

1 STATE OF NEW YORK
VILLAGE OF GREENPORT
2 ----- X
3 BOARD OF TRUSTEE
WORK SESSION
4 ----- X

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January 22, 2013
6:00 P.M.

- 10 BEFORE:
- 11 DAVID NYCE - MAYOR
 - 12 GEORGE HUBBARD, JR. - TRUSTEE
 - 13 CHRISTINA KEMPNER - TRUSTEE
 - 14 DAVID MURRAY - TRUSTEE
 - 15 MARY BESS PHILLIPS - TRUSTEE
 - 16
 - 17 SYLVIA PIRILLO - CLERK
 - 18 JOSEPH PROKOP - VILLAGE ATTORNEY
 - 19 DAVID ABATELLI - VILLAGE ADMINISTRATOR
 - 20 CHARLENE KAGEL - VILLAGE TREASURER
 - 21 JACK NAYLOR - DIRECTOR OF UTILITIES

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1 MAYOR NYCE: I will call this Board
2 of Trustees work session to order. Please
3 rise for the Pledge of Allegiance.

4 (Whereupon all stood for the pledge
5 of Allegiance.)

6 MAYOR NYCE: Our first report is from
7 the fire department. The Chief was here.
8 There was nothing in his report other than
9 to accept the reports. So we have excused
10 him and making a note to the Clerk to make
11 sure that we announce again the Washington
12 Birthday's parade. I think that is the
13 only announcement. So that makes our
14 first report this evening from the
15 Treasurer's Department. Charlene Kagel is
16 here. Good evening.

17 MS. KAGEL: Good evening, Mr. Mayor,
18 Members of the Board. We have some budget
19 modifications. There was one that was
20 attached to the work session report for
21 the -- requested by the Director of
22 Utilities for the repairs, battery charger
23 replacement. In addition, we have a few
24 late comers. There is one for an

25 appropriation of fund balance to be paid

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1 for transcription expenditures, as
2 requested by the Clerk's Office. We have
3 an appropriation of fund balance to help
4 pay for additional labor counsel fees. And
5 the other one is already attached to the
6 work session report.

7 TRUSTEE PHILLIPS: Is it a batter
8 charger or chargers?

9 MS. KAGEL: Both.

10 MAYOR NYCE: Chargers and the
11 battery chargers themselves.

12 MS. KAGEL: We had from -- The
13 Clerk's Office has been working with the
14 Treasurer's Office and the labor counsel
15 charges for the year. It has been very
16 costly. We have had an ongoing dispute
17 that has been filed with the department of
18 labor regarding a vendor who is claiming
19 unemployment as a result of a requested
20 for proposal and we're defending that. So
21 there is unfortunately a charge that the
22 Board will have to approve. We have not
23 planned for that.

24 MAYOR NYCE: Did we do a budget mod

25 for legal expenses last month, I thought

4

1 that was for --

2 MS. KAGEL: This is additional.

3 MAYOR NYCE: This is additional.

4 Okay.

5 TRUSTEE PHILLIPS: This is still
6 ongoing?

7 MS. KAGEL: Yes, it is.

8 MS. KAGEL: Moving on. We have a bond
9 payment in the amount of \$3360.00, and we
10 just renewed the \$1.7 million dollar BAN
11 and a \$16,089 interest. I believe Chase
12 was the -- had received the new one. The
13 interest rate was 0.72. So it's a very
14 good rate. Collections, same as every
15 year. On the Wastewater Treatment Plant,
16 we have draw down #10 ready to go up to
17 the EFC. What I am trying to decide,
18 whether or not -- I have spoken to Mary
19 Ellen, she has asked if we have any other
20 expenditures, I believe there is some
21 monitoring. We might be expecting another
22 invoice from Cameron at this point or are
23 we completely finished?

24 MR. NAYLOR: We are still waiting
25 for three proposals from Cameron for

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1 sludge problems, Clark's Beach and one
2 more addition.

3 MAYOR NYCE: Which we set aside as a
4 contingency --

5 MR. NAYLOR: Right. So they should
6 know about all of that.

7 MAYOR NYCE: We need to have
8 specific numbers -- if we're going to
9 close out with a contingency, we need to
10 have specific numbers showing those items.

11 MS. KAGEL: That is what she said.

12 TRUSTEE PHILLIPS: Let me just ask a
13 question here. Under the EFC loans, it
14 says issues with switch. Contractor rep
15 laving switch in six weeks. Now is that
16 going to be an additional charge order
17 coming or does that mean that the
18 contractor is going to take care of that?

19 MAYOR NYCE: No, I think that is
20 part of the original scope of work and I
21 just think that is going to take the six
22 weeks to be here. In his addendum, he has
23 four of those items. I think the only

24 things that are still open ended are the
25 proposals that we are still waiting from

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1 Cameron. So we need to get that. We want
2 to close it out all at once.

3 MS. KAGEL: So like I said, we have
4 prepared the draw down, we're just waiting
5 on that.

6 MAYOR NYCE: Okay.

7 MS. KAGEL: That leads me to my next
8 bullet point, the New York State awards
9 that the Village has received last month
10 on the consolidated funding application
11 that was submitted. The Mayor had asked to
12 work together and come up with a plan to
13 see how we can fund these projects in the
14 short term and perhaps the long term. I
15 attended the project kickoff meeting with
16 Jack for the EFC projects, which would be
17 the storm water, waste water. They had
18 basically told us, before we could get our
19 contract in place, we would need to have
20 bond resolution for authorizing the long
21 term borrowing. I had a conversation with
22 bond counsel, as they had said, the long

23 term project, the improvements that we
24 were indicating would be for long term.
25 This would be funded in the capital fund

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1 and it wouldn't be attributable to any
2 utility funds because it would be more
3 general funds type of expenditure. So my
4 meeting with Bob Smith and Noah we had
5 come up with some recommendations. We had
6 decided that this would be what we would
7 recommend to the Board. For the east and
8 west sewer studies, \$23,000 and \$25,000
9 respectively. There is a 40% in kind
10 match. And these are specific to the sewer
11 fund. To borrow this type of money in the
12 short term, it would be rather costly and
13 since the sewer fund has ample reserves,
14 the best approach I believe would be to
15 appropriate reserves that are for the
16 project, these two studies and these are
17 in-kind match. For the short term, we
18 would imagine it's not going to be a long
19 term project. The water grant, that is a
20 10% match is a local in-kind match. We
21 would recommend that we do a capital fund
22 BAN issued for the total project amount,

23 which would be part of the MS4 plan. I am
24 just assuming that this would fall into
25 some longer term. This would have to fall

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1 under a permissive referendum. So we
2 would issue a one year note and then work
3 towards the project and see how we are in
4 one year and either renew it or convert it
5 to a long term. If we could recoup the
6 amount in a year, we would pay it off and
7 have no out of pocket expenses.

