

The Board of Trustees of the Village of Westhampton Beach held their Organizational Meeting on Thursday, July 2, 2007 at 7 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach

**PRESENT: Mayor Conrad Teller
Deputy Mayor James Kametler
Trustee Toni-Jo Birk
Trustee Joan Levan
Trustee Hank Tucker**

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

Mayor Teller opened the meeting at 7 p.m. with the Pledge of Allegiance. He asked for the audience to stand for a Moment of Silence in memory of Paul Nevins, a long time Village resident and Charles Hagemiller, a former village employee.

Oath of Office - Elected Officials

Village Clerk Kathleen McGinnis administered the Oath of Office to newly elected Trustees Joan Levan and Hank Tucker, after which she congratulated them both.

Annual Appointments:

Appoint Deputy Mayor

Motion by Trustee Tucker:

RESOLVED, that James Kametler is hereby appointed Deputy Mayor of the Village of Westhampton Beach for a term of one year.

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

Appoint Village Attorney

Motion by Trustee Birk:

RESOLVED, that Hermon Bishop is hereby appointed to serve as the Village Attorney to perform the functions and duties as legal counsel to the Board of Trustees, Planning Board, Zoning Board of Appeals, and Architectural Review Board for an annual retainer of \$65,000.00 to be paid in twelve equal installments, with litigation as authorized by the Board of Trustees to be compensated at the rate of \$165 per hour, subject to an accounting of hours once each month.

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

Appoint Special District Attorney

Motion by Trustee Kametler:

RESOLVED, that Hermon Bishop is hereby appointed Special District Attorney to prosecute violations of the ordinances of the Village of Westhampton Beach.

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

Approve 2007-08 Board of Trustees meeting schedule

Motion by Trustee Levan:

RESOLVED, that the Board of Trustees shall hold its regular meeting on the first Thursday of the month at 7:00 p.m. in the Municipal Building located at 165 Mill Road, Westhampton Beach unless the first Thursday is a holiday in which event the regular meeting shall be held on the first Friday thereafter which is not a holiday; and be it further

RESOLVED, that the work session will be held each month at the Municipal Building at 7 p.m. on the Wednesday two weeks prior to the regular meeting. The Annual Organizational Meeting will be held on Monday, July 7, 2008 at 7:00 p.m. at the Municipal Building.

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

Approve meeting schedule for appointed boards

Motion by Trustee Tucker:

RESOLVED, that the Planning Board shall hold its regular meeting at 7:00 p.m. on the second Thursday of each month and work sessions, as necessary, shall be held on the last Thursday at 4 p.m. of the preceding month, the Zoning Board of Appeals shall hold its regular meeting on the third Thursday of each month at 7:00 p.m. and the Architectural Review Board shall hold meetings on the first and third Tuesdays of each month at 7:00 p.m.

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

Trustee Liaison Assignments

Motion by Trustee Birk:

RESOLVED, that the Mayor and Village Trustees shall serve as liaisons for the following Village Departments and/or functions:

Police Department & Law Enforcement - Toni-Jo Birk

Building Dept/Code Enforcement -Hank Tucker

Dept. of Public Works & Beautification Issues - Mayor Teller

Building Maintenance - James Kametler

Yacht Basin - James Kametler

Village Beach Operations – Joan Levan

Insurance Issues - Joan Levan

Community Development Program - Joan Levan

Police Commissioner, Budget Officer & Labor Negotiations:

Mayor Teller and Deputy Mayor Kametler

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

Designate official depositories

Motion by Trustee Kametler:

RESOLVED, that Commerce Bank, the Bank of New York, the Suffolk County National Bank, MBIA Municipal Investors Service Corporation (CLASS Program), Bridgehampton National Bank and North Fork Bank are hereby designated the official depositories of the Village of Westhampton Beach during the ensuing year and that the Village Clerk Treasurer is hereby ordered to deposit all funds therein.

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

Authorize check signers

Motion by Trustee Levan:

RESOLVED, that all Village of Westhampton Beach checks shall be signed by Conrad Teller, Mayor, or James Kametler, Deputy Mayor, and Kathleen McGinnis, Village Clerk-Treasurer or Elizabeth Lindtvit, Deputy Village Treasurer, except for Trust and Agency checks which shall be signed by either Kathleen McGinnis or Elizabeth Lindtvit.

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

Appoint Acting Village Justice

Motion by Trustee Tucker:

RESOLVED, that Gair Betts is hereby appointed as the Acting Village Justice of the Village of Westhampton Beach, to serve for a one-year term at an annual salary of \$11,500.00.

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

Appoint Marriage Officer

Motion by Trustee Birk:

RESOLVED, that Trustee Toni Jo Birk and Trustee James Kametler are hereby appointed to serve as Marriage Officers for a term of one-year pursuant to the provisions of NYS Domestic Relations Law Section 11-c.

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

Designate official newspapers

Motion by Trustee Kametler:

RESOLVED, that *The Southampton Press-Western Edition* (formerly the *Hampton Chronicle-News*), *Newsday*, and the *N.Y. Times* are hereby designated as the official newspapers of the Village of Westhampton Beach during the ensuing year.

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

Approve mileage reimbursement for official business

Motion by Trustee Levan:

RESOLVED, that all employees and officials of the Village who use their vehicles or other private vehicles for official Village business shall be reimbursed mileage at the rate allowed by the Internal Revenue Service in effect at the time the request is made.

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

Appoint Mayor as Commissioner of Licenses

Motion by Trustee Tucker:

RESOLVED, that Mayor Conrad Teller is hereby appointed Commissioner of Licenses for a term of one year.

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

Approve Village Investment Policy

Motion by Trustee Birk:

RESOLVED, that the attached investment policy is hereby approved.

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

Public Hearing:

Outdoor music permit – Westhampton Steak House

There being no one present to represent Westhampton Steak House, Mayor Teller made a motion to hold this hearing over to August 2, 2007. Seconded by Trustee Birk and unanimously approved. 4 Aye, 0 Nay

Regular Meeting:

Trustee Hank Tucker abstained from voting on any item included in the Regular Meeting as he was newly elected and had not had time to familiarize himself with the items on the agenda.

Accept monthly Reports from Departments

Motion by Trustee Kametler:

RESOLVED, that the Building Inspector's June 2007 report is hereby accepted.

Seconded by Trustee Birk and unanimously approved. 3 Aye, 0 Nay

Accept results of General Village Election

Motion by Trustee Levan:

RESOLVED, that the results of the General Village Election of June 15, 2007 are hereby accepted as set forth in the attached Official Return of Votes.

Seconded by Trustee Birk and unanimously approved. 3 Aye, 0 Nay

Appoint Architectural Review Board Chairman

Motion by Trustee Tucker:

RESOLVED, that Greg Minasian is hereby appointed to serve as Chairman of the Village Architectural Review Board for a term of one year to expire May 31, 2008.

Seconded by Trustee Levan and unanimously approved. 3 Aye, 0 Nay

Appoint Planning Board Chairman

Motion by Trustee Birk:

RESOLVED, that Ralph Neubauer is hereby appointed to serve as Chairman of the Village Planning Board for a term of one year to expire May 31, 2008.

Seconded by Trustee Levan and unanimously approved. 3 Aye, 0 Nay

Appoint Zoning Board of Appeals Chairman

Motion by Trustee Kametler:

RESOLVED, that Chris Bean is hereby appointed to serve as Chairman of the Village Zoning Board of Appeals for a term of one year to expire May 31, 2008.

Seconded by Trustee Birk and unanimously approved. 3 Aye, 0 Nay

Appoint Architectural Review Board Member

Motion by Trustee Levan:

RESOLVED, that Steve Arrasate is hereby reappointed to serve a five year term as a member of the Architectural Review Board to commence June 1, 2007 through to May 31, 2012.

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

Appoint Planning Board Member

Motion by Trustee Tucker:

RESOLVED, that Sundy Schermeyer is hereby reappointed to serve a five year term as a member of the Planning Board to commence June 1, 2007 through to May 31, 2012.

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

Appoint Zoning Board of Appeals Member

Motion by Trustee Birk:

RESOLVED, that Patricia Stinchi is hereby reappointed to serve a five year term as a member of the Zoning Board of Appeals to commence June 1, 2007 through to May 31, 2012.

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

Accept resignation of ARB member & appoint new member

Motion by Trustee Kametler:

RESOLVED, that the letter of resignation submitted by Sharon Wittshen is hereby accepted with regrets effective immediately; and be it further

RESOLVED, that Denise K. Perfido is hereby appointed to fill a vacant term as a member of the Architectural Review Board to commence effective immediately through to May 31, 2010.

Seconded by Trustee Levan and unanimously approved. 3 Aye, 0 Nay

Accept resignation of Traffic Control Officer

Motion by Trustee Levan:

RESOLVED, that the resignation of Traffic Control Officer Wallace N. Collins is hereby accepted effective May 27, 2007.

Seconded by Trustee Birk and unanimously approved. 3 Aye, 0 Nay

Approve elevator maintenance agreement

Motion by Trustee Tucker:

RESOLVED, that the Mayor is authorized to execute an agreement with ThyssenKrupp Elevator for the maintenance of the two Village Hall elevators at a cost of \$520.00 per month.

Seconded by Trustee Birk and unanimously approved. 3 Aye, 0 Nay

Authorize survey of Village property

Motion by Trustee Birk:

RESOLVED, that Norton Brothers Dunn is hereby authorized to prepare a boundary and topographical survey of the Village parking lot north of Main Street on Mill Road and identified by SCTM # 905-12-4-44 at a cost of \$3,150.00.

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

Schedule public hearing Outdoor Music permit – Sexton Commons

Motion by Trustee Levan:

RESOLVED, that the Village Clerk is authorized to publish and post a Notice of Public Hearing to be held on August 2, 2007 at 7p.m. on the outdoor music application submitted by Newtown Associates to provide live music at Sexton Commons located at 132 Main Street.

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

Terminate Webmaster

Motion by Trustee Kametler:

RESOLVED, that Dean Speir is hereby terminated as Village Webmaster effective immediately.

Seconded by Trustee Levan and unanimously approved. 3 Aye, 0 Nay

Approve beach staffing changes

Motion by Trustee Tucker:

RESOLVED, that Marissa Apstein is hereby appointed as a part time office/beach attendant, effective 6/29/07, to be paid at the rate of \$9.00 per hour; and be it further

RESOLVED, that the letter of resignation submitted by Heather Martin is hereby accepted effective 7/1/07.

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

Approve disability real property tax exemption

Motion by Trustee Birk:

WHEREAS, Gary Martin, owner of Tax Map #0905-8-1-2, was granted disability status by the Social Security Administration on May 27, 2007, retroactive to August 26, 2006, therefore be it

RESOLVED, that the application for partial real property tax exemption for persons with disabilities is hereby approved retroactive to December 31, 2006.

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

Approve DPW staffing changes

Motion by Trustee Kametler:

RESOLVED, that Christopher Bancroft is appointed as a part time DPW Laborer, effective 7/1/07, to be paid at the rate of \$13.00 per hour; and be it further

RESOLVED, that the resignation submitted by part-time DPW Laborer Richard Smith is hereby accepted, effective 6/21/07.

Seconded by Trustee Birk and unanimously approved. 3 Aye, 0 Nay

Transfer funding in Police Dept. 2007/08 budget

Motion by Trustee Levan:

RESOLVED, that the transfer of funds in the amount of \$9,744.73 for the Police Lieutenant position in the 2007/08 budget to Acct. # A3120.100 from #A3120.111 is hereby approved.

There being no second to this resolution, no vote was taken.

Promote DPW Laborer to Maintenance Mechanic II

Motion by Trustee Tucker:

RESOLVED, that DPW Laborer Henry Strain is hereby promoted to the title of DPW Maintenance Mechanic II Step 4 to be paid at the bi-weekly rate of \$2,492.83, effective immediately.

Seconded by Trustee Birk and unanimously approved. 3 Aye, 0 Nay

Appoint Network & Systems Technician

Motion by Trustee Birk:

RESOLVED, that Brian McGinnis is appointed to the title of Network & Systems Technician from the Suffolk County Civil Service List #06-0758-110.

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

Approve warrant for July 2007

Motion by Trustee Kametler:

RESOLVED, that the warrant for the month of July 2007 in the amount of \$224,912.03 for the General Fund is hereby approved.

Seconded by Trustee Levan and unanimously approved. 3 Aye, 0 Nay

PUBLIC DISCUSSION

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

John Roland, 291 Dune Road, said he did not have any questions regarding politics or possums or pistols or the police. He said he had a simple request, one that he felt was very easily granted and fulfilled if the willingness was there. He believed that someone has to end the backstabbing and the childish behavior and the nonsense that is crippling this administration. He said there was a lot of blame to go around, inside and outside. He felt it was affecting the public safety of our Village and felt it was affecting the future of our Village. He thought that Mayor Teller, as our Mayor, needs to rise above it and get us back on the right track and move ahead, the sooner the better.

Mayor Teller thanked Mr. Roland.

Lawrence Porter, 37 Woodland Avenue, said it was his first time at a meeting, but he was very concerned about our little Village and that is why he decided to come here tonight. He felt a united front was imperative and that this Board is united every time they come forward. He said if there were issues that the Board has, past, present or future, he did not want to read about them in the paper anymore. He said he has had it and it was out of control. He felt that Westhampton Beach Village was the laughing stock of the East End because of it. He said he has a concealed weapons permit and he knows that if he took five shots in his back yard, he would be arrested. Having said that, he said he had watched Trevor Gonce grow up as a boy in this Village and it was despicable what is going on, in his opinion. He believed that everyone on the Board has family and children and have a lot of history in this Village, some even more history in the Village than he has and he knows that they would not want to read about their family or their children in the light that he has read about Trevor in this paper. He said there were obviously mistakes made from beginning to end and we are still paying for that. He said he is very upset about what has transpired. He felt you could not go back and change it. He said he had been hunting with Deputy Mayor Kametler, as he is a personal friend of his, so he was not here to point blame or to point fingers. He said he was here requesting that this Board have a united front and knock it off, stop with the vendettas or whatever is going on here. He felt it was enough and he really did not want to read any more in the paper anything negative about our Village in any way, shape or form. He said it was enough and unfortunately it starts at the top, where it comes down from. He said that was Mayor Teller's position and he requested that he have a united front going forward, anytime he comes here in front of the public, anytime he has an issue or concern or something with one of the Village employees, it is not something that needs to be aired publicly. He felt it should be discussed among the Board at Executive Session after the meeting and that this Board should act appropriately. He said the Board represents the people and he would like to believe they have their best interest at heart and he hopes all of them can go forward and put the Village in a positive light in the paper, try and find something good to come out of the meeting every time they have one of these meetings. He felt that giving health benefits and taking away \$9,000 and stripes was not positive or constructive. He said the rest of the country was getting rid of benefits and the Village was adding benefits. He said something had to be done to go forward in a positive light.

Mayor Teller asked if anyone else would like to address the Board. There being no further response, he made a motion at 7:30 p.m. to adjourn the meeting to Executive Session. Mr. Bishop said the purpose of the Executive Session was to discuss pending land use litigation. Seconded by Deputy Mayor Kametler and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen

