

1 STATE OF NEW YORK
2 VILLAGE OF GREENPORT

2 ----- X

3 BOARD OF TRUSTEES
4 REGULAR MEETING

4 ----- X

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6

7

8 December 26, 2012
6:00 P.M.

9

10 BEFORE:

11 DAVID NYCE - MAYOR

12 CHRISTINA KEMPNER - TRUSTEE

13 DAVID MURRAY - TRUSTEE

14 MARY BESS PHILLIPS - TRUSTEE

15 GEORGE HUBBARD, JR. - TRUSTEE (EXCUSED)

16

17 SYLVIA PIRILLO - VILLAGE CLERK

18 JOSEPH PROKOP - VILLAGE ATTORNEY

19 DAVID ABATELLI - VILLAGE ADMINISTRATOR

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1 MAYOR NYCE: It being six o'clock, I
2 will call this meeting to order. I ask
3 that everyone please rise and join me for
4 the Pledge of Allegiance.

5 (Whereupon, all rose for the Salute
6 to the Flag, followed by a moment of
7 silence for Wayne G. Baylis and Gordon
8 Nelson Schlaefer.)

9 MAYOR NYCE: Trustee Hubbard is not
10 going to be with us this evening. He is
11 having some health issues. So I want to
12 wish him and his family well. He's fine,
13 but he's not going to be able to attend the
14 meeting this evening.

15 We have some announcements. Village
16 Hall will be closed at 12:30 on New Year's
17 Eve, and will be closed on New Year's Day.
18 The January work session meeting of the
19 Board of Trustees will be held on January
20 22, 2013. The Village is seeking seasonal,
21 part-time help as staff for the ice rink.
22 If you're interested, please come to
23 Village Hall. Ask for the Village
24 Administrator or the Village Clerk to get

25 you to the right place. January 1, 2013 is

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1 the first day that an individual may sign
2 an independent nominating petition for the
3 upcoming election. Those can be picked up
4 at Village Hall through the Clerk's Office
5 or I believe they're also available through
6 online and NYCOM, and other agencies also
7 have them as a printable document. There
8 will be two Village Voter Registration
9 Days, March 7th from 8:30 a.m., to 5:00
10 p.m., and on March 9th from 11:00 a.m. to
11 5:00 p.m. at Village Hall upstairs in the
12 conference room. If you have issues and
13 can not mount the stairs, let the people
14 know at the front desk and we will make
15 arrangements for someone to come down and
16 meet you. The annual tax sale will be held
17 on March 12th at 10:00 a.m. at Village
18 Hall, also upstairs in the conference room.
19 The upcoming Village election will be held
20 on March 19, 2013 voting hours are from
21 6:00 a.m. to 8:00 p.m. -- 9:00 p.m., I'm
22 sorry. 6:00 a.m. to 9:00 p.m., here at the
23 Third Street Firehouse.

24 Under Public Interest, it is

25 important to create a Fire Safety program

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1 for your family. Please be sure to check
2 the batteries in your smoke and CO
3 detectors, particularly at this time of
4 years, people have fires etcetera,
5 etcetera. It is very important that you
6 have plans made. Please be sure that your
7 house is properly numbered outside so that
8 emergency personnel can easily locate your
9 home, if needed. There are two public
10 hearings scheduled for the January 28, 2013
11 regular meeting of the Board of Trustees
12 here at the Third Street Firehouse. One is
13 on Cross Connection and Backflow Prevention
14 and the other is for Penalties of
15 Non-Payment of Parking Fines. Both of
16 these are additions or amendments to the
17 existing code. The amendments are
18 available at Village Hall, and I believe
19 also on the website. They will be
20 available on the website, if they're not
21 now. They're available at Village Hall
22 prior to that public hearing. Those public
23 hearings are scheduled for 6:00 p.m. on the

24 28th. Also to let people be aware, CACI
25 Partnership, LLC has received -- I'm sorry,

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1 the Village Clerk's Office. Let me start
2 that again. The Village Clerk's Office has
3 received from CACI Partnerships, LLC a
4 liquor license application. Is that an
5 application or a renewal?

6 CLERK PIRILLO: It's an application.

7 MAYOR NYCE: It's an application.

8 That was received on December 11, 2012. We
9 let people know here in addition to their
10 being told. We let people know here just
11 in case they have issues with it they can
12 contact the State Liquor Authority. There
13 are no public hearings this evening. I
14 would like to ask -- we have a couple of
15 presentations this evening. I would like
16 to ask John and Maritza Winkler to join us
17 at the podium here. The Village Clerk
18 suggested something this year and we're
19 going to try it. I don't know how long it
20 will continue but I thought it was a
21 fantastic idea. There is a great deal of
22 volunteers in this Village and while people
23 are thanked regularly, it's not often

24 enough and it's not visible enough. And
25 she suggested that we have a Volunteer of

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1 the Year. And through all of the stuff
2 that you guys do -- what happened through
3 the process of this, the management staff
4 makes suggestion. They discuss it, they
5 vote on it. So this is not something that
6 the Board does. The people that you deal
7 with on a day to day basis, supervisors,
8 all worked on this selection. You guys.
9 So there is a letter of citation here
10 thanking you for all of your help.

11 MS. WINKLER: Thank you.

12 MR. WINKLER: Thank you very much.
13 This is very nice.

14 MAYOR NYCE: Absolutely. Now, I
15 would like to embarrass, John. John, if
16 you would come on up. Same sort of thing.
17 When we were going to do this, we also had
18 ad hoc units that are completely volunteer.
19 The ad hoc committees, you jump in and do
20 your thing when it's necessary. There is
21 no pay. It's a lot of time. You have
22 taken the Tree Committee and built up this

23 juggernaut of a committee that is all
24 volunteer. And the amount of work that you
25 do year round is greatly appreciated by the

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1 Board. So along with just Volunteer of the
2 Year, we have our Ad hoc Committee
3 Volunteer of the Year, and we are really
4 pleased to present it to you.

5 JOHN: Glad to be doing it.

6 MAYOR NYCE: With that, we will open
7 the public portion of the meeting, and I
8 will ask if there is anyone from the public
9 that wishes to address the Board?

10 MR. SALADINO: John Saladino, Sixth
11 Street.

12 Are there any resolutions that aren't
13 on the agenda?

14 MAYOR NYCE: Not to my knowledge.
15 There may be out of the proposed Executive
16 Session. There may be, but other than
17 that, I am not aware that any other Trustee
18 has anything that they would like to add to
19 the agenda at the meeting tonight.

20 MR. SALADINO: I have comments on two
21 resolutions, #25 and #26. I was at the
22 work session last Monday, and RESOLUTION

23 #25 is authorizing a payment for
24 preparation of a report for roads, lights
25 and streets. Trustee Philips had put a

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1 dollar figure on that. I don't see that
2 here. She put a \$5,000.00 figure on it. I
3 don't see that here. Is that going to be
4 the amount that we're going to pay? Is
5 somebody --

6 MAYOR NYCE: When you ask for a
7 request of quotes, you don't put a dollar
8 figure.

9 MR. SALADINO: I understand that, but
10 it's been my experience, as I am sure it
11 has been yours, that if you do put a dollar
12 figure on the project, it usually comes to
13 that figure. It usually comes in at that.

14 MAYOR NYCE: Which is why we're not
15 putting a figure on there.

16 MR. SALADINO: That was my question.
17 I heard a dollar figure at the work session
18 and I don't see it on here.

19 The other one is RESOLUTION #26, I am
20 not sure I totally understood presentation
21 materials and what that exactly involves at

22 \$5500.00, for presentation materials. I am
23 not sure what that is. What that entails,
24 what happens after that. I thought perhaps
25 -- I don't know if this is a -- I don't

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1 know. I thought a better suggestion would
2 be is to have a public hearing and let the
3 Board see if the Board is in favor of this
4 project before you spend any money. Let
5 the Board see if the Town of Southold, DEC,
6 the residents of Greenport and all the
7 residents of the Incorporated Village
8 actually want to have a Green Energy Park
9 at Clarks Beach, and if the majority of the
10 residents do, then spend the \$5,000.00 for
11 a presentation for grants and bonds or
12 whatever. But to spend this money first
13 and to have a presentation for the
14 residents and then maybe the residents will
15 voice their opinion against it, it just
16 seems like we're spending a lot of money
17 for -- The people that live in this Village
18 are smart and they tend to know what's
19 right and what they like and don't like.
20 Plus you guys are there to explain to them
21 what exactly is involved. I just don't see

22 why we have to spend \$5500.00 to make a
23 presentation, charts, graphs, photographs.
24 I mean, you guys are certainly capable of
25 doing that. Then if the majority of that

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1 people at the public hearing decide that,
2 they would like to move forward, then
3 perhaps you spend that money, but if the
4 majority of them don't. Then it's
5 \$5,500.00 that will be saved. So I would
6 urge the Board -- I would urge the Mayor to
7 withdraw this tonight. You know, present
8 this to the residents before you decide to
9 spend any money. The last thing that I
10 would like to say has nothing to do with
11 the agenda. We're all tired about hearing
12 about FOIL Requests. Last week at the work
13 session under the Director of Utilities
14 Report, the first part of the report -- The
15 report was prepared on December 10th. The
16 first part of the report stated that he had
17 PPA Summary available to the Board. It was
18 printed but it would also be available by
19 e-mail if it was easier for them to read it
20 that way. At the end of his report, it

21 said that the report was prepared. It was
22 going to be referenced and it was printed,
23 and it was presented under a separate
24 cover. It wasn't presented with the
25 Director's report. I asked for that

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1 report, and I got an e-mail back from
2 Mr. Naylor saying that he has it printed
3 out but I will have to file FOIL request.
4 He was advised by his attorney that he
5 couldn't give it to me. I reminded him of
6 what the law said, and his contention was
7 he was told that he couldn't give it out.
8 When I came to the meeting, the Director
9 was here and I spoke to him. And he
10 suggested that I talk to the attorney, and
11 I did. The attorneys explanation was, was
12 that, what's the big deal? Just FOIL for
13 it the next day. I explained my position
14 that I wanted to follow along, which is my
15 right. And he just kept going back and
16 forth. Just FOIL for it. Just FOIL for
17 it. I didn't want the report 24 days
18 later. I wanted the report the following
19 morning if it was discussed, which he said
20 it was going to be. The last thing that

21 the attorney told me, that troubled me was
22 that when I pressed him for an answer, he
23 told me he can't let anything leave Village
24 Hall without him checking it first.

25 MR. PROKOP: I never said that. I

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1 never said that to you.

2 MR. SALADINO: Yeah, you did.

3 MR. SWISKEY: I heard it.

4 MAYOR NYCE: We're not going to get
5 into back and forth --

6 MR. SALADINO: I agree with you, Mr.
7 Mayor. I agree with you.

8 MAYOR NYCE: Please just finish your
9 statement.

10 MR. SALADINO: I have a problem with
11 that. I have a problem with information
12 that the public is entitled to that is
13 being withheld for whatever reason. We're
14 talking about a PPA report that was part of
15 the Directors of Utilities Report, and it
16 was for last month. It's not even a future
17 contract. It's the last month. I mean,
18 why is this stuff secret? Why is this
19 stuff -- I'm obviously asking why. I

20 talked to the Director of Utilities
21 afterwards. Now, he's not here for him to
22 deny it, and I regret that, but he had told
23 me, if he had to make a choice in making a
24 citizen happy or making the Village Board
25 happy, he's going to make the Village Board

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1 happy, regardless of the law. I have a
2 problem with that. I have a real problem
3 with that. You can look like this is an
4 incredible statement. You can look like I
5 am -- This is the truth. This is the truth
6 as it happened. And I just don't
7 understand why we have to conduct business
8 like that. This was an innocuous report.
9 This had nothing to do with any secrets or
10 contracts, but yet, it was withheld. It
11 was withheld when it was published. It
12 says here that it was available,
13 referenced. Just provided under a separate
14 cover. Again, I know everyone is tired
15 about hearing about FOIL Request. I know
16 that Trustees, at the Village's expense
17 brought the FOIL officer here to explain to
18 the people. I know there was a
19 demonstration of a title of FOIL. I mean,

20 this was the perfect way to get around the
21 frivolous FOIL requests. Just provide the
22 public with the information that you're
23 entitled to. I just don't know what the
24 problem is. As far as what happened
25 between the attorney and I, that was the

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1 conversation as I remembered it. There
2 were other people present. This is not a
3 trial, but if in the future this happens
4 again, I would like to be reassured by this
5 Board that this is not going to happen
6 again. That these public documents should
7 be made available. It's the law. How do
8 you just ignore the law? Thanks for
9 listening.

10 MAYOR NYCE: Is there anyone else who
11 wishes to address the Board?

12 MR. SWISKEY: William Swiskey, 184
13 Fifth Street. The first thing that I would
14 like to address is the refinancing, when
15 Bill Freitag showed up from Bollum &
16 Sheedy, and congratulated the treasurer and
17 the Board. Basically his words were -- I
18 can get the minutes if you want. You saved

19 a million dollars, but that was a
20 completely false statement because I have
21 all the information about the refinancing.
22 The total payout's -- You can snicker me
23 all you want, Mr. Mayor, but I mean, it's a
24 104 page document. And over the life of
25 the refinance, it is costing the Village an

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1 additional one million dollars. Now, I
2 e-mailed every one of you after the meeting
3 and asking if you could clarify this for
4 me. But that was such a blatantly
5 misrepresentation. I don't want -- it was
6 basically a false statement. I won't call
7 it a lie. But we didn't save any money,
8 and basically in 2017, 2018, we won't have
9 enough money to pay the refinancing. Now,
10 I understand that some of you leave office
11 in 2015 and you won't have to worry about,
12 but some places -- it's looking like it can
13 go -- Oh, no. You can I make this up. I
14 will invite anyone that wants including the
15 Village Board -- these are your numbers.
16 Not mine. So I would still like to get a
17 straight answer on that and nobody bothers
18 to answer the e-mail. It's like -- it's

19 real amazing to me. You know, previous
20 mayors, they go out of their way to
21 basically -- if you have a question, they
22 would send you -- answer you. This Board
23 seems not to want to answer it. It's like,
24 I was standing there when the statement
25 that the attorney made to Mr. Saladino --

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1 that was made. And I seem to agree with
2 Mr. Saladino's recollection because I also
3 had an incident at one time when I filed a
4 complaint about a sign that was basically
5 illegal, and it violated about -- just
6 about every Village sign law, and I was
7 told by Village officials and the Building
8 Department that I am not going to basically
9 make trouble for my bosses. Now to me,
10 that shows a little bit of lack of
11 integrity. You either have integrity in
12 this life or you don't. And as elected
13 officials, I think you're entitled to it.
14 I mean, yeah, you might get spanked a
15 little bit, but that's life. I'm sorry
16 about that. We expect a much higher
17 standard from our Village Officials then

18 here. I mean, no one answers e-mails.
19 Statements are made that are basically
20 totally false. And yeah -- smile all you
21 want Dave, I can smile too. But I will
22 make this statement, your famous statement
23 is well, "Mr. Swiskey made it up." Well,
24 my statement, I will meet with you any time
25 with the press and the TV and my statement

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1 is the Mayor is making it up as he goes.
2 Just to make it to fit the reality he wants
3 to make it fit, but that is not the
4 reality. Anyway, I have a couple of other
5 items here. It's like, the transformer for
6 the #6 unit, which is the biggest unit, it
7 amounts for half of the capacity, it blew
8 up on -- two months ago. So that means,
9 that it has been out of service for almost
10 two months and yet, during this whole time
11 since June when everything was out of
12 service, the Mayor insisted that the plant
13 could run. Well, Mr. Mayor, I will pay a
14 thousand dollars to see that tomorrow. I
15 mean, it just can't happen. I mean, that
16 is another false that you put forward to
17 the public. Why the lies to the public? I

18 just don't understand. You can -- that's
19 good. That's like what my grandchildren
20 do. I mean --

21 MAYOR NYCE: Bill, if you're going to
22 be insulting, you're going to get shutdown.

23 MR. SWISKEY: What?

24 MAYOR NYCE: You are not --

25 MR. SWISKEY: Why are you

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1 interrupting --

2 MAYOR NYCE: You are not going to
3 compare me to children. You will be
4 removed. Be respectful while you're there
5 or you will be --

6 MR. SWISKEY: You through Mr.
7 Saladino out. That wasn't respectful. He
8 was there trying to get an honest question.
9 You were --

10 MAYOR NYCE: Mr. Saladino was out of
11 order. When he did not come to order, he
12 was asked to leave.

13 MR. SWISKEY: Here is one. Maybe
14 when you get to your thing, you can explain
15 to the public and to the TV, how something
16 like this -- I mean, did we save all this

17 money? Did we not? I can provide these to
18 the press if they want it, or go to the
19 Village Hall and FOIL for the report. You
20 would be surprised. Anyway, getting to a
21 couple of items on the agenda. One of them
22 has to do with the no parking on Sterling
23 Street -- Sterling Avenue. Well, it seems
24 to me that everything that has come forward
25 as a proposal for a local law is supposed

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1 to have gone through the code committee. I
2 mean, Trustee Murray suggested months ago
3 -- I don't know, six months ago, a rental
4 law. It went to the Code Committee. It
5 has been in and out. Has this gone to the
6 Code Committee? I would urge you to put it
7 into the Code Committee. Run it through
8 the process first. The same as it has
9 seemed to come standard procedure now.
10 Instead, this just winds up. I don't
11 understand it. Why hasn't it been through
12 the procedure? Maybe you can answer that.
13 And the \$5500.00 for the proposed Green
14 Energy Park. Has this Board considered
15 selling the rest of Clarks Beach, so
16 perhaps we have some money in 2016, 2017 to

17 pay these extra eight years of bonding,
18 because the tax rate then would be 60%?
19 Plus this is a very specific amount,
20 \$5500.00. Is this a quote you got from
21 somebody? Do you have somebody in mind?
22 Then how did you get \$5500.00? Somebody
23 had to give you that figure. I don't
24 understand it. In other words, it's not
25 like an RFP or creation of materials

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1 pertaining to a proposed energy park at
2 Clarks Beach. This is very specific. It's
3 almost like this is the price that someone
4 is giving you. I am going to give you a
5 little advice, and I know you won't take
6 it, but if Genesis Engineering is proposing
7 this, I wouldn't -- If I was the Board, I
8 would vote it down.

9 There is one more thing. This
10 shingle replacement at the roof, that -- a
11 couple of people on this Board, this is a
12 roof. Why does a roof have 76 pages of
13 whatever it was, 12 drawings. We can't get
14 a roof put on? I would say whoever is in
15 charge of replacing this roof needs to be

16 very seriously looked at. Thank you. Have
17 a good night.

18 MAYOR NYCE: Is there anyone else
19 that wishes to address the Board?

20 (No Response.)

21 MAYOR NYCE: If not, that would
22 conclude the public portion. Mr. Prokop,
23 did you want to make any comment?

24 MR. PROKOP: If I could, I would like
25 to, please. I did not make the statement

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1 that was attributed to me. I did have a
2 conversation with Mr. Saladino regarding
3 the document that he was requesting. And
4 the remarks that were attributable to me
5 was not what I said. That is all I would
6 like to say.

7 MAYOR NYCE: I --

8 MR. PROKOP: And I -- I'm sorry, I
9 didn't mean to speak over you. I have
10 worked with the Village facilitating the
11 system at all times, and make it as
12 efficient and friendly to the public as
13 possible.

14 MAYOR NYCE: Thanks. I would add to
15 that. The purpose in some instances,

16 Mr. Saladino, for the documenting of what
17 documents have been handed out is for our
18 own record. To see what is being requested
19 and how it is being requested. To track
20 it. So we have a document request form and
21 a FOIL request form, and part of it, just
22 to make sure that different management is
23 aware of what's going in and out of the
24 building. So if that was inconvenient, for
25 that, I apologize.

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1 RESOLUTION #26, is requesting monies
2 up to \$5500.00 to create a presentation
3 materials on a project that if proposed,
4 because it's so multifaceted, in order to
5 properly present it to this Board, to see
6 if we want to move forward, I need to have
7 something concrete to present. That is
8 going to include some site photographs,
9 some topography maps. A listing of the
10 different components, possible estimates on
11 some things. Basically research on costs.
12 None of which any one on this Board is
13 either is capable or going to do. It's
14 going to be time consuming. But because I

15 think the project is potentially important
16 enough, I think the money is well spent.
17 \$5500.00 is not a small sum of money, but
18 the potentials out there for granting
19 opportunities and possibilities for the
20 Village far exceed the risk, for the sum of
21 asking up to \$5500.00. That is a number
22 that we pulled out. If it comes in less
23 than that, fantastic. It will certainly
24 not go over that. The refinancing, the
25 Village is not allowed to refinance its

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1 debt unless the State Comptroller agrees
2 that there is a benefit to the taxpayers of
3 that municipality. The State Comptroller
4 did agree in this case. That there was a
5 benefit to the taxpayers. We then worked
6 with MUNISAP and Darrel Markers, both of
7 whom found that there was a substantial
8 savings in the refinancing. There is more
9 money paid over time at a lesser interest
10 rate and the payments become lower, making
11 it possible for us over time to pay down
12 the debt. In two years time, we would not
13 have enough money in the bank to pay our
14 debt. The refinancing was in fact

15 important component in our financial
16 stability. It is not costing us a million
17 dollars to refinance. No it is not,
18 Mr. Swiskey, you're reading the documents
19 incorrectly.

20 MR. SWISKEY: No, I can read
21 documents.

22 MAYOR NYCE: Mr. Swiskey, you will
23 not speak now. You had your chance to
24 speak. What I am saying to you, you have
25 taken a bunch of documents, once again, and

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1 made your own conclusions. The
2 Comptroller's Office, MUNISAP and our
3 auditors are not in some sort of
4 collaboration to defraud the taxpayers of
5 this Village --

6 MR. SWISKEY: -- by making more
7 payments.

8 MAYOR NYCE: Mr. Swiskey, you will
9 please hold your comment when I am
10 speaking. Thank you. The refinancing has
11 been approved by, condoned by all those
12 groups and is a huge benefit to this
13 Village in the long term.

14 With that, we will move into our
15 regular agenda. As Trustee Hubbard is not
16 here tonight, I will read for him.

17 I will offer RESOLUTION #12-2012-1,
18 adopting the December 2012 agenda as
19 printed. So moved.

20 TRUSTEE PHILLIPS: Second.

21 MAYOR NYCE: All those in favor?

22 TRUSTEE KEMPNER: Aye.

23 TRUSTEE MURRAY: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 MAYOR NYCE: Aye.

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1 Any opposed or abstentions?

2 (No Response.)

3 MAYOR NYCE: That motion carries.

4 I will ask Trustee Kempner to read
5 the next resolution.

6 TRUSTEE KEMPNER: RESOLUTION
7 #12-2012-2, RESOLUTION ratifying the
8 following, as approved at the December 17,
9 2012 work session meeting of the Board of
10 Trustees:

11 RESOLUTION ratifying the hiring of
12 the following part-time, seasonal
13 employees, effective November 29, 2012:

14 Michael Flora as Part Maintenance worker at
15 \$11.50 per hour, and Jacqueline Scully as
16 Park Attendant/Cashier ay \$9.50 per hour.
17 So moved.

18 TRUSTEE MURRAY: Second.

19 MAYOR NYCE: All those in favor?

20 TRUSTEE KEMPNER: Aye.

21 TRUSTEE MURRAY: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No Response.)

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1 MAYOR NYCE: That motion carries.

2 I will offer a RESOLUTION #12-2012-3,
3 accepting the monthly reports of the
4 Greenport Fire Department, Village Clerk,
5 Village Treasurer, Village Administrator,
6 Director of Utilities, Village Attorney,
7 Mayor and the Board of Trustees. So moved.

8 TRUSTEE PHILLIPS: Second.

9 MAYOR NYCE: All those in favor?

10 TRUSTEE KEMPNER: Aye.

11 TRUSTEE MURRAY: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 MAYOR NYCE: Aye.
14 Any opposed or abstentions?
15 (No Response.)
16 MAYOR NYCE: That motion carries.
17 TRUSTEE MURRAY: RESOLUTION
18 #12-2012-4, RESOLUTION approving the
19 application of membership of David Meyer to
20 Eagle Hose Company #1 of the Greenport Fire
21 Department, as approved by the Greenport
22 Fire Department Board of Wardens on
23 December 19, 2012. So moved.
24 TRUSTEE KEMPNER: Second.
25 MAYOR NYCE: All those in favor?

