

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, January 5, 2006 at 10 a.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 called the meeting to order with the Pledge of Allegiance and then wished everyone a happy and healthy new year. He said he felt that today's program is very befitting of this first meeting of the year. He said they were going to honor one of the Village residents for his courage in helping to save another's life and there are awards for Village residents and businesses for helping the Village to look as festive as it did during the holidays. He said on that tone he would like to thank the Department of Public Works. Between raking leaves and plowing snow, they found the time to decorate the Village and get us going. He said that today he would also like to induct two new police officers and give several well deserved promotions to our men in blue. He felt it was appropriate at this time to thank the men in our Police Department. He said that we enjoy a high standard of living in Westhampton Beach. We owe much of that to our policemen and we take their protection of our Village for granted. He added that the Village is very proud of our Police Department and they do a good job.

Presentation – Certificate of Merit

Mayor Strebel asked Michael Schermeyer to come up. He read the attached proclamation describing Mr. Schermeyer's heroic rescue of a surfer in distress.

Presentation – Christmas Decoration Awards

Mayor Strebel asked Trustee Barnett to help present the Christmas Lighting prizes. He said that Trustee Barnett is an intricate part of the Christmas decorations and an intricate part of this program.

Trustee Barnett commented that the Christmas decorations this year were very nice. She said that both the residential and the commercial decorations were in such good taste. She said there were also many people who decorated their places for the day time, they did not have lights, but they were very lovely.

Mayor Strebel and Trustee Barnett presented plaques to the attached list of residences and businesses and thanked them for their efforts.

Regular Meeting:

Accept minutes of Board of Trustees Meeting

Motion by Trustee Teller:

RESOLVED, that the minutes of the Board of Trustees regular meeting of November 3, 2005 are hereby accepted.

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

Accept departmental reports

Motion by Trustee Teller:

RESOLVED, that the Treasurer's report for November 2005, Police Department and Building Inspector's reports for December 2005 are hereby accepted.

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

Appoint Village Police Officers

Motion by Trustee Teller:

RESOLVED, that Kenneth J. Bigora and Joseph E. Pesapane are hereby appointed as probationary Police Officers from list #03-5002-001 in accordance with the rules and regulations of the Suffolk County Civil Service Department at a bi-weekly salary of \$1,606.30 effective immediately.

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

Mayor Strebel congratulated newly appointed Police Officers Bigora and Pesapane and they were then sworn in by Village Clerk Kathleen McGinnis, who also congratulated them.

Appoint Police Detective

Motion by Trustee Laube:

RESOLVED, that Stephen Cunneen is hereby appointed as a provisional Police Detective in accordance with the rules and regulations of the Suffolk County Civil Service Department at a bi-weekly salary of \$3,672.72 effective immediately.

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

Mayor Strebel congratulated Detective Cunneen and he was then sworn in by Village Clerk Kathleen McGinnis, who also congratulated him.

Appoint Village Police Sergeants

Motion by Trustee Barnett:

RESOLVED, that Kerry Laube and Thomas Hubbard are hereby appointed as probationary Police Sergeants from list #05-5007-239 in accordance with the rules and regulations of the Suffolk County Civil Service Department at a bi-weekly salary of \$3,897.89 effective immediately.

Seconded by Trustee Kametler and approved. 3 Aye, 0 Nay, Trustee Laube abstained

Mayor Strebel congratulated newly appointed Police Sergeants Laube and Hubbard and they were then sworn in by Village Clerk Kathleen McGinnis, who also congratulated them.

Appoint Village Police Lieutenant

Motion by Trustee Kametler:

RESOLVED, that the position of Lieutenant in the Police Department is hereby established and Trevor Gonce is appointed as a provisional Police Lieutenant in accordance with the rules and regulations of the Suffolk County Civil Service Department effective immediately at a bi-weekly salary of \$4,205.33.

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

Mayor Strebel congratulated Lieutenant Gonce and he was then sworn in by Village Clerk Kathleen McGinnis, who also congratulated him.

Approve real property tax exemptions

Motion by Trustee Kametler:

RESOLVED, that the Board of Trustees acting in the capacity as the Board of Assessors hereby approve the attached list of taxpayers to receive aged exemptions, disability exemption, veterans exemptions, clergy exemptions and volunteer ambulance workers/firefighters exemptions for the 2006/07 tax year as indicated: (see attached list)

Seconded by Trustee Barnett and approved. 3 Aye, 0 Nay, Trustee Teller abstained

Schedule Grievance Day – Tuesday, February 21, 2006, 1 p.m. – 5 p.m.

Motion by Trustee Laube:

RESOLVED, that the Board of Assessors will meet for the hearing of the complaints on the 2006-2007 assessment roll on Grievance Day, Tuesday, February 21, 2006 between the hours of 1:00 pm and 5:00 pm at the Village Hall, 92 Sunset Avenue, Westhampton Beach.

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

Schedule Village Tax Lien Sale - March 14, 2006 @ 10:30 a.m.

Motion by Trustee Barnett:

WHEREAS, from the accounts of unpaid taxes heretofore returned by the Treasurer of the Village of Westhampton Beach, New York, to this Board for the year 2006 or years 2005-06 both inclusive, the following taxes still remain due and unpaid after due notice and demand on each of the property owners for the payment of said taxes, to wit:
(see attached copy of unpaid taxes)

WHEREAS, no action has been commenced to recover said unpaid taxes and no sale, on account of said unpaid taxes, has heretofore been held pursuant to law and therefore let it be

RESOLVED, that such unpaid taxes shall be collected by the sale for taxes as provided in Section 1454 of the Real Property Tax Law of the State of New York; that a copy of this resolution, duly certified by the Clerk, shall be transmitted forthwith to the Treasurer of this Village with the account, affidavit and certificate of such unpaid taxes, and that the Village Treasurer, upon receiving such an account of unpaid taxes and a certified copy of this resolution is authorized and directed to cause to be published in the official newspaper of the Village once each week for three successive weeks a list of statement

of the real estate upon which such taxes are unpaid, as shown in the tax list, with the amount of the tax, a twenty-five dollar (\$25) advertising fee, interest and charges thereon and also a

notice that the said real estate will, on a day subsequent to the expiration of said three weeks, be determined by said Village Treasurer and specified in said notice, be sold at public auction at a place in said Village to be designated by said Village Treasurer, to discharge, the tax, twenty-five dollar (\$25) advertising fees, interest and charges aforesaid, which may be due thereon at the time of such sale, and that said Village Treasurer, at the time and place specified in said notice, proceed with the sale of said real estate upon which such taxes are unpaid, as above set forth, and continue at the same from day to day until the sale is completed.

BE IT FURTHER RESOLVED, that in all cases where no bid shall be made on a lot or parcel of land so offered for sale for amount sufficient to pay the said tax, fees, interest and charges, the said premise shall be deemed to have been sold to and purchased by the said Village of Westhampton Beach, New York.

RESOLVED, that all remaining unpaid taxes for the fiscal year 2005-06 shall be collected by Public Sale to be held on Tuesday, March 14, 2006, at 10:30 a.m. in the Office of the Village Clerk-Treasurer and such unpaid taxes be advertised in the Southampton Press issues dated February 23, March 2, and March 9, 2006, in accordance with the statutory law.

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

Schedule General Election – Friday, June 16, 2006, 12 noon – 9 p.m

Motion by Trustee Laube:

RESOLVED, that the General Village Election of the Village of Westhampton Beach, New York shall be held on Friday, June 16, 2006, at the new Village Hall located at 165 Mill Road, Westhampton Beach, New York, between the hours of 12 noon to 9 p.m. prevailing time, and that the offices to be filled are:

- Mayor one (1) for a term of two (2) years
- Trustees two (2) for a term of two (2) years

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

Accept Roebell Painting Co. bid for Village Hall - \$55,950.00

Motion by Trustee Barnett:

RESOLVED, that the Board of Trustees hereby accept the bid submitted by Roebell Painting Company in the amount of \$55,950.00 for the Village Hall painting contract #9.200.

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

Approve Village Hall plumbing contract change orders

Motion by Trustee Kametler:

RESOLVED, that the Board of Trustees hereby approve the following change orders for the Village Hall plumbing contract #15.200 as follows and amend the contract amount to \$196,323.00:

Change order #	amount
4	add \$8,460.00
5	deduct \$13,898.00

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

Approve Village Hall alarm contract change orders

Motion by Trustee Teller:

RESOLVED, that the Board of Trustees hereby approve change order #1 to deduct \$2,862.00 from the Village Hall fire alarm contract #16.350 with Richard Security, Inc.

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

Authorize Giaquinto & Co. to audit the 2005-06 financial statements

Motion by Trustee Laube:

RESOLVED, that Giaquinto & Company are hereby authorized to audit the Village's 2005-06 financial statements at a cost of \$12,750.00.

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

Authorize renewal of fire inspection services contract with Southampton

Motion by Trustee Barnett:

RESOLVED, that the Mayor is hereby authorized to execute a renewal of the Fire Inspection Services contract with the Town of Southampton for 2006.

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

Authorize STOP DWI Contract with Suffolk County - \$7,500.00 grant

Motion by Trustee Kametler:

RESOLVED, that the Mayor is hereby authorized to execute an agreement with the County of Suffolk to be eligible to receive grant funding in the amount of \$7,500.00 for participation by the Village Police Department in the 2006 STOP-DWI program.

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

Authorize tree pruning project

Motion by Trustee Teller:

RESOLVED, that the Board of Trustees hereby authorize the annual tree pruning by Fox IPM Corp. at a cost of \$6,475.00.

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

Authorize 2006 traffic signal maintenance contract

Motion by Trustee Laube:

RESOLVED, that the Board of Trustees hereby accept the proposal submitted by the Johnson Electrical Construction Corporation at a cost of \$500/month plus \$4 per bulb replaced during the bi-annual relamping and inspection.

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

Approve warrant for the month of January 2006

Motion by Trustee Barnett:

RESOLVED, that the warrant for the month of January 2006 in the amount of \$190,047.06 for the General Fund and \$249,419.34 for the Capital Fund is hereby approved.

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

Public Discussion

Mark Raynor, 35 Bridle Path, discussed several concerns he and over seventy families have over the Bridle Path development. He said that Mr. Tedaldi had plans before the Southampton Town Planning Board to develop a thirty-three lot subdivision off Adam Lane in the Village. He said there was also a proposed roadway that would connect Adam Lane and Bridle Path to Peters Lane. He said the residents are not completely against Mr. Tedaldi building the thirteen homes that would front the roads of Adam and Jeffrey Lane. They are, however, against the new road and the extra homes. He said there were several safety concerns regarding the additional traffic that would be using these roads. People walk on these roads every day, kids ride bikes and kids are playing in the neighborhood. He said the original development had the roadway designed to handle a certain amount of traffic, not an additional subdivision as evident with the islands that are in the roadway. He added that this property is on the Town's CPF list because it is such a sensitive area. Everything from this development will drain into Aspatuck Creek. This pond is home to many wildlife and Aspatuck Creek is a great Village asset that should not be destroyed. He asked the Board to send the Town Planning Board a letter on behalf of the Village residents that the Village is not in favor of this new subdivision. He also asked the Town Board to please open up talks again with Mr. Tedaldi to purchase this property for CPF and keep it open space. He said this was brought up a couple of years ago and Mr. Tedaldi did not go forward with it, so it is on the agenda again. He asked the Village Board for their support to help the residents out with this situation.

Trustee Kametler asked if this would be on the Southampton side of the line.

Mr. Raynor responded that it was, but that all of the traffic would have to enter and exit onto the Village roadway, so the Village will have the maintenance of it.

Trustee Barnett asked if Mr. Raynor knew where this property was on the Town's CPF list.

Mr. Raynor said it was on their list, but the property had to be appraised. He had talked to Councilwoman Kabot and when it is appraised, that is the amount they can pay for it. He thought there was a disagreement regarding the amount that would be accepted for the purchase. He said the residents had been before the Town Planning Board once and would be going back January 26th to show their concerns again.

Trustee Kametler asked if there were any way for them to put another roadway into that development other than Bridle Path.

Mr. Raynor responded that he was not an engineer. He did not know which way they would go unless they came off of Peters Lane.

Patricia DiBenedetto, 21 Adam Lane, said that when Jim Zizzi was building homes in the area in the early 80's he had asked permission for a cut-through from Bridle to Rogers for access to accommodate the traffic. She felt that should be taken into consideration when they are looking at the additional homes that Mr. Tedaldi is proposing that will impact Bridle, Jeffrey and Adam. She also felt they should take into consideration the number of children that we have in that area. They play in their front yards and ride their bikes in the streets and before long those 35 to 38 children will be driving. She said that will also impact the amount of traffic in the area.

Jean Sweibish, 114 Potunk Lane, asked in what order the sidewalks would be going in.

Mayor Strebel responded that they were trying to do the worst first and those that have suffered lawsuits.

Ms. Sweibish then asked why a sign had not been put up indicating where the new Village Hall was going up.

Mayor Strebel said they were getting ready to put the Village emblem on the building and they felt they could spend the money towards the emblem rather than the sign.

Ms. Sweibish asked why the Village had hired new police officers. She felt people would not be able to move into the area because of rising taxes. She felt the area had not grown or had the crime to support them. She wondered if the Village would have the money to fund the health insurance of all these police officers when they retire. She felt the Village was becoming a "Kingdom " and less like a little Village.

Mayor Strebel responded that the Village had decided to keep its police force eight years ago. Two studies had been done since then. These hirings and promotions were based on the recommendations of those studies. He said they have a proactive police force. They would rather deter the crime than wait for the crime. He said this was already in the current budget, as was the new Village Hall and the taxes would not go up as a result of these hirings anymore than the normal 4% or so that they have gone up since he had been Mayor.

Barbara Ramsay, 33 Sunset Avenue, remarked that she felt we live in "Paradise" and she is willing to pay whatever it takes to keep the police force out there working for us. She also felt the Village had grown a lot. When she first moved here ten or fifteen years ago, you rolled the streets up at the end of the summer. Now we are a full-time, year-round community and that would obviously mean we need more police on the job. She said she was willing to pay them whatever we need to pay them to keep them out there, because we are not a high-crime area, but if there ever is going to be crime or some lunatic out there with a gun, they will be the one who will take the bullet. She felt there was no amount of money you could put on that. She also had a suggestion regarding stop signs. She said that when the Town of Southampton re-did the intersection of Baycrest and South Road, they put in new stop signs. They have these wonderful, long, reflective strips on them that really jump out at you as being a stop sign. She said that maybe when they are replacing stop signs in our Village they might want to take a look at them.

Mayor Strebel thanked her for her suggestion and asked Chief Dean to look into it.

Elyse Richman, 78 Rogers Avenue, asked if there would be a bigger police presence on Main Street now that there are additional officers. She said there were a few burglaries

on Main Street. Also, there were kids who were skateboarding who had broken some windows and were damaging the sidewalks. She asked for more police patrols after school when the kids are out.

Trustee Barnett said there was a Village law that said there is no skateboarding from May through Labor Day.

Ms. Richman felt they should extend it.

Mayor Strebel responded that he would want public hearings before changing that. He explained that when you put the no skateboarding or bicycling out there, then we have an audience that comes in and says we are the "Land of No". He said if that is what the residents want, he would do it, but not without public hearings. He said there would be no problem with having the police patrol Main Street.

Beverly Brin, 86 Rogers Avenue, asked why the properties throughout the Village still had not had their leaves picked up. She also asked why the Suffolk Asphalt plant had not been closed down. She said there was black grit on her windowsills and deck furniture from the asphalt plant.

Mr. Haefeli answered that in July the Zoning Board of Appeals rendered a decision indicating that the amortization five year period had expired. The asphalt plant has appealed that decision to the New York State Supreme Court. The Village has an existing case where the Village has requested it be shut down for other reasons. Both of these cases have now been sent to one Judge. We are in court and now have to submit legal arguments as to why the asphalt plant should be shut down. He said the Village in and of itself cannot shut it down. It is an existing business and the only way you can shut it down is to get an order from the Supreme Court.

Joe Benedetto, Highway Superintendent, explained that the Department of Public Works had been working their way through the Village since November for their first trip picking up leaves. He said they will make another trip through the Village to make sure they have all of the leaves picked up.

Mayor Strebel said the Board decided that they would try and figure out before April, what they can do regarding the leaf pickup. He said that there are only so many men in the Department of Public Works. They cannot start picking up the leaves until they fall off the trees. He said some people accuse them of starting too early. The later they start, the later they get to the end. He said there had been suggestions that the Village should go out and get contractors to help them. He said the Board was looking into hiring contractors to do some of the other things, such as the Christmas decorations, so the Village workers could be freed up to do the leaves. We had a snowstorm in the middle of this. The guys were put onto that and if it is a bad enough snowstorm they work right through sixteen or eighteen hours. Not only does that take them away from the leaves, but the snowplow messes up the leaves. He said he was also looking into seeing whether the Town would allow the private haulers to take Westhampton Beach resident's leaves to the landfill. He felt that would also alleviate part of the problem. He said that each Trustee has had an idea and they were going to try very hard to work on it and see whether they can better that situation.

Robert Brin, 86 Rogers Avenue, felt it would be good public relations for the Village to get out a public notice to let residents know that the leaves are going to be picked up.

Dean Speir, 256 East Main Street, said there was a public notice that the Village Clerk publishes each year in November that goes to the newspaper and onto the Village website. There is also a spring notice for the same thing. He said there are two variables. One is when the leaves fall and the second is up to Mother Nature and when the snow falls.

Mrs. McGinnis added that residents can always call the Village Office and they will contact Mr. Benedetto to find out what streets are being done.

Mayor Strebel asked if anyone else would like to address the Board. There being no further response, Trustee Teller made a motion at 11:08 a.m. to adjourn the meeting to Executive Session. Seconded by Trustee Kametler and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk