

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, October 5, 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.

Public Hearing: Local Law amend Chapter 110 Unnecessary Noise

Mayor Teller opened the public hearing on the noise ordinance, stating that the Board is strictly here for information. He said they had complaints from civic associations and some various individuals that construction and the noise on weekends is unduly interfering with their recreational pursuits for the summer months. So, the Board agreed to bring it out to the public and let them make any comments they would like, for or against. He asked if there was anyone who would like to address the Board.

George Vickers, who owns 17 Humphrey Street, felt that we are unique in this Village where our Board members have been involved in this municipality for many, many years. With reference to the proposed changes, he was in support of consideration being given to the residents to having work not start until 9 am in the morning and end at 5 pm on Saturday and Sunday. He felt this would give people the ability to sleep in. He felt that to actually prohibit any type of construction activities during the months of July and August on Saturdays and Sundays would have a detrimental effect on the tradesmen and the residents of this area. He said that a handyman or a homeowner that made their living by doing work on the side on the weekends would not be able to work during the months of July and August, and he felt that would not be fair. Mr. Vickers explained relative to his business, that on a construction site they employ at least five workers on a Saturday. He said that if you look at a working year and take 52 weeks at 6 days, we have 312 potential working days. This proposition would remove nine of those, so in fact, you would be taking 3% of the potential annual income away from the workers and many of them are residents of our community. He said that for a given project it starts at about \$15,000 and then that five man crew that showed up in the Village on Saturday morning stopped at Sunset Deli and picked up breakfast and had a cup of coffee. That same five-man crew went to the Baby Moon for lunch and on the way out of town probably stopped at the Beverage Barn. He thought the merchants would also take a hit on this, as well as the workers. He felt this local law was too restrictive and could not see any benefit to it.

Steve Ramsay, 33 Sunset Avenue, said he was also a builder and was here to voice his objection to the noise ordinance. He said that it had been his experience that construction workers only get paid when they work. It is not like other jobs where you get a salary. If you are a construction worker, if it rains or snows, you go home. He said that to take away the summer weekends from these workers where they could get some overtime and enjoy the nice work weather, as much as he sympathizes with the person who would like to sit on his back deck and enjoy the sun, he had more sympathy for the person who needs to go to work on a Saturday. He felt that the worker would rather be sitting on his deck as well. He said this ordinance makes it seem like if you want to have a party, you can do that seven days a week from seven o'clock in the morning until eleven o'clock at night. So, if I want to disturb my neighbor on a Saturday night until eleven o'clock, that is no problem. But, if you want to work, you can't work on the weekends and at 6 o'clock at night you are done. He thought this seemed unfair. He said it was very difficult to afford to live here. He said he works on Saturday and Sunday in the summer, because that is when you make

money and he felt it was wrong to try and take that away. He asked what would happen next.

Mayor Teller explained that this hearing would be continued for another month. He said the Board would leave it open because they know it is controversial and has a lot of ramifications. He said there were people that wanted it and asked about it so they were putting it out there. He said this was the American way. They are listening to all the comments from the community and would make a decision whether it should be changed or shouldn't be changed.

Trustee Levan asked if Mr. Ramsay had any ideas on a compromise.

Mr. Ramsay responded that any compromise would involve some people objecting to it, so he felt that a good compromise from what he has seen in other Villages, is that Saturday is a workday and Sunday is not. He said if he had to choose the day to take off, he would pick Sunday.

Trustee Levan asked if he would limit the hours on Saturday.

Mr. Ramsay said he would not. He explained that those construction workers like to get to work at 7 am. He said it was a big opportunity for people to make overtime and overtime is a big part of how people make money, who are workers in the construction industry.

Mark Raynor, 35 Bridle Path, remarked that if a homeowner is working Monday through Friday and he has a two week vacation in the summer and he wants to repair his deck, he is not going to be allowed to do any construction at all, so his deck is going to have to sit until after August under this proposal.