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1 TRUSTEE KEMPNER: Aye.
2 TRUSTEE MURRAY: Aye.
3 TRUSTEE PHILLIPS: Aye.
4 MAYOR NYCE: Aye.
5 Any opposed or abstentions?
6 (No Response.)
7 MAYOR NYCE: That motion carries.
8 TRUSTEE PHILLIPS: RESOLUTION
9 #12-2012-5, RESOLUTION authorizing
10 Treasurer Kagel to perform the attached
11 budget adjustments to record the use of
12 funds from the retirement reserve fund for

13 the 2012/2013 New York State retirement
14 payment, to be transferred from the Trust
15 and Agency Account. So moved.

16 MAYOR NYCE: Second.

17 All those in favor?

18 TRUSTEE KEMPNER: Aye.

19 TRUSTEE MURRAY: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 MAYOR NYCE: Aye.

22 Any opposed or abstentions?

23 (No Response.)

24 MAYOR NYCE: That motion carries.

25 TRUSTEE KEMPNER: RESOLUTION

Regular Meeting December 26, 2012

28

1 #12-2012-6, RESOLUTION authorizing
2 Treasurer Kagel to perform the attached
3 budget adjustments, as recommended by
4 Director of Utilities Naylor, to rectify
5 shortages in the sewer fund. So moved.

6 TRUSTEE MURRAY: Second.

7 MAYOR NYCE: All those in favor?

8 TRUSTEE KEMPNER: Aye.

9 TRUSTEE MURRAY: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 MAYOR NYCE: Aye.

12 Any opposed or abstentions?
13 (No Response.)
14 MAYOR NYCE: That motion carries.
15 I will offer RESOLUTION #12-2012-7,
16 ratifying the authorization to issue a
17 check made payable to David Abatelli as
18 Village Administrator, in the amount of
19 \$625.00, to be used to set up the required
20 cash drawer/banks for the operation of the
21 Village of Greenport ice skating rink. So
22 moved.
23 TRUSTEE PHILLIPS: Second.
24 MAYOR NYCE: All those in favor?
25 TRUSTEE KEMPNER: Aye.

Regular Meeting December 26, 2012

29

1 TRUSTEE MURRAY: Aye.
2 TRUSTEE PHILLIPS: Aye.
3 MAYOR NYCE: Aye.
4 Any opposed or abstentions?
5 (No Response.)
6 MAYOR NYCE: That motion carries.
7 TRUSTEE MURRAY: RESOLUTION
8 #12-2012-8, RESOLUTION authorizing Clerk
9 Pirillo to prepare a Request for Proposals
10 for the video recording of the Village
11 Board regular meetings, and other Village

12 meetings as required, and to direct Clerk
13 Pirillo to notice the Request for Proposals
14 accordingly. So moved.

15 TRUSTEE KEMPNER: Second.

16 MAYOR NYCE: All those in favor?

17 TRUSTEE KEMPNER: Aye.

18 TRUSTEE MURRAY: Aye.

19 TRUSTEE PHILLIPS: Aye.

20 MAYOR NYCE: Aye.

21 Any opposed or abstentions?

22 (No Response.)

23 MAYOR NYCE: That motion carries.

24 TRUSTEE PHILLIPS: RESOLUTION

25 #12-2012-9, RESOLUTION approving the

Regular Meeting December 26, 2012

30

1 reimbursement of \$23.32 (42 miles x \$.555
2 per mile) to Zoning Board of Appeals member
3 David Corwin, for round-trip, mileage
4 expended to and from Riverhead, New York;
5 to attend the SCVOA training class for
6 Village Planning and Zoning officials, held
7 on October 17, 2012. So moved.

8 TRUSTEE KEMPNER: Second.

9 MAYOR NYCE: All those in favor?

10 TRUSTEE KEMPNER: Aye.

11 TRUSTEE MURRAY: Aye.
12 TRUSTEE PHILLIPS: Aye.
13 MAYOR NYCE: Aye.
14 Any opposed or abstentions?
15 (No Response.)
16 MAYOR NYCE: That motion carries.
17 TRUSTEE KEMPNER: RESOLUTION
18 #12-2012-10, RESOLUTION authorizing the
19 attendance of Deborah Boyle and Jeanmarie
20 Oddon at the 2013 Village Election Workshop
21 as sponsored by the New York Conference of
22 Mayors, at the Garden City Hotel from 8:30
23 a.m. to 11:30 a.m. on January 9, 2013. So
24 moved.
25 TRUSTEE PHILLIPS: Second.

Regular Meeting December 26, 2012

31

1 MAYOR NYCE: By way of discussion,
2 there is no cost for this as they will be
3 taking the Village vehicle, that I am told
4 is available, and everything else is paid.
5 All those in favor?
6 TRUSTEE KEMPNER: Aye.
7 TRUSTEE MURRAY: Aye.
8 TRUSTEE PHILLIPS: Aye.
9 MAYOR NYCE: Aye.
10 Any opposed or abstentions?

11 (No Response.)
12 MAYOR NYCE: That motion carries.
13 I will offer RESOLUTION #12-2012-11,
14 setting two Village Voter Registration
15 Days, as follows:
16 Thursday, the 7th of March, from
17 8:30 a.m. to 5:00 p.m.
18 Saturday, the 9th of March, from
19 11:00 a.m. to 5:00 p.m. So moved.
20 TRUSTEE MURRAY: Second.
21 MAYOR NYCE: All those in favor?
22 TRUSTEE KEMPNER: Aye.
23 TRUSTEE MURRAY: Aye.
24 TRUSTEE PHILLIPS: Aye.
25 MAYOR NYCE: Aye.

Regular Meeting December 26, 2012 32

1 Any opposed or abstentions?
2 (No Response.)
3 MAYOR NYCE: That motion carries.
4 TRUSTEE MURRAY: RESOLUTION
5 #12-2012-12, RESOLUTION allowing a
6 non-Village resident to serve as an
7 Election Inspector for the upcoming Village
8 Election on March 19, 2013. So moved.
9 TRUSTEE PHILLIPS: Second.

10 MAYOR NYCE: All those in favor?
11 TRUSTEE KEMPNER: Aye.
12 TRUSTEE MURRAY: Aye.
13 TRUSTEE PHILLIPS: Aye.
14 MAYOR NYCE: Aye.
15 Any opposed or abstentions?
16 (No Response.)
17 MAYOR NYCE: That motion carries.
18 TRUSTEE PHILLIPS: RESOLUTION
19 #12-2012-13, RESOLUTION allowing the
20 Clerk's Office to appoint three Election
21 Inspectors and one Chair for the upcoming
22 election on March 19, 2013. The appointees
23 are:
24 Eileen Kiski, Josephine Geehreng,
25 Keith McCamy, and Ingrid Helfrich. They are

Regular Meeting December 26, 2012

33

1 to be paid at \$10.00 per hour inspector and
2 \$11.00 per hour for the Chairperson of the
3 Inspectors, and authorizing the Inspectors
4 to work on the two Village registration
5 days, as well as the day of the election.
6 This will be expensed from Line Item
7 #A.1450.100 (Election Personnel Services).
8 So moved.

9 TRUSTEE MURRAY: Second.

10 MAYOR NYCE: All those in favor?
11 TRUSTEE KEMPNER: Aye.
12 TRUSTEE MURRAY: Aye.
13 TRUSTEE PHILLIPS: Aye.
14 MAYOR NYCE: Aye.
15 Any opposed or abstentions?
16 (No Response.)
17 MAYOR NYCE: That motion carries.
18 TRUSTEE KEMPNER: RESOLUTION
19 #12-2012-14, RESOLUTION setting the date
20 and times of the 2013 Village Board
21 Elections as March 19, 2013 from 6:00 a.m.
22 to 9:00 p.m., and to further identify the
23 polling place of the upcoming Village
24 election on March 19, 2013 to be the
25 Greenport Firehouse at Third Street in

Regular Meeting December 26, 2012

34

1 Greenport, New York. So moved.
2 TRUSTEE MURRAY: Second.
3 MAYOR NYCE: All those in favor?
4 TRUSTEE KEMPNER: Aye.
5 TRUSTEE MURRAY: Aye.
6 TRUSTEE PHILLIPS: Aye.
7 MAYOR NYCE: Aye.
8 Any opposed or abstentions?

9 (No Response.)

10 MAYOR NYCE: That motion carries.

11 I will offer a RESOLUTION

12 #12-2012-15, confirming that the 2013

13 Village of Greenport tax sale will be held

14 on March 12, 2013 at 10:00 a.m., and

15 directing Clerk Pirillo to notice the tax

16 sale accordingly. So moved.

17 TRUSTEE PHILLIPS: Second.

18 MAYOR NYCE: All those in favor?

19 TRUSTEE KEMPNER: Aye.

20 TRUSTEE MURRAY: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 MAYOR NYCE: Aye.

23 Any opposed or abstentions?

24 (No Response.)

25 MAYOR NYCE: That motion carries.

Regular Meeting December 26, 2012 35

1 TRUSTEE MURRAY: RESOLUTION

2 #12-2012-16, RESOLUTION amending Resolution

3 #10-2012-11 from the October 2012 regular

4 meeting of the Board of Trustees, to allow

5 for an additional reimbursement of \$26.55

6 to David Abatelli, accounting for room tax

7 and tolls to and from Middletown, New York

8 during his attendance at the New York State

9 Building Officials' Conference on
10 December 5th and 6th, 2012. So moved.
11 TRUSTEE PHILLIPS: Second.
12 MAYOR NYCE: All those in favor?
13 TRUSTEE KEMPNER: Aye.
14 TRUSTEE MURRAY: Aye.
15 TRUSTEE PHILLIPS: Aye.
16 MAYOR NYCE: Aye.
17 Any opposed or abstentions?
18 (No Response.)
19 MAYOR NYCE: That motion carries.
20 TRUSTEE PHILLIPS: RESOLUTION
21 #12-2012-17, RESOLUTION approving the
22 reimbursement of \$918.35 to Ray Dunbar, as
23 recommended by Director of Utilities
24 Naylor, for expenses incurred during the
25 completion of 60 hours of mandatory

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36

1 refresher training corresponding to the
2 Grade 3A Operator's License for the
3 Wastewater Treatment Plant. This
4 reimbursement is to be expensed from Line
5 Item #G.8110.425 (Employee Training). So
6 moved.
7 MAYOR NYCE: Correction, 407.

8 TRUSTEE PHILLIPS: I'm sorry.
9 MAYOR NYCE: Is there a second?
10 TRUSTEE MURRAY: Second.
11 MAYOR NYCE: Just by way of
12 discussion, this was discussed at the work
13 session, it has been told through Mr.
14 Naylor that we do need to have this
15 advance. So the Board can approve this in
16 advance instead of ratifying it. He does
17 need the class. It is necessary. I did
18 stress to him that it must be presented to
19 the Board prior.
20 All those in favor?
21 TRUSTEE KEMPNER: Aye.
22 TRUSTEE MURRAY: Aye.
23 TRUSTEE PHILLIPS: Aye.
24 MAYOR NYCE: Aye.
25 Any opposed or abstentions?

Regular Meeting December 26, 2012 37

1 (No Response.)
2 MAYOR NYCE: That motion carries.
3 TRUSTEE KEMPNER: RESOLUTION
4 #12-2012-18, RESOLUTION expressing the
5 support of the Board of Trustees for the
6 tax exempt financing, as attached, as
7 recommended by the American Public Power

8 Association, and authorizing Mayor Nyce to
9 sign the corresponding letter of support.

10 So moved.

11 TRUSTEE PHILLIPS: Second.

12 MAYOR NYCE: Seconded by Trustee
13 Phillips. By way of discussion and
14 explanation as Mr. Naylor said at the work
15 session. This is to disallow tax free
16 bonds. This is to raise money. This is
17 our support with other public entities to
18 make this continue, and a letter drafted to
19 our federal representatives that goes with
20 the forms.

21 All those in favor?

22 TRUSTEE KEMPNER: Aye.

23 TRUSTEE MURRAY: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 MAYOR NYCE: Aye.

Regular Meeting December 26, 2012

38

1 Any opposed or abstentions?

2 (No Response.)

3 MAYOR NYCE: That motion carries.

4 I will offer a RESOLUTION

5 #12-2012-19, ratify the hiring of the
6 following part-time, seasonal employees,

7 effective November 29, 2012: Patrick
8 Broderick, Gabrielle Mastaglio and Kirstin
9 Zabel as Park Attendants/Cashiers at a pay
10 rate of \$9.50 per hour. So moved.

11 TRUSTEE PHILLIPS: Second.

12 MAYOR NYCE: All those in favor?

13 TRUSTEE KEMPNER: Aye.

14 TRUSTEE MURRAY: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 MAYOR NYCE: Aye.

17 Any opposed or abstentions?

18 (No Response.)

19 MAYOR NYCE: That motion carries.

20 TRUSTEE MURRAY: RESOLUTION

21 #12-2012-20, RESOLUTION ratifying the
22 hiring of the following part-time, seasonal
23 Park Attendants effective December 18,
24 2012: Patrick Robbins, Sara Kravitz, Yanet
25 Garcia, Danny Nugent, Leah LaFreniere,

Regular Meeting December 26, 2012

39

1 Kevin Izzo and Jonathan Jacobs, Michael
2 Onufrak and John Scully, at a pay rate of
3 \$8.00 per hour. So moved.

4 MAYOR NYCE: Second that.

5 TRUSTEE PHILLIPS: Mayor of the
6 Board, I am just letting you know that the

7 Village Attorney would like me to abstain
8 because Leah LaFreniere's happens to be my
9 niece. So I am going to abstain.

10 MAYOR NYCE: Okay.

11 All those in favor?

12 TRUSTEE KEMPNER: Aye.

13 TRUSTEE MURRAY: Aye.

14 MAYOR NYCE: Aye.

15 Any opposed or abstentions?

16 TRUSTEE PHILLIPS: Abstain.

17 MAYOR NYCE: That motion carries with
18 one abstention.

19 TRUSTEE PHILLIPS: RESOLUTION

20 #12-2012-21, RESOLUTION hiring Michelle
21 Sarabia, effective December 17, 2012, as a
22 part-time Recreation Center Aide, at a pay
23 rate of \$8.00 per hour. So moved.

24 TRUSTEE KEMPNER: Second.

25 MAYOR NYCE: All those in favor?

Regular Meeting December 26, 2012

40

1 TRUSTEE KEMPNER: Aye.

2 TRUSTEE MURRAY: Aye.

3 TRUSTEE PHILLIPS: Aye.

4 MAYOR NYCE: Aye.

5 Any opposed or abstentions?

6 (No Response.)

7 MAYOR NYCE: That motion carries.

8 TRUSTEE KEMPNER: RESOLUTION

9 #12-2012-22, RESOLUTION amending

10 RESOLUTION #11-2012-14 from the

11 November 26, 2012 regular meeting of the

12 Board of Trustees scheduling a public

13 hearing on January 28, 2013 (in lieu of

14 January 22, 2013) at 6:00 p.m. at the Third

15 Street firehouse regarding a proposed local

16 law amending Chapter 136 - "Water"- of the

17 Greenport Village Code, a proposed local

18 law adopting regulations for Cross

19 Connection and Backflow Prevention, and

20 directing Clerk Pirillo to notice the

21 public hearing accordingly. So moved.

22 TRUSTEE PHILLIPS: Second.

23 MAYOR NYCE: By way of explanation,

24 when we set that public hearing, we set it

25 for a work session. So it was changed to a

Regular Meeting December 26, 2012

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1 regular meeting. So the public can attend

2 those public hearings.

3 All those in favor?

4 TRUSTEE KEMPNER: Aye.

5 TRUSTEE MURRAY: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 MAYOR NYCE: Aye.

8 Any opposed or abstentions?

9 (No Response.)

10 MAYOR NYCE: That motion carries.

11 I will offer RESOLUTION #12-2012-23,

12 scheduling a public hearing on

13 January 28, 2013 at 6:00 p.m. at the Third

14 Street Firehouse regarding a proposed local

15 law amending Chapter 132-Vehicles and

16 Traffic - of the Greenport Village Code to

17 add Sections 132-23A(C), 132-23B(C) and

18 132-37C, regarding Penalties for

19 Non-Payment of Parking fines, and directing

20 Clerk Pirillo to notice the public hearing

21 accordingly. So moved.

22 TRUSTEE KEMPNER: Second.

23 MAYOR NYCE: All those in favor?

24 TRUSTEE KEMPNER: Aye.

25 TRUSTEE MURRAY: Aye.

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42

1 TRUSTEE PHILLIPS: Aye.

2 MAYOR NYCE: Aye.

3 Any opposed or abstentions?

4 (No Response.)

5 MAYOR NYCE: That motion carries.

6 TRUSTEE MURRAY: RESOLUTION

7 #12-2012-24, RESOLUTION scheduling a public
8 hearing on March 25, 2013 at 6:00 p.m. at
9 the Third Street Firehouse regarding a
10 proposed local law amending Chapter 32 of
11 the Greenport Village Code, creating a "no
12 parking" zone on the east side of Sterling
13 Avenue. So moved.

14 TRUSTEE PHILLIPS: Second, but I will
15 also ask a question on this. The purpose
16 of this public hearing is just to generate
17 the --

18 MAYOR NYCE: It was presented by the
19 Village Administrator because -- I don't
20 think you or Trustee Kempner were at that
21 meeting.

22 TRUSTEE PHILLIPS: There was a
23 meeting that was discussed back in October?

24 MAYOR NYCE: Yes. I was just --

25 TRUSTEE PHILLIPS: Okay. That is the

Regular Meeting December 26, 2012

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1 reason that I am asking. I am fine with
2 it.

3 MAYOR NYCE: If there is no further
4 discussion, I will call a vote.

5 All those in favor?

6 TRUSTEE KEMPNER: Aye.

7 TRUSTEE MURRAY: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No Response.)

12 MAYOR NYCE: That motion carries.

13 TRUSTEE PHILLIPS: RESOLUTION

14 #12-2012-25, RESOLUTION authorizing the

15 obtaining of quotes for the preparation of

16 a report assessing Village of Greenport

17 roads, lights and streets. So moved.

18 TRUSTEE MURRAY: Second.

19 MAYOR NYCE: All those in favor?

20 TRUSTEE KEMPNER: Aye.

21 TRUSTEE MURRAY: Aye.

22 TRUSTEE PHILLIPS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No Response.)

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1 MAYOR NYCE: That motion carries.

2 TRUSTEE KEMPNER: RESOLUTION

3 #12-2012-26, RESOLUTION authorizing the

4 expenditure, and fund identification for,
5 up to \$5500.00 for the creation of
6 presentation materials regarding the
7 proposed Green Energy Park project at
8 Clark's Beach. So moved.

9 TRUSTEE PHILLIPS: Second, and I may
10 have a question. The \$5500.00, this
11 particular amount come out of the General
12 Fund?

13 MAYOR NYCE: My proposal would be for
14 it to come out of both funds. It will be
15 some general and Village fund. It was
16 going to be split amongst the ones that
17 were going to be effected by the project.

18 TRUSTEE PHILLIPS: So could we in
19 this resolution that those will be split --

20 MAYOR NYCE: Absolutely.

21 TRUSTEE PHILLIPS: Perhaps that would
22 make it more clear in the resolution and
23 more understandable.

24 MAYOR NYCE: Not a problem. I will
25 offer a motion to amend.

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45

1 Is there a second to amend?

2 TRUSTEE MURRAY: I will second that.

3 MAYOR NYCE: So then it would be

4 instead of the fund identification, it
5 would be resolution authorizing the
6 expenditure split amongst the funds for up
7 to the agreeable amount. I will ask for a
8 vote for the resolution to be amended.

9 All those in favor?

10 TRUSTEE KEMPNER: Aye.

11 TRUSTEE MURRAY: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 MAYOR NYCE: Aye.

14 Any opposed or abstentions?

15 (No Response.)

16 MAYOR NYCE: That motion carries.

17 Now, we need to vote on the

18 resolution as it exist amended.

19 Is there any further discussion on

20 the resolution?

21 (No Response.)

22 MAYOR NYCE: All those in favor?

23 TRUSTEE KEMPNER: Aye.

24 TRUSTEE MURRAY: Aye.

25 TRUSTEE PHILLIPS: Aye.

Regular Meeting December 26, 2012

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1 MAYOR NYCE: Aye.

2 Any opposed or abstentions?

3 (No Response.)

4 MAYOR NYCE: That motion carries.

5 I will offer a RESOLUTION

6 #12-2012-27, rejecting all bids as received
7 for the "Shingle Rood Replacement" at the
8 Village of Greenport Light Plant, per the
9 bid opening held on November 20, 2012 at
10 3:00 p.m., and further authorizing the
11 creation of a new bid specifications for
12 the roof replacement project, which are not
13 to include a performance bond and
14 authorizing Clerk Pirillo and Director of
15 Utilities Naylor to re-bid the project. So
16 moved.

17 TRUSTEE KEMPNER: Second.

18 MAYOR NYCE: By way of explanation,
19 as we discussed at the work session, the
20 price was well above what we wanted to pay.
21 The Director of Utilities and the Village
22 Attorney through discussion determined that
23 since the project will likely be paid in
24 one payment upon completion of the job,
25 that the performance job there just to make

1 sure that the contract performs the project
2 would be redundant. That we could do away

3 with it. That would save them some money,
4 and bring the amount down. This does not
5 in any way diminish the bonding itself on
6 the project.

7 Any further discussion on the motion?

8 TRUSTEE PHILLIPS: I guess my
9 question is what we did in the past.

10 MAYOR NYCE: The Village Attorney put
11 this together.

12 TRUSTEE PHILLIPS: I am uncomfortable
13 with it, but I don't want to hold this up.
14 We need to move.

15 MAYOR NYCE: If there is no further
16 discussion, I will call a vote?

17 (No Response.)

18 MAYOR NYCE: All those in favor?

19 TRUSTEE KEMPNER: Aye.

20 TRUSTEE MURRAY: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 MAYOR NYCE: Aye.

23 Any opposed or abstentions?

24 (No Response.)

25 MAYOR NYCE: That motion carries.

Regular Meeting December 26, 2012

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1 TRUSTEE MURRAY: RESOLUTION

2 #12-2012-28, RESOLUTION authorizing Village
3 Attorney Prokop to prepare an agreement for
4 the dockage between the Village of
5 Greenport and the Fireboat FIREFIGHTER
6 Museum. So moved.

7 MAYOR NYCE: I will second that.

8 All those in favor?

9 TRUSTEE KEMPNER: Aye.

10 TRUSTEE MURRAY: Aye.

11 MAYOR NYCE: Aye.

12 Any opposed or abstentions?

13 TRUSTEE PHILLIPS: I am abstaining.

14 MAYOR NYCE: Three in the affirmative
15 and one abstention. That motion carries.

16 TRUSTEE PHILLIPS: RESOLUTION
17 #12-2012-29, RESOLUTION approving all
18 checks per the Voucher Summary Report dated
19 December 19, 2012; in the total amount of
20 \$796,248.82 consisting of:

21 All regular checks in the amount of
22 \$433,436.47, all prepaid checks in the
23 amount of \$47,993.89, and all wire
24 transfers in the amount of \$314,818.46. So
25 moved.

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1 TRUSTEE MURRAY: Second.

2 MAYOR NYCE: All those in favor?

3 TRUSTEE KEMPNER: Aye.

4 TRUSTEE MURRAY: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 MAYOR NYCE: Aye.

7 Any opposed or abstentions?

8 (No Response.)

9 MAYOR NYCE: That motion carries.

10 I would like to on behalf of the
11 Village Board wish everyone a Happy New
12 Year. I hope you all had a very Merry
13 Christmas, Happy Hanukkah. Also Happy
14 Kwanzaa starting today. And with that I
15 will offer a RESOLUTION adjourning the
16 regular meeting of the Board of Trustees
17 and entering into Executive Session to
18 discuss the performance record of an
19 employee. So moved.

20 TRUSTEE PHILLIPS: Second.

21 MAYOR NYCE: All those in favor?

22 TRUSTEE KEMPNER: Aye.

23 TRUSTEE MURRAY: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 MAYOR NYCE: Aye.

1 Any opposed or abstentions?
2 (No Response.)
3 MAYOR NYCE: That motion carries.
4 We're adjourned. Thank you.
5
6
7 (Whereupon, the meeting concluded.)
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C E R T I F I C A T I O N

I, Jessica DiLallo, a Notary Public for
and within the State of New York, do hereby
certify:

THAT, the witness(es) whose testimony
is herein before set forth, was duly sworn by
me, and

THAT the within transcript is a true
record of the testimony given by said
witness(es).

I further certify that I am not related
either by blood or marriage to any of the
parties to this action; and that I am in no
way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this day, January 6, 2013.

(Jessica DiLallo)

* * * *