

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Monday, June 13, 2005 at 10 a.m. in the Municipal Building, 92 Sunset Avenue, Westhampton Beach

PRESENT: Mayor Robert Strebel
Deputy Mayor Mark Raynor
Trustee Ora Belle "Ridgie" Barnett
Trustee James Kametler
Trustee Timothy Laube

Clerk-Treasurer Kathleen McGinnis
Village Attorney Richard T. Haefeli

Mayor Strebel opened the meeting at 10 a.m. with the Pledge of Allegiance.

Public Hearing:

Local Law 5/2005 amending Zoning Code Re: Accessory Apt

Village Attorney, Richard Haefeli, explained that the only change in this local law since it was last published, was to change it to a one year permit with a \$30 fee. The original proposal was a three year permit and a \$90 fee. Other than that, this is the same law that was advertised when the public hearing was held last month. The change last month was to require the owner to provide one parking space for each bedroom in an accessory apartment. Also, it was changed so that the owner can reside in either the main dwelling or the accessory apartment.

Trustee Barnett felt that the Board had gotten any potential problems under control pertaining to this law. She said if the neighbors have any problems, the owners of the accessory apartment will not be able to get their permit renewed the following year.

Mayor Strebel asked if anyone in the audience would like to address the Board regarding this issue. There being no response, a motion was made by Trustee Raynor to close this public hearing. Seconded by Trustee Barnett and unanimously approved.
4 Aye, 0 Nay

Motion by Trustee Laube:

WHEREAS, this Board has advertised a local law adding Chapter 197 of the Village Code, entitled "ZONING" and

WHEREAS, a public hearing was held on Monday, April 11, 2005, Monday, May 9, 2005 and Monday, June 13, 2005, and

WHEREAS, this Board has resolved that it is the lead agency for purposes of SEQRA review, and

WHEREAS, this Board has reviewed the submitted EAF Part I and the applicable criteria pursuant to 6 NYCRR 617.7 in determining the environmental significance of this action, and

WHEREAS, this Board has determined that the proposed local law is one of general applicability.

IT IS THEREFORE RESOLVED that the proposed action will not have a significant effect on the environment and therefore this Board issues a negative declaration with respect to this proposed action, and

WHEREAS, all persons present at the meeting have had an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof, and

NOW THEREFORE, that after due deliberation the Board of Trustees of the Village of Westhampton Beach finds that it is in the best interest of the Village to adopt Local Law 5/2005 as advertised and attached.

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

Regular Meeting:

Accept minutes of Board of Trustees Meetings

Motion by Trustee Raynor:

RESOLVED, that the minutes of the Board of Trustees regular meeting of May 9th and the Special Meetings of April 25th, & May 13, 2005 are hereby approved.

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

Accept departmental reports

Motion by Trustee Barnett:

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

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

Approve the “Concerts On The Green” series 7/7/05 – 9/1/05

Motion by Trustee Kametler:

RESOLVED, that the Westhampton Cultural Consortium Inc. is hereby authorized to hold the summer concert series on the Village Green on Thursday evenings from 6:00 p.m. to 9:00 p.m. from July 7th through to September 1, 2005

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

Authorize promotion of summer lifeguards

Motion by Trustee Laube:

RESOLVED, that Bevin Kenny and Christopher Zorbo are hereby promoted to serve as Lieutenant Lifeguards at a salary of \$13.50 per hour effective 5/21/05.

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

Accept proposal for refuse disposal

Motion by Trustee Raynor:

RESOLVED, that the attached bid submitted by East End Sanitation to provide refuse disposal containers at the rate of \$4.95 per yard pursuant to the bid specifications, is hereby accepted.

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

Authorize bonds for sidewalk construction/reconstruction

Mayor Strebel explained that the Village was going to bond for \$850,000 to repair all of the broken sidewalks in the Village and to construct new sidewalks on South Road, Oak Street, Depot Road, Jessup Lane and they want to provide a continuum to the ocean by doing a small section on Beach Lane. He said the Village is in dire need of getting these sidewalks repaired.

Ben Larson, 12 Montauk Highway, asked which would be done first, reconstruction of all of the old ones or the new ones.

Mayor Strebel responded that they were going to try and do them at the same time. He said they would not specify preferences. They are trying to get the best price, and the best price will be how they can disperse their labor.

Harris Palmer, 69 Beach Road, wanted to know if any Village personnel or equipment would be used for any of the repair work or if it would all be contracted out.

Mayor Strebel said that the Department of Public Works would assist. He said that even when they receive CHIPS money from the state to do road pavings, they always help. They block off the roads and monitor the traffic. No matter what project it is, the DPW always assists.

Trustee Raynor thanked Mr. Larson for being persistent regarding getting this project done.

Mayor Strebel also thanked him for being patient. He said it has been a long time project. They had surveys taken over a year ago. It is just too much for this little Village to keep up with the broken sidewalks and everything else.

Motion by Trustee Raynor:

RESOLVED, that the Village is hereby authorized to construct and re-construct sidewalks in the Village; the estimated cost thereof including preliminary costs and costs incidental thereto and the financing thereof is \$850,000 and said amount is hereby appropriated therefore; the plan of financing includes the issuance of \$850,000 serial bonds of the Village to finance said appropriation and the levy and collection of taxes on all taxable real property in the Village to pay the principle of said bonds and the interest thereupon as the same shall become due and payable, and be it further

RESOLVED, that the Village Clerk is hereby directed after said bond resolution shall take effect, to cause said bond resolution to be published in summary or in full in the newspaper that is officially designated for the Village, together with a notice in substantially the form as attached pursuant to Section 81 of the local finance law constituting Chapter 33A of the Consolidated Laws of the State of New York.

Seconded by Trustee Laube and unanimously approved as follows:

Roll Call vote:	Mayor Strebel	Aye
	Trustee Barnett	Aye
	Trustee Kametler	Aye
	Trustee Laube	Aye
	Trustee Raynor	Aye

Authorize interim financing payment Re: street sweeper

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby authorize a fee to be paid to Leasehampton Corp. in the amount of \$1,032.96 for the interim financing of the new DPW street sweeper for the period commencing April 15, 2005 through to June 1, 2005.

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

Authorize refund of boat slip rental fee

Trustee Kametler asked if this slip had been rented by someone else.

Village Clerk, Kathleen McGinnis, responded that it had been rented by another Village taxpayer.

Motion by Trustee Kametler:

RESOLVED, that the Board of trustees hereby approve the refund of the seasonal boat slip rental fee in the amount of \$1,395.00 to Diane Buccalo.

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

Schedule public hearing for Bridgehampton Natl. Bank Special Exception

Motion by Trustee Laube:

RESOLVED, that the Village Clerk is hereby authorized to publish and post a Notice of Public Hearing to be held on Tuesday July 5, 2005 at 10 am at the Village Hall on the Special Exception Application submitted by the Bridgehampton National Bank for the placement of two outdoor tables and eight chairs for the coffee house to be constructed as part of the bank building to be located at 194 Mill Road.

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

Refer Jimmy Boylan Special Exception Re: outdoor tables to Planning Board

Motion by Trustee Raynor:

RESOLVED, that the Special Exception application for the placement of six (6) outdoor tables and twenty four chairs submitted by Jimmy Boylan Restaurant located at 101 Old Riverhead Road is hereby referred to the Village Planning Board for advisory review.

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

Authorize budget transfers

Motion by Trustee Barnett:

RESOLVED, that the attached budget transfer schedule is hereby approved.

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

Approve warrant for June 2005

Motion by Trustee Kametler:

RESOLVED, that the warrant for June 2005 in the amount of \$ 218,121.74 for the General Fund and \$206,991.92 for the Capital Fund is hereby approved.

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

Motion to add-on resolution re Transfer of Properties

A motion was made by Trustee Laube to add a resolution to this agenda. Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Mayor Strebel explained that there was a piece of property at the end of Glovers Lane that actually belonged to SPA 77 and then there is a little piece of property behind Waldbaum's that belonged to the Village. To facilitate opening the road and them being able to back their trucks in without backing from Sunset Avenue, we swapped. We have no use for the little piece of property that prohibited them from backing in. Actually they have been using our property and we have been using their property for years. We are just making it legal today.

Trustee Barnett said that actually this is a historic moment because in 1985 Joe Raynor suggested we open up Glovers Lane to Mill Road and it was done, but now it is officially done, because we can legally open it.

Dean Speir, 256 East Main Street, asked if this was part of the roadbed.

Mayor Strebel answered that it was.

Mr. Haefeli explained that when the Village acquired the parking lot on Mill Road, it did not go all of the way to Glovers Lane. This piece cut off Glovers Lane at that point. There was technically no access from Glovers Lane to the parking lot. Once the Village put the parking lot in, they made the access to Glovers Lane. It has been that way for all that time. Now, all we are doing is getting legal title to it so there is no confusion. We are giving Staller, who is basically the owner of the Waldbaum's property, 945 square feet, which to an extent they have been using, so when the Waldbaum's site plan is approved, the access for the trucks will be on the south side. They will be required to drive around the building and back into the loading dock without backing into the parking lot. It facilitates them and it facilitates us. It eliminates the trucks that are currently using the north entrance and backing in.

Mayor Strebel said they tried to stop the trucks from backing off of Sunset Avenue and down the parking lot. He said it is a very dangerous situation as far as children are concerned. He said when the police officers see them, they stop it. They had tried to get Staller to do these things over the years and it would be blamed from the owner to the tenant and back and forth. Now that they are before the Planning Board, we are able to tighten these things up. He said it will be much safer.