Mayor Teller said there was a way around that in the ordinance.

Hermon Bishop, Village Attorney, explained that the ordinance that is being proposed prohibits work on Saturday and Sunday for the months of July and August, but if there is a hardship, the Building Inspector or Code Enforcement Officer can give an exemption. If somebody wants to build their deck on a weekend and it will take them a weekend to build it, they could go to the Building Inspector and he would give them an exemption. On the other hand, if he is building his house on the weekend, every single weekend during July and August, then this ordinance would apply.

Mr. Raynor asked if this person had a building permit and worked Monday through Friday and could only build on the weekends, then when could he build his house in the months of July and August.

Mr. Bishop replied that he could not build it on the weekends for the months of July and August under this proposed law.

Mr. Raynor asked if the Building Inspector would be available on weekends. He wanted to know if a tree falls on his house and he is not allowed to use a chain saw and it is an emergency, how will he be able to get a hold of somebody to do that.

Mr. Bishop said there is an emergency exemption in the Code, where all you have to do is contact a police officer or the Police Department if there is an emergency.

Mr. Raynor felt that as taxpayers and homeowners in the Village, you are restricting everybody from what they want to do. Everybody wants to upkeep their homes and for them to have certain restrictions on when they can build, he said he had lived in the Village all of his life and he did not know of too many complaints the Village had received concerning noise from saws and hammers from their neighbors. He felt this was too restrictive on the taxpayers in the Village.

Victor Levy, 58 Beach Road, said he operated a marina that has a lift that operates probably four hours each Saturday and Sunday and this lift is clearly prohibited under this

law.

Mr. Bishop said the law could be amended.

Mr. Levy indicated that what bothers him about this law is that people who have to listen to

machinery, which we all don't like, he doesn't like it, but said he does not understand why it is only prohibited on Saturday or Sunday. He works every Saturday and Sunday and has every Wednesday off. He said that every landscaper on Beach Road, where he lives, cuts the lawn on Wednesday. He felt they should amend the law again and make it for Wednesday. He asked why people who are only here on the weekend have more rights than those of us who are here the other five days a week.

Dean Speir, 256 East Main Street, said it was his understanding that if you are going to have a law you need a legislative finding. He asked where this originated from.

Mr. Bishop responded that he was asked to draft a law that would mitigate noise pollution in the Village and this was a proposal that other municipalities have used. He said it was solely a quality of life provision. He said the Board wanted to have it before the public and to have open comment and debate on it and that is what they are doing. He said the legislative findings are already set forth. This is an amendment to the existing law.

Mr. Speir commented on Mr. Ramsay's suggestion to limit construction to Saturday and not Sunday and indicated this might not be too well received by the people who worship on Saturday. He said he is surrounded by leaf blowers early in the morning almost every weekday. He felt they were far more annoying than chain saws and were ubiquitous during lawn cutting season. He said he had heard that this originated with the Dune Road Association. He said that the Dune Road Association, which was a very strong membership group, could have all of their members agree to be signatory as far as the association goes, to not hire or retain anybody that will create noise pollution on Dune Road on the weekends. He felt that would take care of a large number of the constituents that were in favor of this law.

Mayor Teller advised that there was not one person or group that had asked for this. He said the Board did not want to polarize the community in any way, shape or form. They were here to listen to what the community has to say. It is a possible amendment to our Code. He said they were willing to listen and they had not formed an opinion. He said they had brought it up to the public and if anyone was here to speak, the Board was here to listen.

Todd Powell, 186 Sunset Avenue, said he had been a resident of the Village for about six and one half years. He said his issue had to do with outdoor amplified speakers on properties during the hours of 5 pm to 11 pm. His problem is that he lives approximately two hundred feet from the Hampton Synagogue and every Friday night and every major holiday, there are no less than four major amplifiers that sit on their corner property and impacts his ability to sit outside. He said he had filed twelve formal field complaints over the last three years and the Westhampton Beach Village police officers had been nothing more than accommodating and fantastic. He asked how the decibel readings for noise restriction were measured, because the response he has been given from the police officers is that they have no way to measure this issue and there was nothing they could do about it.

Mr. Bishop explained that the prior standing that existed was a decibel reading and only that. What was added to the Code was specific activities that would be considered to be noise pollution, but the Board could work on it and see if there is a way to deal with this problem. He said that noise should not be able to go beyond someone's boundaries, that is the general thinking. He said that usually people and contractors are very good. You speak to them and ask them to try and keep it down on the weekend and they give it their best shot. He said perhaps the law may not be necessary, if we have more people that will respect and accommodate their neighbors.

Trustee Birk added that this was not a black and white, quick snap decision that the Board

is doing here. They just want to work with everybody. She said that not everybody is here and a lot of people from all different parts of our Village have talked about us being a resort community and they want to be able to enjoy the so-called prime months, the summer months. She explained that this Board wants to work with everyone and she said she was glad Mr. Powell had come forward and would like anyone else that has a problem to come forward, because if they don't know what is bugging people and what people want to change, they can't change it.

Mayor Teller asked Chief of Police Ray Dean if the Village still had a decibel reader that worked.

Chief Dean replied that they did not have a decibel reader that worked.

Mayor Teller said you need three complaints in the Town of Southampton to substantiate a noise complaint. In other words, you would have to complain along with two other neighbors, approximately the same time in regards to the same thing. The police would take the decibel reading from the corner of the property, which is pretty well defined, and then they go to court with it. But, Southampton Town had a court decision reversed. He said he was not a lawyer, but it was reversed to the point that you need three people, not just one person, that are offended by the noise.

Mr. Levy suggested they check into the Planning Board decision of the site plan review of the Synagogue. He felt there was a specific addressing of amplified noise in that decision. He said he was a Trustee when that decision was made and one of the things that revolved around that decision was the fact that the plot of property is relatively small for the use and therefore, there were some particular restrictions the Synagogue agreed to comply with. He thought the people operating the Synagogue now may not even be aware of what the agreement was or what was entered into.

Deputy Mayor Kametler added that he lives on Oak Street and he had made a complaint himself.

Chief Dean said he would call the Rabbi tomorrow and voice our concerns, as the Rabbi has always been very accommodating.

Elyse Richman, 78 Rogers Avenue, said she had been at the Synagogue with her son on Friday nights and asked them to turn it down. She said the kids were there just playing and singing, but it was too loud and she agreed it should be turned down.

Trustee Levan thought that what Mr. Levy had said was a good idea and that they should review the Synagogue's application.

Mary Ann Bowen, 221 Dune Road, said she lives two doors east of the Bath and Tennis Club, and she and her neighbors have been complaining about this non-conforming, pre-existing use, which in her opinion has been taken advantage of for a very long time. She was very pleased when she heard there were going to be changes in the noise ordinance. She said calling the police always gets a response, but having something done about it doesn't. She said she calls the police at least once or twice a week. The Bath and Tennis has large events year-round, three and four days and nights a week. She said they start in the afternoon with cocktail hour and the noise continues past 11 pm outdoors and it is loud and awful. If she calls at 12:30 or 1 am, the police come and the Bath and Tennis always say they are sorry, but then it will happen again and again. She and her neighbors had gone to see the Mayor when the Bath and Tennis was turned into condominiums and they were told it would be much better because they would not have the "open to the public" noise anymore. She said it has just gotten worse. The Bath and Tennis is now a full-fledged catering service with 200-guest events and they are very noisy with a lot of drinking and partying. There is a platform outside for guests to smoke, but they use it for everything else. She felt they were not contributing anything to this Village and were unresponsive to their neighbor's complaints. She said that nothing ever seems to be done about this. She asked if the Board could charge a fine of \$500 the first time someone violates the noise ordinance, \$1500 the second time and the third time shut them down. She felt the Board had the authority to do this and she hoped they would. She said she

loves this place and it is a beautiful Village, but will not be that way much longer. She said it was a place for people to come and enjoy nature and have peace and quiet and enjoy their life, but it is very hard to do when it is just like living on 53rd Street and Madison Avenue.

Tom Tilson, 218 Dune Road, said he lives across the street from Mrs. Bowen and was there to support her in this regarding the Bath and Tennis. He and his wife have had their home since 1979 and been full-time residents here since 1998 and it has been enormously frustrating over the years back to the late seventies and early eighties when he had Mayor Andon out at 1 or 2:00 in the morning trying to shut things down. He said they used to

have to call the police to have the cars towed away that were parked all up and down Dune Road, but that does not happen anymore since the conversion. He said there is some sort of wedding or big event there every Friday, Saturday and Sunday night. He thought the ordinance did not allow these parties to go past 11 pm, but the problem is they do not stop and it does not stop until someone finally calls and complains. He said his house is across the street on the bay side, the second house from their parking lot and there have been times when they have had that bass cranked up and the side of his house where his bedroom is shakes, that is how bad it is. Then when it closes down and they are in the parking lot milling around, they are in his back yard screaming and yelling in his window. He asked the Village to do something rather than slapping them on the hand, to say this is what the laws of the Village are and if you don't abide by them you are going to pay the penalty.

Deputy Mayor Kametler asked Police Chief Dean if he could stop by the Bath and Tennis and give them a copy of the noise ordinance.

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 hold the public hearing over until November 2, 2006. Seconded by Trustee Birk and unanimously approved. 4 Aye, 0 Nay

Regular Meeting:

Accept minutes of Board of Trustees Meeting

Motion by Trustee Barnett:

RESOLVED, that the minutes of the Trustee Meeting of September 7, 2006 are hereby accepted.

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

Accept departmental reports

Motion by Trustee Birk:

RESOLVED, that the Treasurer's reports for August 2006 and the Police Department and Building Inspector's reports for September 2006 are hereby accepted.

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

Accept resignation of DPW Superintendent of Public Works

Motion by Deputy Mayor Kametler:

RESOLVED, that the resignation of DPW Supt. Joseph Benedetto effective September 22, 2006 is hereby accepted with regret.

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

Mayor Teller explained that Joe had to leave based on Civil Service regulations. He is a retired employee from the Suffolk County Department of Public Works and he ran afoul of the Civil Service laws and they said he could not work any longer, so that is the reason he is retiring again.

Authorize Memorandum of Agreement to modify DPW Contract

Motion by Trustee Levan:

RESOLVED, that the Mayor is hereby authorized to execute a Memorandum of Agreement between the Village of Westhampton Beach and Suffolk County Association of Municipal Employees, the representatives of the DPW union employees, to modify the labor contract dated June 1, 2005 – May 31, 2009 by adding the title of Highway Labor Crew Leader and the attached pay scale.

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

Promote Highway Crew Leader to Superintendent of Public Works

Motion by Trustee Barnett:

RESOLVED, that Highway Crew Leader George Gordon is hereby appointed as the Superintendent of Public Works at a bi-weekly salary of \$3,283.45 effective September 25, 2006.

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

Promote Labor Crew Chief to Highway Crew Leader

Motion by Trustee Birk:

RESOLVED, that Labor Crew Chief John Kearns is hereby appointed as the Highway Crew Leader at a bi-weekly salary of \$2,747.60 effective September 25, 2006.

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

Promote Laborer III to Labor Crew Chief

Motion by Deputy Mayor Kametler:

RESOLVED, that Laborer III Gregory Ligon is hereby appointed as the Labor Crew Chief at a bi-weekly salary of \$2,469.59 effective September 25, 2006.

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

Promote Laborer I to Maintenance Mechanic I

Motion by Trustee Levan:

RESOLVED, that Laborer I Michael Araujo is hereby appointed as a Maintenance Mechanic, Step 1, at a bi-weekly salary of \$1,734.02 effective October 30, 2006.

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

Appoint two full time DPW Laborers I

Motion by Trustee Barnett:

RESOLVED, that part time DPW Laborers Andrew DeRubies and Ronald Mills are hereby appointed as DPW Laborers I, Step 1, effective October 30, 2006, at a bi-weekly salary of \$1,446.18 to work 40 hours per week, Tuesday through Saturday, with a probationary period of one (1) year.

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

Authorize Mayor to execute agreement for NYS Multi Modal funding

Motion by Trustee Birk:

RESOLVED, that Mayor Teller is hereby authorized to execute an agreement with the NYS Dept. of Transportation to receive reimbursement in the amount of \$100,000.00 for the reconstruction of Oak Street and Sunset Avenue under the Multi-Modal #4 program.

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

Authorize Dept. of Public Works to purchase a 1987 GMC 7000 truck

Motion by Deputy Mayor Kametler:

RESOLVED, that the Board of Trustees hereby authorize the Department of Public Works to purchase a 1987 GMC 7000 truck from Randall's Automotive at a cost of \$2,000.00.

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

Refer Special Exception to Planning Board – Lawrence III Corp.

Motion by Trustee Levan:

RESOLVED, that the Special Exception application submitted by the Windhaven Realty to permit the Lawrence III Corp. to establish a contractors office in the North Mall, 86 Old Riverhead Road, is hereby referred to the Village Planning Board.

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

Schedule public hearing on Local Law to amend the V & T code

Motion by Trustee Barnett:

RESOLVED, that the Village Clerk Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held at the Village Hall on Thursday, November 2, 2006 at 7 p.m., on a proposed Local Law to amend the Village Vehicle & Traffic Code.

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

Authorize purchase of cabinet for PD Dispatchers Office

Motion by Trustee Birk:

RESOLVED, that the Board of Trustees hereby accept the price quote submitted by Pazera Associates Inc. (d/b/a East End Country Kitchens) to furnish a base cabinet for the Police Department Dispatching Center at a cost of \$2,050.00.

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

Accept proposal for sealing of exterior brick

Motion by Deputy Mayor Kametler:

RESOLVED, that the Board of Trustees hereby accept the price quote submitted by G.G.

Painting & Masonry to seal the Village Hall exterior brick and masonry at a cost of \$13,500.00.

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

Authorize Dispatcher to attend Emergency Medical Dispatching course

Motion by Trustee Levan:

RESOLVED, that Public Safety Dispatcher II Charles Benkov is hereby authorized to attend an Emergency Medical Dispatching course sponsored by Suffolk County Fire, Rescue and Emergency Services at the Yaphank Office on October 23-25th at a cost of \$295.00.

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

Appoint part time Police Officers & authorize to attend Police Academy

Motion by Trustee Barnett:

RESOLVED, that Marc DeMartino and Mark Yakaboski are hereby appointed as part time Police Officers effective October 2, 2006 and are placed on an immediate leave of absence to attend the Suffolk County Police Academy to obtain New York State Municipal Police certification.

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

Amend Village Trustee Liaison Assignments

Motion by Trustee Birk:

RESOLVED, that the Board of Trustees hereby approve the attached Trustees Liaison Assignment Schedule to substitute Trustee Levan as a co-liaison for the Building Department/Code Enforcement to replace Trustee Barnett and Trustee Barnett is appointed to serve as a liaison to the Business District Task Force.

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

Authorize Dental Insurance coverage for elected officials

Motion by Deputy Mayor Kametler:

RESOLVED, that the Village Office Staff/Police Department Dental Plan with Assurant Insurance is hereby amended to provide optional coverage for elected officials at a cost of \$573 per year for an individual and \$1,664.64 for a family.

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

Accept bid for Police Department tablet computers

Motion by Trustee Levan:

RESOLVED, that the Board of Trustees hereby accept the bid submitted by the DuraTab Corporation to provide three (3) LE Series 12" tablet computers with the required equipment to be mounted in Police vehicles at a total cost not to exceed \$14,325.00.

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

Authorize East End Hospice Tree of Lights Ceremony

Motion by Trustee Barnett:

RESOLVED, that East End Hospice is hereby authorized to hold a Tree of Lights Ceremony on the Village Green on Sunday December 3rd commencing at 2:30 and ending at 3:30 p.m.

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

Authorize Hurricane Foundation 5K Walk/Run

Motion by Trustee Birk:

RESOLVED, that the WHB High School Hurricane Foundation is hereby authorized to hold a 5K Walk/Run on Saturday, November 11th between 8:00-10:30 a.m. and to close the streets listed on the attached event route.

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

Authorize Halloween Parade & Main Street "Trick or Treating"

Motion by Deputy Mayor Kametler:

RESOLVED, that the Westhampton Beach Elementary School PTA is hereby authorized to hold the annual Halloween Parade on Tuesday, October 31st starting at the WHB Elementary School on Mill Road at 3:15 p.m. and ending with Trick or Treating on Main Street at 5:15 p.m.

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

Approve change order to Village Hall Earthwork & Drainage contract

Motion by Trustee Levan:

RESOLVED, that the change order to deduct \$2,820.00 from the earthwork and drainage contract with Bodkin Excavating, Inc. is hereby approved.

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

Authorize budget transfers

Motion by Trustee Barnett:

RESOLVED, that the following budget transfers are hereby approved:

FROM	TO	Amount
Contingency Account	Capital Repair Reserve Fund	50,000.00
Police Department	Dept. of Public Works	87,003.42
Park Fund	Rogers & Lashley Beach	74,145.85
Unappropriated Surplus	Permanent Improvements	97,072.01

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

Appoint Special Counsel – Village property rights

Motion by Trustee Birk:

RESOLVED, that the Board of Trustees of the Village of Westhampton Beach hereby authorize the Village Attorney, Hermon J. Bishop, to be paid the sum of \$165.00 per hour for the research and investigation of the rights of the Village of Westhampton Beach respecting the northern portion of Hazel wood Avenue, and for the preparation for litigation to enforce those rights.

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

Authorize Young & Young to survey a portion of Hazelwood Avenue

Motion by Deputy Mayor Kametler:

RESOLVED, that the Board of Trustees of the Village of Westhampton Beach hereby authorize Young & Young, Surveyors, to prepare a boundary survey of a portion of Hazelwood Avenue from the Long Island Rail Road, south to the southerly property line of land now or formerly owned by Frank R. Buanno, for a fee of one thousand two hundred dollars (\$1,200.00).

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

Authorize warrant for October 2007

Motion by Trustee Levan:

RESOLVED, that the warrant for October 2006 in the amount of \$194,746.01 for the General Fund and \$202,618.80 for the Capital Fund is hereby approved.

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

Public Discussion

Mark Raynor, 35 Bridle Path, thanked and complimented the Highway Department for the great job they did on the islands on Bridle Path. He said it was a safety issue and they did a great job and everybody in that area really appreciates it. His other concern was a subdivision that was in the works off of Adam Lane, which is in the Bridle Path development. It is not in the Village property area, it is in the Southampton Town area, and the residents have a lot of concerns about the traffic that is going to be created with these

thirty-three homes that are going to be built. He said the traffic is going to come down Bridle Path and those roads are very narrow and he felt it was really a safety issue. He asked if the Village Board could contact the Southampton Town Planning Board and request that all construction vehicles use Peters Lane and not the Village roads. He said the Village roads are going to take a beating and the Village taxpayers are going to pay for the repairs and the Town is not going to chip in any money for this. He said there are a lot of people that walk and children play in the road. He said there is also a proposal for a road to be cut through Adam Lane all of the way to Peters Lane, so the traffic is going to increase even more. Mr. Raynor said that Mayor Strebel had sent a letter to the Planning Board last year requesting that a traffic study be done during the summer months because there is an influx of traffic then to the Bridle Path area and that was never done. He thought they had done it in February, which showed nothing. He asked if the Village Board could look into this and help the Village residents straighten this out. He said it would have a really big impact on the Village residents. He felt that even though it was being done in the Town and the Village doesn't have a say, if the Board could keep an eye on it and make sure it was done the right way, the residents would really appreciate it.

Mr. Bishop commented that he felt this subdivision was really pushed through very fast by Southampton Town. They had given it a negative declaration that it had no environmental impact although it is surrounded by wetlands. He said that at this stage it has acquired preliminary approval, which means you are pretty much locked into the map that has been approved. Trying to locate roads in different places or change the basics of the map at this point is difficult.

Mr. Raynor said it was more of a safety issue if the Village could get involved for those eighty homes that are up there.

Mr. Bishop replied that he could not agree with him more. He wished the Village had gotten more involved in the past, before it got preliminary approval. That is where the effort should have been made. It should have been a full-court press and should have been very aggressive. The developers should not have been allowed to ramrod this through the Planning Board and every Village resident should have been there storming Town Hall.

A member of the audience asked if there was anything we could do at this point.

Mr. Bishop said that they have obtained preliminary approval and they have declared a negative declaration, which means they are saying there is no significant environmental impact. He felt they were kicking themselves now that they have done that. It was a 4-3 Board trying to reverse that negative declaration, but they weren't successful. They had a good attorney and it went forward, but in his opinion it went through incredibly quick for that type of subdivision.

Mr. Raynor felt the Village could look into restricting some of the use of the Village roads and force them to use the Town roads, because that is what is going to take all the damage and it is going to be a safety issue for the Village.

Trustee Birk said she felt that was a great suggestion.

Mr. Raynor said that Hazelwood and Rogers have no commercial traffic and he asked if Bridle Path could have no commercial traffic.

Mr. Bishop responded that the Village was limited by what they can do in respect to highways. He said they would look into it and contact the Town and talk to their Planning Department and see what stage it is at now. They may be close to final approval at this stage. Once you get preliminary approval, you are not in good shape as far as opposing it. The time to oppose it is when it is in sketch plan and pre-application or really hit hard when the draft environmental impact statement is filed.

Mr. Raynor said there were at least eighty Village residents who attended the Town Planning Board meeting and voiced their opinion against it, but the Village had no pull because it was in the Town area and that is the way it went.

Mr. Bishop said he was surprised that the Town Planning Board did not listen to the Village residents a lot more than they did. He was also surprised that the Group for the South Fork did not really get involved in that subdivision.

Mr. Raynor said they had contemplated an Article 78 hearing, but then they ran out of time to get it all together. He said it was a real complicated situation. He felt if the Village gets involved in it somewhere along the line, it will be better off for everyone in the Village.

Trustee Birk said she would like to look at what kind of stand the Board could take, because just like they have been keeping up with everything happening at Gabreski Airport, we are not part of the Town, but we certainly border Gabreski, and we have taken a stand and a position about what is going on up there. She felt they should look as a Board on what position they can take on this situation with the Town.

Tom Tilson, 218 Dune Road, asked about the osprey nesting platform at the south end of Beach Lane that has been there for the last seven or eight years.

Mayor Teller responded that he had just signed the bill for the poles and they will be going up shortly.

Mr. Tilson and others in the audience applauded and said that was great and thanked the Mayor for taking care of it.

Mayor Teller asked if anyone else would like to address the Board. There being no further response, Deputy Mayor Kametler made a motion at 8:05 p.m. to adjourn the meeting to Executive Session. Seconded by Trustee Birk and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk