



236 THIRD STREET
GREENPORT NY 11944

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TRUSTEES
GEORGE HUBBARD, JR.
DEPUTY MAYOR
CHRIS KEMPNER
DAVID MURRAY
MARY BESS PHILLIPS

CLERK
SYLVIA LAZZARI PIRILLO, RMC
Ext. 206

TREASURER
CHARLENE KAGEL, CPA
Ext. 217

VILLAGE ADMINISTRATOR
DAVID ABATELLI
Ext. 209

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

December 26, 2012 at 6 p.m.

Board of Trustees - Regular Meeting
Third Street Firehouse, Greenport, NY, 11944

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

- o Wayne G. Baylis
- o Gordon Nelson Schlaefer

ANNOUNCEMENTS

- o Village Hall will be closed at 12:30 on New Year's Eve, and will be closed on New Year's Day.
- o The January work session meeting of the Board of Trustees will be held on January 22, 2013.
- o The Village of Greenport is seeking seasonal, part-time help as staff for the ice rink.
- o January 1, 2013 is the first day that an individual may sign an independent nominating petition for the upcoming election.
- o There will be two Village Voter Registration Days, on March 7th from 8:30 a.m. – 5 p.m. and on March 9th from 11 a.m. – 5 p.m.
- o The annual tax sale will be held on March 12th at 10 a.m. at Village Hall.
- o The upcoming Village election will be held on March 19, 2013.

PUBLIC INTEREST

- o It is important to create a Fire Safety program for your family. Please be sure to check the batteries in your smoke and CO detectors.
- o Please be sure that your house is properly numbered outside, so that emergency personnel can easily locate your home, if needed.
- o There are two public hearings scheduled for the January 28, 2013 regular meeting of the Board of Trustees – Cross Connection and Backflow Prevention & Penalties for Non-Payment of Parking Fines.

LIQUOR LICENSE APPLICATIONS

- o Caci Partnership, LLC as received by the Clerk's Office on December 11, 2012

PUBLIC HEARINGS - None

PRESENTATION – Letters of Citation

PUBLIC TO ADDRESS THE BOARD

REGULAR AGENDA

RESOLUTION # 12-2012-1

RESOLUTION adopting the December, 2012 agenda as printed.

RESOLUTION # 12-2012-2

RESOLUTION ratifying the following, as approved at the December 17, 2012 work session meeting of the Board of Trustees:

- RESOLUTION ratifying the hiring of the following part-time, seasonal employees, effective November 29, 2012: Michael Flora as Park Maintenance worker at \$ 11.50 per hour, and Jacqueline Scully as Park Attendant / Cashier at \$ 9.50 per hour.

RESOLUTION # 12-2012-3

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

RESOLUTION # 12-2012-4

RESOLUTION approving the application for membership of David Meyer to Eagle Hose Company # 1 of the Greenport Fire Department, as approved by the Greenport Fire Department Board of Wardens on December 19, 2012.

RESOLUTION # 12-2012-5

RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustments to record the use of funds from the retirement reserve fund for the 2012/2013 New York State retirement payment, to be transferred from the Trust and Agency account.

RESOLUTION # 12-2012-6

RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustments, as recommended by Director of Utilities Naylor, to rectify shortages in the sewer fund.

RESOLUTION # 12-2012-7

RESOLUTION ratifying the authorization to issue a check made payable to David Abatelli as Village Administrator, in the amount of \$ 625.00, to be used to set up the required cash drawer / banks for the operation of the Village of Greenport ice skating rink.

RESOLUTION # 12-2012-8

RESOLUTION authorizing Clerk Pirillo to prepare a Request for Proposals for the video recording of Village Board regular meetings, and other Village meetings as required, and to direct Clerk Pirillo to notice the Request for Proposals accordingly.

RESOLUTION # 12-2012-9

RESOLUTION approving the reimbursement of \$ 23.32 (42 miles x \$.555 per mile) to Zoning Board of Appeals member David Corwin, for round-trip mileage expended to and from Riverhead, New York; to attend the SCVOA training class for Village Planning and Zoning Officials, held on October 17, 2012.

RESOLUTION # 12-2012-10

RESOLUTION authorizing the attendance of Deborah Boyle and Jeanmarie Oddon at the 2013 Village Election Workshop as sponsored by the New York Conference of Mayors, at the Garden City Hotel from 8:30 a.m. – 11:30 a.m. on January 9, 2013.

RESOLUTION # 12-2012-11

RESOLUTION setting two Village Voter Registration Days, as follows:

- Thursday, the 7th of March, from 8:30 a.m. -5:00 p.m.
- Saturday, the 9th of March, from 11:00 a.m. – 5:00 p.m.

RESOLUTION # 12-2012-12

RESOLUTION allowing a non-Village resident to serve as an Election Inspector for the upcoming Village Election on March 19, 2013.

RESOLUTION # 12-2012-13

RESOLUTION allowing the Clerk's Office to appoint three Election Inspectors and one Chair for the upcoming election on March 19, 2013. The appointees are:

- Eileen Kiski
- Josephine Geehrens
- Keith McCamy, and
- Ingrid Helfrich.

They are to be paid \$ 10 per hour per inspector and \$ 11 per hour for the Chairperson of the Inspectors, and authorizing the Inspectors to work on the two Village registration days, as well as the day of the election. This will be expensed from line item # A.1450.100 (Election Personnel Services).

RESOLUTION # 12-2012-14

RESOLUTION setting the date and times of the 2013 Village Board Election as March 19, 2013 from 6:00 a.m. – 9:00 p.m. and to further identify the polling place of the upcoming Village election on March 19, 2013 to be the Greenport Firehouse at Third Street in Greenport, NY.

RESOLUTION # 12-2012-15

RESOLUTION confirming that the 2013 Village of Greenport tax sale will be held on March 12, 2013 at 10:00 a.m., and directing Clerk Pirillo to notice the tax sale accordingly.

RESOLUTION # 12-2012-16

RESOLUTION amending Resolution # 10-2012-11 from the October 2012 regular meeting of the Board of Trustees, to allow for an additional reimbursement of \$ 26.55 to David Abatelli, accounting for room tax and tolls to and from Middletown, New York during his attendance at the New York State Building Officials' Conference on December 5th and 6th, 2012.

RESOLUTION # 12-2012-17

RESOLUTION approving the reimbursement of \$ 918.35 to Ray Dunbar, as recommended by Director of Utilities Naylor, for expenses incurred during the completion of 60 hours of mandatory refresher training corresponding to the Grade 3A Operator's License for the Wastewater Treatment Plant. This reimbursement is to be expensed from line item # G.8110.407 (Employee Training).

RESOLUTION # 12-2012-18

RESOLUTION expressing the support of the Board of Trustees for the tax exempt financing, as attached, as recommended by the American Public Power Association, and authorizing Mayor Nyce to sign the corresponding letter of support.

RESOLUTION # 12-2012-19

RESOLUTION ratifying the hiring of the following part-time, seasonal employees, effective November 29, 2012: Patrick Broderick, Gabrielle Mastaglio and Kirstin Zabel as Park Attendants / Cashiers at a pay rate of \$ 9.50 per hour.

RESOLUTION # 12-2012-20

RESOLUTION ratifying the hiring of the following part-time, seasonal Park Attendants effective December 18, 2012: Patrick Robbins, Sarah Kravitz, Yanet Garcia, Danny Nugent, Leah LaFreniere, Kevin Izzo and Jonathan Jacobs, Michael Onufrak and John Scully, all at a pay rate of \$ 8.00 per hour.

RESOLUTION # 12-2012-21

RESOLUTION hiring Michelle Sarabia, effective December 17, 2012, as a part-time Recreation Center Aide, at a pay rate of \$ 8.00 per hour.

