTEE PHILLIPS: Yes.

24 CHIEF BREESE: The Board of Wardens would  
25 like to sit down with the Board and discuss where

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1 we're going to head with the amount of repairs  
2 that need to be done on this place, so.

3 MAYOR NYCE: Okay.

4 CHIEF BREESE: They'd like to set up a  
5 meeting, so it's up to you guys, I guess, to pick  
6 a date.

7 MAYOR NYCE: Let me work with the Clerk and  
8 we'll come up with some dates and shoot them back  
9 to you.

10 CHIEF BREESE: Okay, that sounds good.

11 MAYOR NYCE: And figure something out.

12 CHIEF BREESE: All right. And the other  
13 thing, there was a question on the -- the other

14 thing was a pumper.

15 MAYOR NYCE: Yes.

16 CHIEF BREESE: The truck we just went out  
17 to bid for.

18 MAYOR NYCE: Yes.

19 CHIEF BREESE: I got the -- Sylvia sent me  
20 an email from the Attorney.

21 MAYOR NYCE: Yeah, there were questions.

22 CHIEF BREESE: There was a couple of  
23 questions. Some of the questions I can answer.  
24 The one about Scott Air Packs, we just wanted  
25 that included with the pumper, but we're not

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1 going to buy those, because I can actually them  
2 \$1100 cheaper off the State contract, at least.

3 MAYOR NYCE: Okay.

4 CHIEF BREESE: So that was a big thing. We  
5 basically just want to go with the pumper, which  
6 was five-forty-seven-three-hundred, without the  
7 additional equipment that was mentioned in the  
8 bid.

9 MAYOR NYCE: Okay.

10 CHIEF BREESE: But as far as some of this  
11 other stuff, I really don't know the answer. I  
12 know there was an inspection trip noted for the  
13 end.

14 MAYOR NYCE: Right.

15 CHIEF BREESE: But I think they changed  
16 the -- I think they changed law or something.  
17 You're only allowed one inspection trip now,  
18 you're not allowed two, or something. I'm not  
19 sure how it went, because the last truck we  
20 bought was a heavy rescue truck and I don't know.  
21 Do you remember back then? They changed it on us.

22 TRUSTEE HUBBARD: Yeah. I'm not sure how  
23 many times they went. I thought they went three  
24 times.

25 CHIEF BREESE: No, we only went once with

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1 the heavy rescue truck.

2 TRUSTEE HUBBARD: Did you? Okay.

3 CHIEF BREESE: Yeah. The only trucks --

4 TRUSTEE HUBBARD: The other trucks we went  
5 at least two times.

6 CHIEF BREESE: The only reason they went  
7 three times is because they're right in  
8 Pennsylvania, and they were taking their own  
9 personal vehicles and driving. That was Paul  
10 Cordy Quarty and a bunch of the guys.

11 TRUSTEE HUBBARD: Okay.

12 CHIEF BREESE: They could go to the factory  
13 as much as they want. We can, too, if we want to  
14 go at our own expense. But I think the way the  
15 law read, for some reason, somebody told us  
16 you're only allowed one inspection trip, and that  
17 was for the final inspection of the truck before  
18 delivery.

19 As far as anything else, I really -- I  
20 mean, I'd have to look at the contract to answer  
21 any of the rest of the questions about it. But  
22 we just wanted to go with a basic truck the  
23 Wardens voted on, and leave the air packs off and  
24 the spare bottles.

25 TRUSTEE HUBBARD: Okay.

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1 MAYOR NYCE: I know that Joe had gone

2 through it, just so that we can make sure that  
3 we're following the right procedure, so I'll ask.  
4 Who should he contact to get those questions  
5 answered to move it along?

6 CHIEF BREESE: I'll contact Pierce and I'll  
7 have them get a hold of you. I have your number,  
8 I believe, so --

9 MR. PROKOP: That would be great. Thanks.

10 CHIEF BREESE: I'll have a representative  
11 from Pierce contact you.

12 MAYOR NYCE: Yeah, and that would make the  
13 most sense. The whole point of this is not, you  
14 know, to -- so it gets lost in all the --

15 CHIEF BREESE: Right.

16 MAYOR NYCE: -- little details, but we do  
17 need to make sure that the details --

18 CHIEF BREESE: No. We want it to be right,  
19 too.

20 MAYOR NYCE: Right.

21 CHIEF BREESE: We want to make sure we get  
22 what we're paying for, too.

23 MAYOR NYCE: Right, absolutely.

24 TRUSTEE PHILLIPS: Okay. We included all  
25 of that stuff in the bid, though, correct, the --

1           MAYOR NYCE: Yeah. It's just that there  
2 were some -- there were some questions as to  
3 where within the bid they were, and it just --

4           MS. PHILLIPS: Okay. But if he's telling  
5 us that they just want the basic truck, that's  
6 changing the bid. Is that going to affect it?

7           MR. PROKOP: We're not changing the bid.

8           CHIEF BREESE: We're not changing the bid.

9           TRUSTEE PHILLIPS: Oh, okay.

10          CHIEF BREESE: There was a bid for, I think  
11 it was five-forty-seven-three hundred --

12          TRUSTEE PHILLIPS: Right.

13          CHIEF BREESE: -- for the truck, and then  
14 with the additional items --

15          TRUSTEE PHILLIPS: Okay. That's what I  
16 wanted.

17          CHIEF BREESE: -- it was 581-something, or  
18 589-something

19          MS. PHILLIPS: Okay. I just wanted to  
20 know. Okay.

21          CHIEF BREESE: Right.

22          MAYOR NYCE: That's cool. So --

23 TRUSTEE HUBBARD: Although, also, there was  
24 no payment schedule in there. You had the list  
25 and \$8,300 discount if you pay for the chassis

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1 on --

2 CHIEF BREESE: Yes.

3 TRUSTEE HUBBARD: To start. Normally, they  
4 have it, you know, half down, some kind of  
5 payment schedule. There's nothing there. I know  
6 Joe noticed that.

7 CHIEF BREESE: Okay.

8 TRUSTEE HUBBARD: There's nothing in there.  
9 It doesn't say how much of a down payment, when  
10 it's due.

11 CHIEF BREESE: I don't remember, but I  
12 could look up.

13 MR. PROKOP: Well, there could be a payment  
14 at the end of it. That's probably why there's  
15 no -- there may be no --

16 TRUSTEE HUBBARD: I mean, they do classify  
17 that the -- you get a discount if you pay for a  
18 chassis upfront.

19 CHIEF BREESE: Right. They call it a  
20 chassis discount, \$8,252.

21 TRUSTEE HUBBARD: Right.

22 CHIEF BREESE: But I'm not sure what the  
23 payment was. I didn't really read it.

24 MR. PROKOP: They don't say anything.

25 TRUSTEE HUBBARD: They don't say anything

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1 in there, so --

2 CHIEF BREESE: Okay. I'll call -- like I  
3 said, I'll get a hold of Pierce and then I'll  
4 have them contact you with the --

5 MAYOR NYCE: That would be great. That  
6 way --

7 MS. PHILLIPS: There's a trade-in for the  
8 truck.

9 MAYOR NYCE: -- all the questions that you  
10 need answered can be answered right from the  
11 source.

12 TRUSTEE PHILLIPS: The truck is being  
13 traded in, or what are we doing with the old  
14 truck?

15 TRUSTEE HUBBARD: I guess they're going to  
16 try to sell it. I don't know what the Truck  
17 Committee is planning on doing. The old truck?

18 CHIEF BREESE: Yeah, I don't know. We kind  
19 of -- it's kind of up in the air. I'd kind of  
20 like to see us try to sell the thing and get some  
21 of the money back, because it's still in decent  
22 shape. I mean, I think that would be the best  
23 way to go.

24 TRUSTEE HUBBARD: Okay.

25 CHIEF BREESE: Try and recoup some of our

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1 money.

2 MR. ROBINSON: The other thing, I  
3 understood there was a question on the model here  
4 of the vehicle, we needed some clarification on  
5 that.

6 CHIEF BREESE: Yeah, I saw that in there,  
7 too. I did -- that was the other thing. We're  
8 going to have -- like I said, we're going to have  
9 to ask Pierce about that, the wording of it.

10 TRUSTEE ROBINS: Okay.

11 CHIEF BREESE: Because it should be -- by  
12 the time you're all said and done, it should be  
13 2015, actually, by the time we take delivery of it.

14 TRUSTEE ROBINS: Yeah, yeah.

15 CHIEF BREESE: So I don't know if it's  
16 going to be a 2014 or a 2015. That's a good  
17 question.

18 TRUSTEE ROBINS: Yeah. That needs to be  
19 spelled out in the contract, definitely.

20 CHIEF BREESE: I will mention that.

21 TRUSTEE HUBBARD: Okay. The color of the  
22 vehicle, I know it doesn't say there in there  
23 what color.

24 CHIEF BREESE: It's going to be red, white  
25 over red.

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1 CHIEF BREESE: White over red?

2 CHIEF BREESE: The same. It's going to  
3 have the chevron on the back. You know, it's  
4 going to have the new -- by NFPA, whatever the  
5 law was for it.

6 TRUSTEE HUBBARD: No, I understand that

7 part. It's just we've had three different  
8 styles. We've had plain red, we've had white  
9 over red, and then we've had black over red, and  
10 didn't say in there. I was just curious what we  
11 were getting.

12 CHIEF BREESE: Honestly, George, I'd have  
13 to read more into the detail of the contract. I  
14 didn't read it that much, so.

15 TRUSTEE HUBBARD: All right. Well, in the  
16 contract, they have four pages on paint, but  
17 nowhere does it say the color.

18 TRUSTEE ROBINS: Yeah, exactly.

19 MS. PHILLIPS: There was great detail on  
20 the paint.

21 CHIEF BREESE: I spent too much time  
22 probably looking at the chevron, because at one  
23 time the chevron was green, was green and red,  
24 and I kept joking, "What, are you buying a  
25 Christmas truck?"

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1 You may have a green and red fire truck driving  
2 around town. So maybe -- I never looked at the

3 paint, honestly.

4 TRUSTEE HUBBARD: Okay, just to clarify  
5 that.

6 CHIEF BREESE: Okay.

7 TRUSTEE HUBBARD: Also, did the Wardens  
8 vote on how they plan on paying for it?

9 CHIEF BREESE: The last I knew, they were  
10 planning on taking the money out of the apparatus  
11 replacement.

12 TRUSTEE HUBBARD: Okay.

13 CHIEF BREESE: There was enough money in  
14 there last time. I talked to Robert.

15 TRUSTEE HUBBARD: Yes.

16 CHIEF BREESE: I believe there was 700 in  
17 there.

18 MAYOR NYCE: If you wanted to finance part  
19 of it.

20 CHIEF BREESE: Yeah, because there was  
21 something in there about bonding.

22 MAYOR NYCE: Right. If you want to finance  
23 part of it and cash on the rest.

24 TRUSTEE HUBBARD: Well, I'm sure a payment  
25 schedule would list that out when we get that --

1           MAYOR NYCE: Absolutely.

2           TRUSTEE HUBBARD: -- and see what it says  
3 and what the options are.

4           MAYOR NYCE: Yeah, absolutely.

5           TRUSTEE HUBBARD: All right. So we'll have  
6 that when he gets that information. Okay.

7           CHIEF BREESE: Okay. I will call Pierce  
8 tomorrow and I'll ask them to contact Joe and try  
9 and get this all straightened out.

10          MR. PROKOP: It looked good. The  
11 Department did a very good job on this. We just  
12 need to get some of the procedural things taken  
13 care of.

14          CHIEF BREESE: Okay. That's not a problem.  
15 And then after Joe is happy, then what do we do?  
16 How do we move on from there? Do we -- do you  
17 guys sign a contract or --

18          MAYOR NYCE: We accept the bid and  
19 authorize you to make the payment, I believe,  
20 would be the next step.

21          MR. PROKOP: Yes.

22          MAYOR NYCE: We accept their bid and the  
23 payments are made.

24 MR. PROKOP: Sign the contract.

25 MAYOR NYCE: Right.

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1 TRUSTEE PHILLIPS: So, I guess --

2 TRUSTEE HUBBARD: If the payment is made at  
3 the end, that's what the, you know, payment  
4 schedule is going to say, it could be eight  
5 months for them to build the truck.

6 CHIEF BREESE: Right.

7 MAYOR NYCE: Yes.

8 TRUSTEE HUBBARD: So there's really nothing  
9 that we have to worry about right away. That's  
10 why I was asking if they say want a down payment  
11 of 150,000 --

12 MAYOR NYCE: Right, absolutely.

13 TRUSTEE HUBBARD: -- then the Wardens have  
14 to vote on using that money, and then we have to  
15 vote on it also to take anything from that  
16 account.

17 MAYOR NYCE: If that comes up, let us know.  
18 We can always call a special meeting to  
19 authorize, you know --

20 CHIEF BREESE: Okay.

21 MAYOR NYCE: Even the Wardens could call a  
22 special meeting to authorize the payment, then we  
23 could do the same in kind, if that becomes  
24 necessary. It doesn't sound like the timing is  
25 that critical.

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1 CHIEF BREESE: Okay. That sounds good. Is  
2 that it?

3 MAYOR NYCE: Anything else for the Chief?

4 TRUSTEE HUBBARD: No, that's it.

5 MAYOR NYCE: Thank you, Chief.

6 TRUSTEE HUBBARD: Thank you.

7 CHIEF BREESE: You didn't put in the paper  
8 about the hydrant test is going to be --

9 TRUSTEE PHILLIPS: October 26th.

10 MS. PIRILLO: It's going to be in the paper  
11 twice.

12 CHIEF BREESE: Okay.

13 CLERK PIRILLO: It's going to be in two  
14 issues of the paper, and on Facebook and Twitter,  
15 as well.

16 CHIEF BREESE: Okay.  
17 MAYOR NYCE: And we'll announce it next  
18 Monday.  
19 TRUSTEE HUBBARD: That's too late.  
20 CLERK PIRILLO: Exactly.  
21 MAYOR NYCE: We'll announce next Monday  
22 that on Sunday you should know that --  
23 CHIEF BREESE: Yeah, your water should be  
24 discolored, so. All right. Have a good night.  
25 TRUSTEE PHILLIPS: Thank you.

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1 MAYOR NYCE: Thank you, Chief. Our next  
2 report will be from Village Administrator,  
3 Mr. Paul Pallas.  
4 MR. PALLAS: Thank you, Mayor and Board.  
5 You have all my reports. I just want to  
6 highlight a couple of items for various  
7 departments.  
8 The first would be the Marina. That  
9 revenue was up for September, almost \$4500, so  
10 we've had, you know, a banner year. So I think  
11 we're going to try to get totals for the year and

12 see where we are relative to budget and last  
13 year. So I think -- I think it's going to show a  
14 very -- a fairly positive number.

15 MAYOR NYCE: Okay.

16 MR. PALLAS: The other highlight is the  
17 maintenance assessments in the East Pier. As you  
18 recall, we had done some of the piling work.  
19 There is some cross-bracing that is definitely --  
20 definitely needs to be done this Fall. I'll see  
21 where we are on this that, and if we can use the  
22 original contract or not. We have to redo that.  
23 And then we'll be assessing if anything else  
24 needs to be done as well.

25 The Recreation Center, we have 14 more kids

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1 this year.

2 MAYOR NYCE: Sorry. Not to -- there was  
3 also -- we talked about doing some more on the  
4 commercial dock this autumn as well.

5 TRUSTEE ROBINS: The railroad dock?

6 MR. PALLAS: We're doing electrical work  
7 now. We're doing electrical work --

8 MAYOR NYCE: It is being handled, okay.  
9 MR. PALLAS: -- next week, I think.  
10 MAYOR NYCE: Terrific.  
11 MR. PALLAS: Or two weeks to redo all the  
12 meters.  
13 MAYOR NYCE: Good.  
14 MR. PALLAS: And the services going out on  
15 the pier. So that's all scheduled.  
16 MAYOR NYCE: And then there was some  
17 structural work we were to do as well come  
18 Springtime, or was that going to be done in the  
19 Fall as well?  
20 MR. PALLAS: No, I don't think it was going to be  
21 in the Fall, probably Spring. I spoke to Jeff,  
22 he didn't mention it, so.  
23 MAYOR NYCE: Okay.  
24 MR. PALLAS: But I'll follow up with him on  
25 that as well.

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1 MAYOR NYCE: Terrific.  
2 MR. PALLAS: The Recreation Center, we have  
3 14 more kids this year than last year, which is,

4           you know, a good thing.

5                     We're also looking into a different  
6           license. I'm not sure of the details, but  
7           there's been a lot of back and forth with the  
8           County, I believe, on that. There's a lot of  
9           documentation that they need to get this  
10          additional license. We may never get it because  
11          some of the documentation we may not have,  
12          because it's such a small program. But, you  
13          know, we're working on that as well.

14                    MS. PHILLIPS: I'm sorry, Paul. There's  
15          additional documentation to create a different  
16          program or --

17                    MR. PALLAS: No, same program. It's -- I  
18          think the gist of it, if I understand it  
19          correctly, is for additional student benefits,  
20          more than the program. It's the same program.

21                    TRUSTEE PHILLIPS: Okay.

22                    MR. PALLAS: We do have to have a little  
23          bit higher ratio of student-to --  
24          teacher-to-student, which is the nature of one of  
25          my -- it's not in here yet, but it will be in for

1 Monday, resolution for an additional -- an  
2 increase for one of the employees there.

3 MS. PHILLIPS: Okay. All right. So  
4 they're taking the current program and upping it  
5 another step, as far as educational components?

6 MR. PALLAS: It's really not -- no, it's  
7 really not changing the program, per se.

8 TRUSTEE PHILLIPS: Okay.

9 MR. PALLAS: It's really more just  
10 additional regulations that qualifies other  
11 students to get aid, as I understand it.

12 MS. PHILLIPS: Okay. All right. Now --  
13 okay. So it's going through the opposite --  
14 okay.

15 MR. PALLAS: Correct.

16 MAYOR NYCE: I fully apprised Paul of the  
17 fact that this is a drop-in center. We are not  
18 an after-school program.

19 TRUSTEE PHILLIPS: Program that's --

20 MAYOR NYCE: We're not doing all of that  
21 stuff, because the cost associated with doing  
22 that makes it prohibitive for most of the people  
23 that would take advantage of it. What he had  
24 said is that there's some documentation necessary

25 for parents to get --

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1 MS. PHILLIPS: Additional aid?

2 MAYOR NYCE: Basically rebated money for --

3 TRUSTEE PHILLIPS: Okay, now I understand.

4 MAYOR NYCE: -- the program itself --

5 TRUSTEE PHILLIPS: Okay. Now I understand.

6 MAYOR NYCE: -- that's already run.

7 MS. PHILLIPS: Okay.

8 MR. PALLAS: And for the Utilities, just  
9 two items to highlight.

10 One, the Road Crew and Electric Crew worked  
11 to take out 13 -- take down 13 trees by our own  
12 crews. We didn't have to contract it out, which  
13 is a significant savings, so I just wanted to  
14 point it out.

15 In addition, at the road barn, the Road  
16 Crews themselves did some renovation work,  
17 significant renovation work, in the area of the  
18 building where they store the salt and the sand,  
19 the awning. We constructed the whole roof area,  
20 cleaned out the whole inside, and set up

21 different -- two different stalls, I guess you'd  
22 call them, one for sand and one for salt/sand  
23 mixture. So they did that all inhouse again --

24 MAYOR NYCE: Terrific.

25 MR. PALLAS: -- saving a significant amount

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so. 1 of money, rather than have to contract that out,

2 MAYOR NYCE: That's great.

3 MR. PALLAS: That's all I have.

4 MAYOR NYCE: Great.

5 TRUSTEE ROBINS: Thank you.

6 MAYOR NYCE: Okay. Questions for Paul?

7 TRUSTEE ROBINS: Paul, I just see the note  
8 here under the Treatment Plant, that the  
9 Aqua-Aerobics System has been delivered. Has  
10 that work started, installation, yet?

11 MR. PALLAS: Yes, the -- it hasn't been  
12 completed. The machine itself has been  
13 installed. There's still electrical work to be  
14 done. They're going to be working on that over  
15 the next couple of weeks.

16 TRUSTEE ROBINS: Okay.

17                   MAYOR NYCE: This is for the sludge holding  
18 tank?

19                   MR. PALLAS: Correct.

20                   MAYOR NYCE: Yeah, terrific.

21                   MS. PHILLIPS: And the cooling tower  
22 project, the bid?

23                   MR. PALLAS: We've received bids.

24                   TRUSTEE PHILLIPS: We had one bidder,  
25 right?

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1                   MR. PALLAS: Right, and we're reviewing it  
2 at the moment.

3                   TRUSTEE PHILLIPS: Reviewing it? Okay.

4                   MR. PALLAS: Yeah.

5                   MAYOR NYCE: All right. Thank you. The  
6 next report will be from the Village Treasure,  
7 Robert Brandt.

8                   TREASURER BRANDT: Good evening, everyone.

9                   MAYOR NYCE: Good evening, Robert.

10                  TRUSTEE MURRAY: Good evening, Robert.

11                  TRUSTEE PHILLIPS: Good evening, Robert.

12                  TREASURER BRANDT: Tall Ships Festival 2015

13 is coming next fiscal year, but in this fiscal  
14 year, I have some expenses to attend to.

15 MAYOR NYCE: Yeah.

16 TREASURER BRANDT: The first thing I'd like  
17 to do is set up revenue and expense lines in the  
18 Recreation Fund, since this is a Marina event,  
19 staffed by the Marina. All our credit card  
20 machines tie to the Recreation Fund. This would  
21 make my bookkeeping a lot easier. So I'd like to  
22 establish those lines right away and get that  
23 going.

24 I do have a budget amendment. It's all  
25 attached. Oh, here it is. This is to fund the

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1 Tall Ships port fee.

2 MAYOR NYCE: Right

3 TREASURER BRANDT: We have to get this paid  
4 pretty quickly, so I'd like to get this approved  
5 through.

6 The other thing, the third thing is a  
7 resolution authorizing me to do an interfund  
8 loan. If we take the money out of the Recreation

9 Fund to pay the port fee in this fiscal year, I  
10 don't have an offset revenue. So I'm going to  
11 have a big issue at the end of the year --

12 MAYOR NYCE: Right.

13 TREASURER BRANDT: -- covering 50,000. I  
14 would rather have an interfund loan on the books,  
15 which could be cleared up once the revenue starts  
16 coming in.

17 MAYOR NYCE: Do me a favor.

18 TREASURER BRANDT: Yeah.

19 MAYOR NYCE: You've talked to our auditors  
20 about this, or you haven't?

21 TREASURER BRANDT: I have not.

22 MAYOR NYCE: Please do.

23 TREASURER BRANDT: Okay.

24 MAYOR NYCE: So that they're aware of it  
25 when they come in. We had to -- we've had some

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1 issues in the past where we've done stuff that's  
2 all proper, but they're not aware of it, so they  
3 don't understand it, and they put it in places  
4 different than we had anticipated. You know what

5 I'm saying, that they categorize it differently?

6 TREASURER BRANDT: Clearly. Clearly, I've  
7 been coming across that.

8 MAYOR NYCE: So, as we do this, let them  
9 know what we're doing.

10 TREASURER BRANDT: Absolutely. Absolutely.

11 MAYOR NYCE: And so that they know what to  
12 look for and why they're looking at it.

13 TREASURER BRANDT: I would also ask the  
14 Board to vote on this tonight, these three  
15 resolutions. I'm running out of time to pay the  
16 port fee, and I think the week would make a  
17 dramatic difference, if I could get the payment  
18 out.

19 MAYOR NYCE: When was the payment -- when's  
20 the payment due?

21 TREASURER BRANDT: We signed the contract  
22 at the end of August. We need to get this out.

23 MR. PROKOP: Wasn't it due in stages?

24 TREASURER BRANDT: Yes, 25 is due, and then  
25 12,500 is due in January, and the other 12,500, I

1 don't remember the date on that.

2 MR. PROKOP: Oh, so this is just part of  
3 it? I'm sorry, I apologize.

4 TREASURER BRANDT: This 50 is for all of  
5 it, because it's got to be paid in this fiscal  
6 year, but I need to pay 25.

7 MR. PROKOP: Okay, right.

8 TRUSTEE ROBINS: Right.

9 MAYOR NYCE: Does anyone have an issue with  
10 doing these resolutions tonight?

11 TRUSTEE ROBINS: No.

12 MS. PHILLIPS: No.

13 MAYOR NYCE: All right. Then I'll offer a  
14 resolution authorizing Treasure Brandt to create  
15 a General Ledger Revenue and Expense Account in  
16 the Recreation Fund for the Tall Ships 2015  
17 event. So moved.

18 TRUSTEE ROBINS: Second.

19 MAYOR NYCE: All those in favor?

20 TRUSTEE HUBBARD: Aye.

21 TRUSTEE MURRAY: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 TRUSTEE ROBINS: Aye.

24 MAYOR NYCE: Aye.

25 Any opposed or abstentions?

1 (No response.)

2 MAYOR NYCE: That motion carries.

3 I'll offer a resolution authorizing  
4 Treasurer Brandt to perform the attached Budget  
5 Amendment #1182 to fund the Tall Ships 2015 port  
6 fee, and directing that Budget Amendment #1182 be  
7 included as part of the formal meeting minutes  
8 for the October 27, 2014 regular meeting of the  
9 Board of Trustees. So moved.

10 MS. PHILLIPS: Second.

11 MAYOR NYCE: All those in favor?

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE MURRAY: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 TRUSTEE ROBINS: Aye.

16 MAYOR NYCE: Aye.

17 Any opposed or abstentions?

18 (No response.)

19 MAYOR NYCE: That motion carries.

20 And, finally, I'll offer a resolution  
21 authorizing Treasurer Brandt to create a

22 temporary interfund loan from the General Fund to  
23 the Recreation Fund in the amount of \$50,000 for  
24 the purpose of funding the payment for the Tall  
25 Ships 2015 port fee. So moved.

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1 TRUSTEE MURRAY: Second.

2 MAYOR NYCE: All those in favor?

3 TRUSTEE HUBBARD: Aye.

4 TRUSTEE MURRAY: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 TRUSTEE ROBINS: Aye.

7 MAYOR NYCE: Aye.

8 Any opposed or abstentions?

9 (No response.)

10 MAYOR NYCE: That motion carries. And I'll  
11 ask the Clerk to put those on for ratification  
12 for next Monday's meeting.

13 TREASURER BRANDT: Thank you, Board,  
14 appreciate it.

15 MAYOR NYCE: Absolutely.

16 TREASURER BRANDT: Okay. Significant  
17 payments. The TCC payment did go out --



14 the drafts to look over.

15 MAYOR NYCE: Importantly for us internally,  
16 so that we can start the budgeting by December.  
17 And we'll schedule Mr. Freitag to come and  
18 present it sometime over the course of the  
19 winter. There's no rush on that, but you want to  
20 have it inhouse so we can start the budgeting  
21 cycle.

22 The other thing we should -- when you're  
23 talking to Mr. Freitag, is we need to schedule  
24 the mid-year electrical --

25 TREASURER BRANDT: I was talking to them.

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1 We have a tentative January --

2 MAYOR NYCE: Then forget what I said.

3 TREASURER BRANDT: Okay. All right.

4 MS. PHILLIPS: Robert, you said you're  
5 going to have it in January?

6 TREASURER BRANDT: Yeah, January, the day  
7 after the holiday. January 21st, I think it is.

8 TRUSTEE PHILLIPS: Okay.

9 TREASURER BRANDT: I don't have it in front

10 of me.

11 TRUSTEE PHILLIPS: That's okay.

12 TREASURER BRANDT: But I don't have  
13 confirmation on that yet anyway, we were just  
14 going back and forth.

15 MAYOR NYCE: We'll tie in that, like we did  
16 last year, tie in that.

17 TREASURER BRANDT: That's what they were  
18 hoping to do, yeah.

19 MAYOR NYCE: And he can do his presentation  
20 at the same time.

21 TRUSTEE ROBINS: Is that done by Sachs  
22 (phonetic) as well?

23 TREASURER BRANDT: Yes. It's the six-month  
24 true-up on the -- for the NYPA report.

25 TRUSTEE ROBINS: NYPA.

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1 MAYOR NYCE: Anything else for Treasurer  
2 Brandt?

3 (No response.)

4 MAYOR NYCE: Thank you, sir.

5 TREASURER BRANDT: All right. Thank you.

6                   MAYOR NYCE: Our next report will be from  
7 Village Clerk, Sylvia Pirillo.

8                   CLERK PIRILLO: Sorry it took me so long to  
9 get here.

10                  MAYOR NYCE: Well, if you knew there was  
11 going to be traffic, you should have left  
12 earlier.

13                  CLERK PIRILLO: Good evening, Mayor and  
14 Board.

15                  TRUSTEE HUBBARD: Good evening.

16                  CLERK PIRILLO: Reverting back to the trees  
17 that we spoke about earlier, the RFP for those  
18 will be in the paper this coming week.

19                  MAYOR NYCE: Okay.

20                  CLERK PIRILLO: And as Mr. Pallas  
21 mentioned, with substantially less trees than  
22 initially expected.

23                  MAYOR NYCE: Excellent.

24                  CLERK PIRILLO: I know that Trustee Murray  
25 will be speaking more about this later during his

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1                  report, but I wanted to just remind everyone that

2 this coming Saturday, at 1:00, we have the  
3 dedication.

4 MAYOR NYCE: Yes.

5 CLERK PIRILLO: On Third Street.

6 MAYOR NYCE: Yes.

7 CLERK PIRILLO: The basketball court.

8 Going to the Fire Department regarding the  
9 LOSAP Program, under my resolutions, I'm asking  
10 that we continue our agreement with Penflex.

11 I wanted the Board to note that there are  
12 three items that have potential for increase.  
13 That involves sending out letters, administrative  
14 fees, and just regular, if you will, fees. The  
15 only increase that we have from last year from  
16 2013 is \$100 total. So I just wanted to make the  
17 Board aware of that; that's an important fact.

18 MAYOR NYCE: Okay.

19 CLERK PIRILLO: Okay? I'm asking the  
20 Board, please, if you would not mind, to vote on  
21 the resolution for the Public Assembly Permit,  
22 because that event is this coming Saturday.

23 MS. PHILLIPS: Oh.

24 MAYOR NYCE: Oh, the Halloween ride, the  
25 parade.

1 CLERK PIRILLO: Yes, please.

2 MAYOR NYCE: Yeah, yeah.

3 MS. PHILLIPS: You want me to?

4 MAYOR NYCE: Yeah, go ahead.

5 TRUSTEE PHILLIPS: Okay. Resolution  
6 approving the Public Assembly Permit application  
7 as submitted by Joe Cortale on behalf of the  
8 Floyd Memorial Library, to close Route 25 from  
9 the Carousel to the Greenport School, and for the  
10 gratis use of the Carousel for 60 children on  
11 October 25th, 2014 from noon to 12:45 p.m. for  
12 the annual Halloween Ride/Parade. So moved.

13 TRUSTEE HUBBARD: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE ROBINS: Aye.

19 MAYOR NYCE: Aye.

20 Any opposed or abstentions?

21 (No response.)

22 MAYOR NYCE: That motion carries, and we'll

23 put that on for ratification as well.

24 CLERK PIRILLO: Thank you, I appreciate  
25 that.

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1 On my last item, Mr. Mayor, I think you're  
2 addressing the RFP for marketing services --

3 MAYOR NYCE: Yes.

4 CLERK PIRILLO: -- of the Tall Ships.

5 MAYOR NYCE: Uh-huh.

6 CLERK PIRILLO: Okay. It's my  
7 understanding that we would like to readvertise  
8 that in the paper.

9 MAYOR NYCE: Yeah, we would. You discussed  
10 with the Village Administrator and the Village  
11 Attorney --

12 CLERK PIRILLO: Yes, we have.

13 MAYOR NYCE: -- the process? So the Board  
14 understands, that it came in, the numbers came in  
15 a little higher than I would have liked them to  
16 be, so I'd like to try it again and cast the net  
17 a little bit wider. We have the benefit of a  
18 little bit more time, in discussing it with the

19 Steering Committee. The Steering Committee has  
20 not met in a couple of months. The next major  
21 step is to identify the promotion person and the  
22 event person.

23 In speaking with a bunch of different  
24 people, we need to ramp up the advertising for  
25 this by December. It gives us plenty of time for

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1 a July event. But I'd like to have that person  
2 in place by November. So we're going to do a  
3 quick turn-around on a rebid. If we can, call  
4 the Steering Committee meeting for them to go  
5 through those, and they'll make a recommendation  
6 to this Board. So we would likely by the  
7 November meeting be hiring somebody, and they  
8 would be in place by the end of November, to be  
9 able to start doing their work by December. The  
10 event planner would be the next one. We're  
11 already doing that RFP as well.

12 MS. PHILLIPS: Are you changing the RFP at  
13 all, or you'll be sending it out the same as it  
14 was before?

15                   MAYOR NYCE: I think we're sending it out  
16 as it was.

17                   CLERK PIRILLO: We're sending it out as is.

18                   TRUSTEE PHILLIPS: Okay.

19                   MAYOR NYCE: What a lot of times happens,  
20 you advertise it, you get some response. We  
21 didn't do -- I want to do more personal outreach  
22 to people, you know. And there's some local  
23 firms that could potentially do it. There's some  
24 other firms around that didn't respond, and when  
25 I -- one in particular, when I called, it was

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1                   because they didn't -- they missed it, and we'd  
2 like a chance. And, quite honestly, the more  
3 people we have, the more competitive the numbers  
4 are going to be. So that seems to be the next  
5 step. I'll get to that when I give an update on  
6 the rest of it later.

7                   CLERK PIRILLO: So there will be a  
8 resolution on my portion of the agenda rejecting  
9 all bids as received, and directing me to  
10 renotify the bid accordingly. I'd like this

11 Board to know that we'll expedite that as much as  
12 possible and --

13 MAYOR NYCE: Okay. So you'll --

14 CLERK PIRILLO: While giving an appropriate  
15 window to possible respondents.

16 MAYOR NYCE: Absolutely. So then your  
17 resolution at the bottom here is going to --  
18 instead of awarding the RFP, we're just going to  
19 reject the bids and rebid?

20 CLERK PIRILLO: That's correct.

21 MAYOR NYCE: Perfect.

22 CLERK PIRILLO: I would also like to take a  
23 moment, if I could, to thank former Trustee Val  
24 Shelby for her part in our upcoming event this  
25 coming --

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1 MAYOR NYCE: Oh, with the Courts?

2 Terrific.

3 CLERK PIRILLO: This coming Saturday, yes.

4 MAYOR NYCE: Excellent.

5 CLERK PIRILLO: She's been instrumental in  
6 helping us, so we appreciate that.

7 MAYOR NYCE: Absolutely.

8 MS. PHILLIPS: Do you have the RFP that we  
9 talked about, or the resolution? I didn't take  
10 it with me.

11 CLERK PIRILLO: I created a resolution; it  
12 will be on the agenda.

13 MS. PHILLIPS: Oh, it will be.

14 CLERK PIRILLO: Yes.

15 MS. PHILLIPS: So I'll just mention it in  
16 mine.

17 CLERK PIRILLO: Yes. Unless you're -- do  
18 you want to talk about it?

19 TRUSTEE PHILLIPS: Let's just do it now and  
20 then --

21 CLERK PIRILLO: Okay. There will also be a  
22 resolution, but that will be, Trustee Phillips  
23 and I worked on together, an RFP for the  
24 Carousel. There are 14 rounding boards. We --  
25 Trustee Phillips will be requesting a motion

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1 authorizing the Carousel Committee to go out to  
2 RFP for the creation of said artwork for the 14

3 rounding board. Not just the creation of the  
4 artwork, but also for the painting of the  
5 rounding boards.

6 MAYOR NYCE: The execution of the work.

7 CLERK PIRILLO: Correct, using -- using oil  
8 paints, and we have specifics that came from the  
9 committee.

10 MAYOR NYCE: Terrific. So the committee  
11 finally came to a majority view and --

12 MS. PHILLIPS: It was explained to them  
13 either we move forward or it stops.

14 MAYOR NYCE: That's about right.

15 MS. PHILLIPS: That's how that motion went.

16 MAYOR NYCE: The Carousel Committee, they  
17 can go round and round forever.

18 MS. PHILLIPS: They have been going round  
19 and round. And just to -- because I was going to  
20 speak about, but the Friends of Mitchell Park, of  
21 course, have awarded us a grant, which needs to  
22 move forward.

23 MAYOR NYCE: Which, hopefully,  
24 substantially covers the --

25 MS. PHILLIPS: It should, but also needs to

1 move forward. And we're just -- at this point,  
2 the committee finally came to a consensus that  
3 they needed to move the RFP forward. It still  
4 hasn't completely answered all the other  
5 questions that have been going on for the last  
6 year, but that will get done also.

7 MAYOR NYCE: Okay.

8 CLERK PIRILLO: And in view of the fact  
9 that the project itself will be rather time  
10 consuming with 14 rounding boards, we don't --  
11 correct me if I'm wrong, we don't expect that  
12 there will be one artist that will be --

13 MAYOR NYCE: Oh, interesting.

14 CLERK PIRILLO: -- winning the bid. So we  
15 want to -- we want to make that clear in public  
16 as well.

17 MS. PHILLIPS: Yeah. We're looking for --  
18 the RFP is including a reach-out to artists that  
19 this project is going on.

20 MAYOR NYCE: Okay. That's interesting.

21 CLERK PIRILLO: The publication of that RFP  
22 will, of course, be expedited as well. I know  
23 it's time sensitive for the committee.

24                   MAYOR NYCE: Absolutely. Anything else for  
25                   Sylvia?

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1                   (No response.)

2                   MAYOR NYCE: As a comment, I like the way  
3                   the package was put together. Please pass that  
4                   on to Debbie and whoever else. I know that  
5                   you -- it's been a work in progress, but I very  
6                   much like the package that we get now. It's all  
7                   tied together.

8                   CLERK PIRILLO: It was a 50-50. I'll let  
9                   the ladies know. Thank you. Thank you, I  
10                  appreciate that.

11                  MAYOR NYCE: Absolutely. Thank you very  
12                  much.

13                  CLERK PIRILLO: You're welcome.

14                  TRUSTEE HUBBARD: Thanks, Sylvia.

15                  TRUSTEE MURRAY: Thanks.

16                  MAYOR NYCE: The next report will be from  
17                  the Village Attorney, Joe Prokop.

18                  MR. PROKOP: Hi. Good evening. So I have  
19                  a couple of things I'd like to mention, and then

20 I'll answer questions, if there are any.

21 First, the first is that there's a number  
22 of maintenance and enforcement issues that I've  
23 been working on with the Building Department, the  
24 new Code Enforcement Officer. One of them was  
25 concluded successfully, and we're working on the

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1 others. They're moving along satisfactorily.

2 There is one enforcement issue that has  
3 come up, which is a potential health and safety  
4 issue. A notice -- a number of notices have gone  
5 out. One final notice went out, and I don't know  
6 that it's been resolved satisfactorily yet, but I  
7 would like to have the option of putting that on  
8 the agenda, if Trustee action is necessary,  
9 please.

10 MAYOR NYCE: Uh-huh.

11 MR. PROKOP: I worked on the --

12 MAYOR NYCE: Sylvia, leave a place-holder  
13 for Joe.

14 CLERK PIRILLO: Yes.

15 MR. PROKOP: I worked on the Fire

16 Department pumper bid, as you heard before. If  
17 there's any questions, please let me know.

18 We have -- I have spoken to the Attorney  
19 for Suffolk County that's handling the  
20 transaction with the MTA. I believe that you may  
21 have more current information than I do, but the  
22 last information that I got was that Suffolk  
23 County voted to end their position in the lease,  
24 but they're still working on the paperwork with  
25 the MTA,

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1 MAYOR NYCE: Okay. Sounds about right.

2 MR. PROKOP: And just by the time they --

3 MAYOR NYCE: Two monstrous organizations.

4 MR. PROKOP: Right.

5 TRUSTEE ROBINS: Was it a 99-year lease?

6 MR. PROKOP: It was a long lease.

7 MAYOR NYCE: Long lease.

8 TRUSTEE ROBINS: It was a long lease.

9 MR. PROKOP: Yeah, but, I mean, she's --  
10 the person that's handling it is, you know, a  
11 good attorney. I've worked with her on a number

12 of projects and she's on top of it. It's just  
13 going back and forth between the two agencies and  
14 taking some time.

15 We had a -- I reported this to the  
16 Trustees. You've gotten word of this, but I  
17 wanted to mention that we've changed the process  
18 in the Southold Town Court. The Judges have  
19 given us the ability to basically move ahead and  
20 have a fine on defaults, so there's a way now  
21 that we can handle defaults. If somebody gets a  
22 parking ticket or other type of Village ticket,  
23 it will now -- you know, based on a  
24 nonappearance, the Courts will eventually issue a  
25 determination for the Village. And --

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1 MAYOR NYCE: I know you've been working for  
2 a long time to get them to do that. We should,  
3 if it's appropriate, maybe pen a joint letter of  
4 thanks to them --

5 MR. PROKOP: Okay, that's a good idea.

6 MAYOR NYCE: -- for considering that.

7 MR. PROKOP: Thank you. The other thing we

8 did, I did two of the laws for the Code  
9 Committee. One was involving the Chapter 48, and  
10 the other was involving some of the fees for the  
11 Village.

12 MAYOR NYCE: Yes.

13 MR. PROKOP: They seem to have been moving  
14 along satisfactorily.

15 MAYOR NYCE: Yes.

16 MR. PROKOP: And does anybody have any  
17 questions about my report, or anything else?

18 TRUSTEE HUBBARD: No.

19 MR. PROKOP: Okay. Thank you.

20 MAYOR NYCE: Thank you. The next are  
21 reports from committees. Joe just mentioned Code  
22 Committee. In fact, the Code Committee did vote  
23 to pass on two items to this Board, recommended  
24 two items be taken up. One is the amendments to  
25 Chapter 48 of our code, this being regarding

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1 boats and boating. The Code Committee went  
2 through, basically just tightened up some  
3 language, and that will be -- I'll ask if this

4 Board is -- if we will have an agenda item to set  
5 a public hearing for that, at which time I would  
6 ask the Clerk make the paperwork available to the  
7 public.

8 The other one is it had come to our  
9 attention that there's an additional amount of  
10 time and effort needed by the Building Department  
11 to review fire suppression systems. The design  
12 of them, as they're going in initially, is not to  
13 do with the upkeep or maintenance of them, but  
14 the initial analysis of the systems. So the  
15 Building Department asked could we levy a fee for  
16 that, either to be able to hire somebody outside  
17 to do the work, or if we do it inhouse, it would  
18 cover any additional overtime, or whatever. And  
19 the Code Committee looked at that, and they're  
20 proposing, I believe it's a \$100 fee. So that's  
21 the other item that will be an agenda item to set  
22 a hearing to amend that portion of the code as  
23 well.

24 I'll turn it over to Trustee Robins and the  
25 Audit Committee. She had asked to read that

1 report.

2 TRUSTEE ROBINS: Okay. The Audit Committee  
3 met this afternoon and we discussed cash  
4 receipts. The committee recommended that cash  
5 receipts received at the Ice Rink be handled the  
6 same way as receipts at the Carousel. Carousel  
7 Committee members have been advised of cash  
8 guidelines and purchasing procedures according to  
9 Treasurer Brandt. There should be a separation  
10 of monies collected for Carousel rides, versus  
11 revenue from other sources, such as ad hoc  
12 committees for the sale of merchandise, for  
13 example, T-shirts.

14 The Village is working to take over full  
15 responsibility for cash box collections at Dances  
16 in the Park. It's been decided to use a lockbox  
17 for collections that will be kept in the Marina  
18 vault overnight for delivery to Village Hall in  
19 the morning.

20 We already mentioned that the audit is  
21 pending. I guess we're going to be getting  
22 results of that next week.

23 So I think those were the major things that  
24 we discussed.

25

We did speak a little bit more about Dances

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1 in the Park, and the fact that that has really  
2 grown to become quite a Village-wide event. It's  
3 now somewhere in the neighborhood of 12 to  
4 \$14,000 spent on that. The major donors for that  
5 are the IGA and the BID.

6 MAYOR NYCE: Yeah, the major donor is us,  
7 Greenport, Southold IGA. They provide a  
8 substantial amount of that money.

9 And I've had several discussions with  
10 Mr. Pallas. It has grown into a real event on  
11 Monday nights, and I think it's -- it's in our  
12 best interest at this point to treat it as such.  
13 It sort of grew out of, you know, a smaller  
14 thing, and it's grown to the point where there  
15 are 700 people there on a Monday night. It's not  
16 an insubstantial crowd. It's a great event, but  
17 I think we need to -- we need to staff it as if  
18 it is a real event. We need to have some of our  
19 Marina staff there to pick up trash as it  
20 happens, to collect cash that people donate

21 money. It's a free event and people donate  
22 money. We should be the ones -- and they need to  
23 be identified with Marina shirts and tags.

24 TRUSTEE ROBINS: Yeah.

25 MAYOR NYCE: Identification tags. The

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1 Marina office should stay open.

2 These were just suggestions, and, you know,  
3 Paul is going to work with Jeff to make sure that  
4 this happens, you know, that the bathrooms are  
5 open through the event, that the Marina office is  
6 open through the event, and we treat it like it's  
7 a big deal, because, at this point, it really is  
8 a big deal. So --

9 TRUSTEE MURRAY: How much did the BID give  
10 again?

11 TRUSTEE ROBINS: About \$3,000. I don't  
12 know what they're --

13 TRUSTEE MURRAY: Did they?

14 TRUSTEE ROBINS: I didn't see their check  
15 this year, but that's been their donation in the  
16 past.



12 potential sponsors. So the key is to go after  
13 major sponsors first, and certainly we want local  
14 businesses and vendors to our local businesses to  
15 offer their support as well.

16 MAYOR NYCE: Absolutely. Terrific. The  
17 next part of our agenda is the discussion on the  
18 public hearings for the Local Laws having to do  
19 with the MS4 Program. First one is the Local Law  
20 creating Chapter 114 of the Village of Greenport  
21 Code, and amending Chapter 150 of the Village of  
22 Greenport Code. Refresh my memory, Joe. That's  
23 the one that has to do with stormwater retention?

24 MR. PROKOP: 114 is the stormwater  
25 retention, right, and it basically develops

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1 what's called the SWPPP process.

2 MAYOR NYCE: Right.

3 MR. PROKOP: And then 114A is the  
4 prohibition of the discharges, illicit  
5 discharges.

6 MAYOR NYCE: Okay. So on the first one, as  
7 you all recall, we held a public hearing several

8 months ago. Valid points were made by members of  
9 the community. We had the Village Administrator  
10 and the Village Attorney clarify through the  
11 Department of State and the DEC that, in fact,  
12 most, 90% of this does not affect Village  
13 residents, if you have property that's over two  
14 acres?

15 MR. PROKOP: One acre.

16 MAYOR NYCE: One. I'm sorry. Property  
17 over one acre, and you're doing substantial  
18 restoration or renovation to the property, then  
19 you would need to comply with the SWPPP, which  
20 contains runoff on your property during the  
21 course of construction.

22 MR. PROKOP: A SWPPP is basically a plan as  
23 to how you're going to deal with runoff, and  
24 that's basically what it is.

25 MAYOR NYCE: Right.

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1 MR. PROKOP: So one acre or more. You fall  
2 under one acre, less than one acre, you do not.

3 MAYOR NYCE: Right. So I think in the last

4 public hearing, we clarified that for the public.  
5 This really doesn't -- it does not have a huge  
6 effect on Village residents. We are required by  
7 the State to adopt a Local Law of this sort.

8 So I don't know if anyone has any comment,  
9 or we just put it on the agenda and vote it up or  
10 down.

11 MS. PHILLIPS: I think we pretty much  
12 discussed it at the public hearing.

13 TRUSTEE ROBINS: A straight up and down  
14 vote, I think it's ready.

15 MAYOR NYCE: Terrific.

16 TRUSTEE PHILLIPS: Yeah.

17 MAYOR NYCE: The same with the Chapter  
18 114A, then, just lists --

19 MS. PHILLIPS: There's not really much we  
20 can do about it. I mean, we share a body of  
21 water with the Town of Southold and they have to  
22 have it, so that's the other part of the  
23 requirement.

24 MAYOR NYCE: And to reiterate, that we are,  
25 along with the Town of Southold, still pursuing

1 an argument with the DEC and the state that  
2 Stirling Basin was miscategorized. Therefore,  
3 including us in the MS4, the mandatory MS4  
4 Program, and I said this at the first and second  
5 public hearing -- no, I wasn't here for the  
6 second public hearing, at the first public  
7 hearing.

8 The Village of Greenport is always going to  
9 do its best job of containing stormwater. We  
10 don't want it to go into the bay. We make our  
11 living off of the bay. But that being said, the  
12 MS4 Program I still contend is an unfunded  
13 mandate, it's expensive. So, if we don't have to  
14 comply with the State under the mandatory  
15 compliance, we'll still do, you know, our best  
16 job to contain stormwater. But we will continue  
17 that fight with Southold Town as our ally with  
18 the State to get them to recategorize Stirling  
19 Basin, and then take us out of the MS4 Program,  
20 the mandatory portion of it.

21 That will conclude that. So we go into  
22 reports from Board of Trustees. I'll ask Trustee  
23 Hubbard to kick it off.

24 TRUSTEE HUBBARD: Okay. Tree Committee,

25 Paul already mentioned. You know, there's

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1 another thank you to the Village Electric  
2 Department pruning the tops, the Road Crew taking  
3 down the bottom parts and cutting them down. You  
4 know, it's a lot of good cooperation going on  
5 with them. In the past, things didn't always  
6 work as easy as they are working now, and it's  
7 working out well, and it's a good job. So I just  
8 want to thank them again.

9 MAYOR NYCE: That's terrific.

10 TRUSTEE HUBBARD: Greenhill Cemetery, we  
11 had our meeting. We hadn't met in several  
12 months. We're going through a transition with  
13 Dave Abatelli not being here anymore, and trying  
14 to find all his files, and paperwork, and maps.  
15 And he had his own way of filing things and --

16 MS. PHILLIPS: Keep putting him under the  
17 bus like I did, keep going.

18 TRUSTEE HUBBARD: Well, no, it's just --

19 TRUSTEE PHILLIPS: It's okay. No, I mean  
20 I'm joking.

21 TRUSTEE HUBBARD: I know.

22 TRUSTEE PHILLIPS: Trying to find things is  
23 a little difficult.

24 TRUSTEE HUBBARD: No. Everything should be  
25 under "G" for Greenhill Cemetery, there's nothing

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1 under "G". So we have the staff working on  
2 trying to locate stuff and all.

3 TRUSTEE PHILLIPS: Terry?

4 TRUSTEE HUBBARD: Well, no. She's pretty  
5 much looked everywhere that they thought they  
6 could be. And, I mean, it's a big box of stuff,  
7 but they're trying to search that out. It was in  
8 the works. There were some damaged stones up  
9 there. They had gotten one price from Hollis  
10 Warner from Riverhead. The Clerk's Office put  
11 together a second list, redid his list, taking  
12 out prices, and everything else, forwarded that  
13 to Staples Monuments. They're going to be  
14 getting a second price, and then trying to get  
15 the repairs before it goes through a whole  
16 winter. There's other stuff on the ground, with

17 deer running through, walking, whatever. Some of  
18 these old stones, if we can get them repaired.  
19 We're trying to work on that, you know --

20 MAYOR NYCE: Terrific.

21 TRUSTEE HUBBARD: -- more sooner than  
22 later.

23 We had an Emergency Management meeting that  
24 the Mayor, myself, and Paul attended with  
25 Southold Town and Peconic Landing, trying to set

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1 together a disaster drill, and just talking out  
2 different stuff that could happen, different  
3 scenarios. So we'll be having a follow-up  
4 meeting on that.

5 MAYOR NYCE: Yes.

6 TRUSTEE HUBBARD: Had a meeting with the  
7 Lawyer from CSEA, and the Union President, and  
8 our Attorney, discussed a lot of things, you  
9 know, tried to make progress on the contract.  
10 That's -- hopefully, I'll have something  
11 forthcoming on that.

12 MAYOR NYCE: Excellent.

13 TRUSTEE HUBBARD: Also, we had the meeting  
14 with Southold Town, the State Engineers, Paul,  
15 Mayor, we all attended that on the paving project  
16 and all. Basically, I mean, what they're doing,  
17 the thin cost overlay is a very skim coat of  
18 blacktop. It will not solve our problem of what  
19 we have up on Main Street. Paul was working on  
20 trying to get together some prices from Corrazini  
21 to do the three-block section just in the Village  
22 from Bridge Street down to Manor, and try to work  
23 together on some kind of prices, do something  
24 before the winter. We haven't gotten an answer  
25 on that yet, but as soon as we do, we'll be

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1 talking about that.

2 We also had discussions with Jamie Richter,  
3 the Town Engineer, and Scott Russell was at the  
4 meeting, of them possibly doing their section,  
5 once we get a price. But that's going to be  
6 Bridge Street up to Knapp, which is not included.  
7 That's going to be the Town's decision, but we're  
8 trying to work on our section, at least those

9 couple of blocks that are really bad, to get  
10 something done on that.

11 MAYOR NYCE: Yeah, something in the  
12 meantime. And out of that, we also -- we had  
13 asked Paul to get a price on doing a full-blown  
14 repair on Moore's Lane, and just to spend a  
15 majority of our money there.

16 The other part of that meeting -- it was  
17 another very productive meeting with State DOT  
18 and the Town. It's another place with the Town  
19 and Village working together. We also agreed to  
20 do a joint grant application for -- is it  
21 NIMTech, was that the --

22 MR. PALLAS: NIMTech, yeah.

23 MAYOR NYCE: NIMTech --

24 TRUSTEE PHILLIPS: Yeah.

25 MAYOR NYCE: -- for the work. The State

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1 had offered that it might do the work at its bid  
2 price, which could be substantially lower than  
3 others. But we would do a joint application with  
4 the Town of Southold, and State DOT, and the

5 Village of Greenport. And then Paul and Joe are  
6 looking into the possibility of the Village  
7 dedicating that road to the State, so that they  
8 would then be responsible for the maintenance of  
9 it ongoing, and eliminate the issues that come  
10 up, and Southold Town is doing the same thing.  
11 The idea is to determine whether or not the State  
12 would take dedication of it or not, and if they  
13 would take it as is, or whether we'd have to  
14 repair it first. But either way, in a long-term  
15 sense, it seems to make a lot of sense for us to  
16 not have to maintain that road. If, in fact, it  
17 is a State -- it's thoroughfare from State 25 to  
18 State 25, the State should maintain it. So we're  
19 slowly looking into that as well. But, as George  
20 said, it was a very productive meeting.

