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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK
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BOARD OF TRUSTEES
REGULAR SESSION
-----x

Third Street Firehouse
Greenport, New York

November 24, 2014
6:00 P.M.

B E F O R E:

- DAVID NYCE - MAYOR
- GEORGE HUBBARD, JR. - TRUSTEE
- MARY BESS PHILLIPS - TRUSTEE
- JULIA ROBINS - TRUSTEE

- JOSEPH PROKOP - VILLAGE ATTORNEY
- SYLVIA LAZZARI PIRILLO - VILLAGE CLERK
- PAUL PALLAS - VILLAGE ADMINISTRATOR

1 (Whereupon, the meeting was called to order
2 at 6:02 p.m.)

3 MAYOR NYCE: All right. It being after
4 six, we'll call this meeting to order, and ask
5 you to please join me for the Pledge of
6 Allegiance.

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

9 MAYOR NYCE: Please remain standing for a
10 moment of silence for Marjorie Jeanette Baldwin,
11 Norma Louise Gresik, Inez Hall and Rosemary
12 Hughes.

13 (Whereupon, all remained standing for a
14 moment of silence.)

15 MAYOR NYCE: Thank you. You may be seated.
16 Trustee Murray is not going to be joining us this
17 evening. He is on a family trip, so he is
18 excused this evening.

19 The Carousel Committee is seeking
20 volunteers to assist with the ongoing restoration
21 of the Carousel, as well as with fundraising and
22 various other projects.

23 The Village Offices will be closed
24 November 27th and 28th in celebration of
25 Thanksgiving.

1 The BID Shellebration event will be held
2 December 6th. Please look online, either the BID
3 site or the Village site, for information.
4 That's an all day event that's throughout the
5 Village, with a bunch of restaurants
6 participating. It's a lot of fun.

7 The Tree Lighting Ceremony, the Village
8 Tree Lighting Ceremony will be held December 6th
9 at 5 p.m. at Mitchell Park. The school will be
10 participated again.

11 CLERK PIRILLO: Yes.

12 MAYOR NYCE: And also is a fun event for
13 family, mostly for the kids. Santa does arrive
14 by fire truck.

15 The Christmas Parade will be held December
16 7th, it will begin at 1 p.m., stepping off at the
17 school, and taking the traditional route down
18 Front Street, to Main, to Center, to First,
19 South, and back to the Firehouse. There'll be a
20 quiz on that later.

21 The Greenport Village Planning Board will
22 conduct a combined work session and regular
23 meeting on December 18th, 2014 at 5 p.m. here at
24 the Third Street Firehouse. There will be no
25 other meeting of the Greenport Village Planning

1 Board in December, so make note of that.

2 The annual Menorah Lighting Ceremony will
3 be held on December 21st at 5 p.m. in Mitchell
4 Park.

5 I also have an announcement here under
6 Public Interest from the Southold Town Police
7 Department, Chief Marty Flatley. He, Supervisor
8 Russell, and David Gamberg, the Superintendent of
9 the Greenport-Southold Schools, we all met last
10 Thursday, out of which the Chief sent a press
11 release out that reads something like this:

12 That Southold Town Police will be
13 sponsoring a public forum on gang activity and
14 recent gang violence on the North Fork on
15 Thursday, December 4th, 2014, at 7:30 p.m. at the
16 Southold Town Recreation Center on Peconic Lane.
17 Representatives from local government, law
18 enforcement, and North Fork school districts will
19 be present to provide timely information on gang
20 history and current trends, the exploration of
21 school-based anti-gang programs and efforts
22 underway to address recent gang violence. All
23 members of the public are invited and encouraged
24 to attend.

25 I anticipate that that will be a

1 well-attended meeting. I look forward to the
2 interaction. The Chief has reached out to other
3 enforcement agencies throughout Long Island to
4 have them do a presentation.

5 As I had said at the work session, both the
6 school and the P.D. have been working on this
7 from the moment the incident occurred several
8 weeks back, and I'm happy to report that they've
9 had several conversations. They're on a path to
10 implementing some things within the school, and
11 then also within the community to make sure that
12 we keep our kids safe.

13 Under -- there is an election coming up for
14 the Village in March of 2015. That election will
15 be held on March 18th to fill the positions of
16 Mayor and two Trustees. There will be two
17 Village voter registration days, one on March
18 5th, from 8:30 a.m. to 5 p.m., and on March 7th,
19 from 11 a.m. to 5 p.m., both at Village Hall and
20 both upstairs in the conference room. If you
21 need assistance, please let the clerks know at
22 the desk and someone could come down and take
23 care of you at the front desk.

24 The Clerk's Office is accepting absentee
25 ballot applications for the upcoming election on

1 March 18th, 2015. That is as of tomorrow, you're
2 accepting those applications?

3 CLERK PIRILLO: No. It's already --

4 MAYOR NYCE: They're already accepting
5 those applications for absentee ballots.

6 The next brush pickup is scheduled for
7 November 25th, for which we kindly request the
8 use of brown bags. November 25th, that's
9 tomorrow? Okay. Please note that the final
10 pickup of the season will be on December 9th, for
11 which we also encourage you to use brown bags.

12 The last one, the Clerk just informed me
13 that some of you will remember, I think it was
14 last winter into spring, there was a -- there was
15 a scam going around dealing with Village of
16 Greenport utilities. Someone was -- individuals
17 were calling people within the community,
18 representing themselves to be the Village of
19 Greenport utilities, explaining that there was a
20 past due balance, that that balance needed to be
21 paid or their electric would be shut off. They
22 then instructed the person to go and get a money
23 card from 7-Eleven to pay the bill. First and
24 foremost, the Village of Greenport would never
25 ask you to go to 7-Eleven to get a money card to

1 pay your utility bill. If you have any question
2 as to who is requesting that your electric bill
3 be paid, please feel free to call Village Hall.

4 We did work with the DA's Office and the
5 Police Department last spring. I don't know that
6 there were any arrests in the matter, but I know
7 that it did -- it did die out fairly quickly.
8 But again, the Village of Greenport -- you should
9 call the Village of Greenport or come into
10 Village Hall if you have a question about your
11 bill, or -- and the timely payment of that bill.
12 Again, we would not be asking you to go and get a
13 money card and submitting it through the mail to
14 us; not our M.O.

15 Next item on our agenda is we have two
16 public hearings this evening. The first one is
17 on Fire Prevention and Building Construction.
18 That's Chapter 65 of our code. The amendment to
19 our code book is only -- only for allowing for
20 the Building Department to assess a fee for --
21 these are new applications for fire suppression
22 systems. It has -- they have become more and
23 more complicated as time has gone on, so they
24 take more and more time. So what we've asked --
25 what the Building Department asked through the

1 Code Committee was that we assess a fee for that,
2 and that that fee would either cover the time
3 spent by our Building Department, or to have an
4 outside source do the review, and so that fee
5 would cover that.

6 So, with that, I will state that this
7 public hearing has been properly noticed. Anyone
8 wishing to comment can do so at this time for the
9 record. We have no correspondence.

10 This, as I stated before, this code
11 amendment came through the Code Committee as a
12 recommendation to this Board to take it up. I'll
13 ask if there's anyone from the public that wishes
14 to address the Board on this matter?

15 (No response.)

16 MAYOR NYCE: There being no one that wishes
17 to address the Board on this matter, I would
18 entertain a motion to close that public hearing.

19 TRUSTEE HUBBARD: So moved.

20 MAYOR NYCE: Is there a second?

21 TRUSTEE ROBINS: Second.

22 MAYOR NYCE: Second by Trustee Robins. All
23 those in favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR NYCE: Aye.

3 Any opposed or abstentions?

4 (No response.)

5 MAYOR NYCE: The motion carries. I'll ask
6 the Clerk put that on the work session agenda for
7 discussion for the December work session.

8 The next public hearing is on the
9 Chapter 48 of our Village Code, Boats and
10 Boating. This amendment was -- came out of long
11 discussions about -- primarily, about the
12 commercial fishing dock. What was recommended
13 was that we go back and look at our code in its
14 entirety and make sure that what's in our code
15 book matches what actually happens, and to do
16 sort of a review. The -- really, the only thing
17 that came out of it was we tightened it up,
18 changed some of the insurance amounts to make
19 them more reasonable to fit with current
20 regulations from DEC, but also to fit with what
21 other places do.

22 And with that, I will state that this
23 public hearing has also been properly noticed.
24 Anyone wishing to comment can do so at this time
25 for the record. And I'll ask if there's anyone

1 from the public that wishes to address the Board
2 on this public hearing?

3 MR. SALADINO: I do. John Saladino, Sixth
4 Street.

5 I'm looking at the provisions of this code
6 -- of this amendment of this chapter that are
7 being amended and I see no provisions for
8 transients. I see no provision for a transient
9 tying up to the Railroad Dock or a Village
10 mooring. I'm not sure. You know, a guy steams
11 into Greenport, are we -- somebody going to check
12 if he has insurance? I'm kind of thinking if
13 it's mandatory for a resident, or whoever
14 contracts to use either a Village mooring or the
15 Railroad Dock, for the road ends, or whatever, I
16 would also suggest here that same rules apply to
17 a transient.

18 MAYOR NYCE: They do.

19 MR. SALADINO: I just don't see how
20 that's -- how that's even addressed, so I would
21 question that.

22 The other thing that I would ask about is I
23 see there's an amount for the Railroad Dock,
24 which is good, I guess, and there's an amount for
25 the moorings, different amount; a million dollars

1 for the Railroad Dock, 300,000 for liability for
2 the moorings, which, I guess --

3 MAYOR NYCE: Moorings and the Bayman's Dock
4 over in Stirling Basin.

5 MR. SALADINO: Well, my question is, is
6 that for all improvements? Is that going to be
7 for all the road ends also for the stakes?

8 MAYOR NYCE: Anything other than the
9 Commercial Dock. The Commercial Dock is at the
10 one million, two million, in that area.

11 MR. SALADINO: Okay. And the other
12 question I have is I see chapter -- one of the
13 sections was abolished as far as the fee
14 schedule. I believe the appendix addressed the
15 fee schedule. Appendix A, Article VII, I think,
16 was abolished.

17 MAYOR NYCE: Yes.

18 MR. SALADINO: Appendix A, Section VII
19 should be deleted?

20 MAYOR NYCE: Yes.

21 MR. SALADINO: And that had to do only with
22 fees or because you --

23 MAYOR NYCE: I believe so, yeah.

24 MR. SWISKEY: Believe?

25 MAYOR NYCE: I don't have the code book

1 with me.

2 MR. SALADINO: So what I would ask is, is
3 because there's fees already assessed, there's
4 fees already in the code, that -- or the fees are
5 being abolished?

6 MAYOR NYCE: The fees are not being
7 abolished. What we did with this section of the
8 code was to tie in that appendix with the code to
9 make sure everything tied out. What we found was
10 in the appendix there were some things that did
11 not tie back into the code properly, and that was
12 the reason for the changes.

13 MR. SALADINO: Okay. And the last thing I
14 would have on this is, traditionally, and in the
15 past, as long as I can remember, there was no --
16 there was no commercial activity on the dock, on
17 the Railroad Dock. And it's specific in the
18 code, it's specific as far as fueling, icing,
19 off-loading, packing out, and stuff like that.
20 Now it seems to have changed that you've added
21 the sentence "without consent of the Village."
22 It was always my understanding that a lot of the
23 stuff that was prohibited was because of the
24 condition of the dock, and also for other
25 reasons, but the dock hasn't improved.

1 And it was always my belief that if a boat
2 came in and had to be fixed, we had a shipyard
3 for that, it should go to the shipyard. If a
4 boat needs to pack out, we have a -- we have a
5 fish market that you should pack out at, I don't
6 know. And I just don't -- I don't see a reason
7 for even giving the perception that there might
8 be consent for a guy that steams in and he needs
9 a new net, reel, or he needs this. I mean, we
10 have a guy that's in business specifically for
11 that. Why do we want to -- and I'm sure it's
12 okay with him. I'm sure it's okay with Steve
13 Clarke, with Greenport Shipyard, that they get
14 this stuff fixed at the Railroad Dock. He
15 doesn't seem to care about a lot of different
16 things. But this Article, 2.4, #1, and who's
17 going to -- who's going to give that permission,
18 I mean, if a guy comes in here?

19 MAYOR NYCE: Same person that would be
20 tying them up and asking for insurance and
21 everything else, the Harbor Management.

22 MR. SALADINO: I had a conversation with
23 the Harbor Manager, and he was of the belief, if
24 we're talking about Jeff Goubeaud, he was of the
25 belief that this wouldn't -- this wouldn't be

1 here. He didn't have the duties and
2 responsibilities of a Harbor Master, because that
3 kind of takes law enforcement and stuff like
4 that. He didn't know, as he relayed it to me, he
5 didn't know that he would be required to go
6 through the Railroad Dock and collect fees, or to
7 go to the Visitors Dock and collect fees, or tell
8 somebody they couldn't go in there.

9 I think some of this stuff in here is a
10 little ambiguous, and before you's implement it,
11 maybe -- I know you's worked hard on it and
12 stuff, but it seems a little haphazard. You
13 know, it just seems there's a lot of stuff up for
14 interpretation by like who answers the phone, as
15 opposed to what the real one is, you know, so the
16 guy that's answering the phone that day or that
17 night. And I don't believe that that's the way
18 the code should be interpreted.

19 So that's all I have to say about it.

20 Thank you.

21 MAYOR NYCE: Okay. Is there anyone else
22 that wishes to address the Board on this?

23 MR. SWISKEY: You inspired me. William
24 Swiskey, 184 Fifth Street.

25 There's been a big controversy about

1 electricity, and whose meters belong to who on
2 the Railroad Dock. It's ongoing now for a year
3 or two, at least, and I see nothing in this code
4 that addresses that. If you go to the Shinnecock
5 dock and you look at the thing, I mean, they have
6 provisions in there, and everything else, and
7 what fees you pay, and whether you -- you know,
8 when you get electricity and everything else. I
9 mean, I think that maybe we should -- before you
10 pass this, you should consider putting something
11 in there about that. Thank you.

12 MAYOR NYCE: The fees will be covered by a
13 bill sent out, because there will be stanchions
14 with meters set up. So it will be metered and
15 built accordingly.

16 Does anyone else wish to address the Board
17 on this public hearing?

18 (No response.)

19 MAYOR NYCE: If not, I would entertain a
20 motion to close this public hearing as well.
21 Would anyone make that motion?

22 TRUSTEE ROBINS: I'll make the motion to
23 close the public hearing.

24 MAYOR NYCE: Okay. Motion made by Trustee
25 Robins. Is there a second?

1 TRUSTEE HUBBARD: Second.

2 MAYOR NYCE: Seconded by Trustee Hubbard.

3 All those in favor?

4 TRUSTEE HUBBARD: Aye.

5 TRUSTEE ROBINS: Aye.

6 MAYOR NYCE: Aye.

7 Any opposed or abstentions?

8 MS. PHILLIPS: I will be recusing myself.

9 MAYOR NYCE: All right. So there will be
10 three votes in the affirmative, and one
11 abstention. That motion carries.

12 And I'll ask the Clerk to put that on the
13 work session for December for discussion.

14 That concludes the public hearings. Now
15 the Public Portion, I'll ask if there's anyone
16 who wishes to address the Board.

17 MR. ROBERTS: Good evening. Doug Roberts,
18 133 Sixth Street.

19 Tonight, I'm announcing my candidacy for
20 Village Trustee this March. I'm very excited to
21 be -- have the opportunity to serve these people,
22 the people watching on T.V., the people who are
23 home with their families having dinner, because
24 they can't make it to this meeting.

25 I love Greenport, much like all of you do

1 here. I think that this place deserves
2 leadership that can work tirelessly to solve
3 problems in creative ways. People who have come
4 to these meetings have heard me suggest various
5 things: Parks Conservancy to work with our
6 Mitchell Park policy of Village --
7 Village-sponsored only events, but setting up a
8 conservancy where we can raise money to support
9 the other parks in town. Suggesting proactive
10 communication of our new Twitter feed. I'd love
11 to see more tweets, but I'm glad we set it up.
12 We're headed in the right direction. As Trustee,
13 I'm going to work real hard to be proactive about
14 our communication, make sure we're communicating
15 to Villagers. It's really important that we hear
16 from them, that Villagers are going to drive
17 everything that happens in these meetings.

18 As part of my campaign, I'll compiling an
19 email list that I'll deliver to the Village
20 Clerk, win or lose, so that those folks on my
21 list can opt in to be part of the Village email
22 list and stay in touch with us going forward.

23 I'm raising my family here. I want this
24 place to be 10 times more amazing than it is now
25 when she's of age to vote, and when my daughter

1 is able to maybe some day run for an office on
2 this Board.

3 I'm going to work hard to see at that our
4 code is proactively and consistently enforced.
5 I'm going to make sure that I bring all of my
6 skills and expertise to the table. I have a
7 background in education and as an entrepreneur.
8 I want to see increased educational programs in
9 our Rec. Center. I want to see us just do a
10 great job of listening to the public and working
11 on their behalf. This is a -- this is a really
12 important place and this is important work.

13 I've made a career of working hard, and
14 hustling, and asking people for money, and I'm
15 not afraid to go ask other people outside of our
16 Village for money to help fund our utilities,
17 fund our streets and our sidewalks.

18 So I look forward to the dialogue over the
19 next few months. Anybody who wants to learn more
20 about me and more about my campaign can go to
21 wearegreenport.org, find me on Twitter at
22 [wearegreenport](https://twitter.com/wearegreenport), and look forward to it. Thank
23 you.

24 MAYOR NYCE: Thank you. Please don't take
25 this in the negative, I don't want it to be

1 negative. We are going to refrain from having
2 campaign speeches at the public portion of the
3 Village meetings. I understand you're
4 introducing your candidacy, that's fantastic. We
5 have -- in the past, we have tried to make sure
6 that the public portion of the meeting is the
7 public portion of the meeting, and that the
8 campaigning is done elsewhere. But
9 congratulations. Thank you for stepping up, and
10 best of luck to you.

11 Does anyone else wish to address the Board?

12 MR. SWISKEY: William Swiskey, 184 Fifth
13 Street.

14 Gee, you just shut everybody else down on
15 announcing, Dave, but that's okay. Just a couple
16 of items here. One is --

17 MAYOR NYCE: No, you can announce your
18 candidacy, Bill.

19 MR. SWISKEY: No, I'm not. I mean, there
20 might be somebody else out there. But let's get
21 to this.

22 One is the -- I don't have a full agenda,
23 so it's the roof on the Maritime Museum. Are we
24 still getting just \$8,000 a year rent out these
25 people?

1 MAYOR NYCE: Yeah.

2 MR. SWISKEY: That's a yes.

3 MAYOR NYCE: Uh-huh.

4 MR. SWISKEY: Do you realize if you rented
5 that building commercially, the minimum you'd get
6 would be 3 to \$5,000? That would be in the
7 Village parking, taxpayer parking, 36 to \$50,000.
8 That's, you know, like a lot of money.

9 MAYOR NYCE: I don't know if the Railroad
10 would allow us to rent it commercially, but go
11 ahead, I'll look into it.

12 MR. SWISKEY: Well, then raise to -- you
13 know, that's been going on. You're using the --
14 you rent the Railroad Dock commercially, you
15 collect fees.

16 MAYOR NYCE: At a discounted rate, but go
17 ahead.

18 MR. SWISKEY: At a discount. That's a big
19 loss. I'm a taxpayer. I mean, these people --
20 that's a huge amount of money to subsidize this
21 debt operation. I'm shocked that it's still
22 \$8,000. It was \$8,000 20 years ago. I mean, I
23 think the candidate for public office should take
24 notice of that.

25 And the next item I'd like to ask about on

1 the agenda, that I still don't have, is the --
2 we're appealing the Osinski lawsuit, the Osinski
3 lawsuit we've lost? Did we lose that lawsuit?

4 MAYOR NYCE: I would defer to the Village
5 Attorney. But if it's a legal matter, I'm
6 assuming it's not going to be discussed in open
7 session.

8 MR. SWISKEY: Well, you act amazed. I
9 mean, somebody put this on the agenda. Has he
10 discussed this? You know, an appeal is a very
11 expensive thing.

12 MR. PROKOP: Do you want me to comment?

13 MAYOR NYCE: Please.

14 MR. PROKOP: There was a recent decision by
15 Judge Mayer of the Supreme Court, and it affected
16 a portion of the case, not the entire case, but a
17 portion of the case. I recommended to the Board,
18 to the Board of Trustees that we file a Notice of
19 Appeal, because it protects our rights. We have
20 six months after the filing of the Notice of
21 Appeal to actually appeal the case. And during
22 that time, while we're still trying to settle the
23 case, which we have been for several months, our
24 right to appeal six months from now would be
25 preserved.

1 MR. SWISKEY: Well, let's see. We lost the
2 case.

3 MR. PROKOP: No, we didn't lose the case.

4 MR. SWISKEY: I've got a copy of the
5 decision. You lost, Joe, you lost big time,
6 okay? Has anybody seen it? I can provide you
7 with a copy. You lost big time. All right? I
8 mean, geez, you know, those -- when I hear those
9 kind of things, I get a little upset, yeah.

10 Anyway, to get become to the most important
11 thing that I want to ask about is this \$55,000
12 for this new engineering report that's -- this is
13 like -- you know, I went through that, and then I
14 went through the previous one where we hired
15 American Electrical Testing way back last year to
16 conduct a study, and they gave us a report in
17 January of 2014. On the first two pages, there
18 were 17 items; 11 of them failed. I mean, that's
19 huge. Did -- were any of these items at all
20 corrected, or did we just go on in our polite way
21 and just shut the lights off?

22 MAYOR NYCE: Yes, they were corrected.

23 MR. SWISKEY: Well, is there a paper that
24 somebody initialed when each one was corrected?
25 That's the way it usually works.

1 MR. PALLAS: I don't have any specific
2 document that says that. It was all part of an
3 overall punch list process that we went through.

4 MR. SWISKEY: Do we have a punch list with
5 somebody's initials that these were corrected?

6 MR. PALLAS: I would have to look, Bill.
7 To be honest with you, I don't know.

8 MR. SWISKEY: Well, I asked for all
9 documents and nothing was provided, so I assume
10 it doesn't exist, and now it's another \$55,000.

11 And, basically, did anybody read this
12 contract that you agreed to last week? The
13 results of the contract, the report isn't even
14 your property. Do you know what that means? You
15 can look at me all you want, Mr. Mayor, like
16 that. That's -- nobody signs a contract like
17 this. "Provide a written report in electronic
18 format." "Includes a portion of" -- "this
19 licensing fee is a one time charge, which
20 entitles our customer to use our report as they
21 see, until such a time as when we elect to cancel
22 this license." Nobody signs a contract like
23 that. It's like getting an engineer to come in
24 and look at a house you're thinking of buying, he
25 hands you a report, you buy the house, and then

1 takes the report back, the house crumbles and you
2 can't sue. What this does to you in court is
3 terrible.

4 Who recommended this company? Do the
5 research. Who recommended this company? Was it
6 the Village's engineer?

7 MAYOR NYCE: No.

8 MR. SWISKEY: No. Was it the Power
9 Authority?

10 MAYOR NYCE: The Power Authority is aware
11 of who we're using. We went out on the open
12 market and found this company. They've done work
13 for us in the past.

14 MR. PALLAS: They've done work for us
15 before as well.

16 MR. SWISKEY: What work has this company
17 done for us before? I don't recall this company
18 at all.

19 MR. PALLAS: They were a subcontractor on
20 some of the breaker testing that was done.

21 MR. SWISKEY: A subcontractor on some
22 breaker work that was done. Now you're hiring
23 him for a comprehensive report. And then they're
24 telling me here's some of the conditions. Power
25 outages may be necessary?

1 MAYOR NYCE: As we've gone through in the
2 past, Mr. Swiskey, when you're working with this
3 stuff, what you do is let people know what might
4 happen, not what will happen, but what might
5 happen. It's better be -- it's better --

6 MR. SWISKEY: Well, I wouldn't even put
7 that in the report.

8 MAYOR NYCE: Please, don't interrupt. It's
9 better to let people know that the outage might
10 happen so that it's not a surprise. The intent
11 is not to have power outages.

12 MR. SWISKEY: Well, this -- and then an
13 additional \$6500 to basically do what's called a
14 relay coordination study. You have the study.
15 These things haven't changed since the last --
16 since 2000. I mean, your load hasn't --

17 MAYOR NYCE: They should be looked at now
18 and again, shouldn't they?

19 MR. SWISKEY: Actually, David, I don't know
20 how you've even gotten this far with -- this
21 project has been a failure. You paid \$11,000 for
22 Wesco to enhance your relays. You paid another
23 \$12,000 for Basler to work on the electric. This
24 is what we used to call, and I won't -- I won't
25 mention it, but we used to call it in the Army is

1 a really cluster. I mean, is anybody on this
2 Board willing to answer to these citizens what's
3 going on with their electric company?

4 MAYOR NYCE: Anyone else who wishes to
5 address the Board?

6 MR. REED: Good evening. I'm Mike Read,
7 430 Front Street. Just to clarify, so this will
8 the third time we paid \$55,000, 115 --

9 MAYOR NYCE: (Shook head no.)

10 MR. REED: Don't shake your head, please.

11 MAYOR NYCE: No, it's not the third time.

12 MR. REED: All right. And this is the same
13 company that you're going to? So I missed the
14 last one, sorry, but --

15 MAYOR NYCE: No problem.

16 MR. REED: I just want a little
17 clarification on that.

18 MAYOR NYCE: There are two separate items
19 and they're testing two separate things.

20 MR. REED: Okay.

21 MAYOR NYCE: There are some -- there is
22 some duplication of work. In other words, the
23 original money was spent to commission the new
24 transformer, and the idea was that was that they
25 would look at all the connections up to that

1 transformer. This is going through the entire
2 distribution system, from where the power comes
3 into the plant through the transformer, through
4 the switchgear; something we were planning to do
5 anyhow as an ongoing portion of this job. Yes, a
6 portion of it will be duplication of work that
7 was done, unfortunately.

8 MR. REED: And who is overseeing this,
9 Paul?

10 MAYOR NYCE: Paul will be overseeing this.

11 MR. REED: Do we -- God forbid they,
12 Mr. Swiskey aptly put it, cluster, do we get any
13 money back?

14 MAYOR NYCE: I had stated at the work
15 session that if this --

16 MR. REED: I wasn't there, so I missed that
17 portion.

18 MAYOR NYCE: Understood. I'll say it again
19 for this session. If we find anything in this
20 testing that shows that there was something
21 improperly done, we will be going after whoever
22 that person was --

23 MR. REED: Got it.

24 MAYOR NYCE: -- to the full extent of the
25 law.

1 MR. REED: Okay. Thank you.

2 TRUSTEE PHILLIPS: I think you also need to
3 make them aware, Mayor, and just so that you
4 know, it was all of us that feel the same way, it
5 wasn't just the Mayor. We all at the work
6 session made a point of bringing up that if
7 there's any way of recouping any money --

8 MAYOR NYCE: Yes.

9 TRUSTEE PHILLIPS: -- dealing with this
10 situation of testing -- this is an audit of the
11 whole system, as explained to me. So all of us
12 felt that if there's any availability, any
13 pressure, or any possible way of paying for this
14 through the contractors, that that was this
15 Board's full focus to do.

16 MR. REED: All right. From the last mess
17 that we had, we're done blaming everybody,
18 because it's getting us nowhere, so we'll move
19 on. But from the last person that we paid
20 through for Hawkeye, to have somebody check the
21 work, it was 54, whatever, 55. Is there any way
22 of recouping any money for that for not doing
23 their due diligence to have the problem that we
24 had under the circumstances?

25 MAYOR NYCE: Their testing was done and the

1 testing was proper. It pointed out the things it
2 needed to point out.

3 MR. REED: All right.

4 MAYOR NYCE: Okay?

5 MR. REED: All right. So there's no way
6 to --

7 MAYOR NYCE: The failure that happened had
8 nothing to do with.

9 MR. REED: Okay.

10 MAYOR NYCE: Unfortunately.

11 MR. REED: Thank you.

12 MR. SALADINO: John Saladino, Sixth Street.
13 Are there any resolutions you're going to vote on
14 that aren't on the agenda?

15 MAYOR NYCE: No, not that I'm aware of.

16 MR. SALADINO: And is there going to be an
17 Executive Session?

18 MAYOR NYCE: Not that I'm aware of.

19 MR. SALADINO: If you's would, would you
20 just bear with me a few seconds? I just got the
21 agenda, so there's a few things that I would like
22 to ask you about.

23 But just to bring up what Mike had
24 mentioned, I was also -- I was at the work
25 session. I heard you say that this would be a

1 comprehensive look at the system in general.
2 I've got to be the only guy in the room that kind
3 of think we need that, I think. I think -- I
4 think we should have somebody that's not tied to
5 anybody that had done work for us before, or has
6 ties to the design engineer, the contractor, the
7 guy that drove the pickup truck to bring the
8 lunch. I think you should get an outside agency
9 in here and look at the system, and for an honest
10 appraisal of what was right and what was wrong.

11 I take exception to the statement that you
12 made, that we heard on the public record the
13 cause of the blackout was a relay, that was a
14 relay that was wired backwards. At some point in
15 the process, somebody was responsible for that.
16 Somebody had either wired that relay -- and we
17 all -- I think we all agree that somebody was
18 negligent.

19 I don't understand why we have to wait
20 eight weeks for the report to be generated to
21 have an issue, or take an issue, or start an
22 action against that person that actually wired
23 that relay wrong.

24 MAYOR NYCE: First of all --

25 MR. SALADINO: If it's a -- if it's a

1 Village employee, I'm sure it will be handled in
2 that way.

3 MAYOR NYCE: First of all, it wasn't -- it
4 wasn't negligent.

5 MR. SALADINO: If it's an outside
6 contractor -- I'm sorry?

7 MAYOR NYCE: First of all, it wasn't
8 negligent. Second of all, my understanding is
9 that it tested fine, but it was an odd set of
10 events that caused that relay to fail.
11 Regardless, it tested fine.

12 MR. SALADINO: Well, no, David, not
13 regardless. I can only go by what was said here
14 and what's recorded in the public record, and the
15 public record reflects a statement that says the
16 relay was wired backwards. It was reported --

17 MAYOR NYCE: But the statement also says
18 that it tested fine.

19 MR. SALADINO: It was -- it was reported --
20 okay, but it was backwards and then it failed,
21 and it failed because it was wired backwards. So
22 we're going around in a circle here.

23 I think it's a good idea to hire somebody.
24 I think -- you know, I don't look at it as good
25 money being thrown after bad. I think the other

1 money was bad money. I think to catch a guy or
2 to find out exactly what's wrong with the system,
3 sometimes you need to bring an independent guy in
4 there, an honest guy, and give us the report.

5 I just don't understand why it has to take
6 eight weeks for the Attorney to get something on
7 his desk that says Swiskey, Incorporated, or
8 Winkler, Incorporated --

9 MR. WINKLER: Don't blame me for that.

10 MR. SALADINO: -- wired the relay wrong and
11 go after that. I just -- I don't understand it.
12 It's common knowledge. It's been reported in the
13 press, it's been reported here, it's on the
14 official record. It's not supposition, it's not
15 a perception, it's a fact. Go after them. Get
16 some of that money, whoever did it. If it's an
17 employee, you'll handle it. If it's an outside
18 contractor, get the money. Get the money.
19 I'm sure somebody else is going to have something
20 to say about that.

21 But there's a couple of other things. I
22 would like to ask you if there's something you
23 could share about the proposed agreement between
24 the North Ferry Company and the Village of
25 Greenport.

1 MAYOR NYCE: Not at this time. It's
2 still --

3 MR. SALADINO: Is there something --

4 MAYOR NYCE: It's still in negotiation.

5 MR. SALADINO: Well, is there something you
6 could share with the public about what that
7 negotiation is about? Actually, you and I had a
8 conversation, I know, but they don't know. So
9 maybe there's something you can tell the public
10 as far as money, as far as time limits, as far
11 as --

12 MAYOR NYCE: No, because those are still in
13 negotiation, John.

14 MR. SALADINO: Well, my understanding is,
15 my understanding of the law is, and maybe the
16 Attorney can correct me, that if both parties are
17 known, and there could be no other interested
18 parties, the terms of the negotiation are not
19 privileged; am I right?

20 MR. PROKOP: I don't know -- honestly, I
21 don't know what you're talking about. That's not
22 correct, no. It's a contract that's being -- the
23 terms of which are being negotiated at this time.
24 And the subject of the negotiation is
25 confidential to the Board. It would -- the

1 discussion of the negotiations would impair the
2 Board's ability to negotiate the contract
3 successfully, and for that reason, it's
4 confidential.

5 MR. SALADINO: Joe, you know, I read the
6 law before I came here tonight so I would be --
7 so I would be familiar with it. I don't want to
8 debate it, because the Mayor hates debates, but
9 I'm -- as usual, I'm going to dispute that. I
10 think -- I think you're blowing smoke up our
11 dresses. But, anyway, just -- if you would just
12 bear with me for a couple of seconds.

13 The Clerk is going to renotice the Requests
14 for Proposals for event planning services?

15 MAYOR NYCE: Yup.

16 MR. SALADINO: And then we're going to --
17 we're going to pay \$17,000 for marketing. Is
18 marketing different than event planning?

19 MAYOR NYCE: Yes.

20 MR. SALADINO: I'm not sure the difference
21 in that.

22 MAYOR NYCE: They're different. When we
23 set the event up, we propose to hire on an event
24 planner and a company to do the promotion.
25 They're two different things.

1 MR. SALADINO: So one is somebody plans a
2 party, and somebody advertises? Is that -- I'm
3 not being -- I just don't know.

4 MAYOR NYCE: You are, actually.

5 MR. SALADINO: No, actually I don't.

6 MAYOR NYCE: Sure you are.

7 MR. SALADINO: I don't know. No, I think
8 it's ridiculous to begin with, but --

9 MAYOR NYCE: So that would be your point,
10 you do know, so --

11 MR. SALADINO: Actually, I don't know.

12 MAYOR NYCE: Sure you do.

13 MR. SALADINO: I don't know. I don't know
14 why we have to hire different agencies to plan
15 parties and plan advertising, but -- and pay
16 \$17,000 to do it.

17 MAYOR NYCE: It's less than we paid last
18 time.

19 MR. SALADINO: Is that -- is that the
20 criteria?

21 MAYOR NYCE: No.

22 MR. SALADINO: You know, if you made a bad
23 deal before --

24 MAYOR NYCE: Didn't make a bad deal before.

25 MR. SALADINO: -- you'll make a better deal

1 now. I don't understand.

2 And the last thing -- actually, I'm not
3 sure if it's the last thing, but the last
4 thing that I have --

5 MAYOR NYCE: We're going to ask you to try
6 and wrap it up soon, if you could. We've been
7 bearing with you.

8 MR. SALADINO: David.

9 MAYOR NYCE: John.

10 MR. SALADINO: If I would have gotten a
11 complete agenda when I walked in the building, I
12 would have had these resolutions in front of me.

13 MAYOR NYCE: You could have gotten the
14 agenda online, John.

15 MR. SALADINO: I don't have a computer, I'm
16 sorry.

17 MAYOR NYCE: You don't have a computer.

18 AUDIENCE MEMBER: The library.

19 MR. SALADINO: Sorry.

20 AUDIENCE MEMBER: The library. You can
21 access it from the library.

22 MAYOR NYCE: There are plenty of places,
23 John, plenty of places.

24 MR. SALADINO: Well --

25 MAYOR NYCE: Could you, please, move it on?

1 John?

2 MR. SALADINO: -- perhaps between 12 and 4
3 I was busy.

4 MAYOR NYCE: Could you, please, move it
5 along?

6 MR. SALADINO: Maybe I was at work. Maybe
7 I was --

8 MAYOR NYCE: Yeah, but you're retired, sir,
9 right?

10 MR. SALADINO: From one job, yeah.

11 MAYOR NYCE: Yeah.

12 MR. SALADINO: Trustee Murray asked for a
13 Request for Proposals to clean and restore the
14 wooden buildings at the Marina. I was just
15 wondering, is that something that could be done
16 inhouse? I mean, you know, when I talked to
17 David, it was about power washing and restaining.
18 Is that something that Village employees could do?

19 MAYOR NYCE: Probably not.

20 MR. SALADINO: Okay. Thank you. Thanks
21 for listening.

22 MR. WINKLER: John Winkler, Fifth Street.
23 Not to beat a dead horse, but I guess we can all
24 agree --

25 MAYOR NYCE: Too late for that.

1 MR. WINKLER: -- that this project at the
2 power house has been a disaster over the course
3 of the last four or five years.

4 I read a very interesting -- I read the
5 minutes of the April work session, and Paul
6 presented the report from American Electric and
7 Testing, and in that -- in the minutes, George
8 noticed all these fails on this report. And like
9 what are we going to do about this? Are we going
10 to get a report back seeing these things are
11 corrected? And in the report, I got the report
12 also, there were a lot of things that weren't
13 installed, so they couldn't even complete the
14 testing that -- you know, to test phasing, and to
15 test circuitry and relays. A lot of the stuff
16 wasn't even installed, so they couldn't even do
17 the full testing, and it was sort of like
18 premature.

19 I'm a little concerned that this company
20 might have been recommended to us, because I
21 think Jack Naylor was gone by then when we hired
22 this company, and if they suggested them to us.
23 I think the root of this whole problem has to be
24 Genesys. I don't know if we've paid them for the
25 first phase completely. I know that I read a

1 little bit of the bid package and they were
2 supposed to do training, and give booklets, and
3 train people at the plant how to operate this
4 plant. I have never heard that ever being done;
5 I still don't think it's done. And if we paid
6 these people completely, if there is a problem,
7 how are we going to get the money back?

8 And my second thought is, is that should --
9 they were hired to do a second phase of our -- of
10 this project. I know it's not as large, but from
11 the past track record, don't you think we should
12 be looking at somebody else? I mean, they just
13 have not done the right thing for the taxpayers
14 or this Board. They have been unfair to you.
15 They haven't told you the truth about what's
16 going on.

17 I mean, I've heard for years that this
18 plant, it's working great, there's no problems,
19 and then all the problems started, all the
20 testing started, and things are wired backwards.
21 And I just believe that this Genesys Engineering
22 is a disaster.

23 Now, did they recommend this new testing
24 company we have? Do they have any affiliation
25 with them? Have they ever worked for them

1 before? Have they done -- have they been vetted
2 that they're not -- they're not connected
3 whatsoever to Genesys, that Genesys hasn't given
4 them work in the past? If they did work on our
5 project, evidently, Genesys was involved with
6 them. So, you know, that -- there's a conflict
7 of interest there. They come back with a report
8 making Genesys look good because they hire them
9 for projects.

10 So I really think that the Board -- and I
11 know, George, you were involved in that, and I
12 don't -- I read the minutes after that, up to
13 this time, and I don't see anything in the
14 minutes that this report -- after that first test
15 was done, that there was any follow-up
16 whatsoever. Okay?

17 And, again, I understand you guys are busy
18 and you have a lot on your plate, and -- but this
19 Genesys has not done the right thing for this
20 Village or for the Board. They have not told you
21 the truth, okay? And I really wish you would
22 reconsider them. I know they put together the
23 bid package and the design of this second phase,
24 but I would have somebody come in and look at
25 this again, because we're going to end up with

1 the same problems that you have now. Every
2 mistake you make on this project, they make
3 money, and that's the way it is. That's the way
4 the process works, okay, because they come in and
5 fix it, okay? "Oh, we'll solve that problem,"
6 but meanwhile, they designed it. They should
7 have been responsible all along for this. And I
8 really think you should think about that.

9 I know it's -- you know, we're all laymen,
10 we don't really -- I understand it a little bit.
11 I understand you guys are not in the field, or --
12 and Paul got on, you know, late in the game, but
13 he was there here for that test. He was here.
14 So, please, think about this. Think of the
15 taxpayers. Think of the money we're spending,
16 what we could do with that money that we'll have
17 to pay again.

18 I appreciate the time. Thank you.

19 TRUSTEE ROBINS: Can I get a little
20 clarification. Paul, were you here for that
21 test? I thought that test done earlier.

22 MR. WINKLER: It was in the minutes.

23 MR. PALLAS: That test was done in January.

24 TRUSTEE ROBINS: In January. You came on
25 in --

1 MR. PALLAS: In March.

2 TRUSTEE ROBINS: In March, so it was prior.

3 MR. WINKLER: He spoke in the April
4 minutes. He made the --

5 MAYOR NYCE: He spoke to it.

6 MR. WINKLER: He made the report.

7 MAYOR NYCE: Doesn't mean he was here
8 during the test.

9 TRUSTEE ROBINS: He addressed it, right.

10 MAYOR NYCE: He addressed it.

11 MR. WINKLER: But he knew the problems.

12 TRUSTEE ROBINS: And --

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

15 (No response.)

16 MAYOR NYCE: That will conclude the public
17 portion. I'm sorry, I didn't mean to cut you
18 off.

19 TRUSTEE ROBINS: No. I just wanted to
20 mention that I was involved in discussions with
21 Paul about the follow-up with that punch list of
22 items from that report. And I believe I met once
23 at the plant with Robert Braun from Genesys, and
24 there was follow-up done on each item, and most
25 of those items were corrected. And that was

1 supervised by -- for the most part, you know,
2 when Paul did come on board, but even prior to
3 that. So I was personally involved in seeing
4 that those things were addressed, okay?

5 MR. SWISKEY: You signed off on it, then?
6 Somebody had to.

7 TRUSTEE ROBINS: I don't sign off on
8 things, I'm not an engineer. I just was
9 following up.

10 MR. WINKLER: Who pays for them?

11 MAYOR NYCE: The other point -- please.
12 The other point that I would like to make is that
13 it's very easy to pick at mistakes that may
14 happen along the way. This was a major upgrade
15 at the electric plant. Any of you that lived
16 through the major upgrade at the sewer plant, the
17 same sorts of things happened during that
18 project. There were things that happened along
19 the way. When you're taking something that has
20 not been worked on in a lot of years and you're
21 doing a complete overhaul, things come up. All
22 right?

23 So the other thing that we suffered through
24 was a lack of supervision from the Village's
25 standpoint at the beginning of that electric

1 project, because the then Director of Utilities
2 was not doing the right thing. Mr. Pallas has
3 taken over. And at that point, Genesys
4 Engineering actually took a larger role without
5 being paid for it. Yes, John, without being paid
6 for it, they took a larger role. They were hired
7 to design, and all of the stuff that we did with
8 hiring somebody to commission the transformer,
9 and do all of the testing was to make sure that
10 the design was proper, and that the application
11 was proper. That pointed out that there were a
12 few things that were missing.

13 You also recall in April we were still
14 trying to get the switchgear for #6 fixed, which
15 is why they couldn't do the commissioning of the
16 transformer, because that switchgear was not in
17 place. That switchgear is now in place. And
18 before you go aghast, the switchgear was not in
19 place, Mr. Swiskey, the replacement switch gear
20 was not in place.

21 MR. SWISKEY: What does a generator
22 switchgear got to do with the --

23 MAYOR NYCE: Mr. Swiskey, please stop.

24 MR. SWISKEY: Well how about you're making
25 a statement to me.

1 MAYOR NYCE: Please stop, you're out of
2 order.

3 MR. SWISKEY: You want an answer? I'll
4 answer you.

5 MAYOR NYCE: You're out of order. I'm
6 not --

7 MR. SWISKEY: Yeah, well, that's --

8 MAYOR NYCE: You're out of order. Thank
9 you.

10 At any rate, once that testing was complete
11 and the punch list was put together, the punch
12 list items were, one at a time, taken care of and
13 fixed. We are now through that phase of the
14 operation. Genesys has, in fact, been contracted
15 to come up with the design and plan for the next
16 phase of the upgrade, which has to do with the
17 water cooling tower, ancillary systems within the
18 oil -- the oil system for the generating engines,
19 the water systems for the generating engines,
20 etcetera. They are doing the design portion.
21 They will not be overseeing the job. Mr. Pallas
22 will be overseeing the job with the gentlemen
23 that work at our electric plant.

24 All that being said, the testing service
25 that we have now has done work for the Village in

1 the past, but did not come recommended by either
2 the engineer or anyone else. Mr. Pallas
3 contacted them directly.

4 Hopefully, that clears some of that up.

5 MR. WINKLER: No.

6 MAYOR NYCE: Yeah. Well, if you don't want
7 it to be cleared up, it won't be cleared either,
8 so --

9 MR. WINKLER: Because I know it isn't.

10 MAYOR NYCE: John, please.

11 MR. WINKLER: Dave, it keeps happening.

12 MAYOR NYCE: John.

13 So I will offer a Resolution 11 --

14 MR. REED: You got to listen.

15 MAYOR NYCE: I'm sorry?

16 MR. REED: You got to listen. He's still a
17 taxpayer. He's not arguing, he's trying to
18 understand.

19 MAYOR NYCE: He had his chance to speak, he
20 did, he made his point.

21 MR. REED: I know, but brought something
22 new.

23 MAYOR NYCE: But we're not doing this.
24 We're doing it back and forth during this. No,
25 the public portion is closed.

1 We do -- the other thing that I would like
2 to state is that anybody that comes in this room
3 and says that they think we're not listening,
4 incorrect. Incorrect. You can laugh in the back
5 all you want, Mr. Swiskey. I've been sitting
6 here for eight years, I've heard every word
7 that's been said, every word that's been said.
8 All right? And the people elected here are
9 looking out for the taxpayers' best interest to
10 the best of our abilities every day; not just
11 once a month at this meeting, but every day we're
12 looking out for the --

13 MR. REED: Sometimes, Dave, there's a lack
14 of accountability on this Board.

15 MAYOR NYCE: Mr. Reed, if you're going to
16 interrupt me, you're out of order too, okay?

17 MR. REED: MazeI Tov.

18 MAYOR NYCE: There you go. So I will offer
19 RESOLUTION 11-2014-1, adopting the November 2014
20 agenda as printed. So moved.

21 TRUSTEE HUBBARD: Second.

22 MAYOR NYCE: All those in favor?

23 TRUSTEE HUBBARD: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No response.)

4 The motion carries.

5 Since Trustee Murray is out, I'll read as
6 well, but I'll ask Trustee Hubbard to read
7 Resolution #2.

8 TRUSTEE HUBBARD: RESOLUTION #11-2014-2,
9 RESOLUTION accepting the monthly reports of the
10 Greenport Fire Department, Village Administrator,
11 Village Treasurer, Village Clerk, Village
12 Attorney, Mayor and Board of Trustees. So moved.

13 TRUSTEE ROBINS: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No response.)

21 MAYOR NYCE: That motion carries.

22 I'll read RESOLUTION #11-2014-3, RESOLUTION
23 ratifying the following resolutions previously
24 approved by the Board of Trustees at the
25 Trustees' work session meeting held on

1 November 17, 2014:

2 RESOLUTION authorizing Clerk Pirillo and
3 Treasurer Brandt to advertise for a temporary,
4 part-time administrative assistant, to perform
5 tasks in both the Clerk's and Treasurer's
6 Offices, during the absence of one employee in
7 the Clerk's Office, and one employee in the
8 Treasurer's Office.

9 Also, RESOLUTION accepting the proposal
10 dated November 12, 2014 as submitted by A&F
11 Electrical Testing, Inc. for the operational
12 review & verification of the Power Plant
13 Electrical Upgrade Project and existing
14 switchgear, at a cost of \$55,150.00 total, to be
15 expensed from account #E.0352.205 (Transmission
16 Substation Equipment).

17 Completion of this review and verification
18 will satisfy the requirements of the New York
19 Power Authority. So moved.

20 TRUSTEE ROBINS: Second.

21 MAYOR NYCE: All those in favor?

22 TRUSTEE HUBBARD: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR NYCE: Aye.

1 Any opposed or abstentions?

2 (No response.)

3 MAYOR NYCE: That motion carries.

4 TRUSTEE ROBINS: RESOLUTION #11-2014-4,
5 RESOLUTION renewing the existing contract between
6 Adventure Treks and the Village of Greenport,
7 with all terms and conditions to remain the same,
8 except that the payment for Harbor and Marina
9 Management Services provided to the Village of
10 Greenport will be increased to \$2,500.00, paid
11 twice per month, due to an increase in the
12 services to be provided. So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No response.)

21 MAYOR NYCE: That motion carries.

22 I'd like to thank Adventure Treks for the
23 work they've done for the Village. They came in
24 as taking on just a small portion, and with each
25 year they've taken on more and more

1 responsibility. And thanking primarily Jeff
2 Goubeaud. He runs a very good operation at the
3 Marina; has now taken on the Park, the oversight
4 of the Carousel, the Rink, Campground. So he's,
5 for all intents and purposes, taken on a great
6 deal of additional responsibility, and I'd like
7 to thank him for that, which we are doing by
8 passing the resolution and increasing his pay.

9 Pass it over to Trustee Phillips for
10 RESOLUTION 5.

11 TRUSTEE PHILLIPS: Joe, I have a question.
12 Since I'm going to be recusing or abstaining
13 myself on this resolution, should I not be
14 reading it?

15 MR. PROKOP: I think it's okay to read it.
16 It's okay to read it.

17 TRUSTEE PHILLIPS: Okay.

18 MR. PROKOP: You can read it, but just
19 abstain.

20 TRUSTEE PHILLIPS: Okay.

21 RESOLUTION #11-2014-5, RESOLUTION
22 authorizing an increase in the hourly wage rate
23 for Thomas Wood, from \$25.00 to \$30.77 per hour,
24 effective November 26, 2014 based on the
25 assumption of additional duties, per Article VII,

1 Section 9(a) of the Merit Clause of the current
2 collective bargaining agreement. So moved.

3 TRUSTEE HUBBARD: Second.

4 MAYOR NYCE: All those favor?

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE ROBINS: Aye.

7 MAYOR NYCE: Aye.

8 TRUSTEE PHILLIPS: I'm abstaining.

9 MAYOR NYCE: Okay. That motion carries
10 with three in the affirmative and one abstention.

11 I'd like to also thank Tom. Tom Wood is
12 one of the first people we started sending
13 through lineman training, and it's nice to see it
14 come to fruition and him to be a first class
15 lineman, and for taking on that additional
16 responsibility.

17 TRUSTEE HUBBARD: Okay. RESOLUTION
18 #11-2014-6, RESOLUTION awarding the contract for
19 Security System(s) at Greenport Village Hall, and
20 various satellite locations throughout the
21 Village of Greenport, to Technology
22 Professionals, for a total price not to exceed
23 \$39,410.00 per the bid opening of April 10, 2014.
24 The total cost will be expensed among the account
25 numbers corresponding to the Village locations

1 involved. So moved.

2 MAYOR NYCE: Second that. By way of
3 discussion, as we said at the work session, this
4 covers all Village buildings, so it includes the
5 Firehouse, Village Hall, Sewer Plant, Light
6 Plant, Road Barn, Mitchell Park, but we're doing
7 it in pieces. So it's an overall -- it's a big
8 number, but it will be done in -- it will be done
9 like one at a time. The first one is Village
10 Hall, the Light Plant and the Sewer Plant are the
11 first three locations. By next summer, Mitchell
12 Park will be taken in, and when the Board of
13 Wardens votes on it for this building, then that
14 will be taken in as well.

15 If there's no further discussion, I'll call
16 the vote. All those in favor?

17 TRUSTEE HUBBARD: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 TRUSTEE ROBINS: Aye.

20 MAYOR NYCE: Aye.

21 Any opposed or abstentions?

22 (No response.)

23 MAYOR NYCE: Motion carries.

24 Offer RESOLUTION #11-2014-7, authorizing
25 Treasurer Brandt to perform the attached Budget

1 Amendment #1220 for the funding of the
2 replacement of a portion of the roof at the East
3 End Seaport Museum, and directing that the Budget
4 Amendment #1220 be included as part of the formal
5 meeting minutes for the November 24, 2014 regular
6 meeting of the Board of Trustees. So moved.

7 TRUSTEE ROBINS: Second.

8 MAYOR NYCE: I'd also like to note that
9 regardless of who the tenant is, the Village is
10 responsible for the upkeep of the building,
11 because it is under lease to us from the Long
12 Island Railroad and we are responsible for the
13 building.

14 TRUSTEE PHILLIPS: Mayor, but I need to ask
15 the question again, because I tried to find
16 within our income where they've been paying rent
17 to the Village. Plus, in their original
18 agreement years ago, they were supposed to be
19 repaying a loan. So I just want to put that in
20 the minutes that I couldn't find any of that
21 stuff.

22 MAYOR NYCE: Okay. We'll have the Clerk
23 search for it. There was also discussion at the
24 work session for the Village Attorney to look at
25 the management agreement --

1 TRUSTEE PHILLIPS: Right.

2 MAYOR NYCE: -- that we have with the
3 organization, East End Seaport Maritime
4 Association, to revamp that.

5 TRUSTEE PHILLIPS: I know, I asked that.

6 MAYOR NYCE: I would ask him to do that as
7 well.

8 All those in favor?

9 TRUSTEE HUBBARD: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 TRUSTEE ROBINS: Aye.

12 MAYOR NYCE: Aye.

13 Any opposed or abstentions?

14 (No response.)

15 MAYOR NYCE: That motion carries.

16 TRUSTEE ROBINS: RESOLUTION #11-2014-8,
17 RESOLUTION authorizing Treasurer Brandt to
18 perform attached Budget Amendment #1257 for the
19 funding of monument repairs at Greenhill
20 Cemetery, and directing that Budget Amendment
21 #1257 to be included as part of the formal
22 meeting minutes for the November 24, 2014 regular
23 meeting of the Board of Trustees. So moved.

24 TRUSTEE PHILLIPS: Second.

25 MAYOR NYCE: All those in favor?

1 TRUSTEE HUBBARD: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR NYCE: Aye.

5 Any opposed or abstentions?

6 (No response.)

7 MAYOR NYCE: That motion carries.

8 TRUSTEE PHILLIPS: RESOLUTION #11-2014-9,
9 RESOLUTION authorizing Treasurer Brandt to
10 perform attached Budget Amendment #1258 for the
11 funding of temporary part time staffing, and
12 directing that Budget Amendment #1258 be included
13 as part of the formal meeting minutes of the
14 November 24, 2014 regular meeting of the Board of
15 Trustees. So moved.

16 TRUSTEE HUBBARD: Second.

17 MAYOR NYCE: All those in favor?

18 TRUSTEE HUBBARD: Aye.

19 TRUSTEE PHILLIPS: Aye.

20 TRUSTEE ROBINS: Aye.

21 MAYOR NYCE: Aye.

22 Any opposed or abstentions?

23 (No response.)

24 MAYOR NYCE: That motion carries.

25 TRUSTEE HUBBARD: RESOLUTION #11-2014-10,

1 RESOLUTION authorizing the issuance of a check
2 made payable to Paul Pallas as Village
3 Administrator, in the amount of \$1,000.00, to be
4 used to set up the required cash drawer/banks for
5 the operation of the Village of Greenport ice
6 skating rink. So moved.

7 MAYOR NYCE: I'll second that.

8 By way of discussion, the reason it's made
9 out to him and not the Treasurer doing it is
10 because the Treasurer cannot accept cash.

11 All those in favor?

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 TRUSTEE ROBINS: Aye.

15 MAYOR NYCE: Aye.

16 Any opposed or abstentions?

17 (No response.)

18 MAYOR NYCE: That motion carries.

19 I'll offer RESOLUTION #11-2014-11,
20 establishing March 18, 2015 as the Village of
21 Greenport election day, to fill the expiring
22 terms of Mayor and two Trustees.

23 So moved.

24 TRUSTEE ROBINS: Second.

25 MAYOR NYCE: All those in favor?

1 TRUSTEE HUBBARD: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 TRUSTEE ROBINS: Aye.

4 MAYOR NYCE: Aye.

5 Any opposed or abstentions?

6 (No response.)

7 MAYOR NYCE: That motion carries.

8 TRUSTEE ROBINS: RESOLUTION #11-2014-12,
9 RESOLUTION setting the date and times of the 2015
10 Village Board Election as March 18, 2015 from
11 6:00 a.m. to 9:00 p.m., and setting the polling
12 place of the Village election on March 18, 2015
13 to be the Greenport Firehouse at Third Street in
14 Greenport, NY. So moved.

15 TRUSTEE PHILLIPS: Second.

16 MAYOR NYCE: All those in favor?

17 TRUSTEE HUBBARD: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 TRUSTEE ROBINS: Aye.

20 MAYOR NYCE: Aye.

21 Any opposed or abstentions?

22 (No response.)

23 MAYOR NYCE: That motion carries.

24 TRUSTEE PHILLIPS: RESOLUTION #11-2014-13,
25 RESOLUTION setting two Village Voter Registration

1 Days, as follows:

2 Thursday, the 5th of March, from 8:30 a.m.
3 to 5:00 p.m., Saturday, the 7th of March, from
4 11:00 a.m. to 5:00 p.m. So moved.

5 TRUSTEE HUBBARD: Second.

6 MAYOR NYCE: All those in favor?

7 TRUSTEE HUBBARD: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR NYCE: Aye.

11 Any opposed or abstentions?

12 (No response.)

13 MAYOR NYCE: That motion carries.

14 TRUSTEE HUBBARD: RESOLUTION #11-2014-14,
15 RESOLUTION allowing a non-Village resident to
16 serve as an Election Inspector for the upcoming
17 Village Election on March 18, 2015. So moved.

18 MAYOR NYCE: Second.

19 All those in favor?

20 TRUSTEE HUBBARD: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE ROBINS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No response.)

1 MAYOR NYCE: Motion carries.

2 Offer RESOLUTION #11-2014-15,
3 authorizing Clerk Pirillo to re-notice the
4 Request for Proposals for Event Planning services
5 for the Tall Ships 2015 event. So moved.

6 TRUSTEE ROBINS: Second.

7 TRUSTEE PHILLIPS: Do you have a deadline
8 date for that?

9 MAYOR NYCE: Return as soon as possible.
10 That one's not as time sensitive as the promotion
11 was, but I think we should have an answer by our
12 December meeting.

13 TRUSTEE PHILLIPS: So is that something you
14 want to put in the resolution or no?

15 MAYOR NYCE: I don't think it's necessary.
16 I think the return date is for two weeks from
17 now; is that correct?

18 CLERK PIRILLO: No. It will only be in the
19 paper next week. So we'll want another two
20 weeks, but it should make the December meeting.

21 MAYOR NYCE: It should make the December
22 meeting.

23 TRUSTEE PHILLIPS: Okay. I just want to
24 make sure that we're clear on it.

25 MAYOR NYCE: Absolutely. Thank you.

1 All those in favor?

2 TRUSTEE HUBBARD: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 TRUSTEE ROBINS: Aye.

5 MAYOR NYCE: Aye.

6 Any opposed or abstentions?

7 (No response.)

8 TRUSTEE PHILLIPS: Did somebody second that
9 one?

10 TRUSTEE ROBINS: I seconded.

11 TRUSTEE PHILLIPS: Oh, sorry.

12 MAYOR NYCE: Thank you. So I'll note
13 there -- it's in the affirmative, four votes in
14 the affirmative.

15 TRUSTEE ROBINS: RESOLUTION #11-2014-16,
16 RESOLUTION setting the 2015 Village of Greenport
17 property tax lien sale for March 10, 2015 at
18 10:00 a.m., and directing Clerk Pirillo to notice
19 the tax sale accordingly. So moved.

20 TRUSTEE PHILLIPS: Second.

21 MAYOR NYCE: All those in favor?

22 TRUSTEE HUBBARD: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR NYCE: Aye.

1 Any opposed or abstentions?

2 (No response.)

3 MAYOR NYCE: That motion carries.

4 TRUSTEE PHILLIPS: RESOLUTION #11-2014-17,
5 RESOLUTION awarding the contract for the removal
6 of Village trees and stumps to Johnson Tree
7 Company for a total price of \$3,950.00, per the
8 bid opening on November 12, 2014 at 1:10 p.m. So
9 moved.

10 TRUSTEE HUBBARD: Second.

11 MAYOR NYCE: All those in favor?

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 TRUSTEE ROBINS: Aye.

15 MAYOR NYCE: Aye.

16 Any opposed or abstentions?

17 (No response.)

18 MAYOR NYCE: That motion carries.

19 TRUSTEE HUBBARD: RESOLUTION #11-2014-18,
20 RESOLUTION adopting the attached SEQRA resolution
21 adopting lead agency status, and determining that
22 the approval of the wetlands permit application
23 of Nathaniel and Emily Ewing for 203 Fourth --
24 for 230 Fourth Street, Greenport, to be an
25 unlisted action, and determining that the

1 approval of the wetlands permit application will
2 not have a significant negative impact on one or
3 more aspects of the environment, and adopting a
4 conditional negative declaration for the purposes
5 of SEQRA, as stated in the attached SEQRA
6 resolution. So moved.

7 MAYOR NYCE: Second. All those in favor?

8 TRUSTEE HUBBARD: Aye.

9 TRUSTEE PHILLIPS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR NYCE: Aye.

12 Any opposed or abstentions?

13 (No response.)

14 MAYOR NYCE: That motion carries.

15 I'll offer RESOLUTION #11-2014-19,
16 approving the Wetlands Permit Application as
17 submitted by Nathaniel and Emily Ewing to
18 renovate and add on to the existing family
19 residence, including the addition of a swimming
20 pool and patio, at 230 Fourth Street, Greenport,
21 New York, 11944, with the conditions that the
22 applicants must provide facilities to discharge
23 pool water into the sanitary sewer, the
24 applicants are encouraged to provide landscaping
25 that does not require the use of pesticides or

1 fertilizers, and that the applicants must provide
2 a 10-foot, no-turf buffer at the rear of the
3 property per the public hearing as held on
4 November 17, 2014. So moved.

5 TRUSTEE ROBINS: Second.

6 MAYOR NYCE: All those in favor?

7 TRUSTEE HUBBARD: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR NYCE: Aye.

11 Any opposed or abstentions?

12 (No response.)

13 MAYOR NYCE: That motion carries.

14 TRUSTEE ROBINS: RESOLUTION #11-2014-20,
15 RESOLUTION scheduling a public hearing for
16 December 22nd, 2014 at 6:00 p.m. at the Third
17 Street Firehouse, and directing Clerk Pirillo to
18 notice accordingly, for the Wetlands Permit
19 Application as submitted by James F. Laird of
20 Suffolk County Environmental Consulting, Inc. on
21 behalf of Vincent Matassa of 920 Sandy Beach
22 Road, for an extension of approximately eight
23 feet to the existing dock. So moved.

24 TRUSTEE PHILLIPS: Second. I have a
25 question. The CAC needs to review this

1 application again? Should they not?

2 MAYOR NYCE: Paul, did they already?

3 MR. PALLAS: There was no change in -- this
4 is just finalizing the Army Corps permit. The
5 CAC has already provided a recommendation of the
6 original application and nothing has changed.

7 TRUSTEE PHILLIPS: I'm just checking.

8 MAYOR NYCE: Cool. Thank you. All those
9 in favor?

10 TRUSTEE HUBBARD: Aye.

11 TRUSTEE PHILLIPS: Aye.

12 TRUSTEE ROBINS: Aye.

13 MAYOR NYCE: Aye.

14 Any opposed or abstentions?

15 (No response.)

16 MAYOR NYCE: That motion carries.

17 TRUSTEE PHILLIPS: RESOLUTION #11-2014-21,
18 RESOLUTION appointing Kim Loper as the Mayoral
19 Appointment to the Business Improvement District
20 to fill the term of Richard Vandenberg, which
21 expires on April 1st, 2015. So moved.

22 TRUSTEE HUBBARD: Second.

23 MAYOR NYCE: By way of clarification,
24 Mr. Vandenberg has moved on the BID Board to a
25 tenant, because they rent the property on

1 Carpenter Street, I believe. No, I'm sorry.

2 TRUSTEE ROBINS: I think they own the
3 property, and Kim --

4 MAYOR NYCE: Okay, as an owner, because
5 they own the property on Carpenter Street. And
6 Ms. Loper is a tenant at Harbor Pets, and is
7 moving on to the Board as an appointee, and
8 likely next year might go on as a tenant.

9 The term expires April 1st, 2015, because
10 my appointment of Mr. Vandenberg ends then. So
11 the next -- at our next annual meeting, there
12 will be a reappointment. So just that's the
13 explanation. And I'd like to thank Ms. Loper for
14 stepping up.

15 All those in favor?

16 TRUSTEE HUBBARD: 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.

23 TRUSTEE HUBBARD: RESOLUTION #11-2014-22,
24 RESOLUTION ratifying the attendance of Clerk
25 Pirillo, Treasurer Brandt and Utilities Assistant

1 Derryl Baumer at the mandatory Superstorm Sandy
2 FEMA Public Assistance Match training seminar on
3 November 19, 2014 from 2:00 p.m. to 4:00 p.m. in
4 Riverhead, New York; with any applicable travel
5 costs to be expensed from the corresponding
6 account number(s). So moved.

7 MAYOR NYCE: I'll second that. All those
8 in favor?

9 TRUSTEE HUBBARD: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 TRUSTEE ROBINS: Aye.

12 MAYOR NYCE: Aye.

13 Any opposed or abstentions?

14 (No response.)

15 MAYOR NYCE: That motion carries.

16 I'll offer RESOLUTION #11-2014-23,
17 authorizing the Village of Greenport to appeal
18 the Supreme Court decision rendered in the matter
19 of Osinski vs. The Village of Greenport. So
20 moved.

21 TRUSTEE ROBINS: Second.

22 MAYOR NYCE: All those in favor?

23 TRUSTEE HUBBARD: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No response.)

4 MAYOR NYCE: That motion carries.

5 TRUSTEE ROBINS: RESOLUTION #11-2014-24,
6 RESOLUTION authorizing the Village of Greenport
7 to settle, and enter into a Stipulation of
8 Discontinuance in the matter of KACE LI, LLC vs.
9 The Village of Greenport, and authorizing Mayor
10 Dave -- Mayor Nyce to sign the Stipulation of
11 Discontinuance document on behalf of the Village
12 of Greenport. So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No response.)

21 MAYOR NYCE: That motion carries.

22 TRUSTEE PHILLIPS: RESOLUTION #11-2014-25,
23 RESOLUTION awarding the contract for Tall Ships
24 Marketing Services to Creative Advertising
25 Concepts, for an agency fee not to exceed

1 \$17,500.00 per the bid opening dated November
2 10th, 2014 and the revised proposal dated
3 November 20th, 2015. So moved.

4 TRUSTEE HUBBARD: Second.

5 MAYOR NYCE: All those in favor?

6 TRUSTEE HUBBARD: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No response.)

12 MAYOR NYCE: That motion carries.

13 TRUSTEE HUBBARD: RESOLUTION #11-2014-26,
14 RESOLUTION authorizing Trustee Murray to
15 participate in the creation of a Request for
16 Proposal document to clean and restore the wooden
17 buildings in the Mitchell Park Marina, with the
18 cost for cleaning and restoration of each
19 building to be quoted separately, and directing
20 Clerk Pirillo to notice the Request for Proposals
21 accordingly. So moved.

22 MAYOR NYCE: Second. All those in favor?

23 TRUSTEE HUBBARD: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 TRUSTEE ROBINS: Aye.

1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No response.)

4 MAYOR NYCE: That motion carries.

5 I'll offer RESOLUTION #11-2014-27,
6 ratifying and approving the Memorandum of
7 Agreement dated November 18, 2014 between the
8 Village of Greenport and the CSEA, Inc, Local
9 1000; with the resulting Collective Bargaining
10 Agreement effective dates to be June 1, 2011
11 through May 31st, 2017. So moved.

12 TRUSTEE ROBINS: Second.

13 MAYOR NYCE: I'd like to thank Trustee
14 Hubbard for his work on this. It's been a long
15 time. This negotiation's been going on for quite
16 a long time, and I'm happy that we've reached a
17 conclusion. And that as the Collective
18 Bargaining Unit ratified it last week and we're
19 ratifying it tonight, looks like we should be
20 moving ahead harmoniously, we hope.

21 TRUSTEE HUBBARD: We sure hope so. It
22 started in 2009.

23 MAYOR NYCE: Absolutely.

24 TRUSTEE HUBBARD: So it's been five years
25 working on it. I want to, you know, thank

1 everybody from the Union that did work on that,
2 that, you know, worked with us.

3 MAYOR NYCE: Yeah.

4 TRUSTEE HUBBARD: Also, I thank all our
5 Village workers all the time. I praise them for
6 what they do, and everything else. And this is
7 out of the way and we can move on to other
8 projects.

9 MAYOR NYCE: Absolutely.

10 All those in favor?

11 TRUSTEE HUBBARD: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 TRUSTEE ROBINS: Aye.

14 MAYOR NYCE: Aye.

15 Any opposed or abstentions?

16 (No response.)

17 MAYOR NYCE: That motion carries.

18 TRUSTEE ROBINS: RESOLUTION #11-2014-28,
19 RESOLUTION approving all checks per the Voucher
20 Summary Report dated November 20th, 2014, in the
21 total amount of \$818,150.90 consisting of:

22 o All regular checks in the amount of
23 \$709,238.15, and,

24 o All prepaid checks (including wire
25 transfers) in the amount of \$108,912.75. So

1 moved.

