



236 THIRD STREET  
GREENPORT NY 11944

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**MAYOR**  
DAVID NYCE  
Ext. 215

**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

*March 25, 2013 at 6 p.m.*  
*Board of Trustees - Regular Meeting*  
*Third Street Firehouse, Greenport, NY, 11944*

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

- o Dennis J. Carey

**ANNOUNCEMENTS**

- o Perry Day Care Center is seeking funding, and is in desperate need. We ask that anyone with the means to assist please contact the Perry Day Care Center directly.
- o Mayor's Day of Recognition for National Service is April 9th This event is to encourage support for volunteerism and highlights the many volunteer-driven groups and projects that help make Greenport a thriving community.  
For further information: [www.nationalservice.gov](http://www.nationalservice.gov)

**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.

**PUBLIC HEARINGS**

- o Chapter 115 - Streets and Sidewalks

**PRESENTATION**

- o Tree Committee Annual Report, as read by Trustee Hubbard
- o Green Energy Project Presentation

**PUBLIC TO ADDRESS THE BOARD**

**BOARD DISCUSSION**

- o Public Hearing: Sub-Division and Merger of Land

**REGULAR AGENDA**

**EXECUTIVE SESSION**

- o To discuss the recent Legislative Determination Hearing

**RESOLUTION # 3-2013-1**

RESOLUTION adopting the March, 2013 agenda as printed.

**RESOLUTION # 3-2013-2**

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 # 3-2013-3**

RESOLUTION approving the application for membership of Melinda S. Carrig to the Rescue Squad of the Greenport Fire Department, as already approved by the Greenport Fire Department Board of Wardens on March 20, 2013.

**RESOLUTION # 3-2013-4**

RESOLUTION authorizing Treasurer Kagel to perform the attached budget adjustments.

**RESOLUTION # 3-2013-5**

RESOLUTION approving the attached Inter-Municipal Agreement between the Village of Greenport and the Town of Southold, with a term of five years, as to the sharing of information concerning certain property records regarding assessments and property information of properties that are located within the Town of Southold in the territory of the Village of Greenport.

**RESOLUTION # 3-2013-6**

RESOLUTION authorizing Treasurer Kagel to create a capital reserve account in the Electric Fund.

**RESOLUTION # 3-2013-7**

RESOLUTION approving the request of the Floyd Memorial Library for the use of a portion of Mitchell Park from 4 p.m. to 8 p.m. on July 30, 2013 for the annual Concert for Children.

**RESOLUTION # 3-2013-8**

RESOLUTION allowing the New York State Department of Environmental Conservation to establish a monitoring station at the Greenport Village Dock, which would involve possibly suspending mesh bags of mussels on black nylon lines, to continue sampling into mid-July 2013; dependent upon the result of monitored phytoplankton samples.

**RESOLUTION # 3-2013-9**

RESOLUTION approving the Public Assembly Permit Application as submitted by the Relief Hose and Phenix Hook and Ladder Companies of the Greenport Fire Department for the use of the polo grounds at Moore's Lane, for the annual Relief Hose and Phenix Hook and Ladder Companies carnival, from 6 p.m. to 12 a.m. on July 2, 2013 through July 6, 2013.

**RESOLUTION # 3-2013-10**

RESOLUTION approving the Public Assembly Permit Application as submitted by the East End Seaport Museum for the use of various Village streets and facilities, for the annual Maritime Festival, from 9:00 a.m. to 5:00 p.m. on September 21, 2013 and September 22, 2013.

**RESOLUTION # 3-2013-11**

RESOLUTION authorizing the suspension of the open container law of the Village of Greenport, Sections 35-3B and 35-3C of the Greenport Village Code, for the Festival perimeters of the East End Seaport Museum Maritime Festival, from 9:00 a.m. to 5:00 p.m. on September 21, 2013 and September 22, 2013; per the Public Assembly Permit Application as submitted.

**RESOLUTION # 3-2013-12**

RESOLUTION approving the request by Eastern Long Island Hospital to use the softball field on Moore's Lane for the annual "Hospital Challenge" from 5:00 p.m. to 9:00 p.m. on May 10, 2013 (for practice) and May 17, 2013 (for the actual game.)

**RESOLUTION # 3-2013-13**

RESOLUTION approving the request by Shelly Scoggins of The Market to close Main Street from Bay Avenue to the southern terminus at Claudio's Circle, and to close Front Street from Main Street west to First Street, from 9:45 a.m. to 11:00 a.m. on April 27, 2013, for the Second Annual Waiter Race.

**RESOLUTION # 3-2013-14A**

RESOLUTION rejecting all bids as received and opened on March 14, 2013 for the shingle roof replacement at the Village of Greenport Lighting Plant.

**RESOLUTION #3-2013-14B**

RESOLUTION directing Village Clerk Pirillo to re-notice the Village of Greenport Lighting Plant shingle roof replacement request for bids accordingly.

**RESOLUTION # 3-2013-15**

RESOLUTION authorizing the attendance of Director of Utilities Naylor at the New York Association of Public Power Annual Conference in Saratoga Springs, New York from April 9, 2013 through April 11, 2013; at a total cost not to exceed \$ 715.000 including: registration, lodging and any applicable travel expenses, to be expensed from line item number E.0781.100 (Executive Department).

**RESOLUTION # 3-2013-16**

RESOLUTION authorizing the attendance of Mayor Nyce at the New York Association of Public Power Annual Conference in Saratoga Springs, New York from April 9, 2013 through April 11, 2013; at a total cost not to exceed \$ 715.000 including: registration, lodging and any applicable travel expenses, to be expensed from line item number A.1210.100 (Mayor Personal Services).

**RESOLUTION # 3-2013-17**

RESOLUTION declaring that the following Village of Greenport-owned vehicles are no longer suitable or necessary for municipal purposes and are therefore declared to be surplus vehicles to be disposed of for the best price possible:

- 1980 GMC Brigadier-Diesel 8000 Series Digger Derrick known as G-10
- 1990 Dodge Ram 2500 ¾ Ton Pick-Up Truck known as G-19
- 1997 Ford F-150 Pick-Up Truck known as G-25

**RESOLUTION # 3-2013-18**

RESOLUTION adopting the attached resolution designating Mayor David Nyce as the authorized representative of the Village of Greenport for the GIGP Grant Application number 702, and specifying parties authorized to submit documents to the New York State Environmental Facilities Corporation.

**RESOLUTION # 3-2013-19**

RESOLUTION awarding the contract for the Mitchell Park Marina electrical upgrade to Baltray Enterprises, d/b/a Bancker Electric, for a total of \$ 288,786.00 and to further authorize Mayor Nyce to sign and execute the contract after the \$ 400,000.00 in bond funding is in place, which is expected to be on March 28, 2013; following the end of the estoppel period.

**RESOLUTION # 3-2013-20**

RESOLUTION authorizing a Request for Proposals for cleaning services at Village Hall and other Village facilities, and further directing Village Clerk Pirillo to notice the Request for Proposals for cleaning services accordingly.

**RESOLUTION # 3-2013-21**

RESOLUTION authorizing Village Treasurer Kagel and Director of Utilities Naylor to peruse the current budget, and subsequently report to the Board of Trustees in which line items monies may be available to pay for the cost of the shingle roof replacement at the Village of Greenport Power Plant.

**RESOLUTION # 3-2013-22**

RESOLUTION correcting resolution # 12-2012-24 from the December 2012 regular meeting of the Board of Trustees changing the date of the public hearing on a proposed local law amending Chapter 132 of the Greenport Village Code, creating a "no parking" zone on the east side of Sterling Street to April 22, 2013 at 6:00 p.m. at the Third Street Firehouse, Third Street, Greenport.

**RESOLUTION # 3-2013-23**

RESOLUTION determining that the Water Quality Improvement Project (GIGP Application No.: 702 / CWSRF Project No.: 5121-06-00) has been determined by the Village to be an unlisted action and that the Village is proceeding with a coordinated review proposing that the Village adopts lead agency status, determines that the action is an unlisted action and adopting a Negative Declaration, with the New York State Department of Environmental Conservation, the New York State Department of State, the United States Army Corps of Engineers, the Suffolk County Department of Planning, and the Town of Southold, as per 6 NYCRR 617(a)(3) and 6 NYCRR 617(b)(3) as requested by the NYS EFC.

**RESOLUTION # 3-2013-24**

RESOLUTION establishing the source of the required ten percent matching funds for the proposed NYS EFC GIGP grant as being local funds from the Village General Fund Balance.

**RESOLUTION # 3-2013-25**

RESOLUTION determining that the bonding, grant from the NYS EFC, and the project described as the planning and study of the feasibility of a possible eastern extension of the Village of Greenport sewer system is a Type II action for purposes of SEQRA pursuant to 6 NYCRR 617.5(c)(21) which states that; "(c) the following actions are not subject to review under this Part: . . . . (21) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action".

**RESOLUTION # 3-2013-26**

RESOLUTION determining that the bonding, grant from the NYS EFC, and the project described as the planning and study of the feasibility of a possible western extension of the Village of Greenport sewer system is a Type II action for purposes of SEQRA pursuant to 6 NYCRR 617.5(c)(2) which states that; "(c) the following actions are not subject to review under this Part: . . . . (21) conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action".

**RESOLUTION # 3-2013-27**

RESOLUTION approving all checks per the Voucher Summary Report dated March 20, 2013; in the total amount of \$ 413,204.40 consisting of:

- o All regular checks in the amount of \$ 384,430.65,
- o All prepaid checks in the amount of \$ 28,773.75.

**RESOLUTION # 3-2013-28**

RESOLUTION to enter into an executive session to discuss matters involving contract negotiations.

**RESOLUTION # 3-2013-29**

RESOLUTION adjourning the March, 2013 regular meeting of the Board of Trustees of the Village of Greenport.



# VILLAGE OF GREENPORT

## Budget Adjustment Form

Year: 2013 Period: 3 Trans Type: B1 - Transfer Status: Batch  
 Trans No: 735 Trans Date: 03/18/2013 User Ref: ROBERT  
 Requested: J. NAYLOR Approved: Created by: ROBERT 03/18/2013  
 Description: Account # Order: No  
 Print Parent Account: No

Account No.	Account Description	Amount
G.9061.800	DENTAL & VISION INSURANCE.EMPLOYEE BENEFITS	-2,200.00
G.8110.100	ADMINISTRATION LABOR..	2,200.00
<b>Total Amount:</b>		0.00











































# VILLAGE OF GREENPORT

## Budget Adjustment Form

Year: 2013 Period: 3 Trans Type: B1 - Transfer Status: Batch  
Trans No: 719 Trans Date: 03/18/2013 User Ref: ROBERT  
Requested: J. NAYLOR Approved: Created by: ROBERT 03/18/2013  
Description: Account # Order: No  
Print Parent Account: No

Account No.	Account Description	Amount
A.5110.116	STREET MAINT.ADMIN SALARY - ROAD & SIDEWALK IMP	-5,400.00
A.5110.414	GAS/FUEL..	5,400.00
	<b>Total Amount:</b>	<u>0.00</u>



# VILLAGE OF GREENPORT

## Budget Adjustment Form

Year: 2013 Period: 3 Trans Type: B1 - Transfer Status: Batch  
Trans No: 717 Trans Date: 03/18/2013 User Ref: ROBERT  
Requested: J. NAYLOR Approved: Created by: ROBERT 03/18/2013  
Description: Account # Order: No  
Print Parent Account: No

Account No.	Account Description	Amount
A.5110.116	STREET MAINT.ADMIN SALARY - ROAD & SIDEWALK IMP	-3,000.00
A.5110.200	STREET MAINT.EQUIPMENT	-2,500.00
A.5110.411	MAINTENANCE OF EQUIPMENT..	5,500.00
<b>Total Amount:</b>		<u>0.00</u>





# VILLAGE OF GREENPORT

## Budget Adjustment Form

Year: 2013 Period: 3 Trans Type: B1 - Transfer Status: Batch  
 Trans No: 711 Trans Date: 03/11/2013 User Ref: ROBERT  
 Requested: Approved: Created by: ROBERT 02/12/2013  
 Description: FUNDING OF UTILITY BILLS DUE TO THE VILLAGE

Account # Order: No  
 Print Parent Account: No

Account No.	Account Description	Amount
R.7120.402	RECREATION SKATEPARK EXPENSE	-1,000.00
R.7120.401	RECREATION CENTER..	1,000.00
A.1620.100	VILLAGE BUILDINGS.PERSONAL SERVICES	-5,000.00
A.1620.300	RADIO TOWER EXP..	5,000.00
A.7311.402	SKATEBOARD PARK EXPENSE..	1,926.00
A.1620.100	VILLAGE BUILDINGS.PERSONAL SERVICES	-1,926.00
A.7110.400	PARKS..	540.00
A.1620.100	VILLAGE BUILDINGS.PERSONAL SERVICES	-540.00
A.7520.400	HISTORICAL PROP - RR PARK..	2,230.00
A.1620.100	VILLAGE BUILDINGS.PERSONAL SERVICES	-2,230.00
<b>Total Amount:</b>		<u>0.00</u>





**INTERMUNICIPAL AGREEMENT FOR  
ACCESS TO SOUTHOLD TOWN DATA AND INFORMATION  
FOR VILLAGE OF GREENPORT TAX BILL PREPARATION**

AGREEMENT made this \_\_\_\_ day of March, 2013, by and between the TOWN OF SOUTHOLD, a municipal corporation with its principal place of business at P.O. Box 1179, 53095 Route 25, Southold, New York 11971-0959 hereinafter referred to as "TOWN", the INCORPORATED VILLAGE OF GREENPORT, a municipal corporation with its principal place of business at 236 Third Street, Greenport, New York 11944, hereinafter referred to as the "VILLAGE" and KVS Information Systems, Inc., with its principal place of business at 821 Maple Road, Williamsville, New York 14221, hereinafter referred to as "KVS";

WHEREAS, municipal corporations are authorized by Section 119-0 of Article 5-G of the General Municipal Law of the State of New York to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, the Town maintains certain property records regarding assessments and property information of properties that are located in the Town in the territory of the Village, in an electronic format for tax and assessment purposes; and

WHEREAS, the Village is responsible to prepare its own tax bills for billing of Village real estate taxes each year and has acquired new software from KVS to compute and process the Village's tax bills for at least the next five year period; and

WHEREAS the KVS software that was acquired by the Village requires data from the Town's files in order to compute and process Village tax bills for the Village's taxes; and

WHEREAS the Village and the Town together with the Village's tax billing software provider, KVS, have agreed to provide temporary access to the data from the electronic files of the Town related to assessment and property information for the sole purpose of enabling the Village to do its 2013-2017 tax billing, and the parties are desirous of entering an InterMunicipal Agreement for that purpose.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. The term of this Agreement shall be five years from the date herein.
2. The Agreement may be terminated, in whole or part, by either party on ten (10) days written notice to the other party in the event either party fails to fulfill its obligations under this Agreement or in the event continued performance under the terms of this Agreement would not be in the best interest of either the Town or the Village. Such notice shall be made in accordance with the Notice provisions below.
3. This Agreement shall terminate automatically upon the termination of services of KVS by the Village of Greenport.
4. All Notices required to be given under this Agreement shall be sent prepared registered mail, return receipt requested, or as the parties may later determine in writing, to the parties at the following addresses:

Town Attorney  
Town of Southold  
P. O. Box 1179  
54375 Route 25  
Southold, New York 11971-0959

Village Clerk  
Village of Greenport  
236 Third Street  
Greenport, New York 11944

KVS Information Systems, Inc.  
821 Maple Road  
Williamsville, New York 14221

5. Any and all services provided under this Agreement shall at all times be under the direction and supervision of the Tax Receiver and Assessor of the Town of Southold, and their interpretations and decisions shall be final and conclusive.

6. The Town shall provide the Village with exclusive access to or electronic copies of the real property assessment and other assessment information that is necessary for the Village to process and complete the 2013-2017 Village billings.

7. The Town agrees to provide the aforementioned services during the term of this Agreement for no consideration due to the substantial consideration that is provided by the Village to the Town with regard to this and other agreements.

8. The Village and KVS agree that the information provided by the Town is and will remain the property of the Town and that the data and information that is shared by the Town with the Village and KVS will not be used

by the Village or KVS for any use other than that stated in this Agreement, to compute and process the Village's real estate tax bills, and will not be released by either the Village or KVS to or with any other party for any reason. Upon completion of the preparation the Village tax bills, the Village will return the database information provided to the Town or destroy the same.

9. This Agreement may not be changed, altered, amended or extended except by written consent of the parties pursuant to applicable provisions of law.

10. This Agreement shall bind the successors, assigns and representatives of the parties hereto.

11. The Village and KVS shall be responsible for any damage or liability the Town may incur due to misuse or improper dissemination of the data provided hereunder.

12. All provisions as required by Law are hereby deemed inserted. The parties agree that nothing in this Agreement shall be construed so as to interfere with or diminish any municipal powers or authority.

IN WITNESS WHEREOF, this Agreement has been executed by the Supervisor of the Town of Southold, who has caused the seal of the Town to be affixed hereto pursuant to resolution of the Town Board dated March 12, 2013

and by the Mayor of the Village of Greenport, who has caused the seal of the Village to be affixed hereto, pursuant to resolution of the Village Board dated \_\_\_\_\_, 2013.

(TOWN SEAL)

TOWN OF SOUTHOLD

By \_\_\_\_\_  
Scott A. Russell, Supervisor

(VILLAGE SEAL)

INCORPORATED VILLAGE OF  
GREENPORT

By \_\_\_\_\_  
Mayor

KVS INFORMATION SYSTEMS, INC.

By \_\_\_\_\_







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MEMO RE: 2013-03-25 Work Session Addendum

TO: Mayor David Nyce / Board of Trustees

FROM: Jack Naylor, P.E.

DATE: 03-15-13

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EFC had requested resolutions authorizing various parties to submit documents on behalf of the Village. We amended the original resolution for the Planning Projects at the February meeting, resolution language for the GIGP project was approved by EFC this morning:

**Resolution: Designation of Authorized Representative for GIGP Project**

*Whereas the Village of Greenport is the recipient of a GIGP Grant (GIGP Application No. 702 / CWSRF Project No. 5121-06-00) from the New York State Environmental Facilities Corporation (EFC) in the amount of \$287,801.00 and that the receipt of said monies and administration of said grant will require numerous and prompt actions by the Village in order to comply with the grant conditions.*

***NOW, THEREFORE, BE IT RESOLVED*** that the following parties are authorized to submit the documents to the NYS Environmental Facilities Corporation as delineated below:

*Mayor David Nyce is authorized to execute the Grant Agreement and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village of Greenport's obligations under the GIGP Grant Agreement.*

*Director of Utilities John W. Naylor, Jr., P.E. is authorized to sign and submit all reports, certifications and documents / instruments of a technical and administrative nature as is necessary to bring about the Project and to fulfill the Village of Greenport's technical and administrative obligations under the GIGP Grant Agreement.*

*Treasurer Charlene Kagel, CPA is authorized to sign and submit all reports, and documents / instruments of a fiscal nature as is necessary to bring about the Project and to fulfill the Village of Greenport's fiscal obligations under the GIGP Grant Agreement.*