21 TRUSTEE HUBBARD: The State Engineers  
22 outnumbered us, they had four of them. Each one  
23 had a different category, and each one talked a  
24 different thing and all. I mean, we went  
25 through -- we tried to play the whole scenario,

1 where they're doing it, what they're doing. And  
2 they say it's a disconnected road and it's been  
3 that way, there's others in the State. I there's  
4 there's 25 here, and they start again over there.  
5 And we tried to sell our point very hard, and  
6 they say, well, in the State, there's hundreds of  
7 these same kind of situations and they can't  
8 justify using State money to fix technically a  
9 Village Road.

10 MAYOR NYCE: And we asked if there were any  
11 others in Suffolk County, and they couldn't think  
12 of any off the top of their heads, but there are  
13 plenty in the rest of the state, that was their  
14 argument.

15 TRUSTEE HUBBARD: Right.

16 MAYOR NYCE: But, again, they weren't -- it  
17 wasn't a one-sided discussion. They actually did  
18 throw some ideas back as to how we might move  
19 forward.

20 The other part of it that I forgot, the  
21 other part is working on formalizing the  
22 Intermunicipal Agreement between us, Southold  
23 Town, and Department of State. We plow Front  
24 Street for them, because their plows are too big  
25 to get down the road anyhow. And, you know,

1           there have been these handshake deals. They're  
2           very interested in making sure that they're not  
3           just handshake deals, that we all understand what  
4           the exchange is. I think that also could be a  
5           positive --

6                     TRUSTEE HUBBARD: Yeah.

7                     MAYOR NYCE: -- outcome for us as well,  
8           snow removal from the Business District. They  
9           may -- in an Intermunicipal Agreement, they would  
10          do that ordinarily, so our guys' time may be  
11          reimbursable through the Intermunicipal  
12          Agreement.

13                    TRUSTEE HUBBARD: Going down Front Street.

14                    MAYOR NYCE: Well, there's --

15                    MS. PHILLIPS: Not Main Street.

16                    MAYOR NYCE: Not Main -- well, unless they  
17          take dedication of the road.

18                    TRUSTEE HUBBARD: As of right now, they're  
19          saying --

20                    TRUSTEE HUBBARD: It takes hours to do that  
21          road.

22 TRUSTEE HUBBARD: -- what we're paying for  
23 doing that on Front Street, we could take that  
24 off.

25 MS. PHILLIPS: Our guys' shoulders and let --

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1 TRUSTEE HUBBARD: Say it's \$2,000 a storm,  
2 or whatever, and do that back for something else  
3 from them.

4 MAYOR NYCE: Right. They're very  
5 interested in making -- they want to make sure,  
6 though, that it's all aboveboard and it works for  
7 both sides, which makes sense. I mean, these  
8 handshake deals have worked for an awful long  
9 time. In the current atmosphere of government,  
10 handshake deals don't work so well anymore, so --  
11 but they're interested in formalizing it, which  
12 is nice. So Paul was working with Pete to find  
13 out exactly what these handshake deals are. And  
14 so there's three sort of ways that we're moving  
15 forward with that whole project.

16 Sorry, I didn't mean to jump in.

17 TRUSTEE HUBBARD: No, that's fine. I'm

18 trying to remember everything that was said and  
19 all, so it's always easier if, you know,  
20 everything is --

21 MAYOR NYCE: Absolutely.

22 TRUSTEE HUBBARD: That was pretty much it.  
23 Busy month, lots of meetings, and everything  
24 seemed to be falling on the same day.

25 MAYOR NYCE: Absolutely.

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1 TRUSTEE HUBBARD: Ten, two and four on the  
2 same day. It's just hard to get any regular  
3 things done.

4 MAYOR NYCE: Right. Thanks, George.

5 TRUSTEE HUBBARD: That was it.

6 MAYOR NYCE: Trustee Robins.

7 TRUSTEE ROBINS: I gave my committee  
8 reports. I do want to just bring up one thing,  
9 and I have seen that we're beginning the season  
10 where, again, we're starting to get requests for  
11 events, public events, Public Assembly Permits.  
12 And we had a request for a marathon now, a  
13 half-marathon in the Village. And I think that

14 it's something, number one, that the Board needs  
15 to revisit and get back to our Public Assembly  
16 issue.

17 MAYOR NYCE: That was one of the items I  
18 wanted to bring up as we're wrapping up.

19 TRUSTEE ROBINS: Okay. You know, because  
20 that is going to come up again and we need to  
21 come up with a resolution on that.

22 MAYOR NYCE: We do.

23 TRUSTEE ROBINS: The second thing is  
24 request for special events, which are not  
25 necessarily centered in the park. But the fact

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1 that we have become such a popular destination  
2 for so many different organizations now, that  
3 this is something that's going to continue to  
4 come up. And I really think that we need to  
5 have, if not -- probably a policy of how we  
6 decide, because I really believe that it's  
7 possible that just about every weekend for six  
8 months we could have somebody coming in that's  
9 going to request to do something in the Village

10 of Greenport.

11 It's great to be popular, it's wonderful,  
12 it's good for the businesses, and what's good for  
13 the businesses, I truly believe, is good for all  
14 of our citizens, but we do need to be able to  
15 have some rules and guidelines on that.

16 I know last week I was walking down Front  
17 Street and noticed a charter bus that was parked  
18 in front of a restaurant taking up two or three  
19 parking spaces. I had actually had some  
20 discussions with Long Island Convention and  
21 Visitors Bureau about the parking of such buses,  
22 and we had determined that a policy would be to  
23 suggest buses drop off their passengers in the  
24 Village, and then go park over on Moores Lane  
25 near the Polo Grounds. I call it the service

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1 road.

2 MAYOR NYCE: I think we have -- our Village  
3 Code prohibits buses parking on Village streets,  
4 with the exception of school buses.

5 TRUSTEE ROBINS: Do we have code on that?

6 We talked about that, Paul.

7 MS. PHILLIPS: They can't stay running.

8 MAYOR NYCE: Oh, we did a no-idling.

9 TRUSTEE PHILLIPS: No idling.

10 TRUSTEE ROBINS: Yeah.

11 TRUSTEE PHILLIPS: I believe that's what it  
12 was. But there is --

13 MAYOR NYCE: We should -- that's something  
14 we should review. I know we had a public hearing  
15 way on back.

16 TRUSTEE HUBBARD: Yeah.

17 MAYOR NYCE: And it was going to -- it was  
18 going to prohibit buses parking on Village  
19 streets, with the exception of school buses.

20 MS. PHILLIPS: Because I know there's some  
21 type of State Law that on the roads for night  
22 deliveries, that they -- like tractor trailers  
23 making a night delivery can't block up the road,  
24 because they've approached other property owners  
25 to put the tractor trailers, so they could unload

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1 the gear, so they can run it back and forth.

2                   MAYOR NYCE: Right.

3                   TRUSTEE PHILLIPS: But there was something  
4 with the buses, we have the no-idling, but I'm  
5 not sure about no parking, I can't remember.

6                   TRUSTEE ROBINS: First of all, it was  
7 parked, it was not idling. It was about two to  
8 three hours.

9                   MAYOR NYCE: Understood. Can you  
10 double-check it? I want to make sure we don't  
11 have something. I thought we did, because I know  
12 we addressed it years ago. But if we don't, yes,  
13 that makes a lot of sense, because there are more  
14 and more charter bus, and we see them in random  
15 places. And Front and Main Streets, they're not  
16 going to park as much, although in this case they  
17 did. But even on Village side streets, they're  
18 probably not necessarily appropriate places for  
19 them to park. We can have them park up on the --  
20 what used to be the --

21                   TRUSTEE HUBBARD: Firemen's track.

22                   MAYOR NYCE: Firemen's track up on Moores  
23 Lane.

24                   TRUSTEE HUBBARD: Yeah, because there was  
25 two that were parked on Third Street in front of

1 Legion Hall, enough blocking the turning lane,  
2 and through there, they unloaded their passengers  
3 and they sat there for several hours. I believe  
4 that started with the Library was having tours  
5 out of there, and the buses were coming and  
6 waiting three or four hours.

7 MS. PHILLIPS: That's where it was. Yeah,  
8 that's where it was, because we had a discussion  
9 a couple of years ago.

10 TRUSTEE HUBBARD: We had the public hearing  
11 and the meeting on that, and I thought we did say  
12 no parking in the Village, but I have to check  
13 that. But the complaints up there when they were  
14 coming and get the kids.

15 TRUSTEE PHILLIPS: Right.

16 TRUSTEE HUBBARD: They showed up two hours  
17 early to get the kids to get everybody on there  
18 was the issue.

19 MAYOR NYCE: Okay.

20 TRUSTEE ROBINS: Would that also then  
21 include the side streets, like --

22 MAYOR NYCE: Yes.

23 TRUSTEE ROBINS: It would?

24 MS. PHILLIPS: It was at the Library, if I  
25 remember correctly. They kept pulling up there

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1 to take the children, or if there were programs,  
2 and there were complaints from the neighbors that  
3 the buses were there two hours, idling the whole  
4 time.

5 MAYOR NYCE: Right. Terrific.

6 TRUSTEE ROBINS: Yeah. I went with Clerk  
7 Pirillo and a couple of members of her office, as  
8 well as, I think, two members of the Zoning Board  
9 to a Suffolk County Village Officials Association  
10 training up in Huntington a couple of weeks ago.  
11 Those are excellent programs. And we went and  
12 listened to a presentation by several people from  
13 PSE&G on emergency management for storms, and  
14 also an excellent presentation by Joe Prokop  
15 about SEQRA.

16 MR. PROKOP: Thank you.

17 TRUSTEE ROBINS: Environmental review  
18 process that basically all of our projects need

19 to go through. And it was a very informative and  
20 educational evening, well spent. Thank you.

21 MAYOR NYCE: Terrific. Mr. Murray.

22 TRUSTEE MURRAY: Well, as Sylvia started  
23 mentioning, the festival this weekend at the  
24 Third Street Park, the naming of the Third Street  
25 Memorial Park, Sylvia and Derryl both have done a

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1 lot of work on this. So she thanked Val Shelby,  
2 which is going to be very instrumental this  
3 weekend on it, but she and Derryl also did quite  
4 a bit of work on it, so I wanted to thank them.

5 CLERK PIRILLO: Thank you

6 TRUSTEE MURRAY: Also, Peconic Landing will  
7 be donating all the food for this. We're going  
8 to be cooking up hamburgers and hotdogs. And the  
9 weather looks beautiful this weekend, so I  
10 anticipate after the 60 kids do the Carousel  
11 ride, they'll come over and --

12 TRUSTEE ROBINS: Shoot some hoops.

13 TRUSTEE MURRAY: Shoot some hoops. So it  
14 should be a nice -- it should be a nice event. I

15 think the weather being as nice as it's going to  
16 be on Saturday, it could be a pretty big event.

17 MAYOR NYCE: Cool.

18 TRUSTEE MURRAY: Because, you know, you  
19 never know.

20 MAYOR NYCE: It's true.

21 TRUSTEE MURRAY: So we have about -- I  
22 think we're going to, you know, cook up a good  
23 bit, so it should be a good time.

24 MAYOR NYCE: Excellent

25 TRUSTEE MURRAY: So, we'll see how it goes.

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1 TRUSTEE HUBBARD: I just have one question  
2 for Trustee Murray. The Sixth Street Park, I had  
3 a couple of phone calls about that. Just an  
4 update, is that now on the plan for the  
5 springtime?

6 TRUSTEE MURRAY: We hope so.

7 TRUSTEE HUBBARD: Okay.

8 MR. PALLAS: We hope to get it out.

9 MAYOR NYCE: As we're putting the budget  
10 together for next year, it's --

11 TRUSTEE HUBBARD: So that's what I said, if  
12 it's not early spring, it would be after the new  
13 budget starts.

14 TRUSTEE MURRAY: Yeah.

15 TRUSTEE HUBBARD: I just want to get some  
16 kind of update, so I could tell this person that  
17 we brought it up, we talked about.

18 TRUSTEE MURRAY: I emailed her and told her  
19 to give me a call if she'd like to discuss it.

20 TRUSTEE HUBBARD: Okay. Well, I told her  
21 that a month ago and she hadn't gotten in touch  
22 with you, or whatever.

23 TRUSTEE MURRAY: No, she -- you know, she  
24 hasn't, so hopefully she'll call.

25 TRUSTEE HUBBARD: All right.

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1 TRUSTEE ROBINS: Recalling our discussions  
2 about that in the work session two or three  
3 months ago, that we did mention both of those  
4 parks.

5 TRUSTEE HUBBARD: Yeah.

6 TRUSTEE ROBINS: And that we were going to

7 do one at a time.

8 TRUSTEE MURRAY: Right, we're -- exactly.

9 TRUSTEE ROBINS: Third Street was in pretty  
10 poor shape, so we decided --

11 TRUSTEE MURRAY: It was in very poor shape.  
12 And now Fifth Street basketball court is no  
13 better.

14 TRUSTEE ROBINS: Right.

15 TRUSTEE MURRAY: Don't get me wrong, I'm  
16 not saying that's any better.

17 MAYOR NYCE: It's a different scenario.

18 TRUSTEE MURRAY: But it is a different  
19 scenario.

20 TRUSTEE ROBINS: Yeah.

21 TRUSTEE MURRAY: But they use it for  
22 different things. And Fifth Street, it needs it.  
23 I can't wait until Fifth Street gets done. So,  
24 hopefully, Paul can figure out a way to get it  
25 done. We'll push him in the Spring.

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1 MR. PALLAS: It's really up to Robert, not  
me.

2 TRUSTEE MURRAY: Yeah.

3 MS. PHILLIPS: Well, if that isn't passing  
4 the buck.

5 MAYOR NYCE: Nice. Thank you. Trustee  
6 Phillips.

7 MS. PHILLIPS: Two things. Greenport  
8 Improvement Committee had a meeting where they're  
9 trying to regroup themselves, since Mr. Abatelli  
10 is now a member of the committee and not the  
11 focal point of approving things. So I had a  
12 proposal that the committee themselves put  
13 together that I'd like to pass out to everyone,  
14 take a look at it. It's really dealing with a  
15 lot of budget issues. They had some ideas about  
16 what they would like to see happen with the  
17 Schoolhouse and the Jailhouse. So I'll just give  
18 this to Paul, and then we can go from there on  
19 that one.

20 The other thing is -- I have two things.  
21 Gail Horton, Carousel Committee, would like to  
22 request that she be appointed to the Carousel  
23 Committee. And early this evening, as I was  
24 running to get coffee, I have an email from the  
25 Winklers, who are, unfortunately, putting in

1 their resignation to the Greenport Improvement  
2 Committee.

3 MAYOR NYCE: I saw that.

4 MS. PHILLIPS: So that's that. The  
5 Carousel Committee, there's been a lot going on  
6 with the Carousel Committee. They have this  
7 grant that they need to proceed with. There  
8 needed to be a clearing of the air as to how the  
9 new procedure is in dealing with repairs to the  
10 Carousel. Before it was Mr. Abatelli and some of  
11 the Carousel members. In my discussions with  
12 Paul as to how he would like to proceed with it,  
13 it's now going to be where everyone requests  
14 things through Jeff. Jeff will then go to Paul.  
15 And it's a couple of extra steps, but it's a  
16 change in systems, and I think it will run a  
17 little bit smoother.

18 As I explained to the committee, Mr. Pallas  
19 is an engineer, which seemed to ease them a  
20 little bit, as far as that he knew what he was  
21 talking about with the Carousel. So that's a  
22 change in what's going on.

23 So, hopefully, they'll concentrate on the

24 rounding boards and getting that project out the  
25 door.

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1 MAYOR NYCE: Yeah.

2 TRUSTEE PHILLIPS: Sarah, at the Marina  
3 Office, will now be at the Carousel on the  
4 weekends. She's been hired as a full-time  
5 person. So that should alleviate some of the  
6 confusion with the cash drawers, supervision.

7 MAYOR NYCE: Yes.

8 MS. PHILLIPS: And will be a communication  
9 between the volunteers who are there on the  
10 weekend and the staffing.

11 MAYOR NYCE: Right.

12 TRUSTEE PHILLIPS: There was a discussion  
13 that I put on the table, that they have to  
14 understand that with Mr. Abatelli's retirement,  
15 that the committee will not be so actively  
16 hands-on on repairing things, you know. So  
17 Mr. Pallas and I will be discussing that a little  
18 bit further as to the maintenance plan.

19 The Carousel Committee, over the last year,

20 has made sure that we now have a spare washer  
21 that needs to be done, so that when the one  
22 that's in the Carousel does decide to take a die,  
23 we can repair the Carousel quickly. We now have  
24 it maintained every day. It's taken on a whole  
25 new role as far as an asset that's being watched

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1 out and not just being left alone, okay?

2 The National Carousel Committee, of course,  
3 the Association was at the -- it was a great  
4 success. It was quite a pleasure to see so many  
5 people smiling at what really is something that's  
6 a jewel for the Village, okay?

7 MAYOR NYCE: Absolutely.

8 MS. PHILLIPS: I think that was pretty much  
9 it. Those two committees have -- had to revamp  
10 themselves, and, hopefully, we can just move in a  
11 different direction, okay?

12 MAYOR NYCE: Terrific.

13 TRUSTEE PHILLIPS: The only other thing is  
14 you and I have a couple of things in common that  
15 we spoke about at Code, that you're going to be

16 bringing up.

17 MAYOR NYCE: Yeah.

18 TRUSTEE PHILLIPS: So I'll let you take  
19 care of those two things.

20 MAYOR NYCE: Thank you. I'm going to go in  
21 reverse order of my list.

22 The final update for now on the Tall Ships  
23 Event is that, as Trustee Robins mentioned, there  
24 was a fundraiser for Hermione on the Intrepid  
25 last Tuesday, which I attended with Peter Clarke

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1 from the BID. The BID put up the initial money  
2 for the table, and we hosted three potential  
3 sponsors, major sponsors. And when I'm saying  
4 major sponsors, we set that bar at about 15,000  
5 per major sponsor. So I think the BID is well on  
6 their way to starting to get sponsorship monies.  
7 As you well know, they pledged to raise \$100,000.  
8 If, in fact, these three are on board at that  
9 level, they're well on their way.

10 I also had the opportunity to meet the new  
11 Chair of the Long Island Visitors and Convention

12 Bureau, who was very familiar with these events.  
13 He ran some of them in France, from what I  
14 understand. Explained to him what we did in  
15 2013, explained what we were doing in 2015. I'm  
16 not going to hold him to it, but we got a grant  
17 through them through East End Getaway last time.  
18 Not only will that grant be available, but he's  
19 promised us actual money for the event. He  
20 thinks it's a huge event. He thinks it's a  
21 wonderful regional event, and they're going to be  
22 treating it as such.

23 Last time we went through this, as you all  
24 remember, we were behind the eight ball the time,  
25 sort of playing catchup. This time we're ahead

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1 of the game, and I think the LICVB can be a huge  
2 ally to us. So that was a -- that made the trip  
3 into the City worthwhile, just having that  
4 conversation with him.

5 Also included was the head of the North  
6 Fork Promotion Council. I think while they don't  
7 have the same funding opportunities, having them

8 involved and their tentacles within Southold  
9 Town, again, looking at this as a regional event,  
10 with close to 100,000 people through in 2013,  
11 they didn't all stay in Greenport, they stayed in  
12 hotels in Riverhead east. Every B & B was  
13 packed, every hotel was packed, so it really is a  
14 regional event, so we're looking at it in that  
15 way.

16 The next step is to get the RFP in for the  
17 marketing person, have the Steering Committee  
18 identify who they would like to hire, recommend  
19 that to this Board, go ahead and hire that  
20 person. We'll start our advertising, they said,  
21 by December.

22 The event will be substantially like it was  
23 last time, so the nuts and bolts of planning the  
24 weekend itself should not be as complicated as it  
25 was last time, because we're basically

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1 recreating, not creating, the event. So that  
2 event planner I'd also like to get on board  
3 early, but it's not as critical that we have them

4 in by November. So that's an update on that.

5 The -- you all remember Andrea Cote, who  
6 came and proposed the -- what's the name of her  
7 project? Anyhow --

8 TRUSTEE MURRAY: The art project.

9 MAYOR NYCE: The art project in Mitchell  
10 Park.

11 TRUSTEE PHILLIPS: The eyes of --

12 MAYOR NYCE: The Eyes of Greenport.

13 MS. FINN: Port of View.

14 MAYOR NYCE: She was -- huh?

15 MS. FINN: Port of View. Port of View.

16 MAYOR NYCE: Port of View, yes, thank you.

17 She, this past weekend, was walking around the  
18 park again with Arden Scott and Jeff Goubeaud,  
19 and she's moving forward with the project anyhow.  
20 The preliminary portion is going to be at the  
21 Library. Jeff and Arden took her up to the  
22 observation deck above the Marina office, and she  
23 said that would be an absolutely ideal spot for  
24 it; would also now not need the huge concrete  
25 round. It could be done as a piece of plywood

1       that sits there, and all she would need to do is  
2       anchor the piece.

3               As such, I'm asking for everyone to think  
4       about it. She doesn't need an answer now, but if  
5       that's -- if that's a more likely spot and  
6       something that we could, you know, allow her to  
7       site it there for next summer, I think -- I still  
8       think it's a cool project, and it would be -- in  
9       that place, it would be out of the way. It  
10      wouldn't be in the park itself, and people could  
11      still take advantage of it.

12              So I'm going to let everybody think about  
13      that, and some time over the course of the  
14      winter, if we want to -- if we want to approve  
15      that, we could approve that for her.

16              The other thing is I sent an email around  
17      to everybody. The Kabakovs are local artists,  
18      live locally. They're artists that have public  
19      works around the world. There was a piece built  
20      in Greenport, I believe in 2008 or 2009. It was  
21      a large pirate ship. I think Gary Loveless and  
22      his crew built the ship. It went to Atlantic  
23      City. Ms. Kabakov is taking the piece back. I  
24      didn't get details from her as to why, but she is

25 -- they're taking back ownership of that piece,

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1 and have offered it to the Village. I went and  
2 met with her. I emailed pictures and specs to  
3 everybody. I don't know that we have a space big  
4 enough for it.

5 TRUSTEE MURRAY: It's big.

6 MAYOR NYCE: It is big. I don't know that  
7 we have a space big enough for it. The only two  
8 places that might be big enough would be the Polo  
9 Grounds and maybe Fifth Street Park. But I don't  
10 think it would fit in Fifth Street Park without  
11 taking up the entire space. And if we put it at  
12 the Polo Grounds, I don't think it leaves room  
13 for the carnival and all the rest of that stuff.

14 I'm throwing it out because it is a cool  
15 piece. The part of it that's most intriguing to  
16 me was that the other -- the other project that  
17 they did was called "The Ship of Tolerance,"  
18 which is an ongoing project, it goes around the  
19 world. It's basically a structure of a ship that  
20 gets built in a community. They do outreach in

21 the community and the schools, and the kids in  
22 those schools -- there are different seminars and  
23 talks about what tolerance is, what intolerance  
24 is, and these kids put together these banners  
25 about tolerance and intolerance, and they hang on

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1 the yardarms of the ship. So part of the idea  
2 was that if we could find a place for this pirate  
3 ship, that it could be a "Ship of Tolerance" in  
4 Greenport, we could do that same outreach with  
5 this piece.

6 So I would ask everyone to brainstorm, if  
7 you could think of a place where it might live.  
8 I'm going to reach out to the school to see if  
9 maybe they have some space for it, and if so, if  
10 there's a direct tie-in for that program as well.  
11 The problem with living in a one square mile  
12 village is there's generally not a whole lot of  
13 extra space.

14 TRUSTEE MURRAY: What is it, 40-by-90,  
15 right?

16 MAYOR NYCE: That's about right, yeah.

17 It's nearly 100 feet long and --

18 TRUSTEE ROBINS: It's like a building lot.

19 MAYOR NYCE: That being said, the space  
20 that it takes up, it takes up that amount of  
21 space, but you walk in and through it.

22 TRUSTEE MURRAY: Right.

23 MAYOR NYCE: There's basically only the aft  
24 cabin of the ship that's above ground, then the  
25 gunnels around the ship itself. And the bowsprit

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1 are the only real pieces that you see that are  
2 above ground, the rest you walk through. So it's  
3 sort of a walk-through and walk-on attraction.

4 It would be nice to see the piece come back  
5 to Greenport, and I'm asking you guys to  
6 brainstorm on it as well. And, like a said, I  
7 will reach out to Mr. Gamberg and see if maybe  
8 the school is interested in some way, shape or  
9 form, or if we can come up with some way to  
10 jointly work on that.

11 TRUSTEE MURRAY: And Gary Loveless said  
12 he'd be -- he'd love to help to, you know, put it

13 together.

14 MAYOR NYCE: Yeah. And I'm sure we could  
15 get plenty of volunteers to drive, I mean, it  
16 disassembles, and to ship it back up here.  
17 Again, if it's possible, it would be really nice  
18 it see on two -- on two aspects. One, it was  
19 built here, and it's local waters. But, if we --  
20 they are world renowned, and to have a piece of  
21 the Kabakov artwork would be another attraction  
22 in the area. So, I mean, if it can't stay in  
23 Greenport itself, is there another space within  
24 the Town maybe we can identify? But anyhow, I'll  
25 ask you all to brainstorm on that.

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1 Two other -- before we get into the  
2 discussion on the use of Mitchell Park, there are  
3 two other items that we've discussed. One we've  
4 discussed briefly here has been brought up, and  
5 that is that the R-2 zoning within the Village,  
6 that the Village is basically -- the entire  
7 Village is zoned R-2, which, in my opinion, and  
8 discussions from members of the public, does not

9            seem to represent what the zoning should be in  
10            the Village. And I'm wondering if this Board  
11            would be interested in having the Code Committee  
12            begin to take up that issue. First of all,  
13            identifying exactly where the R-2 District is, to  
14            look at what the actual buildings are within that  
15            zoning, and maybe make a recommendation back to  
16            the Board that we rezone the Village back to what  
17            it actually is or should be. And if so, that we  
18            would have the Code Committee begin to take that  
19            up in December. At the November meeting, we  
20            would start gathering information, but start the  
21            discussion at the December meeting.

22            I think it's been brought up enough,  
23            particularly with the residents on Fifth Street  
24            -- I'm sorry, Fifth Avenue, with the -- even I  
25            make that mistake now and again. I'm trying to

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1            get Second Street renamed Second Avenue so we're  
2            consistent. Anyhow, if no one has objections to  
3            that, I'm going to have a resolution to have the  
4            Code Committee take that up.

5 MS. PHILLIPS: Well, I think that you also  
6 should mention that it's a review of R-2  
7 altogether.

8 MAYOR NYCE: Yes.

9 TRUSTEE PHILLIPS: And we may just leave it  
10 alone. It's something that I think is a wise  
11 idea to review it. There have been numerous  
12 discussions, numerous statements, numerous  
13 frustrations, and it may be fine, it may not.  
14 But I think it behooves us as a Village every  
15 once in a while to take a look at how we operate.  
16 We do change from generation to generation --

17 MAYOR NYCE: Absolutely.

18 TRUSTEE PHILLIPS: -- and decade to decade  
19 as property owners change.

20 MAYOR NYCE: Absolutely. And I think that  
21 it is this Board's job from time to time to look  
22 at it, as the zoning board, but not the Zoning  
23 Board of Appeals. But as the zoning board, we  
24 should every now and again look at the overall  
25 zoning of the Village and make sure that it fits

1 with a comprehensive plan moving forward, that it  
2 represents what the Village is supposed to look  
3 like, not only today, but, you know, in five, 10  
4 and 15 years from now.

5 TRUSTEE HUBBARD: Maybe you could  
6 incorporate also, we've had numerous complaints  
7 about the Airbnbs.

8 MAYOR NYCE: Well, that's my next point.

9 TRUSTEE PHILLIPS: That's the next thing.

10 TRUSTEE HUBBARD: Okay. Because, if  
11 they're doing that, let's --

12 MAYOR NYCE: Yes.

13 TRUSTEE HUBBARD: -- hash it all out of  
14 where that fits in our zoning, because it's -- I  
15 don't think it's going to go away, so.

16 MAYOR NYCE: I agree with you, and that was  
17 the next part that I was going to bring up.

18 TRUSTEE HUBBARD: Okay. I jumped the gun  
19 on this.

20 MAYOR NYCE: No, it's fine, it's fine.  
21 They do -- they dovetail. And I've gotten  
22 several emails, one from Mr. Corwin this last  
23 week, oddly enough, on the day that the Attorney  
24 General from the State of New York rendered  
25 his --

1 TRUSTEE PHILLIPS: With his 41-page report.

2 MAYOR NYCE: Had his press release. And  
3 New York State is taking the approach as of now  
4 that they are improper hotel rooms. That's the  
5 stance they're taking for now. We need to  
6 continue to watch that. There's no law around it  
7 as of now. But we also discussed briefly at Code  
8 Committee that maybe they want to take up that  
9 issue as well, again, first to identify where the  
10 issues are, what the issues are, and then  
11 potentially propose a solution to that situation.  
12 And so I'll have a resolution on as well to --  
13 for the Code Committee to take up that one as  
14 well.

15 MS. PHILLIPS: Just for information  
16 purposes, when I was researching the properties  
17 within the Village of Greenport today that --

18 MAYOR NYCE: Yes.

19 TRUSTEE PHILLIPS: -- I had mentioned at  
20 Code Committee, there is a 41-page opinion now  
21 from the Attorney General that's online --

22 MAYOR NYCE: Yes.

23 MS. PHILLIPS: -- that I would like the  
24 Village Clerk to perhaps print off for us to  
25 read --

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1 MAYOR NYCE: Yes.

2 TRUSTEE PHILLIPS: -- because it was  
3 extensive and had some very -- from what I  
4 scanned on it, had some very important points  
5 that I think we all need to think about.

6 MAYOR NYCE: I think, right, in advance of  
7 the Code Committee taking it up, I would like  
8 also for her to give that to Village Attorney and  
9 Village Administrator. I'd like an opinion  
10 letter from the Village Attorney as to how it  
11 affects the Village in specific, and what  
12 portions of that we might want to start the  
13 discussion. So, Joe, if you could draft up that.

14 MS. PHILLIPS: But I think you also need to  
15 mention that it's not just Airbnbs, we also --

16 MAYOR NYCE: No.

17 TRUSTEE PHILLIPS: There's other companies

18 that are out there.

19 MAYOR NYCE: There's half a dozen of them.

20 TRUSTEE HUBBARD: Right, in general. So,  
21 if we're going to look at the R-2 zoning, let's  
22 look at that also, see where that fits in, and,  
23 you know --

24 MAYOR NYCE: There are a lot of issues  
25 around it. There -- as Trustee Phillips brought

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1 up at the Code Committee, Asha from our Section 8  
2 Program has noted that the number of Section 8  
3 apartments have dwindled, because people are  
4 making more money doing the Airbnb than they  
5 are --

6 MS. PHILLIPS: I think she mentioned it to  
7 Doug Moore.

8 MAYOR NYCE: And Tanya.

9 TRUSTEE PHILLIPS: But I'm talking  
10 to Tanya.

11 MAYOR NYCE: So it's an interesting  
12 scenario. And we're having exactly the same  
13 issues that they're having in New York City.

14 There are articles that, you know, the  
15 rent-stabilized apartments in the City, they're  
16 starting to try and push people out of  
17 rent-stabilized apartments in the City doing the  
18 same thing. So it's a multifaceted issue and --

19 MS. PHILLIPS: Well, I think, just to make  
20 a note, out of the 17 properties that I listed at  
21 Code Committee today, three-quarters of them used  
22 to be two-family rentals.

23 MAYOR NYCE: Interesting.

24 TRUSTEE PHILLIPS: And they're now  
25 single-family.

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1 MAYOR NYCE: Interesting.

2 TRUSTEE PHILLIPS: So they're now part of  
3 the rent. So it was an interesting education.  
4 And Mr. Corwin's email was extremely explicit and  
5 detailed in telling us what to look for. And I  
6 just want -- we need to take it a little bit  
7 further to make sure that we're doing the best  
8 for the Village.

9 MAYOR NYCE: Uh-huh.

10 TRUSTEE ROBINS: They've actually been  
11 trying to deal with this all summer long over in,  
12 I believe, Southampton.

13 MAYOR NYCE: Yup.

14 TRUSTEE ROBINS: They're trying to regulate  
15 this; not that easy to do. But we can certainly  
16 learn from everything else that they've been  
17 trying and look into.

18 I will point out that when we did pass our  
19 rental law, we exempted rentals that are --

20 MAYOR NYCE: Transient.

21 TRUSTEE ROBINS: -- less than 90 days, I  
22 believe, transient, which include summer rentals  
23 and everything. And, I mean, summer rentals have  
24 been a fixture here for many, many years. This  
25 is, obviously, something new that's developed in

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1 the internet age and --

2 MAYOR NYCE: The sharing economy, they call  
it.

3 TRUSTEE ROBINS: The sharing economy, and  
4 it's a reality, and absolutely is something that

5           could have a profound effect on the Village, so  
6           something that we need to be on top of.

7           MAYOR NYCE: On that note, I talked with  
8           Paul this morning, and the rental permits will be  
9           rolling out November 1. It's going to go sector  
10          by sector. We're using -- we're doing the  
11          smallest section of the Village first. There's a  
12          30-to-60-day return on that, so it's not going to  
13          be a bunch of inspections all at once. First is  
14          the letter going out, and people coming back in  
15          and filling out the permits. So that will be  
16          rolling out as of November 1, and we'll make an  
17          announcement at the televised meeting as well.

18          The last item that I had was, as Trustee  
19          Robins pointed out, that we do need to continue  
20          the discussion on the use of Mitchell Park as  
21          pertains to Mass Public Assembly Permits, whether  
22          or not we want to continue to issue them. As I  
23          see it, based on the discussions we've had so  
24          far, there are two paths we can go. One is to  
25          continue to issue Mass Public Assembly Permits,

1 and, if it's legal, set an exorbitantly high fee  
2 for that permit. The other one is to not issue  
3 Mass Public Assembly Permits for Mitchell Park at  
4 all, just leave it a public park, and the only  
5 events that would happen would be  
6 Village-sponsored events, such as the Dancing in  
7 the Park, or if we're a sponsor for Relay for  
8 Life, that that could happen, or the Maritime  
9 Festival, etcetera, etcetera. If it's a  
10 Village-sponsored event, then, of course, the  
11 criteria for a Village-sponsored event is that it  
12 incorporates the Village and Village residents.

13 So I'll open it up for discussion. How do  
14 we want to proceed on this? Do we want it --

15 TRUSTEE MURRAY: I'll start.

16 MAYOR NYCE: What governments usually do is  
17 appoint a committee.

18 TRUSTEE MURRAY: Right, and I think that  
19 might be a very good idea to do. I feel, with  
20 the vast number of applications, I think we need  
21 to stop the permits altogether, except for the  
22 Village-sponsored events. We're -- if we don't,  
23 we're going to have something every Saturday and  
24 every Sunday. We're going to have to allow them,  
25 and I don't think we want that. I don't think

1 the people want it. I think they want some of  
2 it, but I think if we -- if we don't act on this,  
3 what's going to happen to that park, we will have  
4 more complaints than anything. So my opinion is  
5 that we stop mass -- all the permits altogether.

6 MS. PHILLIPS: And just have the Village --

7 TRUSTEE MURRAY: And just have the  
8 Village-sponsored events.

9 MS. PHILLIPS: Which would have to be  
10 approved by the Board.

11 MAYOR NYCE: Yeah. And we would have to be  
12 either the initiator of the event, or --

13 MS. PHILLIPS: One of the sponsors.

14 MAYOR NYCE: One of the sponsors. But we  
15 would have to be -- we would have to participate  
16 in the event in some way. So, you know, most of  
17 those events are self-explanatory. You know, the  
18 Tall Ships Event, clearly, you know, we're not  
19 going to issue ourselves a Mass Public Assembly  
20 Permit. But, yeah, it would -- and, at that  
21 point, it would have to be a community-driven

22 event.

23 TRUSTEE MURRAY: Right.

24 MAYOR NYCE: And so whoever wants to do the  
25 event would have to come make their case, that it

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1 is a community-driven event. And I said Relay  
2 for Life, that's a major community event, but I  
3 still think they would still have to make their  
4 case to this Board that it is a community event,  
5 at which point we would be -- we would get on  
6 board as a cosponsor of the event and would then  
7 allow it to happen.

8 The other part of that is that the park  
9 would then be just an open public park, and we  
10 still would not be able to deny people access to  
11 the park. Like say a group wanted to congregate  
12 in the park, they wouldn't need a Mass Public  
13 Assembly Permit, because we aren't issuing them.  
14 They would be allowed to be there as of right,  
15 until or unless they're impeding someone else's  
16 use of the park, at which point they would be  
17 asked to disperse. They can still be there, but

18 they can't -- they don't have -- the Mass Public  
19 Assembly Permit gives them the authority and the  
20 right to use a specified portion of the park,  
21 and, as such, they can block access to anyone  
22 else to that portion of the park, okay?

23 So, if we don't issue those Mass Public  
24 Assembly Permits, then if there's a group  
25 congregating and they're denying access to other

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1 people, then they can be asked to move.

2 TRUSTEE PHILLIPS: To leave.

3 MAYOR NYCE: Not to leave, but to move, and  
4 to allow the free passage of people through and  
5 around the park.

6 TRUSTEE MURRAY: Are they able to set  
7 things up?

8 MAYOR NYCE: No.

9 TRUSTEE MURRAY: No, right.

10 MAYOR NYCE: That's the other thing that  
11 Mass Public Assembly Permits allow, is the use of  
12 facilities, electric and all the rest, putting up  
13 a tent to demarcate the area that you've been

14 given, etcetera, etcetera. So, no, you would not  
15 be able to put out tables and chairs, all the  
16 rest of that. It would just be an open public  
17 park in that scenario, is my understanding.

18 And if I get way out of line, Joe will  
19 probably rein me back in.

20 MR. PROKOP: So far, so good.

21 TRUSTEE HUBBARD: But you'd have a  
22 restriction like on amplified music or anything  
23 else?

24 MAYOR NYCE: There would be no amplified  
25 music.

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1 TRUSTEE HUBBARD: Okay.

2 MAYOR NYCE: Again, if it's a  
3 Village-sponsored event, like the Monday Dances  
4 in the Park --

5 TRUSTEE HUBBARD: Anything but -- people  
6 that say, "All right, well, we're not" -- "We  
7 don't need a permit, but we're going to come," a  
8 band wants to come and play, or they want to do a  
9 revival, or a speech, or whatever, there's no

10 amplified music or anything, they can't do  
11 anything in there?

12 MAYOR NYCE: No. No equipment, no setting  
13 up, and they have no guarantee that they're  
14 allowed that space.

15 TRUSTEE HUBBARD: Right.

16 MAYOR NYCE: Like if there's a protest,  
17 say, they can all be there, they can all  
18 congregate, but they can't block anyone else's  
19 use or access of the park. So they can all be  
20 there, but, you know, they can't be in a  
21 specified area. Now, if you're going to do a  
22 concert, people are going to sit, so in that  
23 scenario, no. No, they -- if it was blocking  
24 someone else's use of the park, they would have  
25 to disperse or move. And no, no amplified, no

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1 stages, no -- none of that.

2 MR. PROKOP: And the other concerns would  
3 be damage to the park and safety issues.

4 MAYOR NYCE: Right.

5 MR. PROKOP: So safety issues would also

6 include crowding, and use of facilities, you  
7 know, things like that.

8 MS. PHILLIPS: You mean, if we didn't have  
9 a Mass Assembly Permit.

10 MR. PROKOP: Right.

11 MAYOR NYCE: Right.

12 MR. PROKOP: The considerations. So it  
13 would be -- as Mayor Nyce said, it would be the  
14 obstruction of, or exclusive -- the things that  
15 we would not permit is obstruction of use of park  
16 by public, the other public, of exclusive use of  
17 some portions of the park, anything that creates  
18 nuisance or a health and safety issue, or also  
19 potential damage to the park.

20 MAYOR NYCE: Right.

21 MR. PROKOP: Crowding or overcrowding would  
22 be an example of a safety issue.

23 TRUSTEE ROBINS: I'm in agreement with  
24 Trustee Murray on this one. I certainly have  
25 lived here long before the park was here, and

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1 when it was created, that was my belief, that the

2 intention was for this to be a people's park and  
3 an open space to enjoy. And the proliferation of  
4 events that have taken place, I can only see that  
5 this is going to continue to happen if we don't  
6 put an end to it, basically. And I agree, it's  
7 the people's park, certainly to be used for  
8 public events and things that are being done for  
9 the community. That would be my on intention on  
10 this.

11 MAYOR NYCE: Okay. The other side of the  
12 discussion is to potentially have an exorbitant  
13 fee. I had asked the Village Attorney to make  
14 sure that we were authorized, because there was  
15 State and Federal money used to create the park,  
16 whether we were allowed to set that fee at  
17 whatever we wanted, or whether there was a  
18 threshold at which the State or Federal  
19 Government would step in and say no, we were not  
20 allowed to set a fee that high.

21 MR. PROKOP: So the answer is that the fee  
22 has to be -- the fee cannot work in a way to --  
23 once you decide that you're going to accept a fee  
24 for the use of the park, the fee cannot be the  
25 mechanism to regulate the use of the park, so the

1 fee can't be set at a level that's prohibitive,  
2 you know, separate from all the other  
3 considerations, which I'll mention. But the fee  
4 itself cannot unilaterally be set as the  
5 mechanisms for prohibiting or regulating the use  
6 of the park. The fee should somehow correlate  
7 with the cost of the use of the park, but the  
8 cost of the use of the park, which we -- you  
9 know, which we don't take into account.

10 There's a lot of administrative time, and  
11 also legal time, that's spent in looking into the  
12 use -- you know, dealing with the use of the  
13 park. So it's not just, you know, replanting  
14 grass and things like that, I mean, there's other  
15 things that are taken into account which could be  
16 incorporated into the fee.

17 MAYOR NYCE: Okay. But it -- right, we  
18 would have to equate it to -- there would be a  
19 reasonableness, that if this -- if it went  
20 litigious at some point, that it would have to  
21 be -- we would be required to show that the fee  
22 was reasonable to recoup monies expended by the

23 Village for these events.

24 MR. PROKOP: Yes.

25 MAYOR NYCE: Okay.

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1 MR. PROKOP: Some kind of correlation.

2 MAYOR NYCE: So setting the fee at \$2,500  
3 per event is going to potentially be a tough one  
4 to --

5 MR. PROKOP: Yes

6 MAYOR NYCE: To backup. Okay.

7 TRUSTEE HUBBARD: Right, except for a  
8 half-a-million-dollar bulkhead that keeps the  
9 park there has to be paid for somehow.

10 MAYOR NYCE: Right.

11 MR. PROKOP: Well, I think we have to --  
12 you know, that being said, we can't -- the fee  
13 can't be raised as a bar, you know, to keep  
14 out --

15 TRUSTEE HUBBARD: Right.

16 MR. PROKOP: -- anybody that can't pay the  
17 fee. But, however, the fee -- the fee should be  
18 looked at in its broader sense, as far as the --

19           you know, the true costs of maintaining that  
20           park, so for those uses. You mentioned the  
21           bulkhead.

22                     TRUSTEE HUBBARD: Right.

23                     MR. PROKOP: I mean, I didn't even think of  
24           that. I mean, there's a number of things that we  
25           don't -- well, we normally think of what the

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1           garbage cleanup is, and things like that, but  
2           there's everything else, the administrative time  
3           and the -- you know, the capital expenses.

4                     MAYOR NYCE: The long-term capital  
5           investments and reinvestments can be incorporated  
6           into that as well.

7                     MR. PROKOP: Yes.

8                     MAYOR NYCE: At which point, then -- okay,  
9           then you couldn't have a substantial fee and  
10          justify it.

11                    TRUSTEE HUBBARD: If you have 10 events a  
12          year at 2500, that's \$25,000 that goes for the  
13          patch on the bulkhead that they did last year.

14                    MAYOR NYCE: Yup.

15 TRUSTEE HUBBARD: It cost us 20,000 just  
16 patching the stuff and refilling it.

17 MAYOR NYCE: Right. And then to that end,  
18 we're back to what Trustee Murray said, was that,  
19 you know, then we have to accept any and all that  
20 are willing to pay that fee.

21 TRUSTEE HUBBARD: Uh-huh.

22 MAYOR NYCE: So that's really where the  
23 discussion comes down.

24 TRUSTEE MURRAY: And what happens to an  
25 event like "Shakespeare in the Park," which we

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1 would want to support, I would believe, who  
2 cannot afford it, would we -- would we cover  
3 something like that? Would we have to pay --

4 MAYOR NYCE: Oh, cover the fee?

5 TRUSTEE MURRAY: Would we have to pay  
6 ourselves?

7 MAYOR NYCE: Yeah, absolutely.

8 TRUSTEE MURRAY: If we sponsor an event,  
9 are we paying the 25 --

10 MAYOR NYCE: If we sponsor the event, no.

11 TRUSTEE PHILLIPS: No, because we're doing  
12 in-kind services.

13 MAYOR NYCE: If we sponsor the event.

14 TRUSTEE ROBINS: It's Village-sponsored.

15 TRUSTEE MURRAY: If it's Village-sponsored,  
16 then --

17 MAYOR NYCE: Right.

18 TRUSTEE MURRAY: We could do that, Joe, we  
19 could have --

20 MR. PROKOP: If it's Village-sponsored.

21 TRUSTEE ROBINS: Joe, well, let me ask you  
22 this question: I'm not advocating going down  
23 this route, but with a high fee, would we in any  
24 way be liable to a lawsuit or hardship thing from  
25 an organization that could not afford it, who

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1 could say the Village is discriminating against  
2 people that -- organizations that don't have the  
3 funding?

4 MR. PROKOP: Yes. They're going to say --  
5 they're going to say that they have the right to  
6 a little space in the park. You know, they

7 understand that they can't take over the park,  
8 but they're going to have the right to assemble,  
9 basically.

10 TRUSTEE ROBINS: Right, right.

11 MR. PROKOP: And freedom of speech and  
12 assembly.

13 TRUSTEE ROBINS: Yeah.

14 MAYOR NYCE: So, basically, if we allow  
15 Mass Public Assembly Permits and we set a high  
16 fee, we can -- we're opening ourselves up for the  
17 discussion down the road that if you can't afford  
18 the fee, then you claim hardship. And since we  
19 offer Mass Public Assembly Permits anyhow, we  
20 would still have to make them available.

21 MR. PROKOP: Yes.

22 MAYOR NYCE: It's interesting.

23 MR. PROKOP: And we, you know --

24 MAYOR NYCE: And we would not be in a very  
25 strong legal --

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1 MS. PHILLIPS: Let's -- just for my  
2 clarification, a Village-sponsored event,

3 normally, I think of that being in-kind services  
4 from the Village. I mean, if we're looking at,  
5 for example, "Shakespeare in the Park" as being  
6 one of those, is that something where you  
7 envision us giving something towards their budget  
8 to make it a Village-sponsored?

9 MAYOR NYCE: No.

10 TRUSTEE PHILLIPS: Okay.

11 MAYOR NYCE: No, in-kind services.

12 MS. PHILLIPS: You're talking about in-kind  
13 services.

14 MAYOR NYCE: If we had staff that are there  
15 to make sure that the event runs properly, then I  
16 think that puts us in a place where we are --

17 TRUSTEE MURRAY: The sponsor.

18 MS. PHILLIPS: Sponsor.

19 MAYOR NYCE: We are -- right.

20 MR. PROKOP: And we're lending our name.

21 TRUSTEE ROBINS: You're allowing them to  
22 use our space for it.

23 MAYOR NYCE: And we're lending our name.

24 TRUSTEE PHILLIPS: Right. Well, I just  
25 wanted clarification.

1 TRUSTEE ROBINS: Set up for a week prior.

2 MAYOR NYCE: Lending our name and our logo.

3 I think it also includes -- it would include, in  
4 a very specified area, guests of the marina.

5 MS. PHILLIPS: Correct, okay.

6 MAYOR NYCE: But, as in the past, that's  
7 been very loose. When it was initially proposed,  
8 that area was going to be in front of the Marina  
9 office. I think that's what we should restrict  
10 it to. But the upstairs from the Marina office,  
11 that observation deck, that's what that was meant  
12 for originally, and that there would be  
13 additional space for a tent between the camera  
14 and the Marina office. I think, you know, we can  
15 identify that area for guests of the Marina,  
16 because we have advertised for 10 years now that  
17 if you're a guest of the Marina, and you've got  
18 a --

19 MS. PHILLIPS: An event.

20 MAYOR NYCE: Certain number of boats that  
21 are coming in, you're doing a rendezvous, or  
22 whatever, that one of the things you can do is  
23 have an on-land gathering place. So, in that

24 sense, it is the Village Marina, Village  
25 property. I think that ties in as well. But

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1 other than that, yes, it would have to be -- the  
2 Village would be a sponsor and named in the  
3 event. So the Village of Greenport, and  
4 whatever, Northeast -- is it Northeast Stage?

5 TRUSTEE ROBINS: Northeast Stage.

6 MAYOR NYCE: Present, and, of course, we'd  
7 put us first.

8 MS. PHILLIPS: Yes, of course. I just  
9 wanted to clear on that

10 MAYOR NYCE: Do -- I think this is a good  
11 discussion, and I think that maybe we think on it  
12 some more, and maybe discuss it again at next  
13 month's meeting. And if the Board's comfortable  
14 at that point, maybe we'll look to put it on as  
15 an agenda item to come up with an answer.

16 MS. PHILLIPS: Yes, because I do know that  
17 "Relay for Life" has been waiting. They've given  
18 us something, and I do know that they're looking  
19 towards some guidance as to which way we're

20 leaning.

21 MAYOR NYCE: Okay. I'd like to -- you  
22 know, I'd like to hear, you know, from the  
23 public. We've had this discussion. Maybe  
24 there'll will -- maybe there'll be some more  
25 discussion from the public as well. As we

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1 discussed going into this, to take it slowly and  
2 thoughtfully, because once we do this, obviously,  
3 future Boards can change their minds. But if  
4 it's well thought out and well reasoned, I think  
5 that, you know, people will understand.

6 TRUSTEE HUBBARD: Well, if we tend to go  
7 the route of no Public Assembly Permits, could  
8 write up a list of guidelines now to review as  
9 part of the option. So instead of just  
10 talking -- we talked about a lot of stuff here  
11 tonight.

12 MAYOR NYCE: Yes.

13 TRUSTEE HUBBARD: And can we --

14 MAYOR NYCE: Yes.

15 TRUSTEE HUBBARD: The Code Committee,

16 somebody put that together, put it in writing,  
17 these are going to be the rules and restrictions  
18 that we may use?

19 MAYOR NYCE: Right, this is what  
20 constitutes a Village-sponsored event.

21 TRUSTEE HUBBARD: What that is, and then  
22 just so you could look at it in black and white,  
23 everybody could see it, the public can see it.

24 MAYOR NYCE: Yup.

25 TRUSTEE HUBBARD: This is the restrictions

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1 we're going to put on the park saying --

2 MAYOR NYCE: Yup.

3 TRUSTEE HUBBARD: -- the Public Assembly  
4 Permit, this is all you can do and this is what  
5 you cannot do, and we just have that in writing.  
6 And then we all know exactly what we're going to  
7 be voting on. The public knows and they could  
8 have input on it also.

9 MAYOR NYCE: I think what we would do to  
10 that end is then have the Code Committee review  
11 the Parks section of the code and make sure that

12 it's very clear, because that's where the Mass  
13 Public Assembly Permits is, in that section.

14 TRUSTEE HUBBARD: Right.

15 MAYOR NYCE: So we would clearly identify,  
16 if that's the route we go, that Mitchell Park is  
17 not included in that, and then that deals with  
18 what can and cannot be done.

19 TRUSTEE HUBBARD: The dos and don'ts.

20 MAYOR NYCE: Absolutely. That makes a lot  
21 of sense.

22 TRUSTEE HUBBARD: We could read in writing  
23 and we could mark it up and change wording, or  
24 whatever, just to get it, so we all know exactly  
25 where we're going with it.

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1 MAYOR NYCE: Terrific.

2 MS. PHILLIPS: I just keep going back to  
3 the original concept of the park, going back to  
4 reading the public hearing and the original  
5 public hearings for Mitchell Park, and a lot of  
6 it just dealt on open space.

7 TRUSTEE HUBBARD: Sure.

8 TRUSTEE PHILLIPS: It dealt on waterfront  
9 access to people, not only in the Village of  
10 Greenport, but to the State of New York, Suffolk  
11 County. And I just -- I've watched it over --  
12 I've watched it when I was first elected. I was  
13 concerned about the number of events being in  
14 Mitchell Park, and I just keep going back to  
15 that. It's a waterfront access for people who  
16 just would like to enjoy what eastern Long Island  
17 is about. So it tends to --

18 MAYOR NYCE: We've had this discussion for  
19 six years, and my point all along has been that  
20 it's a brand new park. We need to see ultimately  
21 what the use is going to be, and it has -- it has  
22 gone the way that both you and Julia have said,  
23 and Dave Murray said, that there would be an  
24 event there, a couple of events every weekend if  
25 we allowed it to continue, which is great. That

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1 means people are coming here, but the --

2 MS. PHILLIPS: Our residents --

3 MAYOR NYCE: Right. The initial --

4 TRUSTEE PHILLIPS: -- also need to have a  
5 breather.

6 MAYOR NYCE: The initial idea of that park  
7 was do something quite different.

8 Cool. That concludes the business for this  
9 Board tonight at 7:35. I will offer a motion to  
10 adjourn.

11 MS. PHILLIPS: Second.

12 MAYOR NYCE: All those in favor?

13 TRUSTEE HUBBARD: Aye.

14 TRUSTEE MURRAY: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR NYCE: Aye.

18 Any opposed or abstentions?

19 (No response.)

20 MAYOR NYCE: The motion carries. Thank you  
21 all very much.

22 (Whereupon, the meeting was adjourned at  
23 7:35 p.m.)

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C E R T I F I C A T I O N

STATE OF NEW YORK )

) SS:

COUNTY OF SUFFOLK )

I, LUCIA BRAATEN, a Court Reporter and Notary Public for and within the State of New York, do hereby certify:

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on October 20, 2014.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of November, 2014.

\_\_\_\_\_  
Lucia Braaten