8 TRUSTEE KEMPNER: Why do we have to
9 borrow?

10 MS. KAGEL: It's a short term.

11 TRUSTEE KEMPNER: I just never heard
12 them require to authorize the borrowing.

13 MS. KAGEL: They are requiring us to
14 have our funding in place.

15 TRUSTEE KEMPNER: That includes the
16 10% match?

17 MS. KAGEL: Yes.

18 TRUSTEE KEMPNER: So it's \$267,000 --

19 MS. KAGEL: It's \$267,000.00 that we
20 have to lay out of pocket from the General
21 Fund.

22 TRUSTEE KEMPNER: We could --

23 MS. KAGEL: We have to set up a
24 budget.

25 TRUSTEE KEMPNER: That is a lot of

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1 money to authorize for borrowing.

2 MS. KAGEL: It would be a one year.

3 MAYOR NYCE: We are not going to
4 necessarily take that money out of the
5 bank and spend it. We're going to in-kind
6 get the money bank. The only thing that is
7 coming out of the reserves is the match.
8 So we would refund ourselves and not do
9 the borrowing. I asked Charlene to come
10 up with some strategies to see what would
11 be the best way we could --

12 TRUSTEE KEMPNER: They all seem
13 pretty straightforward.

14 MS. KAGEL: They are.

15 TRUSTEE KEMPNER: So it seems like
16 once we do the projects, we could even
17 reimburse part of it before -- depending
18 on the grant, before we lay out the money.
19 So it may not even be close to the \$367.

20 MAYOR NYCE: They are just requiring
21 that we show. So hopefully none of these.

22 I don't want to borrow for any of these.

23 They are also going to be longer term.

24 MS. KAGEL: So that would be a short

25 term solution to have to fund that. The

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1 economic development grant which
2 \$45,000.00 grant with a \$45,000.00 match.
3 According to bond counsel, we can not bond
4 that. We can not borrow short term,
5 because it's not going to ultimately end
6 up in capital budget. It's not a study for
7 an extension of sewer district or for the
8 replacement of bulkhead. So therefore, we
9 would have to fund that through General
10 Fund Surplus. So that would be \$45,000.00
11 from General Fund Surplus to fund our out
12 of pocket. So it would \$90,000.00 in the
13 interim and we would get \$45,000.00
14 reimbursed from the grant. In addition to
15 that, Mitchell Park bulkhead study, it's
16 \$185,000.00 project. Fifty percent local
17 match. So \$19,000.00. We believe -- we
18 recommend -- I believe that this is a
19 project that would end up as a bond
20 project. So therefore we could use General

21 Fund surplus or we could borrow. What I
22 think the combination of using General
23 Fund surplus or any of these would get us
24 with our polices to use that for short
25 term, which is the reason why we came up

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1 with the recommendation that we use the
2 surplus fund of \$45,000.00 match on
3 economic development. That we use short
4 term notes for the Mitchell Park study.
5 It's a very quick turnaround and we can
6 get the money back right away. I don't
7 have any information on the bulkhead grant
8 yet. I have not received any information
9 yet. I am not sure what the details are.
10 Whether we have to expend our first in
11 order to get reimbursed for it. These are
12 just some of the ideas that we discussed
13 and what are some of our possibilities.

14 MAYOR NYCE: Can you do me a favor
15 and circulate that as an e-mail, the
16 recommendations?

17 MS. KAGEL: Sure.

18 MAYOR NYCE: It seems to make sense.

19 TRUSTEE KEMPNER: One of the things
20 that we voted on last month was the

21 \$5,000.00 consultant for Clark's Beach. I
22 think that should go into the Development
23 Study. I would like to see the bid
24 contribute something to that. It's
25 \$5,000.00 and I thought we should put it

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1 towards that or if there is anything else
2 in the budget, even the road and
3 infrastructure survey. The reason I am
4 concerned about borrowing is that I rather
5 see us borrow for roads that we
6 desperately need. They are all good
7 projects but we have projects that we need
8 to do for infrastructure and ground. So
9 whatever we can call, we can do. Even the
10 Tall Ships last year -- you know, even
11 that stuff, that takes away from the
12 borrowing. Even the bulkhead study,
13 something that we are doing -- any
14 spending, try and use that for match.
15 They are usually pretty flexible with
16 that. They just want to see that we're
17 spending our money.

18 MAYOR NYCE: Absolutely.

19 MS. KAGEL: So I will circulate that

20 to e-mail. In addition, I just wanted to
21 touch on -- Jack and I had had some
22 conversations with Noah as well. Jack's
23 work session report, he speaks about long
24 term transitional rates. He is making --
25 in his report, he is making a

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1 recommendation that we do actually make
2 these payments. I think we have to make a
3 payment by February 15th.

4 MAYOR NYCE: Have we gotten a letter
5 from --

6 MR. NAYLOR: I received an e-mail
7 this afternoon.

8 MAYOR NYCE: That we re-up. It seems
9 less risky.

10 MS. KAGEL: So I guess the first
11 payment is 25%, which is \$166,000.00. That
12 is the payment that would be due February
13 15th. We were talking about possible
14 finance options. This was not something
15 that was planned or budgeted. So what we
16 were thinking -- there was a couple of
17 options. We could use the electric fund
18 surplus. We could use that. Short term.
19 Jack had commented that some of the other

20 utilities are taking a grant. I spoke to
21 Noah about the revenue. Quite honestly, I
22 have no experience with this one. It's a
23 new animal for me. So I called Noah and we
24 spoke. He also said that a budget note
25 might be something that we could use.

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1 However both of those notes require that
2 some action be taken in the year, so there
3 is an anticipation note that needs to be a
4 very firm. When is it coming it and when
5 it will be received. If you have a budget
6 note, then you will are assuming that you
7 will have that built into the budget. So
8 we would have to pay that all back in one
9 year. So we would see how we would to be
10 funding that. I have not had an
11 opportunity to speak to Bill Freitag about
12 this. I am not really sure how this is
13 handled. I would like to have a little
14 more of a conversation before we dive into
15 something that we might Board of Trustees
16 be sure about at this point. So at this
17 point in time, make the February payment
18 and do some appropriations. I am not

19 really quite sure if this is recurring
20 every year. So we would have to make sure
21 that we have this in the budget and then
22 re-coup the following year.

23 MAYOR NYCE: Jack, why don't you
24 come up and join us. The reason I had
25 asked if you had a conversation with the

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1 power authority is because they regulate
2 the charging rates and how we re-coop
3 funds from the customers and this is
4 obviously an unforeseen bump in power
5 expenses and if they had any thoughts as
6 to --

7 MR. NAYLOR: Well, it is an
8 additional charge. So we will get the
9 PPA. The main difference, some of the
10 utilities are likely to take this as an
11 --when we pay the bill, that goes out to
12 the customers. But when we get \$120,000.00
13 from the Power Authority in may, we can't
14 bill \$40,000.00 because then everyone's
15 electric bill will be four times more. So
16 we are able to take it and spread it out
17 over 12 months. The hard part is from
18 essentially from February to December,

19 we're paying twice. We are paying for a
20 future price and the current. I spoke with
21 several of the cooperatives who dealt with
22 this a couple of years ago. My
23 recommendation and I have spoken to
24 Charlene already is pay the first two
25 months out of reserves. The second nine

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1 months, what I would like to find out and
2 if they would permit it, if they would do
3 this in advance. I have not gotten an
4 answer. So that is a question that I don't
5 have answered at this point.

6 MAYOR NYCE: So at this point, what
7 you are looking for is an authorization
8 for us to sign the extension of the Long
9 Term Emission Rights and make a payment of
10 \$166,000.

11 MR. NAYLOR: Yes. My recommendation
12 would be to get the one payment out of the
13 way and study the rest for two months.
14 Bill Freitag is already aware of this
15 issue and he should have something for us.

16 TRUSTEE PHILLIPS: Dave, I would feel
17 more comfortable if Jack can get the

18 information and get it to all of us so we
19 can review it. I really don't want to see
20 it on the day of the Board meeting. I
21 think that is what is going to happen
22 here.

23 MAYOR NYCE: Do you have anything
24 else, Charlene?

25 MS. KAGEL: I have one more other

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1 item. Actually a question for Trustee
2 Phillips. I received a copy of an e-mail
3 from you regarding a \$21,000.00 line item.

4 TRUSTEE PHILLIPS: What I wanted to
5 do and I was going to bring that up later
6 in my report but the Carousel Committee
7 had received a \$21,000, up to \$21,000.00
8 in funding to do some improvements on the
9 Carousel in Mitchell Park. And it's going
10 to do -- and I know that Joe had a
11 conversation with the chairman of the
12 committee. What we need to do is ensure
13 that the Friends of Mitchell Park -- they
14 want to make sure that the money was spent
15 and set up for the way that it is supposed
16 to be used for. My thought is this is a
17 grant to the Village. So I would assume

18 that you would have to set up an account.
19 So the committee wants to make sure that
20 the expenses are clear for them as a
21 group. So that they can keep track of
22 what is going down.

23 MS. KAGEL: I would recommend a
24 capital.

25 TRUSTEE PHILLIPS: That is what I

18

1 thought it would be. The Committee is
2 planning to do some fundraising to
3 supplement this. So I believe they have
4 already spoke about this. So I just
5 wanted to make sure that we had this set
6 up as a resolution for the Monday.

7 MS. KAGEL: Okay.

8 TRUSTEE PHILLIPS: I did have a
9 couple of questions. I noticed in the
10 report here --

11 MS. KAGEL: We are still holding a
12 payment. The Board released \$141,000.00.

13 TRUSTEE PHILLIPS: Okay.

14 MAYOR NYCE: We had a meeting two
15 weeks ago and I made it very clear that
16 not until all the documentation was in

17 place and all was received, we would not
18 be releasing any more retainage. If we
19 did, it would be in equal proportions.

20 TRUSTEE PHILLIPS: All right. I see
21 on the report it has a requested amount.
22 This money we have not received this
23 money. I know that we have received some
24 of it.

25 MS. KAGEL: Correct.

19

1 MAYOR NYCE: We have one more draw
2 done.

3 MS. KAGEL: We have received
4 everything that we asked for. We have not
5 received the retainage.

6 TRUSTEE PHILLIPS: So the amount to
7 be funded by bonds?

8 MS. KAGEL: I believe that he will
9 come in less than that for this.

10 MAYOR NYCE: Thanks, Charlene.

11 So we will just go to the Director
12 of Utilities since he is sitting right
13 here. Good evening, Jack.

14 MR. NAYLOR: Good evening. The
15 batteries, when they were asking why we
16 wanted to get reimbursed for that, we said

17 we inspect them every year. This year,
18 when we checked the terminals, they were
19 shot. They said we should replace them.
20 They said that we would have some
21 eligibility for them as well. Capital
22 improvements, we tried to do that
23 transformer replacement internally. So we
24 went back to the contractor and looked at
25 his proposal. They just have a couple of

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1 issues, where we're differing on some of
2 the things. So we should have that
3 hopefully done by tomorrow.

4 MAYOR NYCE: I would like to see
5 that finalized. This has been dragging on
6 too long.

7 MR. NAYLOR: Yes.

8 MAYOR NYCE: We need to get it done.
9 I just want to go to the Light Grant,
10 where is that at, Jack? It was supposedly
11 on the desk?

12 MR. PROKOP: It's still there.

13 MAYOR NYCE: Any ETA on that, 2014?

14 MR. PROKOP: The good news is that
15 there is some new people in that office.

16 So I don't have an ETA. There is a person
17 that has been working on it. We have been
18 dealing with her all along and hopefully
19 it shouldn't be much longer.

20 MR. NAYLOR: I got Joe's comments
21 over the weekend.

22 MAYOR NYCE: So we have already
23 authorized the bid documents to go out.

24 MR. NAYLOR: We have set the dates
25 that the contractor is not going to work

21

1 until late March, but if you want, I will
2 get it out in a couple of days. We will
3 just have to extend the award period.

4 MAYOR NYCE: I don't necessarily
5 agree with you, but I understand your
6 point. We would just like to get it done.

7 MR. NAYLOR: We are all ready to go.
8 I will put whatever date in you want.

9 MAYOR NYCE: Let's put it in.

10 MR. PROKOP: Let maintenance get the
11 notice out.

12 MR. NAYLOR: I can get it out.

13 MAYOR NYCE: I understand that once
14 we award the bid there is a certain amount
15 of days that they can start the work. I

16 understand that.

17 TRUSTEE MURRAY: I wouldn't want to
18 roof in February but I think now putting
19 the bid out is necessary.

20 MAYOR NYCE: We wouldn't be starting
21 to March anyway.

22 TRUSTEE MURRAY: I think we will get
23 a better response in February.

24 TRUSTEE HUBBARD: It has been
25 delayed so many times. So let's get it in

22

1 the newspapers as soon as possible. Let's
2 do it before it gets too hot again.

3 MAYOR NYCE: Let's get it done.

4 MR. NAYLOR: The emissions part, we
5 have till the end of January 31st to get
6 that in.

7 MAYOR NYCE: All right.

8 MR. NAYLOR: On the EFC loan grants
9 and stuff, I do want to update that. I
10 sent an e-mail out, I think it was Friday.
11 Philip Ross had submitted the last of his
12 items on Wednesday. I went to Cameron's
13 office on Friday. It was agreed. Although
14 they did not provide everything that we

15 asked for, it was acceptable. We thought
16 it was acceptable both myself and Cameron
17 Engineering. He sent it to EFC and both
18 the information for the pumps and light
19 grants were approved. Those removed the
20 last two items. In my e-mail, I outlined
21 that there was a discrepancy that included
22 a statement that I paid everybody. The
23 report indicated that it showed monies
24 that were outstanding, which was a
25 conflict and aside from any, I will give

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1 Joe a chance to address that issue, they
2 have \$34,000.00 from Park Avenue building,
3 some of which is retained. They have
4 \$28,000.00 remaining to Bob Construction.
5 And it's \$180,000.00 outstanding in
6 retainage. In essence, we have \$65,000.00
7 owed to MEW Suppliers and \$45,000.00 on
8 the punch list. That adds up to
9 \$110,000.00. Ten of which is not retained.
10 So in light of that information and the
11 things that the contractor has
12 accomplished, we're prepared to recommend
13 release of retainage of up to \$80,000.00
14 subject to counsel's input. Do you want to

15 address that now?

16 MAYOR NYCE: That's what was said at
17 the meeting before. There is some
18 retainage. EFC has signed off on what he
19 has submitted as paperwork, then --

20 MR. NAYLOR: Okay.

21 MR. PROKOP: I just have a question.
22 The e-mail that you showed me, the EFC,
23 that the documentation wasn't acceptable.
24 You're saying that it was verbally
25 accepted. Do you have any of those

24

1 documents showing that it was accepted?

2 MR. NAYLOR: It was accepted to us.
3 EFC has since seen it, and they have sent
4 an e-mail and said it was fine.

5 MR. PROKOP: Do you have that
6 e-mail?

7 MR. NAYLOR: Not with me. I can get
8 that e-mail for you?

9 MR. PROKOP: I think that is a
10 critical piece.

11 MR. NAYLOR: We have two weeks to
12 turn it around. I took \$180,000, minus
13 \$100,000.00 that was still going to be

14 retained and --

15 MR. PROKOP: I know that.

16 MR. NAYLOR: He's allowed to hold 5%
17 of our money.

18 MR. PROKOP: Why would we let him
19 hold our money? His retainage with his
20 subcontractors is to secure. If there is a
21 problem with the subcontractors, there is
22 also a problem --

23 MR. NAYLOR: All the work is done.

24 MR. PROKOP: It's done. If you could
25 get me that documentation on that.

25

1 MR. NAYLOR: Sure.

2 Five is done. Six is done, and
3 eight is done.

4 TRUSTEE PHILLIPS: So this is a
5 revised punch list? I just want to be
6 clear.

7 MR. NAYLOR: This is what has been
8 done --

9 TRUSTEE PHILLIPS: I just want to be
10 clear.

11 MAYOR NYCE: I had a few
12 conversations with people from Sterling
13 Marina who are very interested in sewer

14 hook-ups. There was a letter to us that
15 they be allowed to be -- that they be
16 considered for that project. The two
17 large yacht large over there.

18 MR. NAYLOR: Yes. They are having a
19 meeting. They are having a building
20 permit for the first one.

21 MAYOR NYCE: Okay.

22 MR. NAYLOR: The Planning grants, we
23 were very lucky, we got two. We were
24 recommended for one. We got both of them.
25 We are looking forward to getting it done.

26

1 Following up on some changes. Several
2 things have changed, proposition. One the
3 things with Sterling being designated as
4 an impacted area. That could raise our
5 score. Bringing in private funds to fund
6 that connection. That would raise our
7 score. So those should knock our scores
8 up very, very high.

9 TRUSTEE KEMPNER: What is the
10 timeframe?

11 MR. NAYLOR: We're not required to,
12 but the recommended procedures would be to

13 put out an RFP. Because they are two
14 separate RFP's and one is below the
15 \$25,000.00 limit. We expect to get our
16 responses in. I would like to see some of
17 them selected by the March meeting. You
18 know the background, introduction. And I
19 expect to have a finished report by May or
20 June.

21 TRUSTEE KEMPNER: That is the way
22 the cycle works?

23 MR. NAYLOR: Yes.

24 MAYOR NYCE: I think a lot of the
25 preliminary work was done.

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1 TRUSTEE KEMPNER: That's an EFC. I
2 was wondering if the Economic Development,
3 because it's definitely something that
4 they can do --

5 MAYOR NYCE: Yes. Absolutely.

6 TRUSTEE KEMPNER: What about the
7 other grants?

8 MR. NAYLOR: There is two types of
9 loans. There is low interest loans and
10 zero interest loans. The discounted or
11 the zero interest loans, which may
12 qualify, but in dealing with matching

13 trying to fund it. Getting private
14 funding means the less we have to borrow.
15 So if the marina is going to pay for their
16 connection from -- to our sewers, and
17 connecting Sandy Beach people is a lot
18 easier. Dave, I know you are involved
19 with the Southold Town, so as much as you
20 can work with the Planning Department and
21 I would imagine that you would speak to
22 the supervisor. I would imagine that
23 knocking on doors would do extra to our
24 district.

25 MAYOR NYCE: I will set up a time to

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1 go to one of the Town work sessions and
2 ask that they be supportive.

3 MR. NAYLOR: Okay.

4 TRUSTEE MURRAY: So do you actually
5 go knocking on doors?

6 MR. NAYLOR: Yep. Maybe not
7 personally. Definitely will probably do
8 that.

9 TRUSTEE KEMPNER: What about the
10 grant structuring?

11 MR. NAYLOR: That's in the next

12 section. There is a lead into that. We
13 have gotten Planning grants. We have
14 another grant which is going to fund
15 energy. We have everything happening. I
16 reached out to the Peconic and asked them
17 if they would want to help out. This would
18 be an excellent way in how to do business.
19 They were very excited. I am going to
20 speak to them on Thursday of this week to
21 see if they would be interested in helping
22 us fund a project. So they are very
23 excited.

24 MAYOR NYCE: Excellent.

25 MR. NAYLOR: I see that we have a

29

1 part-time meter reader?

2 MR. NAYLOR: Yes, that is attached.

3 I don't know if we need to do that in
4 Executive Session. With your okay, I
5 would probably tell him to go ahead with
6 that?

7 MAYOR NYCE: We will put it on the
8 agenda for next month. I wouldn't tell
9 him to go ahead with it yet. Go ahead next
10 month.

11 TRUSTEE KEMPNER: What about the

12 Lighting Grant, because I was more
13 concerned about the extra \$20,000.00?

14 MR. NAYLOR: I did want to mention
15 this before but I went off on a tangent. I
16 think we have bought about 30 lights so
17 far. Once we have them --

18 TRUSTEE KEMPNER: Do you have the
19 purchase order?

20 MAYOR NYCE: It's on the desk at the
21 County Attorney waiting for signature.

22 TRUSTEE KEMPNER: If we're buying the
23 lights and we can upload.

24 MAYOR NYCE: Right.

25 TRUSTEE KEMPNER: It's a simple

30

1 rebate. It's like \$20,000.00. So can't
2 you just upload it?

3 MR. NAYLOR: As soon as we get the
4 bill, then I will give that a shot.

5 MAYOR NYCE: Okay. Cool.

6 MR. NAYLOR: The last thing that I
7 have was FEMA. We have been working very,
8 very closely with them. Again, we're
9 getting reimbursed for our regular wages
10 as well as our -- fire department, sewer

11 and public transportation. The last thing
12 we have is our grant renewal. We have all
13 the storm debris. All the trees are gone,
14 but all of the things that have washed on
15 shore are stored in the boat yard. In
16 addition, we had a lot of things show up
17 after the storm that we didn't put there.

18 MAYOR NYCE: Is it chained off?

19 MR. NAYLOR: No, it hasn't been
20 chained off. We are at the point, Ray has
21 requested a lot so he can close it. He
22 doesn't want people coming in. Storm
23 debris, cost of removal, we measured it up
24 on Thursday of last week and we submitted
25 our estimates today.

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1 MAYOR NYCE: Cool. Thank you very
2 much, Jack.

3 The next report will be from the
4 Village Clerk, Sylvia Pirillo.

5 CLERK PIRILLO: Good evening.

6 MAYOR NYCE: Good evening.

7 CLERK PIRILLO: I wanted to just
8 touch upon the upcoming election. I wanted
9 to make sure that we all knew that NYCOM,
10 has advised a calendar of dates. It was

11 revised in January because there was
12 errors in the first one. They omitted one
13 of the Federal holidays and it was pushed
14 back some of the dates. That has been up
15 on our website for some time. I wanted to
16 also address --

17 MAYOR NYCE: If you can put that
18 also in the announcements.

19 CLERK PIRILLO: Thank you. I also
20 wanted to touch upon the costs. The rates
21 for using the electronic machines and
22 those tabulators and everything that goes
23 along with them are very pricey, which is
24 why there is a budget modification
25 requested by me. This election is roughly

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1 costing us a little bit more than twice of
2 our past elections have cost.

3 TRUSTEE MURRAY: Which is?

4 CLERK PIRILLO: Before it was maybe
5 \$1500.00 total and now it's about
6 \$3700.00. The ballots --

7 TRUSTEE KEMPNER: Are you getting
8 anybody? Is anybody running?

9 CLERK PIRILLO: We don't know that

10 yet.

11 TRUSTEE KEMPNER: But it's open now?

12 CLERK PIRILLO: Yes. Independent
13 nominations have not been turned in yet.
14 They are not due yet. No one has requested
15 one from me because they are available on
16 the website. So that's why. Additions, of
17 course. On RESOLUTION #2, that I am
18 requesting, I omitted and I apologize,
19 there is a cost of \$50.00 associated with
20 the seminar. And I believe that the Deputy
21 Treasurer would also like to go but has
22 not been brought up yet.

23 MAYOR NYCE: Would you please make
24 sure?

25 CLERK PIRILLO: I will.

33

1 MAYOR NYCE: I have a correction for
2 you on the next RESOLUTION. That
3 conference is the 4th, 5th and 6th.

4 CLERK PIRILLO: Yes.

5 MAYOR NYCE: So I will be there the
6 4th, 5th and 6th. And travel time will be
7 mileage. I will take my new very fuel
8 efficient car.

9 CLERK PIRILLO: Two more additions,

10 one is from Peconic Landing to hang a
11 banner for the May Mile. The May Mile this
12 year is going to be held on May 11th.
13 Another addition is a RESOLUTION approving
14 Public Assembly permit application as
15 submitted by Peconic Public Broadcasting
16 for the use of Mitchell Park and that is
17 for an Art Show. That show is the 4th
18 annual.

19 MAYOR NYCE: Okay. It used to be LIU
20 and when Stony Brook took over it moved to
21 a publicly funded radio station. It
22 actively aired our community events. They
23 are a nice group. They broadcast last
24 year.

25 CLERK PIRILLO: They did. As an

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1 informational piece, the Tree Committee
2 has requested to use the old school house
3 to hold their meetings.

4 MAYOR NYCE: Okay. Good.

5 CLERK PIRILLO: And they are
6 developing a schedule now at the old
7 school house.

8 MAYOR NYCE: Good. Is there

9 something there tonight?

10 CLERK PIRILLO: There is something
11 there tonight at 5:30. Thank you.

12 TRUSTEE PHILLIPS: I have something
13 for you, Sylvia.

14 CLERK PIRILLO: Okay. Sure.

15 TRUSTEE PHILLIPS: I understand that
16 you started to charge for FOIL requests
17 that get to be rather lengthy. Can you
18 tell us what the charges are?

19 CLERK PIRILLO: The charges are up
20 to two hours of total agency time to
21 fulfill and complete a FOIL request "free
22 of charge." Afterwards, any time that is
23 logged in by an agency member, it's
24 chargeable. If there are more than one
25 persons working on a request, the charge

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1 that you can use for an hourly is that of
2 the lowest paid hourly wage earned.

3 MAYOR NYCE: The lowest paid
4 appropriate to full fil the FOIL
5 request --

6 CLERK PIRILLO: Correct. Thank you.
7 And we have been -- I have made examples
8 of three that you see on the report.

9 There are more upcoming right now that has
10 taken the time of the Building Department
11 and the Clerks Department.

12 MAYOR NYCE: Okay.

13 TRUSTEE PHILLIPS: Is that something
14 that is posted, since this is fairly new?

15 MAYOR NYCE: We might as well make
16 it clear to where the FOIL requests are.

17 TRUSTEE PHILLIPS: I think it is
18 fair for the community to be aware.

19 MAYOR NYCE: There should be a list
20 of fees for simple documents. The report
21 is very valid. If there is an enormous
22 amount of time spent, it should be listed.
23 I agree.

24 MR. PROKOP: We should check the
25 Policy and Procedure, if it's not

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1 mentioned, we should change that.

2 MAYOR NYCE: Absolutely.

3 TRUSTEE PHILLIPS: I have another
4 question.

5 CLERK PIRILLO: Sure.

6 TRUSTEE PHILLIPS: We went through
7 an exercise for IQM2 system and when it

8 was purchased. I really haven't seen
9 anything in the reports since it was
10 purchased and what's going on with it.

11 CLERK PIRILLO: We're running
12 Parallel's right now. We have three
13 managers, myself and two other managers
14 who have submitted electronically this
15 month. We had some training and we opened
16 up the training and the ability for anyone
17 to train who would be using the system.
18 We're scheduling and rescheduling. We
19 realize that everyone's schedule is not
20 conducive when it comes time to it.
21 Understood. I had another course today and
22 on Friday we will have another meeting
23 with the IQM2 people. We're running
24 Parallel this month. I suspect that in
25 February it will be all IQM2. They have

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1 been very supportive. So thank you for
2 that. I wanted to mention that Deputy
3 Clerk Jean Marie Oddom has taken on the
4 duties of an employee that has been on
5 extended sick leave, with the completion
6 of these additional duties, that time has
7 acquired overtime. A total of 53 hours

8 were dedicated to additional duties which
9 at a wage rate of \$20.06 per hour and to
10 current wage, total \$1,063.18 compensation
11 which I am respectfully requesting that it
12 be approved by the Board as a single lump
13 sum payment. We discussed bids and notice
14 to bids earlier today. I want to touch
15 that Mitchell Park Electrical upgrade
16 notice will be in --

17 MAYOR NYCE: Great.

18 CLERK PIRILLO: Dave and the Village
19 Attorney worked very closely on that.
20 Documentation received from the Fireboat
21 Fire Museum. We actually have here a
22 contract received. It is time sensitive
23 because they would like to come here this
24 weekend and the contract period is January
25 15th through June 15th. So myself and

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1 David Abatelli would like to request that
2 the Mayor be given permission to sign the
3 contract. So I don't know if you have a
4 preference --

5 MAYOR NYCE: No, that's fine.

6 MR. PROKOP: I thought this was

7 approved.

8 MAYOR NYCE: This is the execution
9 of it. Does anyone have an issue with it?

10 (No Response.)

11 MAYOR NYCE: I will get in contact
12 with the County to see if they are going
13 to be okay with this in the long term. So
14 if you guys are okay with this, I will
15 name a motion to execute this.

16 MR. PROKOP: Just so you know, they
17 are responsible for their own utilities.
18 We have a right to move them around, if
19 needed. This is all at no cost to us.

20 MAYOR NYCE: So if there is no
21 objection, I will offer a resolution
22 authorizing the execution of the temporary
23 agreement between the Village of Greenport
24 and the Fire Boat Museum. So moved.

25 TRUSTEE HUBBARD: Second.

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1 MAYOR NYCE: All those in favor?

2 TRUSTEE HUBBARD: Aye.

3 TRUSTEE KEMPNER: Aye.

4 TRUSTEE MURRAY: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 MAYOR NYCE: Aye.

7 Any opposed or abstentions?
8 (No Response.)
9 MAYOR NYCE: That motion carries.
10 CLERK PIRILLO: Thank you.
11 MR. PROKOP: Can you scan it and
12 e-mail it to me?
13 CLERK PIRILLO: Sure.
14 MAYOR NYCE: Anything else for
15 Sylvia?
16 (No Response.)
17 MAYOR NYCE: Thank you very much,
18 Sylvia.
19 The next report will be from the
20 Village Administrator, David Abatelli.
21 MR. ABATELLI: Good evening.
22 MAYOR NYCE: On your first item, the
23 chair for the Historic Preservation, has
24 someone to fill the vacate spot, for the
25 Historic Preservation Commission. If you

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1 get me her phone number. I would like to
2 talk to her first. I don't necessarily
3 have any objections. Before I offer to
4 appoint somebody, I would like to discuss
5 it with her. They want to do it. Then

6 great. On the same note, I will make sure
7 that we put it on the agenda for next
8 month.

9 TRUSTEE PHILLIPS: Since we're
10 talking about the Code Committee, can I
11 ask a question because I was approached by
12 a couple of people. People dealing with
13 code problems --

14 MAYOR NYCE: Joe has that listed in
15 his report. I have actually had a
16 conversation about it with the Village
17 Attorney.

18 TRUSTEE PHILLIPS: Okay.

19 MAYOR NYCE: I had a discussion with
20 Joe and there are a couple of different
21 things that happened in the park, what is
22 approved outside that comes in to ask for
23 authorization. There are other times when
24 we have guests of the marina for a Village
25 sponsored event and a permit may not

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1 necessarily be required. What I came to
2 find out is, that we actually end up
3 asking a bunch of our marine guests to
4 fill out a mass assembly permit
5 applications, which we wouldn't

6 necessarily have to do. They should be
7 scheduled. That would eliminate either
8 than we can require of them other
9 insurances. It doesn't bring the full
10 mass assembly permit application into full
11 play. I think what had happened, they
12 were using a tent and they were guests of
13 the marina and therefore, it's their
14 Village sponsored event and we wanted to
15 make sure that we schedule it correctly.
16 I think that alleviates most of the
17 concerns that was brought up.

18 TRUSTEE KEMPNER: What was brought
19 up?

20 MAYOR NYCE: Consumption of alcohol
21 in a public park. In our mass assembly it
22 says you can not consume open alcoholic
23 beverages. What we did when the
24 rendezvous was there, guest set up a tent
25 and it's sectioned off, then it's not to

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1 the public but it does take a portion of
2 the public park, but part of the
3 attraction of that marina is for groups to
4 be able to do exactly that. So that

5 eliminates that. It delimitates us
6 breaking our own law.

7 TRUSTEE KEMPNER: We can't change
8 that? Like, we have had other events --

9 MAYOR NYCE: Yeah. If someone else
10 comes in and it's not a Village sponsored
11 event and not a guest marina, it's not a
12 Village sponsored event, and they want to
13 do that, we can require that they get a
14 licensed permit with that for a temporary
15 liquor authority permit for the day for
16 whatever event.

17 TRUSTEE KEMPNER: So I am not
18 totally familiar with what the code says.
19 If they don't have a liquor license, they
20 can't have it?

21 MR. PROKOP: No alcohol.

22 TRUSTEE KEMPNER: I was more
23 concerned that we were taking away the MPA
24 from groups in the marina because there
25 was some kind of review by the Board.

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1 Last summer there was some review of these
2 events and it was great and booked and it
3 looked nice --

4 MR. PROKOP: We can still do that,

5 but it would just be a different process.

6 MR. ABATELLI: There is two
7 sections, one in the park where it
8 mentions controlled area and then also the
9 -- in the permit section, where it talks
10 about the Village Board and they can issue
11 a permit for alcohol and again in a
12 controlled situation. It does say in the
13 mass assembly permit, no alcoholic
14 beverages. If there were, then there
15 would be another step for getting a
16 permit. Depending on the circumstances.
17 If it is our event, then that would be
18 something different.

19 TRUSTEE MURRAY: Is that going to be
20 a hard procedure for them?

21 MR. ABATELLI: I don't think that
22 the procedure is hard. I don't think that
23 is what they care about. What they care
24 about and we do as well, is that it is
25 controlled. It still can't be people

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1 selling \$2 beers.

2 MAYOR NYCE: The Village Attorney
3 researched both our code and what the

4 potential solution to the situation is,
5 that obviously, we want to track who is
6 using the park and when, and should be
7 aware of this.

8 MR. ABATELLI: Right.

9 MAYOR NYCE: Excellent.

10 MR. ABATELLI: There still needs be
11 a thumbs up or a thumbs down. Okay. We
12 talked about the fire boat again. This is
13 not a guarantee. This really gives us a
14 chance to see the boat. Anybody who wants
15 to sail from New York City to Greenport
16 can see that.

17 MAYOR NYCE: Cool. We touched on
18 the carousel.

19 TRUSTEE KEMPNER: I just have a
20 question on when you think that you are
21 going to be able to get the improvements
22 done?

23 MAYOR NYCE: That is all going out
24 to bid tomorrow.

25 TRUSTEE KEMPNER: When do you think

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1 that it could be finished?

2 MR. ABATELLI: It could be -- this
3 could be done before the summer.

4 TRUSTEE KEMPNER: And Jeff is in
5 touch with --

6 MR. ABATELLI: Yes. It's a
7 relatively straightforward.

8 MAYOR NYCE: The school house.

9 TRUSTEE PHILLIPS: I got an e-mail
10 from Pat Welsch and what we is going down
11 now is the last portion of the grant. And
12 we came up with an idea to involve the
13 school.

14 MAYOR NYCE: Great. Dave, did you et
15 a date?

16 MR. ABATELLI: No I haven't.
17 Basically we need a two week notice.

18 MAYOR NYCE: Why don't you set it up
19 for February. Find out what the schedule
20 is and send it to me and we can work with
21 the other schedules. I think everything
22 else is straightforward.

23 Anything else for Dave?

24 (No Response.)

25 MAYOR NYCE: Next report is from the

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1 Village Attorney.

2 MR. PROKOP: Good evening. There is

3 a couple of things that I need to mention
4 that are not on my report. The light
5 grant we covered. I just wanted to
6 mention that the fireboat is also a
7 firefighter museum. I am recommending a
8 code amendment with your permission to the
9 Code Committee.

10 MAYOR NYCE: I read through that,
11 Joe and I have a question. The ZBA Code,
12 Section 150-21 --

13 MR. PROKOP: Yes. We know have an
14 interpretation by our ZBA that --

15 MAYOR NYCE: The entire Board voted
16 on that?

17 MR. PROKOP: The ZBA did, yes.

18 MAYOR NYCE: They voted to --

19 MR. PROKOP: To reverse the Building
20 Inspector.

21 MAYOR NYCE: They don't determine
22 whether a variance is required or not.
23 They only determine --

24 MR. PROKOP: No, they're actually an
25 appellate.

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1 TRUSTEE PHILLIPS: Did the Building
2 Inspector ask for an interpretation?

3 MR. PROKOP: No. She asked for --
4 she determined that a variance was
5 required.

6 TRUSTEE PHILLIPS: So they should
7 have just voted yay or nay.

8 TRUSTEE KEMPNER: Isn't every single
9 building nonconforming?

10 MAYOR NYCE: Yes. The basis of my
11 question is, if the ZBA has the authority
12 to unilaterally reverse the Building
13 Inspector decision that no variance is
14 required, and if they should vote not to
15 grant a variance, that doesn't mean that
16 it doesn't need a variance. The Village
17 Board determines the code and whether that
18 a variance is necessary or not.

19 MR. PROKOP: The code is interpreted
20 by the Building Inspector. The Building
21 Inspector interpreted that a variance was
22 required. The Zoning Board --

23 MAYOR NYCE: So how does the Zoning
24 Board then say that it's not required?

25 MR. PROKOP: They acted -- they do

1 have appellate jurisdiction over actions

2 over a Building Inspector. So in other
3 words, if there is other actions that the
4 Building Inspector can take and then
5 actions can be appeared towards the Zoning
6 Board, such as Certificate of Occupancy,
7 things like that. So in this case, what
8 the Zoning Board did, the Zoning Board
9 determined that it had appellate
10 jurisdiction over the action of the
11 Building Inspector and voted to reverse
12 the Building Inspector. The problem with
13 this is -- so that is one part of this
14 that is still being worked out. I
15 understand that you are concerned about
16 that. I agree with you. I agree that is
17 still a question. While that division is
18 still out there, it is our determination
19 of our code. And basically what that
20 determination is, is that you have a
21 setback that -- I don't know that I want
22 to describe this publicly.

23 MAYOR NYCE: Okay.

24 TRUSTEE PHILLIPS: Does it have any
25 legal action attached to it?

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1 MR. PROKOP: No, I don't think so.

2 The person is overjoyed.

3 TRUSTEE PHILLIPS: I bet they are.

4 MR. PROKOP: 150-21 has been
5 interpreted to allow expansions within
6 nonconforming setbacks. So say a side
7 setback was 12 feet and you have a
8 preexisting nonconforming building. That's
9 not to say five foot. And what the
10 decision determined is that you can build
11 within. That that five feet, basically
12 your new setback and you can build within
13 that new setback as long as you stayed
14 within the five feet.

15 MAYOR NYCE: Doesn't that increase
16 the nonconformity?

17 MR. PROKOP: Yes, it does. Correct.
18 My recommendation, I agree with that
19 interpretation. The Building Inspector
20 agrees with that interpretation. The ZBA
21 has a different interpretation. So until
22 that is worked out --

23 MAYOR NYCE: Okay.

24 MR. PROKOP: I wanted to mention one
25 other thing. The side setback -- amend

1 150-21, just to say that there is no
2 expansion within unless it meets all the
3 requirements of the Zoning Board.

4 MAYOR NYCE: Okay.

5 MR. PROKOP: I got the bid
6 documents. I got one version last week.

7 MAYOR NYCE: Before you go into
8 that. Does anyone have a problem with Joe
9 submitting a letter to the Code Committee
10 for consideration?

11 TRUSTEE KEMPNER: I am not sure that
12 I even understand it. If you can
13 circulate it to the Board and have it
14 CC'd.

15 TRUSTEE PHILLIPS: I am a little
16 confused about the process of this as
17 well.

18 MAYOR NYCE: The roof bid has gone
19 out.

20 MR. PROKOP: We got the roof bid.
21 The utility grants that we're talking
22 about, they have a checklist that is
23 detailed of all the work that has to be
24 done in order to grant the grant. I spoke
25 with Jack. I have been working with Jeff

1 on the MS4, to adopt and proceed with that
2 program. The next item is the DE
3 subdivision. What this is, there is a lot
4 of a property that is subdivided called
5 the Monsel subdivision. And the attorney
6 went to the County for a subdivision. The
7 county said there was already a
8 subdivision map filed on the property.
9 It's a very old subdivision. It has to be
10 -- the Village has to consent to what is
11 called an abandonment of that subdivision.
12 The cleanness way to do it, because I
13 don't know at the time if it was granted
14 by the Planning Board or the Board of
15 Trustees. The best way to do it is to have
16 both the Board of Trustees and the
17 Planning Board to allow the cancellation.
18 So if we can have a resolution at our
19 meeting that would be great.

20 TRUSTEE PHILLIPS: The original one
21 or the second one --

22 MR. PROKOP: The original one. The
23 second one can't be filed until we approve
24 the first one. The next thing that I
25 wanted to report, we had a discussion with

1 New York State in regards to an
2 application that was filed Inzerillo
3 regarding a grant for a property. I have
4 been working with that for the past couple
5 of days. I happened to talk to the New
6 York State attorney that's working on this
7 about an unrelated matter and he did
8 mention some things that would be
9 favorable to us.

10 MAYOR NYCE: Great.

11 MR. PROKOP: One of the things that I
12 wanted to mention that just came up, not
13 the water tower but the cell tower. There
14 is a -- the tower needs to have some
15 Cablevision service on site. And
16 Cablevision is not earning any money like
17 that. It's not a cell tower or anything
18 like that. It's basically the same like
19 another version of the box that we have at
20 home on our TV, except that is what
21 Cablevision has to provide a wi-band
22 hook-up to the cell tower operator. So
23 they can operate. Because it involves work
24 at the site and equipment going on at the
25 site, when I spoke to Cablevision about

1 this, I told them I prefer that the Board
2 approve this because we don't want
3 commercial people coming and putting this
4 on our property. We have no problem with
5 that. If we can have a resolution
6 approving the Cablevision to install
7 equipment at the site. That's all I have.
8 If anyone has a question.

9 MAYOR NYCE: Thanks, Joe. Reports
10 from Committees, Audit and Code met today.
11 There are no recommendations to this
12 Board. BID meets this coming Thursday.
13 So I can't report on that. The next
14 reports will be from the Mayor and the
15 Trustees of the Board. I will ask Trustee
16 Hubbard to pick up.

17 TRUSTEE HUBBARD: Basically what I
18 had was already brought up. With the
19 holiday and taking care of some stuff for
20 myself, I wasn't around a lot. I have
21 some projects for spring time and
22 everything. So once the weather gets a
23 little nicer, I will have some more stuff
24 to report on.

25 MAYOR NYCE: Thank you. Trustee

1 Kempner?

2 TRUSTEE KEMPNER: I have this one
3 survey that came through the Office of
4 Emergency Management that basically they
5 are raising the question of emergency
6 plans.

7 MAYOR NYCE: We adopted one five
8 years ago and it was re-upted, I believe,
9 we just filled this out again.

10 TRUSTEE KEMPNER: I guess because of
11 Sandy, if they can come in and we don't
12 have the proper procedures in place -- it
13 was some kind of trigger from Sandy.
14 There was no plan for people to be
15 evacuated. People wouldn't leave. They
16 were putting first responders at risk. So
17 they are trying to put in place some
18 procedures.

19 MAYOR NYCE: Absolutely. We just
20 re-upted but I will look through it again.
21 Just to make sure.

22 TRUSTEE KEMPNER: I just thought it
23 was worth looking into.

24 MAYOR NYCE: Absolutely. I know
25 that we have that one in place. I am not

1 sure if this is the same thing.

2 TRUSTEE KEMPNER: That was basically
3 it.

4 MAYOR NYCE: Cool. Trustee Murray?

5 TRUSTEE MURRAY: What I had was
6 covered. I don't really have anything.

7 MAYOR NYCE: My favorite report.
8 Trustee Phillips?

9 TRUSTEE PHILLIPS: My report was
10 covered already. I did attend the Martin
11 Luther King celebration.

12 MAYOR NYCE: Thank you.

13 TRUSTEE PHILLIPS: On my birthday.

14 TRUSTEE KEMPNER: Happy Birthday.

15 TRUSTEE PHILLIPS: It had a great
16 speaker.

17 MAYOR NYCE: Who was the speaker?

18 TRUSTEE PHILLIPS: I can't remember
19 his name. He was a returned police
20 officer and is a professor.

21 MAYOR NYCE: It was a great
22 celebration.

23 TRUSTEE PHILLIPS: I do have a
24 question. Christmas trees, what do we do
25 with them? I was just thinking of Clarks

1 Beach, I know we have some beach erosion
2 down there.

3 MAYOR NYCE: There was very little
4 erosion.

5 TRUSTEE PHILLIPS: I know Christmas
6 trees are put there for beach erosion. So
7 I was just wondering. I am just curious
8 as to maybe next year.

9 MAYOR NYCE: Okay.

10 TRUSTEE PHILLIPS: Other than that,
11 it's been a holiday.

12 MAYOR NYCE: Fantastic. I had
13 several things covered throughout. So I
14 will make my report short as well.

15 And offer a motion to adjourn?

16 TRUSTEE PHILLIPS: Second.

17 MAYOR NYCE: All in favor?

18 TRUSTEE HUBBARD: Aye.

19 TRUSTEE KEMPNER: Aye.

20 TRUSTEE MURRAY: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 MAYOR NYCE: Aye.

23 We're adjourned.

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(Whereupon, the meeting concluded.)

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

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I, Jessica DiLallo, a Notary Public for and

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within the State of New York, do hereby certify:

7

THAT, the witness(es) whose testimony is

8

herein before set forth, was duly sworn by me, and

9

THAT the within transcript is a true record of

10

the testimony given by said witness(es).

11

I further certify that I am not related either

12

by blood or marriage to any of the parties to

13

this action; and that I am in no way interested

14

in the outcome of this matter.

15

IN WITNESS WHEREOF, I have hereunto set my

16

hand this day, February 6, 2013.

17

18

19

(Jessica DiLallo)

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