

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, August 3, 2006 at 7 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach**

**PRESENT:** Mayor Conrad Teller  
Deputy Mayor James Kametler  
Trustee Ora Belle "Ridgie" Barnett  
Trustee Toni-Jo Birk  
Trustee Joan Levan

**Clerk Treasurer Kathleen McGinnis  
Village Attorney Hermon Bishop**

---

Mayor Teller opened the meeting at 7 p.m. with the Pledge of Allegiance. Mayor Teller thanked Olivia Casriel and the Dune Road Association for the flag pole that is in front of the new Village Hall. He said they had donated the flag pole and the Village now has the American flag flying.

---

**PRESENTATION – KURT HOFMANN**

Mayor Teller presented a plaque to Kurt Hofmann, former Chairman of the Planning Board, on behalf of the Village and the current Board and thanked him for fifteen years of wonderful service to the Village.

Mr. Hofmann responded that it had been an honor and a privilege to work as a Planning Board Chairman and being on the Planning Board all of these years. He said it had been a delight. He said everyone knew his replacement, Vic Levy, and said he is a true Village resident and had been on every Board there is in this Village, is an outstanding individual and he was sure he would do an outstanding job. Mr. Hofmann said that over the course of his tenure they had processed hundreds upon hundreds of applications, some very minor and simple and others very technical and difficult. He said it would not have happened without the support of certain individuals. He wanted to recognize those individuals. First and foremost, the Building Inspector Paul Houlihan, he is outstanding. He said that ever since Mr. Houlihan had come on this job, he had come to every work session, every meeting. He doesn't have to do that, but he does it and Mr. Houlihan offers a tremendous amount of advice to us and technical support and it is truly appreciated. He said that Linda Stanton is the administrator and secretary for all the Boards, not just the Planning Board, but also the Zoning Board of Appeals and the Architectural Review Board. He said he had interviewed Linda ten years ago and was proud to say that she has worked out very nicely, she is a wonderful person, very dedicated and has also done an outstanding job. Another individual he wanted to recognize was Ron Hill from Dunn Engineering. He said that without Ron Hill and his technical support, at many times we would have been at a loss. He said that Ron had helped them tremendously. Lastly, he wanted to recognize Village Attorney Richard Haefeli. He said he had helped the Planning Board a lot. They appreciate all of his recommendations, Mr. Haefeli has kept them out of trouble and has been very good. Mr. Hofmann then thanked everyone.

---

**Public Hearing:**

**Local Law 5/2006 to amend code Re: SH Town Contractor's License**

Mayor Teller opened the public hearing and asked if anyone would like to address the Board.

Village Attorney Hermon Bishop explained that this was a Local Law to amend and add Chapter 75 to the Village Code entitled "Home Improvement Contractors". He said that basically the purpose of this law is to protect homeowners. It requires all home improvement contractors to obtain a license with Southampton Town. It also requires insurance and the names and addresses of the principals of any contracting business. He

said if the homeowners have a problem with a home improvement contractor, they can file a grievance. It goes before a licensing review board and that board can either suspend or

revoke the license if the contractor is found guilty of fraud, failure to perform under the contract, failure to comply with the demand of the licensing board or if there is a willful disregard of the state building and fire code. He said this law has been passed by Sag Harbor and Quogue.

Dennis Yuen, Director of the Chamber of Commerce, asked if the Trustees were just adopting the Southampton Town Law.

Mr. Bishop said that was correct.

Paul Houlihan, Village Building Inspector, said he definitely endorsed the home improvement contractor's licensing. He said it protects the Village residents, that is what it is all about. It insures that if someone comes in without a license, then the Village can chase them out of the Village until they get one. If they are licensed, it insures that if they do something that is incorrect, if they do shoddy work or if they take advantage of someone, after a duly held hearing they can take their license away from them and we can make sure that type of contractor does not do work in the Village. He felt it was a great asset to the residents of the Village and he thanked the Board for putting it forward.

Deputy Mayor Kametler added that for the homeowners that are looking to have people work, they can check the vehicle they show up in. There will be a permit stuck in the left side of the window telling you, if you want to check, if they do have a valid permit from Southampton Town.

Dean Speir, 256 Main Street, asked if this mechanism was administered through the Town.

Mr. Bishop responded that this was correct.

Mr. Yuen asked if landscapers were covered under the same law.

Mr. Bishop said that landscapers were exempt under the law.

Mayor Teller said they were exempt except for major wall construction or if they put up a large fence or anything like that. He said for the normal grass cutting and planting of bushes, they were exempt.

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

Motion by Trustee Barnett:

WHEREAS, this Board has advertised a local law amending Chapter 75 of the Village Code, entitled "HOME IMPROVEMENT CONTRACTORS," and

WHEREAS, a public hearing was held on August 3, 2006, and

WHEREAS, this Board has resolved that it is 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 Section 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 5/2006 as advertised and attached.

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

---

**Regular Meeting:**

---

**Accept minutes of Board of Trustees Meetings**

Motion by Trustee Birk:

RESOLVED, that the minutes of the Trustee Meetings of June 1, 2006 & July 3, 2006 and Special Meeting of July 19, 2006 are hereby accepted.

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

---

**Accept departmental reports**

Motion by Deputy Mayor Kametler:

RESOLVED, that the Treasurer's reports for May & June 2006, and the Police Department and Building Inspector's reports for July 2006 are hereby accepted.

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

---

**Authorize use of Great Lawn for WH Rotary Annual Flea Market**

Motion by Trustee Levan:

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 12, 2006 from 10 a.m. to 7 p.m. and Sunday, August 13, 2006 from 11 a.m. to 7 p.m.

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

---

**Authorize WHB Fire Dept. 75<sup>th</sup> Anniversary Parade & Celebration**

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby authorize the Westhampton Beach Fire Department to hold a 75<sup>th</sup> Anniversary Parade on Sunday, August 20<sup>th</sup> 2006 commencing at 11:00 a.m. at the WHB High School property, to follow the attached parade route, and terminating at the Fire House and adjacent Village parking lot for the Celebration party to 5 p.m.

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

**Authorize Mayor to sign the Town’s Contractor Licensing Agreement**

Motion by Trustee Birk:

RESOLVED, that the Mayor is hereby authorized to execute a cooperative agreement with the Town of Southampton to permit the Town to administer a Home Improvement Contractor Licensing program for the Village pursuant to Chapter 75 of the Village Code.

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

**Authorize Mayor to execute computer services contract with Town**

Motion by Deputy Mayor Kametler:

RESOLVED, that the Mayor is hereby authorized to execute a 2006 agreement with the Town of Southampton to utilize the Town’s computer system and property assessment records at a cost of \$12,225.00

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

**Authorize transfer of surplus office furniture to WH Fire District**

Motion by Trustee Levan:

RESOLVED, that the Board of Trustees hereby approve the transfer of a surplus office work station and Building Department office furniture to the Westhampton Beach Fire District for a \$2,500.00 credit applied to the May 2006 rent.

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

**Authorize Notice of Sale of Surplus vehicles**

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby declare the following Department of Public Works vehicles and equipment to be surplus or obsolete and authorize the disposal or public sale as recommended by the Supt. Of Public Works:

<b>Vehicle</b>	<b>Disposition</b>
1989 Ford Flatbed	dispose
1980 Ford Salt truck	dispose
1975 Chevrolet Van	dispose
1985 GMC Bucket Truck	public sale – E-Bay
1987 X mark mower	public sale (notice SH Press)
2003 Grant Vac mower	public sale (notice SH Press)

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

**Authorize change order to Village Hall carpet contract**

Motion by Trustee Birk:

RESOLVED, that the Board of Trustees hereby approve change order #2 for the Sybelle Carpet Corp. Village Hall carpeting contract #9.300 in the amount of \$1,777.00 for

carpeting of the raised platform for the Courtroom dais and supply of two additional cartons of carpet tile.

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

---

**Authorize change order to Village Hall electric contract**

Motion by Deputy Mayor Kametler:

RESOLVED, that the Board of Trustees hereby approve change orders #1 through 7 of the Core Electric Inc. contract for the Village Hall electric installation #16.200 in the amount of \$6,224.93 for additional work required during the construction pursuant to the attached recommendation by Sandpebble Builders.

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

---

**Authorize change order to Village Hall Landscaping contract**

Motion by Trustee Levan:

RESOLVED, that the Board of Trustees hereby amend the Village Hall Landscaping contract with Gatz Landscaping, Inc. in the amount of \$12,056.00 for change orders #1-7.

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

---

**Authorize refund of duplicate tax payments**

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby approves the refund of duplicate tax payments totaling \$24,154.25 to the payees identified on the attached list.

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

---

**Authorize refund of boat slip rental fee**

Motion by Trustee Birk:

RESOLVED, that the Board of Trustees hereby approves the refund of the seasonal boat slip rental fee in the amount of \$1,215.00 to Steven Steinberg.

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

---

**Appoint seasonal lifeguard**

Motion by Deputy Mayor Kametler:

RESOLVED, that Edward T. Otis is hereby appointed as a certified lifeguard to be paid at the rate of \$12.00 per hour effective July 3, 2006.

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

**Amend outdoor music permit – Shock Ice Cream**

Motion by Trustee Levan:

RESOLVED, that the Board of Trustees Determination dated July 3, 2006 pursuant to the Outdoor Music application submitted by Elyse Richman for the ice cream store located at 99A Main Street is hereby amended to permit live music on Friday and Saturday evenings between the hours of 7:00 pm and 11:00 pm during the 2006 summer season.

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

---

**Appoint Village Planner**

Motion by Trustee Barnett:

RESOLVED, that Kyle P. Collins of KPC Planning is hereby appointed as the Village Planner to provide consulting services on an as needed basis to the Board of Trustees, Planning Board, Zoning Board of Appeals, and Architectural Review Board and to be compensated at the rate of \$150.00 per hour.

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

---

**Approve refund of 2005/2006 real property tax payment**

Motion by Trustee Birk:

WHEREAS, Tax Map #0905-15-4-51 was taken off the Southampton Town tax roll in 2004 because it is a common park area shared by the Homeowners Association, and

WHEREAS, due to a Southampton Town clerical error, said property was not taken off of the Village tax roll, now therefore be it

RESOLVED, that the Village of Westhampton Beach taxes for the 2005/2006 tax year are hereby cancelled and a refund is to be issued in the amount of \$2,035.44 payable to Daniel K. Weiskopf.

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

---

**Approve August 2006 warrant**

Motion by Deputy Mayor Kametler:

RESOLVED, that the warrant for August 2006 in the amount of \$539,464.71 for the General Fund and \$193,419.17 for the Capital Fund is hereby approved.

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

**Public Discussion**

Bill Bennett, 7 Parlato Place, said he wanted to talk about Moniebogue Canal again. He had pictures that he showed the Mayor and Trustees. He said it was raining one day and the new filter catch basins that the Village put in are not working. He said there was half an inch of rain the morning he took the pictures. He said the problem with that system of catch basins is they need top maintenance, every time it rains they have to be cleaned and if it doesn't rain they have to be cleaned anyway, because they just pick up dirt from any

type of moisture going in there. He said they pick up coffee cups, soda cans, everything that is loose in the parking lot. He said this particular place is where we should collect the first quarter of an inch of rain that falls in that parking lot. We should put it back in the ground and then let the excess go. If you have two inches of rain and someone comes around there in the wintertime when it is thawing, and it is not going to be working, it is going to be a solid sheet of ice around those corners. He said he is concerned because we know that 95% of the problem in Moniebogue Canal is non-point pollution, it comes from run-off from the storm drain up at the south end and what comes off the parking lot. It is a big drainage area and it all comes down from Moniebogue, that whole piece on the west side drains down there, too. He said the Village had put French drains in on Dune Road and it really took care of the problem on Dune Road. He felt if the Village put a French drain in along that canal and collected the first quarter of an inch of rain that comes off that parking lot, it would eliminate 90% of what is going in there now. Not only that, but the water would relieve itself from the parking lot right away and you would not have excess water in the parking lot. He felt it would really benefit the whole structure there of the water going back out into Moniebogue Bay if you could gather more of that water up above on the upland in catch basins, just to get the first quarter of an inch of heavy rain and then you can let the rest go down the pipe. He said the Town of Southampton has spent four million dollars in the past eight years putting in catch basins wherever it runs directly into the bays and 50% of the bays that were closed are open now for shellfishing.

Deputy Mayor Kametler asked where he would suggest putting this French drain in the back of that parking lot.

Mr. Bennett responded that you could run it right behind the curb, all you need is two or three feet along there, rock would go along there and then use your tube that is there draining it now and let that take the overflow through the bulkhead.

Trustee Levan asked what a French drain is.

Mr. Bennett said they dig a trench about three feet deep and put stone in it, they put a liner in the bottom and they put stone. He said Quogue Village did all of Dune Road with French drains and they don't have a water problem on Dune Road anymore, either. He said then they top it off with crushed rock and the water will drain in there and it will take a terrific amount of volume and all we are interested in is a quarter to a third of an inch. He said it is like when you wash your car, it is the first two or three minutes, you want to get, and this would do it.

A member of the audience asked if he was talking about where the new bulkhead has been put in at the Moniebogue Canal.

Mr. Bennett said yes.

The same audience member said that at the end of Seafield Point, Seafield Lane where it turns into Seafield Point, a French drain has been put in. He said it doesn't work, but the problem is not with the drain, the problem is that the water table is too high.

Deputy Mayor Kametler said it floods out down there all the time.

Mr. Bennett said it also depends on where the tide is when it is raining. If the tide is low when it is raining, this thing is going to work fine. If the tide is exceptionally high, you are

going to have less capacity for the drainage to go into, but that is the surest method of getting that water off that parking lot. He said you don't want the water staying in the parking field in the south municipal parking field, because it would be very hazardous in the winter time the way it is there now, because that thing just isn't working.

---

Olivia Casriel, 106 Dune Road, thanked the Mayor and Board for having these Village Board meetings on Thursday night. She said it was very, very helpful to her since she had just come in from New York City. Secondly, she thanked the Board for putting a police patrol boat back in the canal. She felt they certainly needed one. She said the reason she was here is the issue of noise pollution coming from weekend construction. She said being

awakened early in the morning from extremely loud banging is stress producing and caused conditions that are really unlivable. She said the Executive Board of the Greater Westhampton Dune Road Civic Association strongly recommends that the Village stop weekend construction, particularly between Memorial Day and Labor Day.

Mayor Teller said that he understands and the Board is working on this.

---

Dean Speir, 256 Main Street, spoke regarding the deer population in the Village. He felt that sooner or later the Village was going to have to "reckon" with the impact of the deer within the Incorporated Village. He said there was going to be a motor vehicle accident of a serious nature one of these days, because the deer were everywhere. He said they were just unbelievable. He said the other thing was what they have done to the gardens that they have managed to put together on his property and to Mr. Bennett's watermelons. He also said he understood that the Village was losing the Village's oldest employee, Ira Marcus, on Labor Day down at the Yacht Basin. He wanted to know if any plans had been made at this point to break someone in for Ira's last month so they get some sort of on-the-job training while Ira is still around, on the job.

Mayor Teller said yes, definitely they had.

---

Mayor Teller asked if anyone else would like to address the Board. There being no further response, Deputy Mayor Kametler made a motion at 7:30 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