RESOLUTION # 12-2012-22

RESOLUTION amending resolution # 11-2012-14 from the November 26, 2012 regular meeting of the Board of Trustees scheduling a public hearing on January 28, 2013 (in lieu of January 22, 2013) at 6:00 p.m. at the Third Street Firehouse regarding a proposed local law amending Chapter 136 – “Water” – of the Greenport Village Code, a proposed local law adopting regulations for Cross Connection and Backflow Prevention, and directing Clerk Pirillo to notice the public hearing accordingly.

RESOLUTION # 12-2012-23

RESOLUTION scheduling a public hearing on January 28, 2013 at 6:00 p.m. at the Third Street Firehouse regarding a proposed local law amending Chapter 132 - Vehicles and Traffic - of the Greenport Village Code to add Sections 132-23A(C), 132-23B(C) and 132-37C, regarding Penalties for Non-Payment of Parking Fines, and directing Clerk Pirillo to notice the public hearing accordingly.

RESOLUTION # 12-2012-24

RESOLUTION scheduling a public hearing on March 25, 2013 at 6:00 p.m. at the Third Street Firehouse regarding a proposed local law amending Chapter 32 of the Greenport Village Code, creating a “no parking” zone on the east side of Sterling Avenue.

RESOLUTION # 12-2012-25

RESOLUTION authorizing the obtaining of quotes for the preparation of a report assessing Village of Greenport roads, lights and streets.

RESOLUTION # 12-2012-26

RESOLUTION authorizing the expenditure, and fund identification for, up to \$ 5,500 for the creation of presentation materials regarding the proposed Green Energy Park project at Clark's Beach.

RESOLUTION # 12-2012-27

RESOLUTION rejecting all bids as received for the "Shingle Roof Replacement" at the Village of Greenport Light Plant, per the bid opening held on November 20, 2012 at 3:00 p.m., and further authorizing the creation of new bid specifications for the roof replacement project, which are not to include a performance bond and authorizing Clerk Pirillo and Director of Utilities Naylor to re-bid the project.

RESOLUTION # 12-2012-28

RESOLUTION authorizing Village Attorney Prokop to prepare an agreement for dockage between the Village of Greenport and the Fireboat FIREFIGHTER Museum.

RESOLUTION # 12-2012-29

RESOLUTION approving all checks per the Voucher Summary Report dated December 19, 2012; in the total amount of \$ 796,248.82 consisting of:

- All regular checks in the amount of \$ 433,436.47
- All prepaid checks in the amount of \$ 47,993.89, and
- All wire transfers in the amount of \$ 314,818.46.

RESOLUTION # 12-2012-30

RESOLUTION adjourning the regular meeting of the Board of Trustees, and entering into executive session to discuss the performance record of an employee.

VILLAGE OF GREENPORT**Budget Adjustment Form**

Year: 2013 Period: 12 Trans Type: B2 - Amend Status: Batch
Trans No: 693 Trans Date: 12/10/2012 User Ref: CHARLENE
Requested: Approved: Created by: CHARLENE 12/10/2012
Description: RECORD PARTIAL USE OF RETIREMENT RESERVE FOR THE 2012-13 NYS
RETIREMENT PAYMENT -TRANSFER FROM TRUST AND AGENCY ACCOUNT Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
A.3905	TRANS-RESERVES	5,059.00
A.9010.800	EMPLOYEES STATE RETIREMENT.EMPLOYEE BENEFITS	5,059.00
E.3905	TRANS-RESERVES	8,986.00
E.9010.800	EMPLOYEES STATE RETIREMENT.EMPLOYEE BENEFITS	8,986.00
G.3905	TRANS-RESERVES	3,069.00
G.9010.800	EMPLOYEES STATE RETIREMENT.EMPLOYEE BENEFITS	3,069.00
R.3905	TRANS-RESERVES	6,077.00
R.9010.800	EMPLOYEES STATE RETIREMENT.EMPLOYEE BENEFITS	6,077.00
Total Amount:		46,382.00

VILLAGE OF GREENPORT**Budget Adjustment Form**

Year: 2013 Period: 12 Trans Type: B1 - Transfer Status: Batch
Trans No: 695 Trans Date: 12/27/2012 User Ref: CHARLENE
Requested: Approved: Created by: CHARLENE 12/17/2012
Description: TRANSFER TO COVER SEWER SHORTAGES PER J NAYLOR Account # Order: No
Print Parent Account: No

Account No.	Account Description	Amount
G.8110.402	WATER SERVICE..	14,000.00
G.8110.408	SPECIAL SERVICES..	-2,000.00
G.8110.410	MISC OFFICE/TELEPHONE EXP..	-3,800.00
G.8130.200	PUMP STATION EQUIPMENT..	-2,500.00
G.8130.204	MAJOR EQUIP REPAIRS/PURCHASES..	-3,000.00
G.8130.400	PUMP STATION SUPPLIES & EXP..	-2,700.00
Total Amount:		0.00

**A RESOLUTION IN SUPPORT OF
THE PRESERVATION OF TAX EXEMPT FINANCING**

WHEREAS a fundamental principle of tax-exempt financing is the ability of local governments to determine the services needed in their respective communities and to raise capital free from federal tax on the bonds used to finance those services. The exclusion of interest on state and local obligations from federal gross income tax is a critical financing tool during this time when job creation and rebuilding critical infrastructure is essential for our nation's state and local economies.

NOW THEREFORE BE IT RESOLVED, that (insert City or Village name here) opposes efforts by Congress and the Administration to eliminate or limit the use of tax-exempt bonds by State or Local governments or efforts to limit or change the ability of investors to claim this tax exemption.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to our Congressional Representatives and the Administration.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be submitted to the New York Conference of Mayors with a request that it be submitted to the membership for debate and action.

Public Power and Tax-Exempt Financing

Municipal bond interest is, and has always been, exempt from federal tax. Proposals to replace or repeal this federal tax exemption—none of which propose allowing state and local governments to tax federal bond interest—are misguided, will make critical infrastructure investments more costly, and in the case of public power utility customers, will force a regressive tax increase in the form of higher rates.

- **Tax-exempt financing (TEF) reduces capital costs for public power utilities.**
 - TEF reduces the amount of interest paid on municipal bonds;
 - Historically by 150 to 200 basis points; and
 - More recently by 50 basis points.
 - Cost-savings are either passed on to customers through reduced rates or allow further investments in power generation, distribution, security, and efficiency.
 - Safe, affordable, and reliable power keep communities, and the nation, economically competitive.
- **Municipal bonds are stable financing tools that free state and local governments from dependence on the annual federal appropriations and budget process.**
 - The federal government is facing huge deficits and cutting its budget: tax-exempt financing gives state and local governments the power to meet their responsibilities.
 - Other types of municipal securities are vulnerable to the federal budget process.
 - In 2013, federal payments to issuers of Build America Bonds (a taxable direct payment bond) will be cut 7.6%, as part of the Budget Control Act of 2010.
- **TEF is not a gift from the federal government.**
 - Just as interest on *\$3 trillion* in municipal bonds is exempt from federal tax, so *\$11 trillion* in federal bond, bill, and note interest is exempt from state and local taxation.
 - This system of reciprocal immunity is more than a century old.
 - TEF matters at the margin, reducing borrowing costs, but the issuer is still fully responsible for paying principle and interest on those loans.
- **The municipal bond market gives small municipalities access to investors they could never reach in the taxable bond market.**
 - There are roughly 13,000 municipal bond issuances annually (median size: \$7 million).
 - By comparison, there are 2,500 corporate bond issues (median size: \$210 million).
- **Tax-exempt financing is a sound, time-tested financing tool.**
 - The 2008 global recession was driven, in large part, by investments in exotic and largely unregulated financial instruments.
 - In contrast, from 1970 through 2011, only 71 rated municipal bonds defaulted.
 - That is a default rate approaching just 0.01%.
- **Tax-exempt financing provides a natural project viability test.**

- Tax-exempt financing does not encourage profligacy: If a project is not viable, investors will not invest.

Your Utility's (or Village/City) Letterhead

December XX, 2012

The Honorable Charles E. Schumer; Kirsten Gillibrand; your Congressperson
The United States Senate/House of Representatives
Senate/House Office Building
Washington, D.C. XXX

Dear Senator/Congressman XXXX:

I am writing on behalf of [insert utility's name], regarding the Congressional consideration of the impending "fiscal cliff" and efforts that will reportedly lay the groundwork for broader tax reform. As you work to address these issues, I urge you to consider what effect these decisions will have on state and local governments like ours. I am particularly concerned about proposals to alter the tax treatment of municipal bonds, including proposals to cap the exclusion for the interest on these bonds.

Although the proposals to cap tax deductions as a means to raise revenue may appear innocuous, such a cap could have a significantly negative effect on our municipal utilities. Like all state and local governments, [insert utility's name], relies on tax-exempt bonds to finance infrastructure improvements. At the levels being discussed, a cap on deductions—if it were to include the current exclusion for interest on municipal bonds—would effectively impose a federal tax on most if not all state and local bond interest paid to individuals. The same is true of the other alternatives being discussed.

[insert utility's name] cannot look to shareholders to raise capital, and we are not eligible for the tax incentives that are currently available to private entities. As a result, such a tax would severely reduce our ability to finance utility infrastructure improvements and investments. Under the Budget Control Act of 2011, discretionary aid to state and local governments is already slated to fall to its lowest level in more than four decades; further still if sequestration is allowed to take effect. Taxing state and local infrastructure investments through a cap or other change to the tax treatment of municipal bonds will make it harder still to build the infrastructure necessary for economic growth and will kill the jobs that would result from those projects.

The goal of federal deficit reduction is critical. However, I urge you to reject any proposal that would balance the federal budget on the backs of state and local governments and—by extension—our ratepayers and citizens. A federal tax on municipal debt, however imposed, will impact our fiscal health and our ability to improve or expand our community's infrastructure to compete in the 21st century.

Sincerely,

[INSERT NAME]
[INSERT TITLE]

cc:

Sample op-ed in support of the preservation of tax-exempt financing

In response to the impending “fiscal cliff” crisis, some in Congress have suggested eliminating the tax-exempt status of municipal bonds. [Insert name of utility] issues bonds to finance capital projects like power plants and transmission lines [optional- insert example of project funded by bond issuance]. These projects make sure that the lights turn on when you flip the switch. But some in Washington call tax exemption a subsidy from the federal government, even though municipal bond interest is--and always has been--exempt from federal tax, just as federal bonds are exempt from state and local taxes. They want to repeal, or limit, this tax exemption to help balance the federal budget. If that happens, we will have to pay higher interest rates to compensate investors for the taxes they would have to pay. This would have immediate and negative impacts on [insert name of utility] and our community, because tax-exempt financing is the only tool we have to fund capital improvements; we cannot look to shareholders to raise capital, and we are not eligible for tax incentives available to private entities. When faced with higher borrowing costs, [insert name of utility] has two options – to raise electric rates on our customers or forgo system improvements that could imperil reliability – neither of which is acceptable.

The economic turbulence of the last few years has been especially hard on local governments. Taxing municipal bonds to bail out Washington will make the recovery all the more difficult. Simply put, retaining the federal tax exemption for interest on municipal debt is critical to the fiscal health of [insert utility name] and our ability to bring reliable and cost-effective electricity to our community.