



July 23, 2015 at 7:00 PM
Mayor and Board of Trustees - Regular Meeting
Third Street Firehouse
Greenport, NY 11944

236 Third Street
Greenport NY
11944

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

MAYOR

GEORGE W. HUBBARD, JR.
EXT. 215

TRUSTEES

JACK MARTILOTTA
DEPUTY MAYOR

MARY BESS PHILLIPS

DOUGLAS W. ROBERTS

JULIA ROBINS

VILLAGE

ADMINISTRATOR
PAUL J. PALLAS, P.E.
EXT. 219

CLERK

SYLVIA PIRILLO, RMC
EXT. 206

TREASURER

ROBERT BRANDT
EXT. 217

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ANNOUNCEMENTS

- The annual Standard Hose Chicken Barbecue will be held on August 15th at Station One from 4-7 p.m.
- The annual Skate Park Festival has been re-scheduled for Sunday, August 23rd from 12 p.m. – 5 p.m.

PRESENTATION

- Video Annotation to the Historic Walking Tour of the Village of Greenport as presented by the Greenport School 5th grade students.

PUBLIC TO ADDRESS THE BOARD

REGULAR AGENDA

CALL TO ORDER**RESOLUTIONS****RESOLUTION # 07-2015-1**

RESOLUTION adopting the July, 2015 agenda as printed.

RESOLUTION # 07-2015-2

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

RESOLUTION # 07-2015-3

RESOLUTION ratifying the following, as approved at the July 16, 2015 Work Session meeting of the Board of Trustees:

RESOLUTION ratifying the hiring of Cassandra Shedrick as Assistant Camp Counselor, effective June 29, 2015; at a pay rate of \$ 9.00 per hour.

RESOLUTION ratifying the hiring of Megan Terry Demarest as Head Camp Counselor, effective June 18, 2015; at a pay rate of \$ 9.00 per hour.

RESOLUTION ratifying the hiring of Fiona Faherty as a part-time carousel and marina employee, effective June 23, 2015; at a pay rate of \$ 9.00 per hour.

FIRE DEPARTMENT**RESOLUTION # 07-2015-4**

RESOLUTION ratifying the hiring of Michael Richter, as Administrative Assistant for the Greenport Fire Department effective June 23, 2015 at a rate of \$ 14.00 per hour up to a maximum of 17 1/2 hours per week.

VILLAGE ADMINISTRATOR**RESOLUTION # 07-2015-5**

RESOLUTION authorizing an increase in the hourly wage rate of Doug Peterson, from \$ 25.69 to \$ 27.00 per hour, to be effective on July 22, 2015; owing to the assumption of additional duties, per Article VII (Salaries and Compensation), Section (9) a - Merit Clause - of the current collective bargaining agreement between the Village of Greenport and the CSEA.

RESOLUTION # 07-2015-6

RESOLUTION authorizing an increase in the hourly wage rate of William Schulz, from \$ 15.74 to \$ 17.00 per hour, to be effective on July 22, 2015; owing to the assumption of additional duties, per Article VII (Salaries and Compensation), Section (9) a - Merit Clause - of the current collective bargaining agreement between the Village of Greenport and the CSEA.

RESOLUTION # 07-2015-7

RESOLUTION ratifying the hiring of Filip Vlahovic as a part-time carousel employee, effective July 10, 2015; at a pay rate of \$ 8.75 per hour.

RESOLUTION # 07-2015-8

RESOLUTION ratifying the hiring of Teodora Braunovic as a part-time carousel employee, effective July 10, 2015; at a pay rate of \$8.75 per hour.

RESOLUTION # 07-2015-9

RESOLUTION approving the attendance of Edwin Ward at the Building Standards and Codes training course sponsored by the Department of State Office of Planning and Development, per the following schedule:

August 25-27, 2015 from 8 a.m. - 4 p.m. in Westbury, NY

September 1-30, 2015 from 8 a.m. - 4 p.m. in Yaphank, NY, and

October 6-8, 2015 from 8 a.m. - 4 p.m. in Yapank, NY.

There is no charge to the Village for this training course, and all applicable travel costs will be expensed from account A.3620.400 (Safety Inspection Contractual Expense).

RESOLUTION # 07-2015-10

RESOLUTION ratifying the hiring of Christy Revell as Assistant Camp Counselor, effective July 16, 2015; at a pay rate of \$ 9.00 per hour.

VILLAGE TREASURER**RESOLUTION # 07-2015-11**

RESOLUTION authorizing Treasurer Brandt to perform Budget Amendment # 2231, for the funding of the repair/reconstruction of the Fifth Street basketball courts, and directing that Budget Amendment # 2231 be included as part of the formal meeting minutes for the July 23, 2015 regular meeting of the Board of Trustees.

RESOLUTION # 07-2015-12

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #2232, to "roll forward" balances from Budget Amendment # 2119 into the new fiscal year, and directing that Budget Amendment #2232 be included as part of the formal meeting minutes for the July 23, 2015 regular meeting of the Board of Trustees.

RESOLUTION # 07-2015-13

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #2233, to fund Tall Ships 2015 expenses, and directing that Budget Amendment #2233 be included as part of the formal meeting minutes for the July 23, 2015 regular meeting of the Board of Trustees.

RESOLUTION # 07-2015-14

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #2234, to fund the new fencing of the 3rd Street Park, and directing that Budget Amendment #2234 be included as part of the formal meeting minutes for the July 23, 2015 regular meeting of the Board of Trustees.

VILLAGE CLERK**RESOLUTION # 07-2015-15**

RESOLUTION directing the Conservation Advisory Council to review the Wetlands Permit Application submitted by Wayne Turett and Jessica Leighton, for the property 746 Main Street, Greenport, NY, 11944; and to provide the corresponding report on same to the Village of Greenport Board of Trustees by August 13, 2015.

RESOLUTION # 07-2015-16

RESOLUTION directing Clerk Pirillo to schedule, and notice accordingly, a public hearing for August 27, 2015 at 7:00 p.m. at the Third Street Firehouse, Greenport, New York, 11944 regarding the Wetlands Permit Application as submitted by Wayne Turett and Jessica Leighton to construct a new single family house at 746 Main Street, Greenport, NY, 11944, in the Village of Greenport historic district.

RESOLUTION # 07-2015-17

RESOLUTION directing the Conservation Advisory Council to review the Wetlands Permit Application submitted by Costello Marine Contracting Corporation for the property 210 Carpenter Street, Greenport, NY, 11944; and to provide the corresponding report on same to the Village of Greenport Board of Trustees by August 13, 2015.

RESOLUTION # 07-2015-18

RESOLUTION directing Clerk Pirillo to schedule, and notice accordingly, a public hearing for August 27, 2015 at 7:00 p.m. at the Third Street Firehouse, Greenport, New York, 11944 regarding the Wetlands Permit Application as submitted by Costello Marine Contracting Corp. to remove and replace 346' of existing bulkhead, in-kind, in-place, and to construct 204' of new bulkhead immediately in-front of existing bulkhead at 210 Carpenter Street, Greenport, NY, 11944.

RESOLUTION # 07-2015-19

RESOLUTION approving the attached SEQRA resolution adopting lead agency status, determining the action to be an unlisted action that will not have a significant negative impact on the environment and adopting a negative declaration; regarding the Wetlands Permit Application as submitted by applicant Meryl Kramer, Architect, on behalf of Christy Fletcher and Samuel Walker for the property at 131 Fourth Street, Greenport, NY 11944 (SCTM # 1001-07.-05-18) per the public hearing held on June 25, 2015 at 7:00 p.m. by the Village of Greenport Board of Trustees.

RESOLUTION # 07-2015-20

RESOLUTION approving the Wetlands Permit Application as submitted by applicant Meryl Kramer, Architect, on behalf of Christy Fletcher and Samuel Walker for the property at 131 Fourth Street, Greenport, NY 11944 (SCTM # 1001-07.-05-18) per the public hearing held on June 25, 2015 at 7:00 p.m. by the Village of Greenport Board of Trustees to: demolish and re-construct (in place) existing covered porch and remove existing brick steps and concrete walk; construct new masonry patio with steps to porch; demolish and remove existing detached garage and driveway and construct new detached 22' x 24' garage and pervious gravel driveway; remove, replace and reconfigure existing fencing and gates as needed; install drainage system of leaders, gutters, and drywells; and reuse on-site soil material excavated during construction to re-grade and level rear yard, all as depicted on the site plan dated March 31, 2015 prepared by Meryl Kramer, Architect. This approval is conditional, based upon adherence to the recommendations as suggested by the Conservation Advisory Council.

RESOLUTION # 07-2015-21

RESOLUTION approving the attached SEQRA resolution adopting lead agency status, determining the action to be an unlisted action that will not have a significant negative impact on the environment and adopting a negative declaration; regarding the Wetlands Permit Application as submitted by applicant John V.H. Halsey on behalf of Peconic Land Trust for the property at the southeast corner of Fourth and Clark Streets, Greenport, NY 11944 (SCTM # 1001-07.-05-19) per the public hearing held on June 25, 2015 at 7:00 p.m. by the Village of Greenport Board of Trustees.

RESOLUTION # 07-2015-22

RESOLUTION approving the Wetlands Permit Application as submitted by applicant John V. H. Halsey on behalf of Peconic Land Trust for the property at the southeast corner of Fourth and Clark Streets, Greenport, NY 11944 (SCTM # 1001-07.-05-19) per the public hearing held on June 25, 2015 at 7:00 p.m. by the Village of Greenport Board of Trustees to: along the Southern shoreline, dig down 4' around each item, cut and remove pipes and metal structures then refill with existing soil/sand. This approval is conditional, based upon adherence to the recommendations as suggested by the Conservation Advisory Council.

RESOLUTION # 07-2015-23

RESOLUTION approving the Public Assembly Permit Application of the Greenport High School to close to vehicular traffic, and utilize, the Village-owned streets from the IGA Supermarket to the High School, for the annual Homecoming Parade; on October 23, 2015 from 5:30 p.m. through 6:30 p.m.

RESOLUTION # 07-2015-24

RESOLUTION ratifying the hiring of Billy Boeklen as a Lifeguard for the Village of Greenport Fifth Street Beach, effective July 7, 2015 at a pay rate of \$ 15.00 per hour.

RESOLUTION # 07-2015-25

RESOLUTION ratifying the hiring of Patrick Andrew Anderson as a Lifeguard for the Village of Greenport Fifth Street Beach, effective July 13, 2015 at a pay rate of \$ 15.00 per hour.

BOARD OF TRUSTEES**RESOLUTION # 07-2015-26**

RESOLUTION approving the Lease Option Agreement between the Village of Greenport and Global Common, LLC for the lease of a parcel of land on Moores Lane in Greenport, NY; per the agreement dated July 17, 2015 as attached.

RESOLUTION # 07-2015-27

RESOLUTION amending the Bio-Retention Project Agreement between the Village of Greenport and the New York State Environmental Facilities Corporation for SRF Project # C1-5121-06-00/GIGP 702, to reflect the withdrawal of the Fifth Street portion of the project, and to specify that only the Manor Place portion of the project will be undertaken and completed.

VOUCHER SUMMARY**RESOLUTION # 07-2015-28**

RESOLUTION approving all checks per the Voucher Summary Report dated July 21, 2015; in the total amount of \$ 1,189,986.78 consisting of:

- o All regular checks in the amount of \$ 943,996.30 and
- o All prepaid checks (including wire transfers) in the amount of \$ 245,990.48.

BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING WETLANDS PERMIT APPLICATION
OF MERYL KRAMER, ARCHITECT ON BEHALF OF
CHRISTY FLETCHER AND SAMUEL WALKER

WHEREAS an application for a wetlands permit approval was filed by Meryl Kramer, Architect as applicant on behalf of Christy Fletcher and Samuel Walker as applicants 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.

RESOLVED that a conditional Negative Declaration is hereby adopted for purposes of SEQRA. This approval is contingent upon adherence to the following recommendations as suggested by the Conservation Advisory Council:

- The installation of the new patio must be performed in such a manner that water will run off the patio in a direction away from the wetland area to the south of the property.
- A non-turf buffer must be installed along the south edge of the patio as depicted in the revised plans.
- Any re-grading in the rear of the yard must also be done such that water will run off away from the wetland area.
- The applicant should be required to provide plantings in the rear yard that do not require fertilizer, and specifically, no Kentucky Bluegrass should be allowed.

Upon motion by Trustee

seconded by Trustee

this resolution is carried as follows:

Dated: July 23, 2015

BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING WETLANDS PERMIT APPLICATION
OF JOHN V.H. HALSEY ON BEHALF OF
PECONIC LAND TRUST

WHEREAS an application for a wetlands permit approval was filed by John V.H. Halsey as applicant on behalf of Peconic Land Trust 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.

RESOLVED that a conditional Negative Declaration is hereby adopted for purposes of SEQRA. This approval is contingent upon adherence to the following recommendations as suggested by the Conservation Advisory Council:

- The items depicted in attached photographs # 7, 8, 12a and 12b are to remain, due to their historic significance at the site.
- Any future signage on the site is to reflect this historical significance and note that the items are to remain.

Upon motion by Trustee

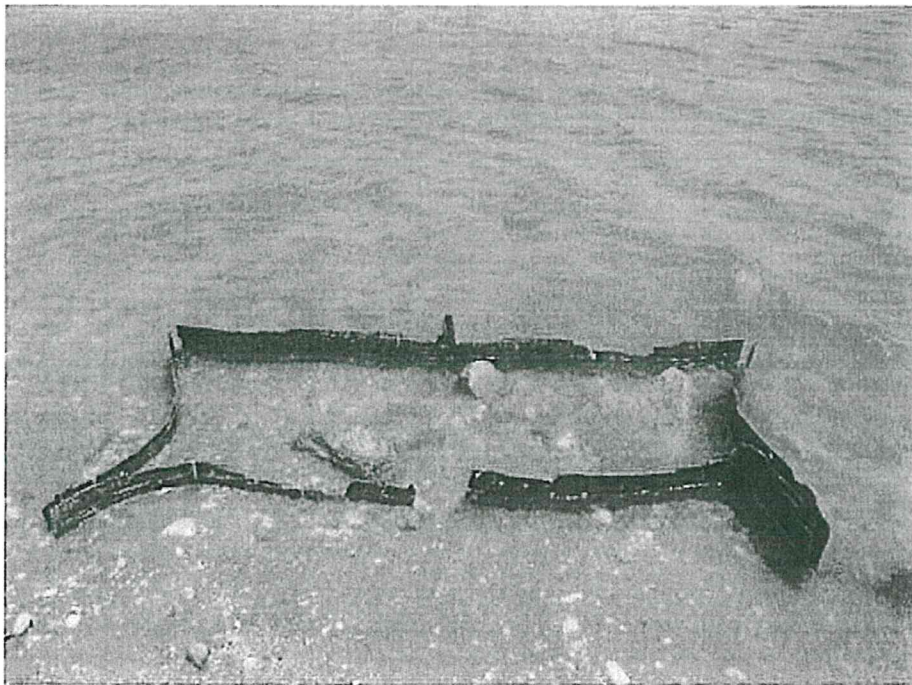
seconded by Trustee

this resolution is carried as follows:

Dated: July 23, 2015



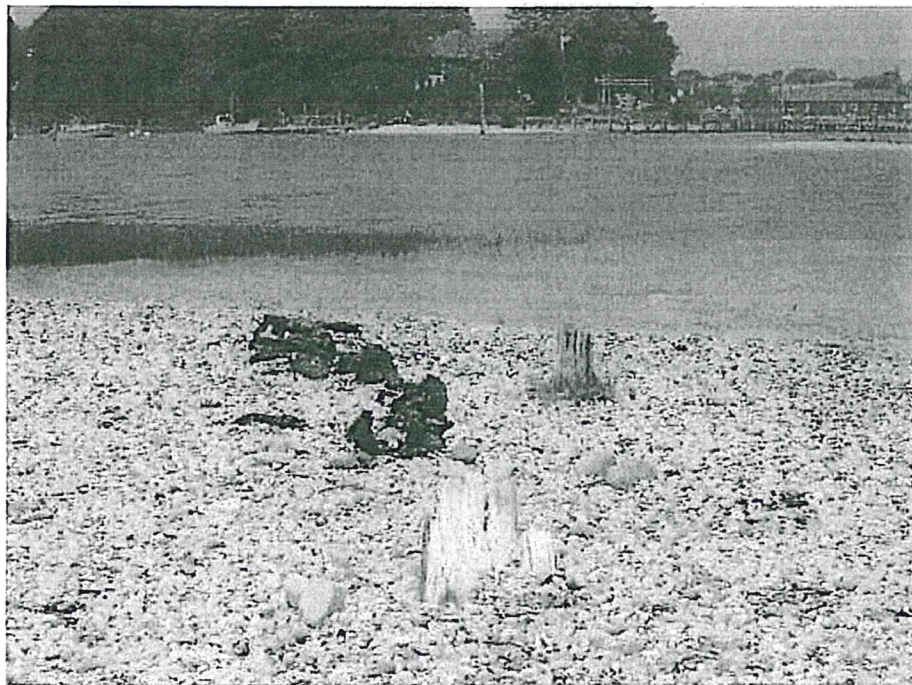
7) Large and small metal pipes perspective southeast



8) Wooden box structure perspective east



11c. Southwest perspective of items 4.a.b.c,5,6,7,8,9,10,11,12.a



12a. Sea wall 2 perspective north



12b. Sea wall 2 perspective east



13. PVC pipe 7

**OPTION AGREEMENT FOF LEASE OF PARCEL ON MOORE’S LANE,
GREENPORT, NY**

July 17, 2015

Topic	Description/Terms
Parties	Global Common, LLC (“GC” or the “Developer”), or its designee, and Village of Greenport, NY (“Greenport”).
Background	<p>GC previously developed a 54 MW peaking power plant located on Moore’s Lane in Greenport.</p> <p>PSEG-LI issued a Request for Proposals (RFP) in July 2015 to develop new peaking power plants to serve the South Fork of LI. In order to submit the proposal and proceed with development activities, GC will need to secure an option to lease a site for the power plant. Once GC obtains the lease option, GC will perform engineering studies, prepare the proposal for PSEG and complete development activities at its own expense. It is also expected that PSEG will issue a separate proposal for renewable energy resources in Q3 2015.</p>
Purpose of Option Agreement	This Option Agreement sets forth the key business terms under which GC will lease the Parcel. The Parties intend that the terms of this Option Agreement shall be incorporated into a Lease Agreement (the “Lease”).
The Parcel	Approximately 2-3 acres located on Moore’s Lane, Greenport, NY, adjacent to the existing 54 MW peaking power plant. (the “Parcel”)
The Project	GC will construct, own and operate a “peaking” power plant (the “Project”) on the Parcel, that will comply with requirements of the RFP. It is expected that the Project will have an initial capacity of 27

	<p>MW, and may expand up to 69 MW. However, the exact capacity will be determined during preparation of the proposal, and be subject to approval of PSEG. It is expected that the plant would operate less than 2,000 hours per year. The Project is expected to use new, highly efficient state of the art reciprocating engines, and will comply with all applicable environmental rules and regulations. The engines will have dual fuel capability, and be able to utilize ultra-low sulfur diesel, or natural gas, if available. If an adequate supply of pipeline gas is not available, the project will consider use of liquefied natural gas (LNG) delivered by truck as the primary fuel supply, since this would substantially reduce emissions in comparison to even ultra low sulfur diesel, and reduce costs, making the project more economically and environmentally feasible.</p>
Project Schedule	<ul style="list-style-type: none"> • Execute Conditional Lease Option Agreement: July 2015 • Proposals due: November 13, 2015 • Proposal selection: May 6, 2016 • Execute Power Purchase Agreement (PPA) with PSEGLI: Q4 2016-Q3 2017 • Complete development and financing activities: Q4 2016-Q3 2017 • Commence construction: Q4 2016-Q3 2017 • Commercial Operations Date (COD): Q4 2017-Q3 2018
Term of Lease	<p>20 years from the Project's Commercial Operations Date (COD), with renewability provisions for two additional 10-year periods.</p>
COD	<p>A date prior to Q3 2018, when the plant demonstrates compliance with PSEGLI's performance standards.</p>
Rent Payment	<ul style="list-style-type: none"> • The monthly Rent Payment ("Rent") shall be \$8,000 per MW per year, payable in equal monthly installments.

	<ul style="list-style-type: none"> • For example, for a 27 MW plant, the initial monthly rent would be \$18,000, or 216,000 per year. If the plant capacity expands to 69 MW, the rent would increase to \$552,000 per year. • GC shall make pre-COD rent payments equal to 5% of the full rent payments beginning 60 days after PSEG notifies GC it has been selected for PPA negotiations, which is expected to occur in May 2016. • GC shall make pre-COD rent payments equal to 10% of the full rent payments beginning 60 days after GC executes a PPA, which is expected to occur in Q4 2016. • Full Rent payments will commence at COD. • Rent payments will escalate based on the Consumer Price Index (CPI).
Rent Option Payment	Greenport shall have the option to receive a payment equal to 5.0% of Gross Fixed Revenue, in lieu of the Rent Payment based on the plant capacity described previously. Greenport shall notify GC if it wishes to receive the Rent Option Payment 90 days prior to Financial Closing.
Limitations on Tax Appeal or Grievance	GC agrees that it will not file any grievance or appeal of its real estate taxes for a period of at least five years following COD.
Project Development and Financing	GC will undertake tasks needed to complete project development and financing at its own expense.
GC Funding of Independent Environmental Impact Assessment	GC shall provide funding for an independent Environmental Impact Assessment, consistent with NY Article 10 requirements.
Option Terms	This Lease Option Agreement gives GC the right to lease the Parcel based on terms of this Option Agreement, subject to conditions precedent specified below.
Greenport Purchase	Greenport would have option to purchase the

Option	power plant, or a portion of the plant, needed for the Village for Book Value after initial term.
Conditions Precedent	<p>The Parties agree to enter into a Lease consistent with the terms of this Option Agreement if and only if the following conditions are met:</p> <ul style="list-style-type: none"> • Greenport Board determines in its sole discretion that there are no significant or unacceptable environmental or safety impacts, and that the project would not limit expansion of the wastewater treatment plant, create excess traffic, or adversely affect village infrastructure. • Completion of the SEQR (State Environmental Quality Review) process with a finding of No Significant Environmental Impacts. • Closing on Project Financing.
Hold Harmless	The Lease will contain a provision that stipulates that GC will hold Greenport harmless for any liabilities GC incurs or creates resulting from its operations at the Parcel.
Restoration of the Parcel	The Lease will contain a provision to provide financial assurance that GC will restore the Parcel to the condition that existed prior to commencement of construction of the Project.
Termination	Greenport may terminate this Option Agreement if GC has not closed on Project Financing by Q1 2018, provided, however, that GC may extend the term of the Option Agreement by paying Greenport an option payment equal to 15% of the Rent payment, for up to an additional 365 days.

Agreed and Accepted this ____ day of July 2015:

Village of Greenport

Signature

Name

Global Common, LLC

Signature

Robert J. Foxen

RENT AND TAX SUMMARY

Item	<i>Year</i>	<i>2022</i>	<i>\$2,030</i>
	<i>PSEG Capacity (MW)</i>	<i>26</i>	<i>69</i>
Rent (\$/MW/Y)		\$8,000	\$8,000
Total annual rent		\$208,000	\$552,000
Rent (\$/kw-mo)		\$0.67	\$0.67
Project cost		\$39,000,000	\$103,500,000
Town taxes		\$487,676	\$1,294,218
Village tax rate		\$19	\$27
Village taxes		\$87,070	\$328,774
Total Taxes		\$574,746	\$1,622,992
Total rent plus taxes		\$782,746	\$2,174,992
Total rent plus village taxes		\$295,070	\$880,774