2 TRUSTEE PHILLIPS: Second.

3 MAYOR NYCE: All those in favor?

4 TRUSTEE HUBBARD: 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.

11 That concludes the business before this
12 Board tonight at 7:12. I will offer a motion to
13 adjourn.

14 TRUSTEE PHILLIPS: Second.

15 MAYOR NYCE: All those in favor?

16 TRUSTEE HUBBARD: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 TRUSTEE ROBINS: Aye.

19 MAYOR NYCE: Aye.

20 Any opposed?

21 (No response.)

22 MAYOR NYCE: That motion carries.

23 (Whereupon, the meeting was adjourned at
24 7:12 p.m.)

25

BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING WETLANDS PERMIT APPLICATION
OF NATHANIEL AND EMILY EWING

WHEREAS an application for a wetlands permit approval was filed by the Ewings as application with the Board of Trustees of the Village of Greenport; and

WHEREAS the Board of Trustees of the Village of Greenport has duly considered the obligations of the Village of Greenport with respect to the wetlands permit application and the Board of Trustees of the Village of Greenport with regard to SEQRA, and completed a short form EAF for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with regard to the consideration and approval of the wetlands permit application and it is further

RESOLVED that the Board of Trustees hereby determines that the approval of the wetlands permit application is an Unlisted Action for purposes of SEQRA; it is further;

RESOLVED that the Board of Trustees of the Village of Greenport hereby determines that the approval of the wetlands permit application;

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

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

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

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

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

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

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

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

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant two or more related actions each of which is not significant but when reviewed together are significant; all of the above provided that certain conditions are met as follows:

The applicants must provide facilities to discharge pool water into the sanitary sewer;

The applicants are encouraged to provide landscaping that does not require the use of pesticides or fertilizers; and

The applicants must provide a 10 foot no turf buffer at the rear of the property; and that it is therefore;

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

Upon motion by Trustee

seconded by Trustee

this resolution is carried as follows:

Dated: November 21, 2014

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
OR ADOPTION OF LOCAL LAW
BOARD OF TRUSTEES
VILLAGE OF GREENPORT**

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Greenport will conduct a Public Hearing on Monday, November 24, 2014 at 6:00 p.m. at the Third Street Fire Station, Third and South Streets, Greenport, New York, 11944 regarding a proposed local law of 2014 amending Chapter 65 (Fire Prevention and Building Construction) of the Village of Greenport Code, amending Chapter 65, Section 7(K) of the Village of Greenport Code.

The purpose and subject of the proposed local law is to add fire suppression inspection fees for initial Village inspection of fire suppression systems to the Village of Greenport Code.

The title of the local law is "Local Law of 2014 – A Local Law amending Chapter 65, Section 7(K) of the Village of Greenport Code – Fire Prevention and Building Construction".

Any interested party will be heard at the public hearing.

BY ORDER OF THE VILLAGE OF GREENPORT BOARD OF TRUSTEES
Sylvia Lazzari Pirillo, RMC
Village Clerk

1T: 11/06/14
2 Copies of Affidavit Required

November 8, 2014

LOCAL LAW NO. OF THE YEAR 2014

AMENDING CHAPTER 65 SECTION 7K OF THE GREENPORT VILLAGE
CODE
TO ADD FIRE SUPPRESSION INSPECTION FEES

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Amendment To Section 65-7(K) of the Greenport Village Code

3.0 Severability

1.1 Title.

This Local Law shall be entitled “Local Law of 2014 Amending Section 65-7(K) of the Greenport Village Code to add a fee for the initial fire suppression system inspection.”

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State of New York, the Incorporated Village of Greenport, County of Suffolk and State of New York, hereby enacts by this Local Law of 2014, a Local Law of the Village of Greenport.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to provide for the safety and wellbeing of the residents and visitors to the Village of Greenport, by encouraging the proper and timely initial inspection of fire suppression systems in the Village of Greenport by the Building Inspector and to charge a corresponding fee for that service when provided by the Village.

2.0 General Provisions.

2.1 Amendment to Section 65-7(K) of the Greenport Village Code.

2.1 Section 65-7(K) of the Greenport Village Code is amended to add the following fee:

“Building Inspector initial inspection of ~~ansel~~ fire suppression system installation \$ 100.”

3.0 Severability

In the event that any section or portion of this Local Law or Chapter shall be deemed invalid or void, the remaining provisions of this Local Law and Chapter shall remain in full force and effect.

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
OR ADOPTION OF LOCAL LAW
BOARD OF TRUSTEES
VILLAGE OF GREENPORT**

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Greenport will conduct a Public Hearing on Monday, November 24, 2014 at 6:00 p.m. at the Third Street Fire Station, Third and South Streets, Greenport, New York, 11944 regarding a proposed local law of 2014 amending Chapter 48 (Boats and Boating) of the Village of Greenport Code.

The purpose and subject of the proposed local law is to amend specified provisions of, and appendices, of Chapter 48 of the Village of Greenport Code.

The title of the local law is "Local Law of 2014 – A Local Law amending Chapter 48 of the Village of Greenport Code – Boats and Boating".

Any interested party will be heard at the public hearing.

**BY ORDER OF THE VILLAGE OF GREENPORT BOARD OF TRUSTEES
Sylvia Lazzari Pirillo, RMC
Village Clerk**

1T: 11/06/14
2 Copies of Affidavit Required

November 8, 2014

LOCAL LAW NO. OF THE YEAR 2014

AMENDING CHAPTER 48 OF THE GREENPORT VILLAGE CODE
REGARDING BOATS AND BOATING

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Amendment To Section 48-17(B) of the Greenport Village Code.

2.2 Amendment to Section 48-17(D)(5) of the Greenport Village Code.

2.3 New Section 48-17(D)(6) of the Greenport Village Code.

2.4(A) Amendment to Appendix A Section (1)

2.4(B) Amendment to Appendix A Section (2)

2.4(C) Deletion of Appendix A Section (7)

3.0 Severability

1.1 Title.

This Local Law shall be entitled “Local Law of 2014 Amending Chapter 48 of
the Greenport Village Code Regarding Boats and Boating”.

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State
of New York, the Incorporated Village of Greenport, County of Suffolk and State of

New York, hereby enacts by this Local Law of 2014, a Local Law of the Village of Greenport.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4 Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to provide for the safety and wellbeing of the residents and visitors to the Village of Greenport, the proper and orderly use of the Railroad Dock and other Village of Greenport dock and mooring facilities, and to limit the liability of the Village of Greenport due to the actions of the parties using the docks and mooring facilities of the Village of Greenport.

2.0 General Provisions.

2.1 Amendment to Section 48-17(B) of the Greenport Village Code.

2.1 Section 48-17(B) is amended to read as follows:

“The Harbormaster is hereby authorized to issue one (1) dock permit for docking or mooring of boats to the foresaid docks, piers, wharves and moorings in Greenport Harbor and Sterling Basin. There shall be only one (1) permit issued per boat. Each permit issued with regard to the Railroad Dock shall entitle the holder thereof to drive one designated motor vehicle upon the Railroad Dock.”

2.2 Amendment to Section 48-17(D)(5) of the Greenport Village Code.

2.2 The language of Section 48-17(D)(5)(a) is amended to read as follows:

“5. Proof of Insurance; Hold Harmless and Indemnification

a. For the Railroad Dock, proof of insurance in the form of an original certificate of insurance naming the Village of Greenport as additional insured for not less than the following amounts and types:

i. Maritime commercial general liability insurance, including contractual liability coverage, in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence and Three Two Million Dollars (\$23,000,000) for the annual aggregate amount for bodily injury and property damage and other general liability.

ii. Proof of automobile liability insurance satisfactory to the Village. ~~(if any non-owned or owned vehicles are used by the Contractor in the performance of the Contract) in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per person, per accident, for bodily injury and not less than One Hundred Thousand Dollars (\$100,000.00) for property damage per occurrence.~~

iii. Workers' Compensation and Employer's Liability insurance for all contractors performing services for the vessel in compliance with all applicable New York State laws and regulations and Disability Benefits insurance, if required by law. ~~The Contractor shall furnish to the County, prior to its execution of the Contract, the documentation required by the State of New York Workers' Compensation Board of coverage or exemption from coverage pursuant to §§57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law §108, the Contract shall be void and of no effect unless the Contractor shall provide and maintain coverage during the Term for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.~~

iv. Proof of hull insurance satisfactory to the Village. in the amount of not less than Five Hundred Thousand Dollars (\$500,000).

v. Water pollution discharge insurance as required by State and local law.

b. Owners of boats and vessels using a Village of Greenport mooring or dockage shall execute a hold harmless and indemnification agreement in favor of the Village of Greenport either as part of the mooring or dockage agreement or in a separate agreement, as required by the Village and provide the Village of Greenport with proof of liability insurance of an amount of not less than three hundred thousand dollars (\$300,000) naming the Village of Greenport as additional insured.”

2.3 New Section 48-17(D)(6) of the Greenport Village Code.

2.3 A new Section 48-17(D)(6) is added to read as follows:

“48-17(D)(6) Current Coast Guard Safety Certification number.

Every vessel using a Village of Greenport dock or mooring facility requiring a Coast Guard Safety Certificate shall provide the current Coast Guard Safety Certification number of the vessel to the Village of Greenport.”

2.4 Amendment to Appendix A of Chapter 48 of the Greenport Village Code.

2.4(A) Appendix A Section (1) of Chapter 48 of the Greenport Village Code is amended to read as follows:

“(1) No commercial activity shall be allowed on any docks or moorings within the ownership or lease of the Village of Greenport without the prior consent of the Village. Included in commercial activity shall be fuel and ice servicing, repair work of

any kind, welding, loading or off-loading, of fish or other materials, or commercial vehicle or vendors' trucks.”

2.4(B) Appendix A Section (2) of Chapter 48 of the Greenport Village Code is amended to read as follows:

“(2) There shall be no parking of motor vehicles on any of the docks except for loading and unloading.”

2.4(C) Appendix A Section (7) of the Greenport Village Code shall be deleted and removed.

3.0 Severability

In the event that any section or portion of this Local Law or Chapter shall be deemed invalid or void, the remaining provisions of this Local Law and Chapter shall remain in full force and effect.