

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, August 4, 2005 at 6 p.m. in the Municipal Building, 92 Sunset Avenue, Westhampton Beach

PRESENT: Deputy Mayor Timothy Laube
Trustee Ora Belle "Ridgie" Barnett
Trustee James Kametler
Trustee Conrad Teller

Clerk-Treasurer Kathleen McGinnis
Village Attorney Richard T. Haefeli

ABSENT: Mayor Robert Strebel

Deputy Mayor Laube opened the meeting at 6 p.m. with the Pledge of Allegiance. He then explained that Mayor Strebel could not be here tonight because of an illness in his family. He wished a speedy recovery to the Mayor's wife, Sandy.

Presentation- Update on Village Hall Project

Victor Canseco, from Sandpebble Builders, gave an update on the new Village Hall being built on the six corners site. He said that things are going well, about 60% bought out, out of a 5.45 million we are bought out about 3.3 million right now. We are under 5% off our target, close to our target. We are about 3.5% over the budget right now. We still have 40% to buy and we feel pretty confident that we will end up at or close to budget. We have had no change orders to speak of in terms of additional work. We have had change orders where we decided to pick up an option that was part of an original bid where we did alternates, but no change orders that increase the scope of work for the project. Our schedule still looks to us like this project will be completed around late March or early April. In the next couple of weeks you will see the bricks start to go up and the bricks should be done in about eight to ten weeks. Since we hope to deliver the building to you in March, in the event that we might have a deep frost this winter, we are going to schedule to have the entire exterior site work done by Thanksgiving. He said that way if you have a bad winter we don't have to wait until the thaw before we can finish up the exterior.

Deputy Mayor Laube asked what accounted for the 3.5% being over budget. He wanted to know if that was typical for a project like this.

Mr. Canseco responded that a municipal project is usually between 10% and 20% over budget because of changes. 3.5% is basically zero. He said that 3.5 times 5.5 million is approximately \$150,000.

Deputy Mayor Laube asked what caused that.

Mr. Canseco said that basically steel and concrete were the two main offenders. He said that steel and concrete have been very difficult commodities right now. From the time we bought this concrete a year ago until now, concrete is probably up another 15%. It is all basically going to China. He had just found out that China has allocated 20 billion dollars to be spent on construction projects going on right now. All of the steel and concrete is going out of this country to China. What we can control is the change orders and there have been none. What we can't control is the marketplace. He said this was just the nature of the beast.

Elyse Richman, 78 Rogers Avenue, asked if the Village could put a sign up by the building that it is the "future home of the Village Hall", because there are many people that still don't know what is going on there. She said she hears it every day that they don't know what it is.

Deputy Mayor Laube said that this sounds reasonable.

Arthur DiPietro, 41 Sunset Avenue, asked if the road that is School Street or School Lane, the road that dead ends there where it used to come into Six Corners and make the Six

Corners, how much of that would be torn up and made part of the landscaping for the new building.

Mr. Canseco said that none of this street would be torn up.

Mr. DiPietro asked if he was saying that the pavement of School Lane that terminates just a few feet south of the Mill Road curve is going to remain all of the way up to where it is now.

Mr. Canseco replied that under the scope of work of this project it would, but under the scope of the roundabout or ovalabout, he was not familiar with that.

Mr. DiPietro said it would be nice to have a sign, but said it would be nice to have some drawings or renderings. He wanted to know if the Village had a combined site plan that shows what impact the roundabout is going to have on the appearance of the building and its front elevation and its orientation to the streets and the new construction.

Mr. Canseco said that it was his understanding that the Civil Engineer for the Police and Village Hall project did some work for Dunn Engineering, who was in charge of designing the roundabout. The two of them collaborated to coordinate the intersection of the roundabout with the police department property and there were some issues they worked out, but he was not familiar with all those issues.

Mr. DiPietro requested that the Board get that study and some kind of a physical representation because it would be nice to have on the sign to see what it was going to look like.

Mr. Haefeli said he would like to ask a question of the Chairman of the Planning Board, Kurt Hofmann. He said it was his understanding that when Bridgehampton National Bank was done, when the one next to Six Corners liquor store was done, they had a rendering including the roundabout put together on a CD so everybody could see both the Village Hall and these other items to see how they all inter-connected. It should be around somewhere, maybe Dunn Engineering has it.

Mr. Hofmann responded that Dunn Engineering has an overview, it is like an aerial shot, in color, that looks down. It is a rendering that coordinates the municipality, coordinates the new construction that is going to be on the apex across from the theater and the other intersections. It is available.

Mr. Haefeli asked if it was on the Village website.

Several people in the audience said that it was on the website.

Mr. Haefeli said the Planning Board has had them put in all of the new applications in that area, which also includes the gas station right across from the theater, so people can see an overall view of current conditions or what the new conditions will be.

Mrs. Barnett stated that they were working on specifications for the roundabout. The Village is going to have a contest with the local landscapers for the design of it. Since the state mandates the height of plants and other things, Dunn Engineering is working on that, getting the specifications so each one of them gets a set of plans.

Julie de la Fuente, Old Riverhead Road, said she had noticed that Village workers from the Public Works Department have been working on the Village Hall project. She was curious to know as to why that is, if Sandpebble is doing all of the work, why are there Village workers working there. She wanted to know if this would help keep the project under budget. She said that she had not read about this anywhere.

Mr. Canseco said that for her edification, Sandpebble is not doing all of the work. We are not the contractor, we are only the project manager. We just arrange to have a lot of contractors enter into agreements with the Village to get the work done. Almost every municipality that we have ever worked with, when trying to make the numbers in the budget work, have found that it is very cost effective to use their own employees to do some of the work. The reason for that is there is a state law that says that any employee of a firm that

has a contract with a public entity to do work, that employee must be paid what is called the "prevailing wage". A prevailing wage is a number which is much higher than the average wage. The prevailing wage for a carpenter, for instance, is much higher than what a carpenter around here would earn. It would probably be about two and a half to

three times as high. Just for the record, we had always planned to have the Village employees do the labor work - cleanup, move the materials, etc. He said that this would help keep the project on-budget.

Deputy Mayor Laube said that Village's can save money by using their own employees in cases like this. He said this was typical in a lot of municipalities.

Trustee Kametler asked if they get the prevailing wage.

Mr. Canseco said the law does not require they get the prevailing wage. The law requires that for an employee of a firm with a contract with the Village, so if you have an outside third party firm with a contract with the Village, they must be paid the prevailing wage. That prevailing wage for a laborer is \$90 an hour. So, you would be paying someone about \$720 a day to pick up papers.

Ms. de la Fuente said that we are paying for your expertise as project manager running the project, plus we are paying these employees to work on the project. She said that when you add those two numbers up, that is the total cost of the actual project.

Mr. Haefeli responded that this is included in the original project.

Mr. Canseco said there was a line item number in our budget for laborers. So, we have a choice when we do a budget with every single job we do. We can either figure out at \$90 an hour, what that will come to, maybe it will come to \$300,000 to pick up papers, which is absurd. Or, we look to the Village or the Town, whoever we work for, and say these are your choices, based on what we have. Most towns will have Buildings and Grounds people, the Villages have DPW people and they will sometimes hire temporary employees to augment their regular staff. They are not there all of the time.

Trustee Kametler said that one of the complaints he has gotten from the Highway Department is that the general contractors are just throwing their stuff around making a big mess and having our guys clean up after them. He asked if Mr. Canseco could look into that as the project manager.

Mr. Canseco said that we can and we have. What happens is that when we write the specs for going out to bid, if we put cleanup in the specs, they will all add cleanup at \$90 an hour. It is much more cost effective for the Village for us to keep the cleanup out and you do it at your DPW rates. We cannot get them to cleanup. The only thing we can get them to cleanup is coffee cups and newspapers. The general debris from the performance of the work, if we ask them to cleanup, they will significantly increase the cost of the job. It is just not cost effective.

Mr. DiPietro asked for a clarification. In the budget, the line item that you have for this miscellaneous labor, is that line item budgeted at prevailing wage or at the actual equivalent expense of the time of the Highway Department.

Mr. Canseco responded that it was the actual equivalent expense. We don't budget at the prevailing wage because that would be another something that was trying to push you over your budget.

Mr. DiPietro asked if in the 5.5 million, all of this miscellaneous labor is actually budgeted based on the Village from day one anticipating that this was going to be done by the Highway Department.

Mr. Canseco said that was correct. He added that if you contract to have prevailing wage labor on the job, you cannot buy a half a day. You can only buy a full day. You might only have two hours work, but you have to pay for the full day. Whereas, when you use DPW or Building and Grounds people you can get them for a half a day, a quarter of a day, an hour or two hours or whatever is needed.

Jean Sweibish, 114 Potunk Lane, said she was curious as to what type of things they were doing on the site. She asked if they were doing any electrical work.

Mr. Canseco said they were doing general labor. He said that all the actual trade functions on the job have been awarded to specific contracts with different firms.

Public Hearing:

Special Exception Jimmy Boylan Pub & Restaurant - outdoor tables

Jim Hulme, from the law firm of Kelly & Hulme, said that he was at this hearing on behalf of the applicant. He said that this has been before this Board before and was referred to the Planning Board and he believed there was a positive review from them. He went over the factors related to this application and the requirements for this special exception permit. A set of plans has been submitted showing the outdoor dining areas. The plan consists of only moveable tables, chairs and a service counter. There is no service bar or other similar structure. The area is to be occupied only by customers seated at the tables who will be, in fact, served by the waitstaff. He believed that the number of tables outside are equal to the number of reduced seats inside, so there are no Health Department issues or no changes in that nature. There will not be any music or amplified sound, all of the garbage will be adequately provided for. The last impact really has to do with the impact of this use on the adjacent neighbors. He believed that to the north is the train tracks, to the east is the road to the south, which is actually masked by a building which is a pool company and to the west is the tennis building. So, there are really not any neighbors that will be in any way, shape or form materially impacted by this use. He believed that this use was anticipated in the original site plan approval for the property, as the outdoor patio was designed with this kind of thing in mind. He said his client recognizes that he needs to come back annually to get this permit renewed. He said he would be happy to answer any questions.

Village Attorney, Richard Haefeli, pointed out that the Planning Board made a recommendation to approve the six tables and twenty-four chairs, but it did say in their recommendation that if there were any umbrellas that would be used they could not have any advertising on them. He just wanted to emphasize that point and make sure they were aware of that.

Mr. Hulme responded that he understands from his client that this would be more than acceptable.

Deputy Mayor Laube asked if there were any umbrellas up now with advertising on them.

Mr. Hulme said there was not supposed to be and that the Planning Board had made a special point of this. He said if there are any up now, they will be gone. He said his client understood and will understand that he can't have any umbrellas with advertising on them.

Deputy Mayor Laube asked if anyone else would like to address the Board. There being no further discussion, Trustee Barnett made a motion to close the public hearing. Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Motion by Trustee Teller:

The applicant is the owner of property located at 101 Old Riverhead Road which is used as a standard restaurant and has applied for a special exception pursuant to the provisions of Article VIII of the Code of the Village of Westhampton Beach to permit the placement of six (6) tables and twenty-four (24) chairs on a concrete patio located on the north side of the building.

Outdoor tables, chairs and benches are permitted in the B-3 Zoning District by way of Special Exception issued by this Board.

The application has been submitted to the Planning Board for its recommendation which was issued on July 1, 2005. The Planning Board recommended approval of the six (6)

tables and twenty-four (24) chairs proposed by the applicant, provided that any umbrellas used would have no advertising.

The applicant is granted a special exception permit for six (6) tables and twenty-four (24) chairs to be placed on the concrete patio located on the north side of the building, provided that any umbrellas used would have no advertising.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

Regular Meeting:

Accept minutes of Board of Trustees Meetings

Motion by Trustee Barnett:

RESOLVED, that the minutes of the Trustee Meeting of July 5, 2005 and the Special Meeting of July 20, 2005 are hereby accepted.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Accept departmental reports

Motion by Trustee Kametler:

RESOLVED, that the Treasurer’s report for May 2005, and the Police Department and Building Inspector’s reports for July 2005 are hereby accepted.

Seconded by Trustee Teller and unanimously approved. 4 Aye, 0 Nay

Accept bid for annual asphalt supply

Motion by Trustee Teller:

RESOLVED, that the bid submitted by Corazzini Asphalt, Inc. to provide in-place asphalt concrete – Type 1A top course including tack coat for various Village road projects at the rate of \$50.77 per ton pursuant to the bid specifications is hereby accepted.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Accept proposal from Hampton Appraisal Corp. for park fee appraisals

Motion by Trustee Barnett:

RESOLVED, that the attached proposal submitted by Hampton Appraisal Services Corp. to appraise three parcels of vacant land at a total cost of \$1,275.00 to be used by the Village Planning Board to determine the park fees applicable to these minor subdivisions, is hereby accepted.

Seconded by Trustee Teller and unanimously approved. 4 Aye, 0 Nay

Approve WH Rotary Annual Flea Market on Great Lawn - August 13th & 14th

Motion by Trustee Kametler:

RESOLVED, that the Board of Trustees hereby authorize the Westhampton Rotary Club to use the Great Lawn for their Annual Flea Market to be held on Saturday, August 13, 2005 and Sunday, August 14, 2005 between the hours of 10 a.m. and 7 p.m.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

Approve closure of Sunset Ave. - Fire Department Open House

Motion by Trustee Teller:

RESOLVED, that the Board of Trustees hereby authorize the Westhampton Beach Fire District to close Sunset Avenue between Mill Road and Hanson Place on Sunday, August 21, 2005 between the hours of 1-5 p.m. for the Fire Department "Open House".

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Approve Bide A Wee "Love on A Leash" Main St. Parade

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby approve the "Love On A Leash" parade and fair to be held on Thursday, September 1, 2005 between 5-7 p.m. commencing with a half hour parade on Main Street from St. Marks Church to the Village Green and followed by a small fair on the sidewalk in front of the Great Lawn.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Authorize \$43,300.00 increase in contract for Moniebogue Canal bulkhead project

Motion by Trustee Kametler:

RESOLVED, that the contract awarded to South Shore Docks in the amount of \$129,930.00 for the reconstruction of 248 linear feet of bulkheading is hereby increased by \$43,300.00 for the substitution of vinyl bulkheading with greenheart timber wales and piles, for a total construction cost of \$173,330.00.

Seconded by Trustee Teller and unanimously approved. 4 Aye, 0 Nay

Authorize Notice of Sale of Surplus lumber

Motion by Trustee Teller:

RESOLVED, that the Village Clerk is hereby authorized and directed to publish and post a Notice of Bid Opening to be held on Thursday, August 25, 2005 at 11:00 a.m. in the Village Clerk's Office for the sale of surplus cca treated dock building materials as described on the attached list.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

Authorize refund of duplicate tax payments

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby approve the refund of duplicate tax payments totaling \$6,238.95 to the payees identified on the attached list.

Seconded by Trustee Teller and unanimously approved. 4 Aye, 0 Nay

Authorize budget transfers

Motion by Trustee Kametler:

RESOLVED, that the attached list of budget transfers for the 2004-05 fiscal year in the amount of \$138,200.00 are hereby approved.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

Reappoint member Village Planning Board

Motion to Trustee Teller:

RESOLVED, that William Ciraco, Jr. is hereby re-appointed to serve as a member of the Village Planning Board for a term commencing June 1, 2005 through to May 31, 2010.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Reappoint member Architectural Review Board

Motion by Trustee Barnett:

RESOLVED, that Sharon Wittschen is hereby re-appointed to serve as a member of the Architectural Review Board for a term commencing June 1, 2005 through to May 31, 2010.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Approve Westhampton Beach Fire Dept. Annual BBQ @ Rogers Beach

Motion by Trustee Kametler:

RESOLVED, that the Westhampton Beach Fire Department is hereby authorized to hold their Annual BBQ at Rogers Beach on September 10, 2005 from 9:00 a.m to 6 p.m.

Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

Authorize lease/purchase agreement with Ford Motor Co. – 2 DPW Trucks

Motion by Trustee Teller:

RESOLVED, that the Mayor is hereby authorized to execute a lease agreement with Ford Motor Credit Co. for the purchase of a Ford F-250 4x4 with Plow and a Ford F-350 4x2

Stake Body at a total cost of \$49,009.00, with five (5) annual payments of \$11,201.63 as approved in the 2005-06 fiscal year budget.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Approve warrant for August 2005

Motion by Trustee Barnett:

RESOLVED, that the warrant for August 2005 in the amount of \$234,511.68 for the General Fund and \$122,588.68 for the Capital Fund is hereby approved.

Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Public Discussion

Angelo de la Fuente, Old Riverhead Road, said these meetings have been scheduled for 6:00 in the evening and he finds this very inconvenient for a lot of people to be here at that time. Any other Board in this Village starts their meetings at 7 pm or later. He asked why we can't have these Board meetings at 7 pm. He felt this would bring a lot more people. He said that by the time people ride home from work, they have to come right here to the meeting. He felt these meetings every other month at 6 pm should be changed to 7 pm.

Deputy Mayor Laube responded that he would gladly take that under advisement and meet with the Board to discuss it further. He said that when the Mayor gets back the Trustees would talk at length and see how they feel about it.

Mr. de la Fuente asked why he had never seen the police boat in the water in the bay yet. He said there was a lot of heavy, high-speed traffic in the bay. He wanted to know why the police boat was not there controlling traffic and giving tickets to the people who make trouble.

Deputy Mayor Laube responded that it was his understanding that the Village was having trouble hiring someone to fill that position.

Police Chief Ray Dean said the boat had been out on occasion when he would assign people on payback squad on weekends. He said that the actual area the Village can write summons for is only between the bridges.

Mr. de la Fuente asked about the bay area at Exchange Point.

Police Chief Dean said that area was covered by the Trustees of Southampton Town. We have the shoreline. The bay waters are enforced by the Southampton Town Bay Constable. He said that Exchange Point is a part of this.

Mr. de la Fuente felt that the presence of the police boat in the waters would make a big difference so people would not get hurt. He said people were there jet-skiing, waterskiing, and it was very dangerous. He asked if the Board would look into this.

Deputy Mayor Laube asked if he had seen water skiing between the bridges.

Trustee Kametler said he had seen water skiing between the bridges.

Olivia Casriel, 106 Dune Road, stated that she lives between the bridges and she has seen someone at 7 am in the morning that comes by at about 30 miles an hour all of the time. She said there is a lot of fast traffic over there and it is very dangerous.

Deputy Mayor Laube asked Mrs. Casriel when was the last time she had seen this.

Mrs. Casriel replied that the last time she had seen someone was the other day. However, she is not up that early but other people she has spoken to who are early risers have seen this boat. She said her dock has been affected and it causes a wake.

Deputy Mayor Laube said they would certainly look into it.

Mr. de la Fuente said his next question related to the appointments made at the last meeting. He would like some clarification. He said he finds, and he has to go with what he reads in the papers, that Trustee Laube is the one who speaks for this Village. He said that every time he looks in the paper, Trustee Laube is in there. He said that all of the trustees are here, and they are all very, very qualified. Ridgie has been here for twenty years. He wanted to know what makes Deputy Mayor Laube think that he has more experience than the other trustees have to work as a liaison with the Police Department.

Deputy Mayor Laube asked if he wanted to know why the Mayor appointed him Deputy Mayor.

Mr. de la Fuente wanted to know why he felt he was qualified for that and how he feels about it.

Deputy Mayor Laube responded that Mr. de la Fuente would have to ask the Mayor, because he was the one who had made that decision. He said he felt that as a community leader he was able to get people to sit down and work things out and that would make him qualified. He asked Mr. de la Fuente if he found it necessary to question every one of the appointments like that.

Mr. de la Fuente asked Deputy Mayor Laube if negotiating contracts for the PBA wouldn't be a conflict of interest, since his brother is a police officer. He said he didn't know if Deputy Mayor Laube paid taxes here in the Village or not. He said he had to protect his tax money that he pays.

Deputy Mayor Laube responded that he pays rent, and the taxes are obviously reflected in his rent. He said that there is not a lot of give and take between him and his brother. Deputy Mayor Laube said that in fact, when he had been elected a Trustee and his brother became PBA president, the first thing he said to him was that his brother had to represent the guys and not to give anything in to the Village just because of their relationship. If you would have been around our house when we were growing up, neither one of us gave in on anything. He asked if Mr. de la Fuente felt this would be a problem.

Mr. de la Fuente said he felt it could be, because years back when the Mayor was Ham Andon, there was a question about his grandson painting the Village pavilion at Rogers Beach and people said it was a conflict of interest. He wanted to know why Deputy Mayor Laube did not feel this was one as well.

Deputy Mayor Laube said that when they voted on the contract last year he had abstained.

Mr. de la Fuente asked why he would get involved with the contract negotiations, if he had abstained then. He asked why he wouldn't just let someone else do it.

Deputy Mayor Laube responded he would have to look into it. He would talk it over with the rest of the Board and see how they felt.

Mr. de la Fuente said he had read Deputy Mayor Laube's statements in the newspaper regarding the parking lot at the railroad station. He said it was very good, although he did not know how much he had to do with that. He also said that the dirt road at the station had been sealed off so no one could go through there anymore. He felt that was something else we lost, but it happens. He then asked about the road water runoff. He said the water is still going directly to the canal.

Deputy Mayor Laube said that it was still a project that we are working on, but we started working on it by planning to install these nine, what we call rocks in the box, the roadwater runoff drains. He said they had an excellent presentation from the company we are working with to install these drains in the future.

Mr. de la Fuente said that the way it seemed to him in the paper today was that Trustee Laube said it was all fixed.

Deputy Mayor Laube said that was not what he said. When he ran his campaign last year he said he would work on improving the situation and work towards purchasing nine of those. He asked Mr. de la Fuente if he thought that the Village shouldn't try this.

Mr. de la Fuente agreed they should try this. He said that Deputy Mayor Laube had said check, so you are checking and nothing has been done.

Deputy Mayor Laube responded that something is being done and they are moving in a positive direction.

Mr. de la Fuente said he hoped so, because that is what Deputy Mayor Laube had promised. He then asked how with the concerns that the Board had about the canal and

with what they were trying to do to protect it with the sewer system, etc., how is it that when the CCA problem came in, how it slipped through your hands.

Deputy Mayor Laube said that he could not speak for the rest of the Board, but it was his experience that when the plans were laid out in front of them showing the concept of what they wanted to do, he had concerns right away about the roadwater runoff drains and whether they could modify the area where the drain was to fit what he had proposed. At the same time, he saw that the plans were stamped by the DEC. When he saw that his opinion was that he thought they were environmentally safe, because he trusted the DEC and so he left it at that.

Mr. de la Fuente said it seems as that the consensus is that the \$143,000 is a mistake. He said that when they sell the lumber it might be less, but right now it is costing us \$143,000.

Deputy Mayor Laube responded that it is not costing us an extra \$143,000. That is what it would have been right from the beginning, though. He explained that if they had started from the beginning with the correct material, that is what the price would have been. Now, if the CCA lumber is not sold, that would have been a mistake. He said the Village is confident that they can sell that lumber for what they paid for it.

Arthur DiPietro said that anything he said would be directed to the entire Board and not just to an individual Trustee. He had a couple of suggestions he asked the Board to prioritize, to put on their Work Session agenda and follow up on in the name of investigating new ideas and possibilities. It's not cast in stone, but it might be a good alternative to consider. There is a front page article in the Chronicle newspaper about the no-man's land mile of Dune Road between Westhampton Beach and Westhampton Dunes. Last year, two years ago, three years ago, it's kind of like my four wheel drive fisherman's beach access thing. I bring it up once a year just to hear myself talk. I suggest that the Village seriously consider annexing that portion of Dune Road. He said he had investigated on his own, and had read in the paper today that there was some possibility of cutting up the pie, so to speak, between Westhampton Dunes and Westhampton Beach. He read in the paper today, he didn't know if it were true or not, but Mayor Vegliante is usually pretty good at public relations spins and he is selling Westhampton Dunes on the basis of the fact that there is no coastal zone management hazard line which restricts construction. Mayor Vegliante also says that given his municipal infrastructure he feels his Village would only be able to absorb about a third of the stretch of road. Mr. DiPietro said his personal opinion was that he would like to see the Village of Westhampton Beach annex all of it, if not, two-thirds is better than nothing. He felt that the tax revenue the Village would derive from it would far exceed the rather insignificant benefit we are getting now from the Town, namely a \$2500 reimbursement for police patrol and the leaf deal in Quogue. He did not feel that was a quid pro quo. He asked the Village to seriously roll up its sleeves and get on the ball on this issue. He felt it was very, very important. He thought the Village could spread fixed expenses of the Highway Department, Police patrols, especially since it is reported that the police are patrolling it anyway, without increasing staffing and derive the additional revenue.

Mr. Haefeli responded that this proposal has been around for a number of years and the Mayor, at least two or three years ago, suggested to several of the property owners in that area that they put together a petition and petition the Village for the purposes of having it annexed to the Village. He said he knew the Mayor had several conversations with several people in that area and nothing ever came of it. He said he didn't know any more about it except that the Mayor has, in the past, been in contact with residents in that area about having a petition so the Village could move forward for purposes of annexation.

Village Clerk Kathleen McGinnis added that the Village had actually done a tax analysis for the Mayor and about two years ago he went to the Dune Road Association. We had gotten the figures from the Town and crunched some numbers on it and he had given examples to people. The Mayor has been working on it, but our understanding was that the residents have to pursue it and form a group and want to do it. She said she thought that at the Dune Road Association meeting this year some people were interested in it and they talked about possibly forming a sub-committee. She said we have the numbers downstairs. They have to be updated, but we had done this analysis for the Dune Road Association last year or the year before.

Mrs. Casriel said she thought the bottom line here was that the people that live there have got to get involved with it.

Deputy Mayor Laube added that he had spoken informally to Steve Kenny back in March and he said the Town would not be willing to part with that just because of the tax revenue that the Town would lose to the Village. Deputy Mayor Laube said it was his understanding that the residents of that area would have to come forward and spearhead an initiative. He said he would be fully willing to work with anyone on that issue.

Trustee Barnett asked if there were members of the Dune Road Association in that area that would be interested.

Mrs. Casriel responded that to her knowledge there were several. She said that one person she spoke to said that she would be interested in doing this, but Mrs. Casriel told her she would have to get people to sign a petition if they want to do this. She asked if they would have to pay more taxes to the Village because they were annexed to the Village.

Mrs. McGinnis explained that they would now pay taxes to the Village, but their Town taxes would also decrease because they would not be paying for Town police and highway services. It would be an exchange which might actually cost them more, but there would be offsetting benefits. She thought that when the Mayor made that presentation, he pointed that out. But, there are also Village facilities - the Village beach, the marina and other services that we provide. It really would have to be something that the residents, the taxpayers in that unincorporated area would really have to make the decision and decide. We can keep providing the tax information figures, but they would really have to make that decision.

Mrs. Casriel said that she did not think they had the information about what the exchange would be. I just don't think they know.

Mrs. McGinnis responded that the figures that the Mayor had are two years old, so they would have to be looked at again, but certainly they could be calculated.

Trustee Barnett said that one of the things they would benefit from would be having roads like we have in the Village, because you notice the difference when you drive over their roads. It is a lot bumpier and the drainage is not up to snuff like ours is.

Mr. DiPietro said that the main issues in the article seemed to be the quality of the surface of the road, pedestrian safety crossing lanes and signs, which apparently they were told by the Town they couldn't have. He said he was fully aware of the legal process, the petition and annexation. He was fully aware that the Town might not like losing them, they have a sweetheart deal right now. Since it is a front page article, even given a question of editorial decisions of our local newspaper as to what to put on the front page, it is

probably newsworthy. There is probably some thought in the minds of these people, so I'm suggesting to take the initiative while it is newsworthy and while they are still around - to maybe dust it off and revisit it. He said he was not present when the information was given to them. He did not know how it was sold. He felt if it was sold enthusiastically by the Village government saying that we would really like to have you as Village residents and citizens and taxpayers, and even though you may be paying a little bit more, you are going to get a hell of a lot more in services, you are going to get a more local responsive government. He felt that would encourage it. If it is sold that you can do this if you want, but you guys have to get off your duff and do it, then it is a self-fulfilling prophecy. He said he thinks it is worth pursuing from a municipal interest standpoint. He said that he also knows at least one family that lives down there who is conversant with the issues. They are closer to Westhampton Dunes than Westhampton Beach and this gentleman, who I won't name right now because I don't have his permission to identify him, said to me there are three issues. What's the cost benefit ratio of the incremental increase in taxes vis-a-vis the increase in services and do we want to go with Westhampton Dunes where we are going to have more flexibility with regards to zoning and buildability which may have a positive impact on the value of our property, or do we want to go with Westhampton Beach that may prevent our neighbor from having that flexibility and will preserve our peace and tranquility by being a little bit more conservative in the application of the Zoning Code. He said that is what it comes down to and he asked that the Board think about it and pursue it.

Deputy Mayor Laube asked Mrs. Casriel if she would be interested in working on this project with him.

Mrs. Casriel said she would be delighted.

Mr. DiPietro said the second thing he wanted to talk about as an option, as a possibility to plan, to investigate, to educate ourselves, again this is something he has mentioned to this Board before. So, at the risk of being boring and redundant, a couple of weeks ago he was pleased to read, and it is very rare that he is pleased to read anything about Southampton Town government, but this was an exception. He said he was pleased to read that in some of the brainstorming they were doing about the possibility of a municipal complex at Jackson Avenue, they are thinking about creating a four acre wetland area to do a biomass sewage treatment facility. He said he understands it is a discreet project as compared to or contrasted to the amount of properties that the future Westhampton Beach Village Sewage District might encompass. He had requested last year and been told that the Village's consultant, Dr. Andreoli, had considered it. Mr. DiPietro asked that it be revisited - he would like to get the data from the Town - what the scientific and technical basis is for them to propose this natural gradient bio-mass fresh water wetlands sewage treatment. He also asked that the Board consider that as an option while going forward with your plans for a sewage treatment plant in Westhampton Beach. He said that for two reasons. Even if the County were to sign on, there are two issues that he sees with the County. The main one is capacity. He thinks that given the potential intensity of use of hook-ups of sewage that the Village really breaks down into two areas. We have Riverhead Road/Montauk Highway and the potential sites for your workforce housing. That would seem to be the County motivation and the quid pro quo. From a standpoint of distance of piping and pumping up elevation and total capacity, it would seem that creating a sewer district for that portion of the Village hooked into the County facility at the airport would make sense. He said then it gets problematic in his mind without having run any of the numbers to run a sewage main all of the way down Oak Street before you get to Six Corners, Mill Road and the B-1 core area of the Village where you can pick up potentially more people. He thought that perhaps a facility similar to the one the Town is proposing using the Moneybogue wetlands at absolutely no environmental degradation whatsoever, and being able to use the same facility to handle the surface runoff, which is a major contaminant and be able to use it as a gravity feed from Mill Road, Sunset Road and Main Street down to the Moneybogue wetlands would make a lot of sense. He didn't know if he was totally off the wall about this, but it seemed like common sense and his experience says that at the very least it is worth looking into. He felt it might create some more options and it might make sewage in Westhampton Beach less expensive and make it occur sooner rather than later. He said that was the proposal he was making to the Board.

Joan LeVan, 129 Oneck Lane, remarked that since Mr. DiPietro had brought up the sewage issue, she felt that the Village Trustees, as opposed to having this brought up at one of your Trustee's meetings, should really plan a meeting totally devoted to this issue so the Village residents can really know what is going to happen, what could be right, what could be wrong. They could have a chance to hear the cost of it, whether they are going to do a referendum on it, whatever. She said that is what she would like to see, a special meeting or maybe several meetings, where people really will know all of the pros and cons of doing it and how we are going to do it.

Deputy Mayor Laube agreed, but he said he felt the best time for that would be when they get to the point of performing design studies on this proposal. He said they would then bring it back and share it with the rest of the Village.

Ms. LeVan asked if Deputy Mayor Laube was in agreement that there should be a referendum.

Deputy Mayor Laube responded that he was in favor of a referendum if there was a project that would cost the taxpayers like Ms. LeVan. He said he would not support this project if it goes to the taxpayer.

Trustee Barnett agreed that she would not support this project if the taxpayers have to pay for it.

Ms. LeVan asked when they would know this, would they have a meeting that will explain all of this.

Deputy Mayor Laube answered that after they have the design study that shows the figures about cost, where it will go, when it will go, they could then have a meeting.

Ms. LeVan asked if this would be prior to it being approved by the Village Trustees.

Deputy Mayor Laube said yes, definitely.

Deputy Mayor Laube asked if anyone else would like to address the Board. There being no further response, Trustee Kametler made a motion at 7:00 p.m. to adjourn the meeting to Executive Session. Seconded by Trustee Barnett and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk