



236 Third Street
Greenport NY
11944

Tel: (631)477-0248
Fax: (631)477-1877

MAYOR
DAVID NYCE
Ext. 215

TRUSTEES
GEORGE HUBBARD
JR.
DEPUTY MAYOR

DAVID MURRAY

MARY BESS PHILLIPS

JULIA ROBINS

VILLAGE
ADMINISTRATOR
PAUL J. PALLAS, P.E.
Ext. 219

CLERK
SYLVIA LAZZARI
PIRILLO, RMC
Ext. 206

TREASURER
ROBERT BRANDT
Ext. 217

November 24, 2014 at 6:00 PM
Mayor and Board of Trustees - Regular Meeting
Third Street
Firehouse
Greenport, NY 11944

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

- o Majorie Jeanette Baldwin
- o Norma Louise Gresik
- o Inez Hall
- o Rosemary Hughes

ANNOUNCEMENTS

- o The Carousel Committee is seeking volunteers to assist with the on-going restoration of the Carousel, as well as with fund raising and various other projects.
- o The Village Offices will be closed on November 27th and 28th in celebration of Thanksgiving.
- o The BID Shellabration event will be held on December 6th.
- o The tree lighting ceremony will held on December 6th at 5:00 p.m. in Mitchell Park.
- o The Christmas Parade will be held on December 7th, and will begin at 1 p.m.
- o The Greenport Village Planning Board will conduct a combined Work Session and Regular Meeting on December 18, 2014 at 5:00 p.m. at the Third Street Firehouse. There will be no other meeting of the Greenport Village Planning Board in December, 2014.
- o The Menorah lighting ceremony will be held on December 21st at 5:00 p.m. in Mitchell Park.

ELECTION 2015

- o A Village election will be held on March 18, 2015 to fill the positions of Mayor and two Trustees.
- o There will be two Village Voter registration days – March 5th from 8:30 a.m. – 5:00 p.m. and March 7th from 11:00 a.m. – 5:00 p.m.
- o The Clerk's Office is accepting absentee ballot applications for the upcoming election on March 18, 2015.

PUBLIC INTEREST / COMMUNITY EVENTS

- o The next brush pick-up is scheduled for November 25th, for which we kindly request the use of brown bags. Please note that the final pick-up for the season will be on December 9th.

PUBLIC HEARINGS

- o Chapter 65 – Fire Prevention and Building Construction
- o Chapter 48 – Boats and Boating

PUBLIC TO ADDRESS THE BOARD

REGULAR AGENDA

CALL TO ORDER**RESOLUTIONS****RESOLUTION # 11-2014-1**

RESOLUTION adopting the November 2014 agenda as printed.

RESOLUTION # 11-2014-2

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

RESOLUTION # 11-2014-3

RESOLUTION ratifying the following resolutions previously approved by the Board of Trustees at the Trustees' work session meeting held on November 17, 2014:

- RESOLUTION authorizing Clerk Pirillo and Treasurer Brandt to advertise for a temporary, part-time administrative assistant, to perform tasks in both the Clerk's and Treasurer's Offices, during the absence of one employee in the Clerk's Office, and one employee in the Treasurer's Office.
- RESOLUTION accepting the proposal dated November 12, 2014 as submitted by A&F Electrical Testing, Inc. for the operational review & verification of the Power Plant Electrical Upgrade Project and existing switchgear, at a cost of \$ 55,150.00 total, to be expensed from account # E.0352.205 (Transmission Substation Equipment). Completion of this review and verification will satisfy the requirements of the New York Power Authority.

VILLAGE ADMINISTRATOR**RESOLUTION # 11-2014-4**

RESOLUTION renewing the existing contract between Adventure Treks and the Village of Greenport, with all terms and conditions to remain the same, except that the payment for Harbor and Marina Management Services provided to the Village of Greenport will be increased to \$ 2,500.00; paid twice per month; due to an increase in the services to be provided.

RESOLUTION # 11-2014-5

RESOLUTION authorizing an increase in the hourly wage rate for Thomas Wood, from \$ 25.00 to \$ 30.77 per hour, effective November 26, 2014 based on the assumption of additional duties, per Article VII, Section 9(a) - Merit Clause - of the current collective bargaining agreement.

RESOLUTION # 11-2014-6

RESOLUTION awarding the contract for Security System(s) at Greenport Village Hall, and various satellite locations throughout the Village of Greenport, to Technology Professionals, for a total price not to exceed \$ 39,410.00 per the bid opening on April 10, 2014. The total cost will be expensed among the account numbers corresponding to the Village locations involved.

TREASURER**RESOLUTION # 11-2014-7**

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment # 1220 for the funding of the replacement of a portion of the roof at the East End Seaport Museum, and directing that Budget Amendment # 1220 be included as part of the formal meeting minutes for the November 24, 2014 regular meeting of the Board of Trustees.

RESOLUTION # 11-2014-8

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment # 1257 for the funding of monument repairs at Greenhill Cemetery and directing that Budget Amendment # 1257 be included as part of the formal meeting minutes for the November 24, 2014 regular meeting of the Board of Trustees.

RESOLUTION # 11-2014-9

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment # 1258 for the funding of temporary part time staffing and directing that Budget Amendment # 1258 be included as part of the formal meeting minutes for the November 24, 2014 regular meeting of the Board of Trustees.

RESOLUTION # 11-2014-10

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

VILLAGE CLERK**RESOLUTION # 11-2014-11**

RESOLUTION establishing March 18, 2015 as the Village of Greenport election day, to fill the expiring terms of Mayor and two Trustees.

RESOLUTION # 11-2014-12

RESOLUTION setting the date and times of the 2015 Village Board Election as March 18, 2015 from 6:00 a.m. - 9:00 p.m. and setting the polling place of the Village election on March 18, 2015 to be the Greenport Firehouse at Third Street in Greenport, NY.

RESOLUTION # 11-2014-13

RESOLUTION setting two Village Voter Registration Days, as follows:

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

RESOLUTION # 11-2014-14

RESOLUTION allowing a non-Village resident to serve as an Election Inspector for the upcoming Village Election on March 18, 2015.

RESOLUTION # 11-2014-15

RESOLUTION authorizing Clerk Pirillo to re-notice the Request for Proposals for Event Planning services for the Tall Ships 2015 event.

RESOLUTION # 11-2014-16

RESOLUTION setting the 2015 Village of Greenport property tax lien sale for March 10, 2015 at 10:00 a.m., and directing Clerk Pirillo to notice the tax sale accordingly.

RESOLUTION # 11-2014-17

RESOLUTION awarding the contract for the removal of Village trees and stumps to Johnson Tree Company for a total price of \$ 3,950.00; per the bid opening on November 12, 2014 at 1:10 p.m.

RESOLUTION # 11-2014-18

RESOLUTION adopting the attached SEQRA resolution adopting lead agency status and determining that the approval of the wetlands permit application of Nathaniel and Emily Ewing for 230 Fourth Street, Greenport, to be an unlisted action, and determining that the approval of the wetlands permit application will not have a significant negative impact on one or more aspects of the environment and adopting a conditional negative declaration for purposes of SEQRA, as stated in the attached SEQRA resolution.

RESOLUTION # 11-2014-19

RESOLUTION approving the Wetlands Permit Application as submitted by Nathaniel and Emily Ewing to renovate and add on to the existing family residence, including the addition of a swimming pool and patio, at 230 Fourth Street, Greenport, New York, 11944, with the conditions that 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 per the public hearing as held on November 17, 2014.

RESOLUTION # 11-2014-20

RESOLUTION scheduling a public hearing for December 22, 2014 at 6:00 p.m. at the Third Street Firehouse, and directing Clerk Pirillo to notice accordingly, for the Wetlands Permit Application as submitted by James F. Laird of Suffolk County Environmental Consulting, Inc. on behalf of Vincent Matassa of 920 Sandy Beach Road, for an extension of approximately eight feet to the existing dock.

RESOLUTION # 11-2014-21

RESOLUTION appointing Kim Loper as the Mayoral Appointment to the Business Improvement District to fill the term of Richard Vandenberg, which expires on April 1, 2015.

RESOLUTION # 11-2014-22

RESOLUTION ratifying the attendance of Clerk Pirillo, Treasurer Brandt and Utilities Assistant Derryl Baumer at the mandatory Superstorm Sandy FEMA Public Assistance Match training seminar on November 19, 2014 from 2:00 p.m. - 4:00 p.m. in Riverhead, New York; with any applicable travel costs to be expensed from the corresponding account number(s).

VILLAGE ATTORNEY**RESOLUTION # 11-2014-23**

RESOLUTION authorizing the Village of Greenport to appeal the Supreme Court decision rendered in the matter of Osinski vs. The Village of Greenport.

RESOLUTION # 11-2014-24

RESOLUTION authorizing the Village of Greenport to settle, and enter into a Stipulation of Discontinuance in the matter of KACE LI, LLC vs. The Village of Greenport, and authorizing Mayor Nyce to sign the Stipulation of Discontinuance document on behalf of the Village of Greenport.

MAYOR**RESOLUTION # 11-2014-25**

RESOLUTION awarding the contract for Tall Ships Marketing Services to Creative Advertising Concepts, for an agency fee not to exceed \$ 17,500.00 per the bid opening dated November 10, 2014 and the revised proposal dated November 20, 2015.

BOARD OF TRUSTEES

RESOLUTION # 11-2014-26

RESOLUTION authorizing Trustee Murray to participate in the creation of a Request for Proposal document to clean and restore the wooden buildings in the Mitchell Park Marina, with the cost for cleaning and restoration of each building to be quoted separately, and directing Clerk Pirillo to notice the Request for Proposals accordingly.

RESOLUTION # 11-2014-27

RESOLUTION ratifying and approving the Memorandum of Agreement dated November 18, 2014 between the Village of Greenport and the CSEA, Inc, Local 1000; with the resulting Collective Bargaining Agreement effective dates to be June 1, 2011 - May 31, 2017.

VOUCHER SUMMARY**RESOLUTION # 11-2014-28**

RESOLUTION approving all checks per the Voucher Summary Report dated November 20, 2014, in the total amount of \$ 818,150.90 consisting of:

- o All regular checks in the amount of \$ 709,238.15, and
- o All prepaid checks (including wire transfers) in the amount of \$ 108,912.75.

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.