

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

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

Clerk-Treasurer Kathleen McGinnis
Village Attorney Richard T. Haefeli

Mayor Strebel opened the meeting at 6 p.m. with the Pledge of Allegiance.

Public Hearings:

Local Law 6/2005 amending Chapter 197 Zoning Code Re: Moratorium

Mayor Strebel opened this public hearing by asking if there was anyone in the audience that would like to address the Board regarding this issue. He explained that they would be extending the moratorium another six months to give the Village land planner the time to complete his study. He said the Village had hired David Emilita, who has done work for this Village and the Town of Southampton over the years.

Jean Sweibish, 114 Potunk Lane, asked if this could be explained a little bit more regarding where it involves and what it involves.

Richard Haefeli, Village Attorney, explained that it involves the area east of Depot Road, north of Montauk Highway, west of Riverhead Road and south of what says the Industrial Zone, but is basically the Tennis Academy. That area currently has three different zoning districts. One is the B-2 along Montauk Highway. Along Riverhead Road is Hotel District and the interior of the property that is adjacent to Depot Road is R-2. It is probably the only remaining vacant land left in the Village of any size or substance. The moratorium was originally adopted six months ago to give the Village the opportunity to 1) see whether the Village would be able to hook up to the County sewer system, which would allow the Village to provide some sort of what they call "work-force housing" and 2) to give the land planner an opportunity to review that area and determine what if any changes should be made to the zoning classifications. It was adopted for a period of six months, the six months is up next Monday or Tuesday, and this Local Law is basically an extension of that moratorium for an additional six month period of time.

Melissa Bishop, 38 South Road #A, asked if this was a building moratorium or a zone change moratorium.

Mr. Haefeli answered that it was a building moratorium. It is a moratorium against any applications being submitted other than permanent for an accessory structure permitted in a one-family dwelling.

Joan Levan, 17 Oneck Road, said she understood the moratorium part, but asked about Trustee Laube having unofficial meetings with developers about other possibilities using the County facility, but he does not say what those possibilities are. She asked how that would affect the moratorium.

Mayor Strebel asked if she had read that in today's paper.

Mrs. Levan replied that yes, she had.

Mayor Strebel said that he had not had a chance to read the paper and did not know if that

was a direct quote from Trustee Laube or not.

Mrs. Levan said it was a direct quote from Trustee Laube and gave Mayor Strebel a copy of the article to read.

Mayor Strebel responded that he was not at that unofficial meeting. He said developers had approached him on it also.

Mrs. Levan said she would like to know what some of the developers unofficial possibilities are.

Trustee Laube explained that one had approached him with an idea possibly doing something in the private sector, privatizing the sewage treatment plant himself. He was not sure if that was feasible. He had heard that idea from several different people at the County level to explore that possibility. He said he had not brought that idea to the board yet because he did not know if it was possible. He said it was more like he was at the coffee store and this person comes in and wants to talk about it. That is what is meant by an unofficial meeting.

Mrs. Levan asked if he was in a coffee store and they just approached him.

Trustee Laube said yes, he ran into them at Simon's bakery.

Mayor Strebel said that it happens quite often. He said his answer generally is a little different. He said he does not know what the Village is going to do until they hear from their land planner as to what they should do with the property, whether they should have two acre, three acre or five acre zoning.

Mrs. Levan asked Trustee Laube which developers had approached him.

Trustee Laube said they were land owners, like Bruce Barnett, who owns land up there in the southern portion of this moratorium area.

Mrs. Levan asked what his idea was.

Trustee Laube answered that one of his ideas was to privately address it and build some type of sewage treatment system himself. Trustee Laube did not know if that was financially workable. It was just something that Mr. Barnett bounced off of him to consider.

Mrs. Levan said that the newspaper said that Trustee Laube was spearheading the Village's negotiations with the County for the sewer plant.

Mayor Strebel said that Trustee Laube isn't spearheading it. He said to be honest with you, the Board had started the sewage treatment thing before Mr. Laube was a Trustee, so he is not spearheading it. He said that people do approach you, people approach him on the street and when you are having a cup of coffee with different questions. He said he tells them to come to a public meeting and discuss it with the whole Board at a Work Session or a regular session. He said people do bounce things off you, you should hear some of the ideas. Someone wanted a parachute jump in the Village. He said he could write a book. He said he tells people the proper place to go with their ideas is before the Village. As far as anyone of us commenting on what should be done until we read what our planner has done, he didn't feel they should.

Mrs. Levan said she wasn't asking him to comment on what should be done, but to comment on what some of the ideas were. She also wanted to know if the Board would be holding public meetings announced well in advance of all of the different options for that property.

Mr. Haefeli said yes, the basic answer is, if there is going to be any change in the zoning classifications or uses, there have to be public hearings and there have to be public notices. It can't be adopted without it. He said it is the same as they are holding a public hearing tonight regarding the moratorium which is part of the zoning code, it could not be

adopted without this public hearing. He said they would also have to hold a hearing if they were to adopt any changes to the master plan, that would also entail a public hearing. That would be a precursor to changing the zoning classifications. You would have a master plan that says it would be a good idea to have 200 acre zoning in the district. They adopt a

master plan, then they adopt a zoning amendment which says now you can only have 200 acre zoning.

Mrs. Levan asked if the master plan currently understood by everybody.

Mr. Haefeli responded that the master plan that is in effect, they had public hearings on it. The master plan that the Village planner is working on currently, the last part of it basically is to review and update the residential districts. He said that he thought the planner's opinion is basically with the exception of this area, there are very little changes to do in the Village because according to him "90 to 95% of the Village residentially has already been developed". He thought his big focus on any recommendations for the master plan update for the residential district would focus naturally on this area because it is the only undeveloped area left in the Village.

Mrs. Levan asked once the Village had extended the moratorium by six months, what is the legality of doing it again six months from now.

Mr. Haefeli responded that it would be legal. He said that the courts have generally upheld moratoriums that go two to three years, assuming there is a justification for it going that far established by the municipality. He said he did not know of any case that has overruled a one year moratorium or an eighteen month moratorium. When you get beyond that point, the municipality has to come up with a little more substance as to why they want it.

Elyse Richman, 78 Rogers Avenue, asked about the Village owned property in Quogue.

Mayor Strebel asked if they could please finish this hearing first and then they would answer any questions she wanted to about DPW property or anything else. He said that property is in Quogue and it is not part of this moratorium. He asked if there were any other questions regarding this moratorium. There being no further response, Trustee Laube made a motion to close the public hearing. The motion was seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Motion by Trustee Teller:

RESOLVED, that pursuant to the provisions of Section 617.6 NYCRR the Board of Trustees of the Village of Westhampton Beach hereby determines as follows:

1. That the action is an unlisted action pursuant to SEQRA, and the action does not involve a Federal agency or any other agency. The action involves the adoption of a local law of general applicability throughout the Village.

2. That the Board of Trustees is the only involved agency, and that the Board of Trustees determine that it will be lead agency with respect to the adoption of an approval of the above action.

3. The Board of Trustees further finds and determines that:

(a) it has considered the action and reviewed the full environmental assessment forms Part 1 and Part 2 as well as the criteria set forth in 6 NYCRR Section 617.7, it has thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential project environmental impacts and their magnitude in connection with the proposed Village of Westhampton Beach Local Law entitled, "A Local Law Amending Chapter 197 of the Village Code (Zoning) with respect to THE ADOPTION OF A MORATORIUM;

(b) the adoption by the Board of Trustees of the Local Law will not result in any large and important environmental impacts, and, therefore, is one which will not have a

significant impact on the environment, and, therefore, a negative declaration will be prepared;

(c) the reasons supporting this determination are set forth on Part 2 of the Full Environmental Assessment Form with respect to this project a copy of said form is on file in the Office of the Village Clerk;

4. The Board of Trustees, as Lead Agency with reference to the above described project, hereby: (a) adopts a negative declaration pursuant to 6 NYCRR Section 617.7 with respect to the project; (b) authorizes the Mayor of the Village of Westhampton Beach to sign a negative declaration determination of non-significance with respect to the project.

5. This Resolution shall take effect immediately.

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

Motion by Trustee Teller:

WHEREAS, all persons present at a meeting held on October 6, 2005 had an opportunity to speak on behalf of or in opposition to the proposed Local Law Amending Chapter 197 of the Village Code (Zoning) with respect to the adoption of a moratorium, 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 the Local Law 6/2005 as advertised and attached.

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

Local Law 7/2005 amending Chapter 161 Real Property Tax Exemptions

Mayor Strebel opened the public hearing. He asked Kathleen McGinnis, Village Clerk to explain this local law.

Mrs. McGinnis explained that this is the Village’s effort to keep our income eligibility for the various exemptions on real property in line with what the Town of Southampton offers and pursuant to state law. Also, we are now revisiting the Fire Department and Emergency Services Volunteer exemption, which needed to be changed at the state level. Now again, we are in conformance with what the state says you can do on that.

Mayor Strebel personally felt that we could not do enough for the firemen that we have. He said he unfortunately drives everyday on the expressway now and in Manorville there is a big sign asking for volunteers and advertising the need for these volunteers. He said we are lucky in this Village that we have enough men so far, although he said he understood that the average age has gone up to forty-seven.

Mrs. McGinnis added that it also applies to the volunteer ambulance personnel.

Mayor Strebel said he felt it was a good thing and asked if anyone would like to address the Board on this issue.

Ms. Bishop asked when those changes happened with the Town and the state that we have to now adjust to be in line with them. She also wanted to clarify whether this was an additional exemption for the firemen and ambulance personnel.

Mrs. McGinnis said that we have different taxable status dates. She believed the Town adopted their income guidelines a few months ago. It went into effect before May because their tax year is different than our tax year. When we update these, which we do periodically as the income eligibilities change, we always have to do it before January 1st, because that is our taxable status date. We have to process the people that apply for eligibility, so we have to have these new guidelines in effect as far as income eligibility.

She said the state adopted it at the last legislative term and also they revisited the fire exemption because there were disparities when it was tried to be implemented. The state changed it last year and we are changing it now to get in line with them. She said this is not an additional exemption, it is correcting the one the Village adopted a few years ago. The state changed it to make it a little bit more equitable. She said they capped it at \$3,000, so another words, should there be a fireman that owns a multi-million dollar house, he is not going to receive an inordinate benefit. It's capped at a \$3,000 benefit.

Ms. Bishop said she assumed it was a good thing, she just didn't know what it was, but

now that she knows, she felt it really was a good thing to do.

Mayor Strebel asked if there was anyone else who would like to address the Board. There being no further response, a motion was made by Trustee Teller to close this public hearing. The motion was seconded by Trustee Laube and unanimously approved. 4 Aye, 0 Nay

Motion by Trustee Laube:

WHEREAS, this Board has advertised a local law adding Chapter 161 of the Village Code, entitled "TAXATION" and

WHEREAS, a public hearing was held on October 6, 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 7/2005 as advertised and attached.

Seconded by Trustee Kametler 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 Trustees Meeting of September 1, 2005, and Special Meetings of August 17th & September 13th 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 reports for August 2005, and the Police Department, and Building Inspector's reports for September 2005 are hereby accepted.

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

Schedule 11/3 public hearing on Local Law amend code Re: Building Heights

Ms. Sweibish asked what that hearing would be addressing. She wanted to know if the Village was doing a pyramid law.

Mr. Haefeli answered that it addresses the flood plain areas, which is Dune Road and the area south of Main Street. We currently have an absolute height limitation of 40 feet. What this proposed law does will allow the actual roof line of the building to exceed the 40 foot level, whereas it will not exceed a two story building that is not more than 38 feet in height.

Paul Houlihan, Building Inspector, added that it would be 44 feet above sea level and the top of the second floor plate couldn't be more than 36. The intention is to encourage more traditional architectural roof lines as opposed to flat roof houses.

Mr. Haefeli said that is all it does. It is an attempt to allow the architect a little more leeway in what they are going to construct in that area.

Trustee Barnett asked what the maximum height would be.

Mr. Haefeli said that with this law to the top of the roof will be 44 feet. Right now it is 40 feet, so it gives you an additional 4 feet.

Motion by Trustee Teller:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish & post a Notice of Public Hearing to be held on Thursday, November 3, 2005 at 10 a.m. in the Village Hall, 92 Sunset Avenue, Westhampton Beach, on a proposed Local Law to amend the Zoning Code Chapter 197 Re: Building Heights.

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

Schedule 11/3 public hearing on Special Exception- 170 Westhampton Beach Corp.

Trustee Barnett asked what property this pertained to.

Mr. Haefeli responded that it was the piece right next to the Six Corners Liquor Store.

Trustee Barnett said she thought there were going to be two apartments there.

Mr. Haefeli said that initially there were going to be two apartments but they had problems with getting Health Department approval for two and they had parking problems with the Health Department in getting approval for two so they reduced it to one.

Trustee Barnett asked what size the one apartment would be.

Mr. Haefeli answered that it could not exceed 850 square feet.

Motion by Trustee Laube:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish & post a Notice of Public Hearing to be held on Thursday, November 3, 2005 at 10 a.m. in the Village Hall, 92 Sunset Avenue, Westhampton Beach, on the Special Exception Use Permit application submitted by 170 Westhampton Beach Corp. for one apartment on the second floor of a proposed retail/office building to be constructed on property located at 170 Mill Road and identified by SCTM# 905-12-1-36.

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

Schedule 11/3 public hearing on 2006 Community Development Funds

Motion by Trustee Barnett:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish & post a Notice of Public Hearing to be held on Thursday, November 3, 2005 at 10 a.m. in the Village Hall, 92 Sunset Avenue, Westhampton Beach, on the 2006 Community Development Block Grant Funding in the amount of \$13,000.

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

Schedule 11/3 public hearing Local Law to amend the Vehicle & Traffic Code

Motion by Trustee Kametler:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish & post a Notice of Public Hearing to be held on Thursday, November 3, 2005 at 10 a.m. in the Village Hall, 92 Sunset Avenue, Westhampton Beach, on a proposed Local Law to amend the Vehicle & Traffic Code Re: fines & violations.

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

Authorize Bldg. Administrator/Fire Marshal to attend NYSBOC conference

Motion by Trustee Teller:

RESOLVED, that Paul Houlihan, Building/Zoning Administrator and William Hart, Fire Marshal are hereby authorized to attend the NYSBOC Capital District 13th Annual Education Conference on October 17-19, 2005 in Albany, NY, at a cost per person of \$245 for registration and \$100/day for lodging, plus reimbursement for meals and travel expense.

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

Authorize Judge Kelly to attend NYS Magistrates Conference

Motion by Trustee Laube:

RESOLVED, that Village Justice Robert Kelly Jr. is hereby authorized to attend the NYS Association of Magistrates Annual Conference in Niagara Falls on Sept. 25- Sept. 28 with reimbursement for lodging, meals, and travel expenses.

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

Authorize Hurricane Foundation 5k Walk/run Sat. November 12th 8-10:30 a.m.

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby authorize the Hurricane Foundation to hold a 5K Walk/Run on Saturday, November 12, 2005 between 8:00 -10:30 a.m. and approve the closure of streets listed on the attached event route.

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

Authorize Halloween Parade & Main St. "Trick or Treating" Oct. 31st

Motion by Trustee Kametler:

RESOLVED, that the Board of Trustees hereby authorize the Westhampton Beach Elementary School PTA to hold the annual Halloween Parade on Monday, October 31, 2005 commencing at the WHB Elementary School on Mill Road at 3:15 p.m. and ending with Trick or Treating on Main Street until 5:15 p.m.

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

Authorize Mayor to sign one yr. lease renewal Re: Bldg. Dept. Office

Motion by Trustee Teller:

RESOLVED, that the Mayor is hereby authorized to execute a lease renewal agreement with Edwin Fishel Tuccio for the rental of office space for the Building & Zoning Department located at 110 Mill Road at an annual cost of \$36,000.00 for a one year term commencing September 15, 2005.

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

Authorize sale of surplus vehicles & equipment

Motion by Trustee Laube:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish & post a Notice of Sale of surplus vehicles & equipment pursuant to the attached list, with submission of bids for the purchase of the surplus items to be received by the Village Clerk-Treasurer by no later than Tuesday, November 1, 2005 at 11 a.m. in the Village Hall, 92 Sunset Avenue, Westhampton Beach.

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

Authorize request for proposals for 2006 Snack Bar Concession

Motion by Trustee Barnett:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish & post a Request for Proposals for the operation of the snack bar concession at Rogers Beach for

the 2006 season.

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

Accept bid for annual sidewalk & concrete curb project

Motion by Trustee Kametler:

RESOLVED, that at the recommendation of the Supt. of Public Works, the Board of Trustees hereby accept the bids of the contractors as specified on the attached list of lowest bidders pursuant to items 1A through to 6D.

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

Accept bid on Six Corner Roundabout project

Motion by Trustee Teller:

RESOLVED, that at the recommendation of Dunn Engineering, the Board of Trustees hereby accepts the bid received from Corazzini Asphalt in the amount of \$564,039 for the construction of the Six Corners Roundabout.

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

Accept electrical bid for Village Hall

Motion by Trustee Laube:

RESOLVED, that at the recommendation of Sandpebble Builders, the Board of Trustees hereby accept the bid submitted by Core Electric, Inc. in the amount of \$429,500.00 for the installation of electric at the new Village Hall contract #16.200.

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

Authorize lease purchase agreement for Village Hall communications & security system

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby accept the proposal submitted by CBS Technologies to install a Mitel telephone communications system, March network security system, and two (2) audio/speaker/microphone recording systems for the new Village Hall under NYS contracts #T960252H, Group 770096 & PC59413 and authorize the Mayor to execute a five year lease purchase agreement at a cost of \$2,984.64 per month.

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

Authorize change order for Village Hall contract #8.850 storm shutters

Motion by Trustee Kametler:

RESOLVED, that at the recommendation of Sandpebble Builders, Inc., the Board of

Trustees hereby reduce contract #8.850 with Hurricane Protection Systems in the amount of \$3,300.

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

Authorize change order Village Hall plumbing contract #15.200

Motion by Trustee Teller:

RESOLVED, that at the recommendation of Sandpebble Builders, Inc., the Board of Trustees hereby amend Village Hall plumbing contract #15.200 with Excelsior Plumbing & Heating in the amount of \$6,064.00 for the installation of an additional plumbing line, sink, faucet and seven (7) toilet carriers.

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

Authorize change order Village Hall masonry labor contract #4.225

Motion by Trustee Laube:

RESOLVED, that at the recommendation of Sandpebble Builders, Inc., the Board of Trustees hereby amend Village Hall masonry labor contract #4.225 with Pirraglia Contracting Inc. in the amount of \$9,631.98 for the cutting of bond beam, and the supply/installation of grout.

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

Appoint Michael Walsh as a part time Police Officer

Motion by Trustee Barnett:

RESOLVED, that Michael Walsh is hereby appointed as a part time Village Police Officer to be paid at the rate of \$16.50 per hour effective August 11, 2005.

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

Approve Warrant for October 2005

Motion by Trustee Kametler:

RESOLVED, that the warrant for the month of October 2005 in the amount of \$171,059.13 for the General Fund and \$409,418.04 for the Capital Fund is hereby approved.

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

Public Discussion

Mayor Strebel announced that he wished to address some of the things that were brought up at the September 1st meeting. He said there were erroneous statements made concerning Village budget expenditures and comparisons made with our municipal employee salaries. He felt they had answered it pretty good last month, but he is not a walking calculator, so they had looked up the different facts and figures. Starting out with

the budget, he said that when it comes to expenses from the year 2000 to present, the Village of Westhampton Beach have been lower than any other Village or Town used by the commentator in his comparison last month. He said he has the names of the other Villages and Town, he was not going to announce them publicly, but they are available. He also said that the fact that we spent less than all of them, he was not commenting on their prudence or their fiscal efficiencies. He said he knows what is going on here and not exactly what is going on there, but our figures are lower. According to the percentages, the Village of Westhampton Beach in those eight years, went up 33.69%. Village A went up 42%. Village B went up 51.6%. Village C, pretty good, they went up 34.99%. The Town that was mentioned went up 41.44%. So, we are lower than any other one. The Fire Department unification was also brought up. Yes, we saved \$300,000 that year on the Fire Department unification on taxes. Our tax increase that year was \$32,285, plus that \$300,000. Village A went up \$1,063,000. Village B went up \$519,000. Village C went up \$702,000. The Town went up \$2,000,000. Why did we have the expenses in that year? Why did we spend the \$300,000 that year that we saved \$300,000 from the Fire Department? First of all, the hospital-medical insurance increase that year for this Village was \$140,000 and the New York State Retirement System that year increase was \$161,000. There is the \$301,000 that we saved. Now, those by the way, are New York State mandated insurances, that is not a choice that this Village or the Town or anyone else has. The salary figures were pretty erroneous, also, because a big factor in salary is the amount of hours you work. Our people work more hours than the others. Our people work 35 hours. The other ones in the comparison work 30 and 32.5 hours. The job titles

were way out there. To compare a Clerk-Treasurer who is also a certified Chief Fiscal Officer to a Deputy Clerk is not a fair comparison. You compare them to a Village Administrator or another Village Clerk. The Village Administrator in Village A had a salary of \$92,900. Our Village Clerk's salary was \$91,500 and he added that in Village A they work 30 hours a week, not 35. Five hours a week times 52 weeks, 260 hours, that is a lot of hours. Village B, with a 30 hour week, their salary was \$82,000. If you figure in the extra hours, we are still below. Village C, the Village Administrator made \$137,200 as compared to our \$91,500. As far as the Town, the Town Clerk does not encompass the same duties that the Village Chief Financial Fiscal Officer-Clerk Treasurer does. You have a Town Clerk at \$72,000, yes, but you have a Town Comptroller which is the Chief Fiscal Operator at \$98,000 and Town General Services at \$98,000 - that's \$268,000. He said that all he was trying to say here is that when you pull something out of a budget, you can't take one line and run with it. The commentator was even wrong on his own taxes. He said his taxes went up. His taxes went down \$1,200 last year. Mayor Strebel said he had to look it up. His Village taxes went down \$219 and the Town was either \$1,000 or \$1,200. He asked where all of the money went, even though we spent it. He said how about ten miles of roads, hundreds of recharge basins, over a thousand feet of bulk heading, a new parking lot, new DPW building, new Village Hall, new DPW trucks, police cars, we could go on and on and on. The money also went for general maintenance, things that weren't done. He said he stands by his and his Board's record. He felt they did very good. The average tax rate increase in this Village from 1999 to today is 3.8% and we beat every one of them. He just wanted to straighten out the facts, because the worse thing than no information is misinformation, and that was misinformation.

Angelo de la Fuente, Riverhead Road, said he had just listened to what the Mayor had to say regarding the statements Mr. de la Fuente had made at the last meeting. He said he had taken all of the information from the budgets of the places he told you, so he stands for what he says.

Mayor Strebel responded that he obviously had read them wrong. He said the Mr. de la Fuente was wrong with his own taxes, so he was not going to give him credit for what he said about the Town and Village budgets.

Mr. de la Fuente said he pays his taxes, so he knows how much he pays.

Mayor Strebel said that the Village sends the bill and we know what we billed him for. He said if Mr. de la Fuente wanted to pay more.....

Mr. de la Fuente said he wanted to respond regarding the so-called illegal apartment that you people jumped into. He said the Village knew that it was never an illegal apartment, it

was never used. There was a bed there, no more cooking facilities and the bed has been removed. Nobody has been living there and no rent has been collected ever from that place. So, that is over. As far as the illegal apartment, it never existed or exists now.

Mayor Strebel said that last month it was Mr. de la Fuente that had said it existed, not him.

Mr. de la Fuente said he did not say that.

Mayor Strebel responded that Mr. de la Fuente had said at the last meeting that there was a bed up there and he had someone just sleeping up there.

Mr. de la Fuente asked if the Mayor had somebody sleeping in his garage, would that make it an illegal apartment.

Mayor Strebel said it probably would if he had someone sleeping there regularly. He said that as long as Mr. de la Fuente had corrected the situation, it didn't really matter.

Mr. de la Fuente said he also wanted to respond to when the Mayor brought up last month that Mr. de la Fuente had come to see him to ask a favor regarding the Fire Inspector. He said he stands by his statement that he never went to the Mayor to ask him for that. He said he went to have a meeting with the Mayor about something else, so he stands by that.

He wanted to ask the Mayor a couple of questions. He asked what he was going to do to keep the budget and the taxes down. He also asked what the policies were for the Village in hiring people that are not required to be Civil Service. Say you have an opening, and it

is not required to be Civil Service, how do you hire these people. Do you hire them by advertising in the newspaper. He said he was speaking in general.

Mayor Strebel said he would let the Village Clerk answer that. He said he did not personally hire the people.

Mrs. McGinnis explained that in general everybody except appointed officials and part-timers are Civil Service. We have to call up a list and we have to canvass the list. The only other position, part-timers, aren't Civil Service and part-time seasonal people who are employed with the Village less than six months, they don't have to be.

Mr. de la Fuente said he had an example, in the Highway Department, the gentleman who was hired by the Village, he believed that he is related to the Mayor somehow, by marriage or something. He said he had heard that and he is asking the Mayor about it. He wanted to know if that position had been advertised and if it was open to the public.

Mrs. McGinnis said that position was advertised in Newsday. That position is not Civil Service. There is no list for Superintendent of Public Works. It is an appointed public official, but we did put an ad in Newsday.

Mr. de la Fuente asked if people answered that ad.

Mrs. McGinnis said there were some people, yes.

Mayor Strebel said they also went through Civil Service.

Mr. de la Fuente said another example was that Mrs. McGinnis' son was working for the Building Department. He asked if that position was advertised to the public for someone else to apply for the job.

Mrs. McGinnis said she didn't remember because it was about two and a half years ago. He only works part time and part time is hard to fill.

Mr. de la Fuente said what is happening is you advertise the jobs, people come in and you decide who you want to hire, right.

Mrs. McGinnis said that most of the jobs are Civil Service titles where you have to call up a Civil Service list and you are not advertising for the public because you are canvassing the

list. That is for most of the jobs, except that Highway Department laborers aren't, so we can put in an ad. The same is true for custodian, Justice Court Clerk was part-time - if it was a full-time position you would have to be hired off the list, so that was advertised.

Mayor Strebel answered Mr. de la Fuente's earlier question about the budget and taxes by saying that he was planning to do what he had done for eight years, keep them down lower than any other Town or Village around here on the eastern end. 3.8% tax rate - he said he couldn't do better than that. Collective bargaining units in this Village and in other Towns and Villages, a 3 ½ % salary increase is normal. Cost of living - he said he has no idea what is going to happen this year with the oil prices to heat this building and to heat the Police Department and the Building Department, but we've had a very good track record and he feels they will persist.

Mr. de la Fuente asked if the Mayor expected the taxes to stay the same, increase or decrease.

Mayor Strebel said that from what he sees, he does not expect a big tax increase. Everything that we were doing and going to do is already in the budget.

Melissa Bishop, 38 South Road #A, said she had just a couple of general questions because she is not following everything in great detail. She asked about the sale of surplus vehicles and equipment that they just authorized. She was interested in knowing if there was anything she might want to bid on. She asked if she could have a copy of what they were.

Mrs. McGinnis said it has to be advertised in the newspaper. This was just the Board authorizing her to put the notice in the paper.

Mayor Strebel said it was a drum roller and a bucket truck and a pick-up truck. He said she probably wouldn't be interested, unless she wanted to use the bucket truck to put up Christmas lights.

Ms. Bishop said she noticed that we were authorizing Michael Walsh as a part-time Police Officer. Just to refresh her memory, she asked how many police officers there were in the Village.

Mrs. McGinnis corrected her by saying that this was a part-time seasonal officer. Every year in May we hire part-timers which assist us in the summer. We use them also for special events in the Village. She wanted to clarify the situation with this young man. He was hired in May as a Traffic Control Officer. He had gone to the Police Academy. We had sponsored him to go, which doesn't have any cost and doesn't mean we are hiring. It just gives us additional people that are trained and certified by the County. His certifications weren't complete in May so we hired him still as a Traffic Control Officer and when his certification process was complete, which actually happened in August, he then began working as a part-time police officer. That is why it is really a retroactive issue.

Ms. Bishop thanked Mrs. McGinnis and asked how many police officers the Village has.

Mrs. McGinnis said there were six part-timers. She said that during the rest of the year after the summer season, the Village uses them mainly for special events. The Village has a lot of public events that go on all year now thanks to our Chamber of Commerce. She said there are sixteen officers including the Chief of Police.

Ms. Bishop said that she feels very well protected. She also asked what the projected completion date for the new Village Hall was, since she lives around the corner from it.

Mayor Strebel responded that they were hoping to move in by April of 2006 if things work out the way they are planned. The exterior work outside of plantings should be finished in the month of November and everything that is left in the fall will be interior. He said he had been told by the construction management company that we should be in by April. The Mayor said he had wanted him to come to this meeting and talk about it, but he had

another meeting. He said he would try and have him at another meeting to answer questions.

Ms. Bishop asked if that was the original projected completion date.

Mayor Strebel said he thought that the construction manager would not commit himself in the beginning to that, because they did not know how bad the winters were going to be. He said he thought the original time was actually ahead of that, but please don't hold him to that. He remembered asking him that and he had said "Mayor, I don't control the snow." We kind of lucked out with last winter, we moved ahead because we were able to pour concrete and things that quite possibly we couldn't have done. It is ahead of schedule.

Ms. Bishop asked about the housing issues in general with the Village and the Town. She wanted to know if there was a possibility of the Village working in conjunction with the Town's housing authority and the various mechanisms that are being set up in the Town now. She said the Town was working very hard. She asked if there was a possibility of some dovetailing of the Village's efforts along with the Town's efforts. She said she did not know the legal ramifications of that.

Mr. Haefeli said they would have to enter into a municipal agreement with them. He did not think that the Village is that far along.

Ms. Bishop said she thought the Town was proceeding according to what was said in the newspaper.

Mr. Haefeli said that in order for the Village to proceed in the area we are talking about, it is in the worst classification as far as a Health Department point of view. Under the Health Department regulations without water and sewer you have to have an acre piece of

property to build on. So, the only way you are going to get a density that would permit any kind of workforce housing, is if you were capable of putting sewers in. He said the Village is not even close to that. If the Village Board wanted to go down there and everything was in order you could enter into a municipal agreement.

Ms. Bishop said she is in favor of government entities acting in cooperation whenever possible and since she lives in the Village and the Town and there is a lot going on, she just thought she would ask that question.

Mayor Strebel said we've always had a good working relationship with the Town. There is no reason that if it would benefit us that we wouldn't do it.

Ms. Bishop said she was just thinking of the overall dire need for workforce housing.

Mayor Strebel said that it seems that the larger the municipality, the more the bureaucracy.

Elyse Richman, 78 Rogers Avenue, said that last week they had a meeting at Gabreski Airport for the leasing committee and she was wondering why no one was there from the Village to represent Westhampton Beach.

Mayor Strebel said that to be honest with her, they were notified of the meeting late and he normally had one representative from the Village there and he didn't honestly know what happened - he thought he had another meeting. He said that the Village was pretty much apprised of what happened, that nothing happened at that meeting.

Ms. Richman said that it was a very heated meeting.

Mayor Strebel said that heated meetings don't mean anything happens. He said that the most important meeting that they had, he was at that meeting. The County Executive Steve Levy was there, the Mayor of Quogue was there and the Chamber of Commerce President was there. At that meeting they decided that we would have an advisory board.

Ms. Richman said that meeting was tonight at 7 pm in Quogue.

Mayor Strebel said we have a representative there. He said that usually at the screening committee meeting we have a representative there. He said that he used to go himself and then he asked one of the employees in the Village to go.

Ms. Richman felt that if the Mayor couldn't go, someone should be appointed to go there because it is very important. The Village is doing the sewer treatment plant and are involved with the airport, you should be involved with every aspect of the development.

Mayor Strebel said that was a good point, but we don't have a vote in it.

Ms. Richman said she thought it still affects our Village the most.

Trustee Laube said he couldn't make the meeting. He had to work, but he did have three different people there that would report back to him and let him know what was going on. One of them was Jim Morgo, the Director of Economic Development. Another one was Tim Motz, a good friend of his - he is running for office right now, and another person that chairs the meeting.

Ms. Richman said you can also get the minutes.

Mayor Strebel said that Trustee Laube did tell him what went on and those people were not direct representatives of the Village of Westhampton Beach, but they are very responsible people.

Ms. Richman said that it is important. She also asked about the land in Quogue that the Village owns. She wanted to know if there were any plans for that land, if there were any plans to sell the land or develop the land.

Mayor Strebel responded that there was a gentleman that had approached the Village, and himself, about donating \$2,000,000 for a recreational facility. The facility that we would want to build would be kind of a copy of the one that is in East Hampton, it has a couple of swimming pools. He said the best way he could describe it is that it is good for people from six years old to ninety six years old, because he did visit it. He thought it was a wonderful opportunity for the Village to finally get something, we don't get a whole lot west of the canal happening out here. At that time he and the present Board thought that their contribution could be the Department of Public Works property to get this thing rolling. He said that they had received eight acres of property at Gabreski so that the Village could move the DPW facility to Gabreski. It was a good move. Gabreski has a 24 hour security situation going on over there, the Sheriff is there all the time. The property is better located.

Ms. Richman said that it is secure, but asked if the Mayor was aware that when you drive up to the Highway Department you can practically go onto the runway. When you drive up, there is no security to go left. There is no fence there.

Mayor Strebel said he wasn't in charge of security, but the Suffolk County Sheriff's Office is. He said he didn't think anyone would try doing that. They might find out the security is there and you just don't see them. He said to make a long story short, what the Village would do is to donate that property. He has had the Little League people call him and different people, the kids don't really have any place to go. We should have Little League fields.

Ms. Richman said there were no plans in the works.

Mayor Strebel said yes, there were plans in the works. He was meeting with this man.

Ms. Richman asked if it would be privatized.

Mayor Strebel said it would not be privatized.

Mr. Haefeli said the Village would set up a not-for-profit corporation that would lease the property from what at that point would be the Town. The overall operation would be by a not-for-profit entity leasing the land or the fully constructed thing from the Town and they would operate it. The Village or Town wouldn't operate it. There is a comparable arrangement out at North Sea with the facility out there. A not-for-profit agency actually runs it on behalf of the Town. That was the same idea that would be done here.

Mayor Strebel said that if we could get the \$2,000,000 from the benefactor, the Town would give us a million and three quarters for the land.

Ms. Richman asked is there was a time line with this man.

Mayor Strebel responded that this gentleman was giving it and Mayor Strebel was not pressuring him. He said he was trying to resolve something before the first of the year. Whether he can or not, he did not know.

Ms. Richman said this has been going on for a couple of years.

Mayor Strebel said it has been and he is doing what he can do. There is not a line of people with two million bucks willing to give it to our kids to use. He said he thinks it warrants seeing it through and that is what he is doing. He said he met with him again two weeks ago and he thought the questions he had were finalized.

Ms. Richman asked if he chose to remain anonymous.

Mayor Strebel said he chooses to remain anonymous until he actually donates the money.

Joan Levan, 17 Oneck Road, asked if it was possible to have these meetings scheduled at the same time every single month instead of an every other month situation. She said you have to keep a calendar this month it's in the morning and then it's at night.

Mayor Strebel responded that every other month we change. We could make them all in the morning again and it would suit him fine.

Ms. Levan said she would love to have them all at night.

Mayor Strebel said he would love to have them in the morning. He said they had tried the meetings on Friday nights, Monday nights, we've tried just about every night in the week. We've had them at 7 pm. We had as much attendance at the 10 am meeting as we have at this meeting. If you want to come to a meeting, we're here. The time to change the meetings permanently is in July. He said the Town alternates, a lot of other municipalities alternate. He said he finds that it works better in the mornings. However, when we have them in the evenings, we have them in the evenings. So, we alternate. He said he didn't think it was that hard to remember that you were there at night last month, then this month's meeting will be in the morning.

Ms. Levan said she just felt it was a little unwieldy. There should be a set schedule.

Mayor Strebel said there is a set schedule. It was adopted in July. He said he would get her a copy and when she gets home she could stick it on the refrigerator.

Dean Speir, 256 East Main Street, said it was also on the Village's website.

Jean Sweibish, 114 Potunk Lane, said she was just curious regarding the agenda for tonight's meeting where it says "Accept Bid for Annual Sidewalk and Concrete Curb Contract".

Mrs. McGinnis explained that they used the word "Annual" because that was the way the specs were bid, as an annual. In other words, it wasn't one or two projects at a set price.

Our Superintendent of Highways looked at the way the County does their annual contracts. We do annual contracts for asphalt every year practically, or every couple of years. This bid was a bid package that had various items and the bidders had to give costs for providing those items and he is again picking and choosing. It does not say that we're hiring every bidder to do every part of the job. He has a budget of what he is going to do for sidewalks and that's what the bidding reflects. She said these prices would be good for a year.

Mayor Strebel said they had separated the contract. If there was somebody that was less money on sidewalks, he got the low bid on sidewalks. If he had a higher bid on curbing, we took the lower bid. So, just like they are building the Village Hall, instead of one contractor getting the whole job, we broke it down so that we could get the best price.

Ms. Sweibish asked if this was related to the \$850,000 bond.

Mayor Strebel said yes, this is the \$850,000 bond. It is a lot of work. Instead of saying, take me I'm easy, what we did was we want to know how much the asphalt is going to cost, how much the curbing is going to cost, it is quite an intricately, complicated bid.

Ms. Sweibish asked where the Village was going to start with this bond work, what would happen first.

Mayor Strebel said he could not really answer what road they were going to start on. He was not 100% sure.

Ms. Sweibish wanted to know if they were going to do repairs first or actual sidewalks. She also wanted to know if there was any game plan as yet regarding those roads where people were asking for sidewalks.

Mayor Strebel said he thought they were going to do the repairs and new sidewalks simultaneously. He said they were not going to do all new sidewalks and then repairs. He believed they would be done simultaneously. He said that the new sidewalks would be on South Country Road. They are going to continue Beach Lane. He said there is a little stretch of Beach Lane that never was sidewalked. They are going to do that short piece

and then you will be able to walk from Main Street to Rogers Beach on a sidewalk. He believed they were going to do Oak Street, South Road, Depot Road, Potunk going around to Jessup.

Mrs. McGinnis added that those had all had surveying work done.

Ms. Sweibish asked if the Mayor knew what order they would be done in.

Mayor Strebel answered no, they really don't. He said they were leaving that up to the Superintendent of Highways so that they can think about weather-wise, what we can do. We don't want to start something in the winter that you can't finish. So that is going to be taken into consideration - traffic scheduling and things of that nature.

Ms. Sweibish said the only one she is really curious about is Depot Road because Depot is half Village and half Town of Southampton. She wanted to know if there was any way the Village could get the Town to help.

Mayor Strebel said he had been thinking about going after Mr. Masterson. Actually, the Town paved the road for free. They didn't hit us up for our half, so it's not like the Town doesn't do anything. He said he hadn't approached the Town about that yet. He said it was a possibility.

Trustee Kametler said it was a good idea.

Mayor Strebel said it was worth pursuing.

Mayor Strebel asked if anyone else would like to address the Board. There being no further response, Trustee Teller made a motion at 7:15 p.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