Motion by Trustee Laube:

WHEREAS, the Village of Westhampton Beach owns a 945 square foot parcel of real property adjacent to the property owned by SPA 77 N L.P., and

WHEREAS, SPA 77 N L.P. owns a 560 square foot parcel at the northerly end of Glover's Lane, and

WHEREAS, the Village of Westhampton Beach and SPA 77 N L.P. have agreed to exchange the properties without consideration so that the Village of Westhampton Beach will acquire the 560 square feet owned by Spa 77 N L.P. and Spa 77 N L.P. will acquire the 945 square feet owned by the Village of Westhampton Beach.

NOW, THEREFORE BE IT RESOLVED, that the exchange of property between the Village of Westhampton Beach and Spa 77 N L.P. is hereby authorized, and that it is further

RESOLVED, that the Mayor of the Village of Westhampton Beach is authorized to execute any and all documents necessary to affect the transfer and acquisition of the real properties, and it is

RESOLVED, that the Board of Trustees is the lead agency for SEQRA review and has determined that the transfer and acquisition of the real properties are an unlisted action pursuant to Section 617.2, NYCRR, and that is

RESOLVED, that this Board adopts a negative declaration with respect to the said transfers.

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

PUBLIC DISCUSSION:

Mayor Strebel asked if anyone would like to address the Board.

Donald Griffin, 16 Maple Street, said he had always believed in closing the door before the horse was stolen and trying to do things ahead of time. He said Maple Street residents had a great concern as to what was going to happen to the traffic when they do the roundabout. He had fifteen names on a petition that requests that during construction, the north end of Maple Street where it goes out onto Oak Street be temporarily closed, so all of the truck traffic, bus traffic, beach traffic and so forth is not going down Maple Street. He felt that a lot of people already use Maple in the summer because they think the light at the end on Mill Road is faster than the one at Oak Street. He said that, in fact, we have a volunteer fireman that uses Maple Street to avoid the light on Oak Street for just that reason. He read the petition to the Board.

Mayor Strebel responded that the traffic engineers and Department of Public Works have a plan. He did not feel they were actually planning on closing Oak Street or any of the roads during the construction. He said this was done through New York State and with all of the traffic engineers. He said that some of the infrastructure work on the circle has been completed, such as the storm drains. A few of the storm drains that had not worked on School Street for years have been repaired. The actual construction will not start during the summer season. It will be done after the season so we should not have to close down any roads. He said the DPW ran an electric main across Potunk Lane a few weeks ago and people commented to him that they couldn't believe it. The road was closed for something like an hour and a half. They ran the main, put the earth back, opened the road and two or three hours later when the asphalt trucks came they closed it for an hour. He said they are very conscious about which roads are closed and what roads are open and they are not looking to dump extra traffic on any road. He said they would certainly take anything into consideration and put it before the traffic engineers and the Department of Public Works, any concerns that the constituents have.

Elyse Weissman, 78 Rogers Avenue, asked what the time frame was.

Mayor Strebel responded that it should just take a couple of months. He said he had not heard any plans on dumping traffic from one road to the other.

Ms. Weissman asked what the plans would be for the school crossing guards. She said there was one crossing guard now. She wanted to know if they would have one or two. She was concerned because her son is starting kindergarten this year.

Mayor Strebel said that there would be one crossing guard, but don't forget that instead of crossing double lane highways, there is a break in each highway, there is a center. He said that Trustee Laube had done an excellent study of this.

Trustee Laube said that in terms of crossing guards, one crossing guard should be able to handle it. It should actually be safer. He said he that while doing his research he had called a school system in Wisconsin and interviewed the superintendent. This is a similar roundabout to ours, with a school system larger than our school system and

closer to the roundabout. Trustee Laube said they told him that this intersection was so dangerous before they put in the roundabout, that the superintendent of schools would not let the students ride or walk to school. Once the roundabout was put in, they started letting the kids ride or walk to school. They said that four years later they have not had a car accident or a pedestrian accident. He said he called and talked to the school crossing guard and she told him that it was easier to handle the intersection this way than before they had banned the children from walking.

Trustee Barnett added that she walks through that intersection often, almost every day, and it is a very dangerous intersection for a pedestrian. She said that when the light turns green on Mill Road, for example, you get the little green hand that says cross the road across Oak Street. She said you start across, but you are not safe because the cars that are going down Mill Road can either make a left turn or a right turn onto you, so you have to watch for them. You have to watch two ways, plus you have to watch the way behind you. She said that when we have the roundabout, people will only have to look in one direction to see if a car is coming or not, so it will be much safer.

Jacques Ditte of Black Sheep Production said the entire nation of Ireland runs on roundabouts and it seems to work very well.

Mr. Larsen felt the traffic will be twice as bad when the roundabout is finished.

Mayor Strebel asked if anyone else would like to address the Board. There being no further response, Trustee Raynor made a motion at 10:30 a.m. to adjourn the meeting to Executive Session. Seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk