

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, May 3, 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**

**Clerk Treasurer Kathleen McGinnis
Village Attorney Hermon Bishop
Special Counsel Kim Judd**

ABSENT: Trustee Ora Belle "Ridgie" Barnett

Mayor Teller opened the meeting at 7 p.m. with the Pledge of Allegiance. He asked for a moment of silence in memory of former Village Justice Robert Kelly, Sr. who served the Village from 1979 to 1997. Mayor Teller said he wished to thank the Village Police Department, the Suffolk County District Attorney and the East End Drug Task Force for the fine job they did recently in the Village.

Regular Meeting:

Accept minutes of Board of Trustees Meetings

Motion by Trustee Birk:

RESOLVED, that the minutes of the Trustees Meeting of April 5, 2007, Grievance Day Meeting of February 20, 2007 and the Special Meeting of April 18, 2007 are hereby accepted.

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

Accept departmental reports

Motion by Deputy Mayor Kametler:

RESOLVED, that the Treasurer's reports for March 2007 and the Police Department and Building Inspector's reports for April 2007 are hereby accepted.

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

**Adopt Local Law 6/2007 & SEQRA Determination - amend Village Code Chap. 197
Re: houses of worship, creating architectural design guidelines, & special exception criteria for B1 Zone**

Motion by Trustee Levan:

WHEREAS, the Village Board of Trustees is considering a local law to amend Chapter 197 of the Village Code regarding houses of worship, create architectural design guidelines and special exception criteria in the B-1 Zoning District; and

WHEREAS, the Village Clerk has referred this proposed local amendment to all interested parties pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Village Board undertakes to assume lead agency status pursuant to SEQRA; and

WHEREAS, the proposed action meets the criteria of a Type II action pursuant to SEQRA pursuant to 6 N.Y.C.R.R. part 617.5; and

WHEREAS, the Village Board has conducted a review of the information obtained through the public hearing process and considered any potential impacts through the enactment of said proposed local law; and

WHEREAS, the proposed local law to amend Chapter 197 of the Village Code regarding house of worship, create architectural design guidelines and special exception criteria in the B-1 Zoning District is a Type II action pursuant to SEQRA and will not result in any large and important impacts, and therefore will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby adopts a negative declaration pursuant to SEQRA; and

WHEREAS, A RESOLUTION was duly adopted by the Board of Trustees for a public hearing to be held by the Board of Trustees at the Village Hall, 165 Mill Road, Westhampton Beach, New York at 7:00 PM on April 5, 2007, to hear all parties on this proposed Local Law; and

WHEREAS, a notice of said public hearing was duly advertised in the Southampton Press and posted at various public locations throughout the Village; and

WHEREAS, said public hearing was duly held at the Village of Westhampton Beach, on April 5, 2007, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Board of Trustees, after due deliberation, finds it is in the best interest of the Village of Westhampton Beach to adopt said Local Law,

NOW, THEREFORE, the Board of Trustees hereby adopts Local Law 6/2007 amending Village Code Chap. 197 Re: houses of worship, creating architectural design guidelines, & special exception criteria for B1 Zone, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

Adopt Local Law 7/2007 & SEQRA Determination - Amend Village Code Chap. 197 to create a hamlet commercial zoning district and special exception criteria

Motion by Trustee Birk:

WHEREAS, the Village Board of Trustees is considering a local law to amend Chapter 197 of the Village Code to create a hamlet commercial zoning district and special exception criteria; and

WHEREAS, the Village Clerk has referred this proposed local amendment to all interested parties pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Village Board undertakes to assume lead agency status pursuant to SEQRA; and

WHEREAS, the proposed action meets the criteria of a Type II action pursuant to SEQRA pursuant to 6 N.Y.C.R.R. part 617.5; and

WHEREAS, the Village Board has conducted a review of the information obtained through the public hearing process and considered any potential impacts through the enactment of said proposed local law; and

WHEREAS, the proposed local law to amend Chapter 197 of the Village Code to create a hamlet commercial zoning district and special exception criteria is a Type II action pursuant to SEQRA and will not result in any large and important impacts, and therefore will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby adopts a negative declaration pursuant to SEQRA; and

WHEREAS, A RESOLUTION was duly adopted by the Board of Trustees for a public hearing to be held by the Board of Trustees at the Village Hall, 165 Mill Road, Westhampton Beach, New York at 7:00 PM on April 5, 2007, to hear all parties on this proposed Local Law; and

WHEREAS, a notice of said public hearing was duly advertised in the Southampton Press and posted at various public locations throughout the Village; and

WHEREAS, said public hearing was duly held at the Village of Westhampton Beach, on April 5, 2007, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Board of Trustees, after due deliberation, finds it is in the best interest of the Village of Westhampton Beach to adopt said Local Law,

NOW, THEREFORE, the Board of Trustees hereby adopts Local Law 7/2007 amending Village Code Chap. 197 to create a hamlet commercial zoning district and special exception criteria, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

Adopt Local Law 8/2007 & SEQRA Determination - Amend Village Code Chap. 197 to provide for minimum parking spaces in the Hamlet Commercial Zone and waivers of spaces

Motion by Deputy Mayor Kametler:

WHEREAS, the Village Board of Trustees is considering a local law to amend Chapter 197 of the Village Code to provide for minimum parking spaces in the Hamlet Commercial Zone and waivers of spaces; and

WHEREAS, the Village Clerk has referred this proposed local amendment to all interested parties pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Village Board undertakes to assume lead agency status pursuant to SEQRA; and

WHEREAS, the proposed action meets the criteria of a Type II action pursuant to SEQRA pursuant to 6 N.Y.C.R.R. part 617.5; and

WHEREAS, the Village Board has conducted a review of the information obtained through the public hearing process and considered any potential impacts through the enactment of said proposed local law; and

WHEREAS, the proposed local law to amend Chapter 197 of the Village Code to provide for minimum parking spaces in the Hamlet Commercial Zone and waivers of spaces is a Type II action pursuant to SEQRA and will not result in any large and important impacts, and therefore will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby adopts a negative declaration pursuant to SEQRA; and

WHEREAS, A RESOLUTION was duly adopted by the Board of Trustees for a public hearing to be held by the Board of Trustees at the Village Hall, 165 Mill Road, Westhampton Beach, New York at 7:00 PM on April 5, 2007, to hear all parties on this proposed Local Law; and

WHEREAS, a notice of said public hearing was duly advertised in the Southampton Press and posted at various public locations throughout the Village; and

WHEREAS, said public hearing was duly held at the Village of Westhampton Beach, on April 5, 2007, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Board of Trustees, after due deliberation, finds it is in the best interest of the Village of Westhampton Beach to adopt said Local Law,

NOW, THEREFORE, the Board of Trustees hereby adopts Local Law 8/2007 amending Village Code Chap. 197 to provide for minimum parking spaces in the Hamlet Commercial Zone and waivers of spaces, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

Adopt Local Law 9/2007 & SEQRA Determination - Amend Village Code Chap. 197 to create transitional yard requirements

Motion by Trustee Levan:

WHEREAS, the Village Board of Trustees is considering a local law to amend Chapter 197 of the Village Code to create transitional yard requirements; and

WHEREAS, the Village Clerk has referred this proposed local amendment to all interested parties pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Village Board undertakes to assume lead agency status pursuant to SEQRA; and

WHEREAS, the proposed action meets the criteria of a Type II action pursuant to SEQRA pursuant to 6 N.Y.C.R.R. part 617.5; and

WHEREAS, the Village Board has conducted a review of the information obtained through the public hearing process and considered any potential impacts through the enactment of said proposed local law; and

WHEREAS, the proposed local law to amend Chapter 197 of the Village Code to amend Village Code Chap. 197 to create transitional yard requirements is a Type II action pursuant to SEQRA and will not result in any large and important impacts, and therefore will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby adopts a negative declaration pursuant to SEQRA; and

WHEREAS, A RESOLUTION was duly adopted by the Board of Trustees for a public hearing to be held by the Board of Trustees at the Village Hall, 165 Mill Road, Westhampton Beach, New York at 7:00 PM on April 5, 2007, to hear all parties on this proposed Local Law; and

WHEREAS, a notice of said public hearing was duly advertised in the Southampton Press and posted at various public locations throughout the Village; and

WHEREAS, said public hearing was duly held at the Village of Westhampton Beach, on April 5, 2007, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Board of Trustees, after due deliberation, finds it is in the best interest of the Village of Westhampton Beach to adopt said Local Law,

NOW, THEREFORE, the Board of Trustees hereby adopts Local Law 9/2007 amending Village Code Chap. 197 to create transitional yard requirements, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

Appoint 2007 seasonal Police Officers

Motion by Trustee Birk:

RESOLVED, that the following Seasonal Police Officers will be hired at the rate of \$18.00/hour and will be scheduled to work at the discretion of the Chief of Police:

- | | | |
|--------------|----------------|----------------|
| Steve Frano | Jeff Platt | Mark Yakaboski |
| John Rankin | Janel Spero | |
| James Storan | Marc DeMartino | |

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

Appoint Traffic Control Officers

Motion by Deputy Mayor Kametler:

RESOLVED, that the following 2007 seasonal Traffic Control Officers will be hired at the

rate of pay of \$14/hour and will be scheduled to work at the discretion of the Chief of Police:

Ron Gholson	Wallace N. Collins		
Robert Laube	Mathew Dean		
Dirk Adams	Daniel Dolomite	Timothy	Niles

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

Appoint 2007 seasonal beach personnel

Motion by Trustee Levan:

RESOLVED, that the following persons are appointed to the positions specified below at Rogers and Lashley beaches for 2007:

Managers (40 hrs/wk)

Max Mascia	\$21.75/hr.
Tom Betjemann	\$21.75/hr.
Stephen Wisnoski	\$17.34/hr.

Lifeguards (48 hrs/wk)

James Raynor	Head Lifeguard	16.50
Anthony Grausso	Lt. Lifeguard	15.00
Eric Sweet	Lt. Lifeguard	14.25
Robert Duca	Lifeguard	13.75
John Balzano	Lifeguard	13.75
Mark Nordman	Lifeguard	13.75
Matthew Montpetit	Lifeguard	13.25
Edward T. Otis	Lifeguard	13.25
John Westfield	Lifeguard	13.75
Derek Westfield	Lifeguard	13.25
Justin Zorbo	Lifeguard	16.75 (part time)
Chris Zorbo	Lifeguard	15.00 (part time)

Beach Attendants (35 hrs/wk)

Merisa Booth	Attendant	9.25
Brittany Jenks	Attendant	10.00
Heather Martin	Attendant	10.50
James Carr	Attendant	10.00
Robert Doyle	Attendant	10.00
Brian Carr	Attendant	9.75
Olivia Liggon	Attendant	9.25

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

Appoint part time DPW Laborer

Motion by Trustee Birk:

RESOLVED, that Thomas C. Mitchell is hereby appointed as a part time Department of Public Works Laborer to work as assigned by the Highway Superintendent at an hourly salary of \$13.25 per hour effective May 12, 2007.

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

Authorize purchase of asphalt from Rosemar Construction -\$64/ton

Motion by Deputy Mayor Kametler:

RESOLVED, that the Department of Public Works is hereby authorized to purchase asphalt concrete from Rosemar Construction Inc. pursuant to Suffolk County DPW Letting No. 10-06.3.2 at a price of \$64.00 per ton plus AC adjustments and Fuel adjustments.

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

Accept resignation of DPW Maintenance Mechanic

Motion by Trustee Levan:

RESOLVED, that the Board of Trustees regrettfully accept the resignation of Department of Public Works Maintenance Mechanic Michael Araujo effective April 23, 2007.

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

Authorize purchase of a New Holland L170 Skid Steer Loader

Motion by Trustee Birk:

RESOLVED, that the Department of Public Works is authorized to purchase a New Holland Skid Steer Loader Model# L170 plus attachments and trailer at a total cost of \$28,884.00 from Truck Loaders, Inc. under NYS Contract #PC62410, Award #20150.

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

Authorize purchase of a GMC 5500 Truck

Motion by Deputy Mayor Kametler:

RESOLVED, that the Department of Public Works is authorized to purchase a GMC 5500 Truck with snow plow plus options at a total cost of \$39,057.43 from Burr Truck & Trailer Sales, Inc. under NYS Contract #PC62755/Award #20165.

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

Refer Spec. Exception application to Planning Board

Motion by Trustee Levan:

RESOLVED, that the Special Exception permit application submitted by 30 Old Riverhead Road Corp. to convert a 2nd floor storage area to a one bedroom apartment in a building used as an auto repair shop at 30 Old Riverhead Road (SCTM #905-4-2-8), is hereby referred to the Planning Board.

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

Renew Spec. Exception permit for outdoor tables @ Finn McCool's

Motion by Trustee Birk:

WHEREAS, Finn McCool's has applied to renew the Outdoor Dining Permit granted in 2005 to place six (6) outdoor tables and twenty four (24) chairs pursuant to Section 196.1 and Section 197-76 of the Code and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use, and therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the original plan and with the same conditions, subject to the removal of existing violations and verification of removal by the Building Department.

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

Renew Spec. Exception permit -outdoor tables @ Tonino's Pizzeria

Motion by Deputy Mayor Kametler:

WHEREAS, Tonino's Pizzeria has applied to renew the Outdoor Tables & Chairs granted 2002 to place two (2) outdoor tables and eight (8) chairs pursuant to Section 197-76 of the Code and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use, and therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the original plan and subject to the same set of conditions.

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

Renew Spec. Exception permit- outdoor tables @ Shock Ice Cream

Motion by Trustee Levan:

WHEREAS, Shock Homemade Ice Cream has applied to renew the Outdoor Tables and Chairs Permit granted in 2004 to place three (3) outdoor tables with attached benches pursuant to Section 197-76 of the Code and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use, and therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the original plan and with the same conditions and subject to the removal of existing violations and verification of removal by the Building Department.

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

Renew Spec. Exception permit -outdoor tables @Hampton Coffee Company

Motion by Trustee Birk:

WHEREAS, Hampton Coffee Company has applied to renew the Special Exception permit granted in 2005 to place two (2) outdoor tables and eight (8) chairs pursuant to Section 197-76 of the Code and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use, and therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the original plan and subject to the same set of conditions.

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

Approve renewal of outdoor tables & chairs permit –Dee Angelo’s

Motion by Deputy Mayor Kametler:

WHEREAS, Dee Angelo’s Pleasant Avenue Café has applied to renew the Outdoor Dining Permit granted in 2006 to place eight (8) bistro tables or four (4) standard tables and sixteen (16) chairs pursuant to Section 196-1 and Section 197-76 of the Code and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use, and therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as approved in 2006 and subject to the same set of conditions.

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

Approve renewal of outdoor tables permit @ Funcho’s Fajita Grill

Motion by Trustee Levan:

WHEREAS, Funcho’s Fajita Grill has applied to renew the Outdoor Tables and Chairs Permit to place five (5) outdoor tables and twenty (20) chairs pursuant to Section 197-76 of the Code and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use, and therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the original plan and subject to the same set of conditions.

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

Authorize of Memorandum of Agreement with PBA

Motion by Trustee Birk:

RESOLVED, that the Board of Trustees, sitting as Police Commissioners, ratifies the tentative agreement with the Village of Westhampton Beach PBA concerning a new experimental work chart to be implemented effective June 1, 2007.

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

Approve summer Gazebo concert series July 5th – August 30th

Motion by Deputy Mayor Kametler:

RESOLVED that the Westhampton Cultural Consortium Inc., is hereby authorized to hold the 2007 Summer Gazebo Concert series on the Village Green on Thursday evenings from 6-9 p.m. from July 5th through to August 30th.

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

Authorize agreement with East End Little League – Great Lawn

Motion by Trustee Levan:

RESOLVED, that the Mayor is hereby authorized to execute a use of Village property agreement with East End Little League, Inc. to permit the use of the Great Lawn for little league games/practices from April 23, 2007 through to June 30, 2007.

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

Schedule public hearing on Local Law to amend Vehicle & Traffic Code

Motion by Trustee Birk:

RESOLVED, that the Village Clerk is hereby authorized to publish and post a Notice of Public Hearing of a proposed Local Law to amend the Village Vehicle & Traffic Code to be held on Thursday, June 7, 2007 at 7 p.m. at the Village Hall, 165 Mill Road, Westhampton Beach.

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

Authorize Memorandum of Agreement – Chief of Police contract

Motion by Deputy Mayor Kametler:

RESOLVED, that the Mayor is hereby authorized to execute a Memorandum of Agreement amending the Chief of Police’s contract.

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

Approve warrant for May 2007

Motion by Trustee Levan:

RESOLVED, that the warrant for May 2007 in the amount of \$161,455.82 for the General Fund is hereby approved.

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

Public Discussion

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

Mark Raynor, 35 Bridle Path, asked the status of the Lieutenant's position, if he was appointed as a Lieutenant, if he had passed the Civil Service test and if he was an acting Lieutenant.

Mayor Teller responded that the position was still there, he is a Lieutenant right now, he did pass the Civil Service test and is an acting Lieutenant.

Mr. Raynor asked for an explanation of the new work chart for the Police Department and also if this was part of their contract.

Trustee Birk explained that the Village was going to have a rotating day shift and steady night tours. She said research has shown that by getting off rotating shifts, people are mentally and physically more productive. She wants to make sure the guys covering the Village are doing their jobs as best they can, so they are going to a new chart effective June 1st. She said this was a memo of agreement to the contract. It is something that has been discussed with the PBA, the Village and the Chief of Police. It is an amendment to their agreement.

Mr. Raynor asked what the Village was amending to the contract for the Chief of Police.

Mayor Teller responded they were amending his work schedule, amending the use of the car and amending the executive bonus.

Mr. Raynor asked about his suggestion at last month's meeting about locating the toddler playground behind the Post Office.

Trustee Birk said they had looked at that and that site will not work for a playground. It is deemed that currently the parking there, whether it is the Post Office employees, residents if they are walking, when the Chamber of Commerce has various shows during the year or when the Cultural Consortium has their music throughout the summer, is excellent parking and the Village does not want to lose that parking. She said that nothing is definitive, but they are close to the north parking lot just south of the Methodist Church.

Dean Speir, 256 East Main Street, asked Trustee Birk what studies she was referring to regarding the new work chart for the Police Department, if she had researched this thoroughly and if there were any studies showing something else. He also asked how the current schedule had been ineffectual or other than optimal.

Trustee Birk responded she could not quote them right now, but that various reports have been done on rotating schedules for emergency personnel and police that have worked on the rotating schedule that say that it wears on the body physically and mentally. She said she had researched it thoroughly and she could get those studies by the next meeting. She said there are a number of ways the schedule can be done and this is one way that has been designed that she believes will be very effective to our taxpayers, twenty-four seven security. She said the Village is protected twenty-four seven and the Police Department does an absolutely fine job. They were looking to change this so that continues and time will tell.

Mr. Speir asked if they were doing a good job now, then why was it being changed.

Trustee Birk said it is because of some studies that have been out there that show that with the rotation of the work schedules, going from a day shift to an afternoon shift to a midnight shift is very wearing on the body. She has had some of our Police Department members say that the Village with the current schedule is not getting the most productivity that they could because of these rotating hours. Her goal as the police liaison is to ensure that our Village is protected in the most productive manner twenty-four seven.

Mr. Speir asked if these members of the force that have spoken to her and said they don't feel the current schedule is effective are supervisory personnel or rank and file.

Trustee Birk responded she had spoken to everyone in the entire department and both supervisory personnel and rank and file had told her this.

Dennis Yuen, Executive Director of the Greater Westhampton Chamber of Commerce read into the record the attached letter that he had submitted to the Mayor and Trustees regarding the issue of the distribution of free publications throughout our Village.

Mayor Teller said the Board was going to bring this topic up at the next Work Session and invited Mr. Yuen to attend

Mr. Speir commented that this had been ongoing for thirty-some years and every time somebody tries to do something about it, the issue of the first amendment arises about the distribution of the periodical. He said there was a lawsuit threatened some years ago and that was the main thing that came up immediately. Mr. Speir said you can't stop it, the best you can do is try and control it. He felt most communities on the East End have the same problem. He said it is unsightly and is a safety issue. If you are trying to get into a store and there are stacks of papers that are spread out, it is like wet leaves, particularly since most of them now have the glossy covers. He said it was very treacherous footing. He felt that really the best the Village could hope to do is try and control them and if they are going to put a paper in the Village, make them put out racks instead of just dropping them on the floor, something along those lines.

Mayor Teller said they had a meeting with the distributors a year and a half to two years ago and the first amendment issue came right up. He said there was one outfit that distributes quite a bit of it and Dan's Paper is distributed by themselves and it is a problem. He said they had one of the main distributors come out and this distributor said he would put them in racks, but he wanted everybody to feed into him and pay him.

Eddie Dean, 99 Oak Street, asked about the Special Exception for 30 Old Riverhead Road. He asked if that was a garage and if they were going to allow an apartment above it.

Hermon Bishop, Village Attorney responded that it was a multi-use right now. He said it was not what the Board of Trustees is going to do – it is before the Planning Board right now for a site plan review to allow an apartment above the repair facility pursuant to the NYS Building & Fire Code Standards and the site plan standards of the Village of Westhampton Beach.

Mr. Dean asked if they store chemicals and oil there.

Mr. Bishop said he could not tell what is stored there specifically. He said a site plan had come in last week and is being referred to the Planning Board.

Mr. Dean asked if that wasn't one of the reasons we moved the Village Hall from the firehouse site because of fire trucks underneath. He felt that was kind of dangerous to allow the apartment over the garage.

Mr. Bishop said he did not know where Mr. Dean had gotten that from, but his understanding was that the Village Hall was created to allow more space for Village business. He said there will be a full review by the Planning Board.

Paul Houlihan, Village Building Inspector, said this had actually just been referred to the Planning Board and will be on at the next advertised meeting. He agreed there were issues with the fire prevention and building code such as sprinkler systems, fire separation, exiting and they will be addressed and will have to be brought up to Code as part of it. It will be part of the review when it goes into planning.

Angelo de la Fuente, 30 Old Riverhead Road, said that in reference to his property, he had made all applications that the Building Inspector has required of him and they are now waiting for the process. He wanted to bring up that on Mr. Dean's property there is a building that has no Certificate of Occupancy, whatsoever. It is next door to another piece of property and he does not meet any standards there and it should not be allowed.

Tim Laube asked a question regarding dental benefits. He said he had been reading articles in Newsday over the last couple of months about part-time Board members throughout the County, Islip Town, Brookhaven Town, the OTB with the County, getting full-time benefits. He said they have been eliminating them. He wanted to know if this Board, the Trustees, who get benefits, would consider making a motion to eliminating full-time benefits for part-time employees.

Mayor Teller responded that there are no part-time employees getting benefits other than the Trustees, which was authorized by the State of New York in 1970, amended again in 1991 and they changed the requirements to make it less. He said the Board is currently contemplating making it more stringent. He said the law now provides that you can take your benefits with you in retirement after five years. You cannot take dental benefits with you. None of the employees can take dental benefits with them except for contractual employees.

Mr. Laube asked if they were considering eliminating full-time benefits for part-time employees.

Mayor Teller said the Board had been authorized by the State of New York to join in the benefits offered by them. He said they were researching into eliminating it in the future or changing the requirements for taking benefits into retirement from five years to ten years.

Mr. Laube stated that this Board voted to go the opposite way of the trend and extend dental benefits last fall. He asked whose resolution it was to move that forward.

Mayor Teller said it was probably his. He said that dental insurance was started in the Village in 1986 by the Department of Public Works, who were awarded it in their yearly contract. The Police Department followed in March 1990 and at that time all of the Village office personnel were supposed to get the dental benefits. Due to various slips, misses or drops through the crack, they didn't get it until 1993. The elected officials received it in 2006 and, right or wrong, it is \$6,000 out of \$77,000.

Mr. Laube said it was his understanding that health benefits for a single Trustee is \$6,700 per Trustee for the ones that are taking it, dental is only \$600. If the Trustee takes the benefits for the family, with a spouse and children, it is over \$14,000 and dental is \$1,700. So, if you are a Trustee and you are covering your family, it is \$16,000 for a part-time Trustee getting full-time benefits like you give your Police officers, your DPW. He said he is not quibbling with what the State said, he understands that, but that doesn't say it is not right.

Trustee Levan asked how he handled this when he was a Trustee.

Mr. Laube said he didn't take benefits because he got them through his day job.

Trustee Levan said that he was getting State benefits through Suffolk County.

Mr. Laube asked Trustee Levan what her opinion of it was.

Trustee Levan felt he was quibbling over pennies when you think about the total budget. She said that if Mr. Laube was truly concerned about this, then when he was a Trustee for two or four years, why didn't he do something then about the other Trustees that were getting it.

Mr. Laube responded that it was something coming up now. He felt it doesn't mean you don't address it now.

Trustee Levan said the Trustees were getting it when he was a Trustee and he was not concerned then that the other Trustees were getting it.

Mayor Teller said it was under review and would be brought up at the next Work Session. He said he had been going through all of the records.

Mr. Laube said he appreciated it, but this Board had campaigned on the notion of fiscal prudence. They didn't take raises in the last budget which is tantamount to \$100 for a Trustee over the course of a year, but yet they voted to give themselves dental and full-time benefits for part-time employees.

Trustee Birk asked what Mr. Laube's definition of part-time was.

Mr. Laube said for municipal employees it was twenty hours.

Trustee Birk said she could only speak for herself, but she was working a lot more than twenty hours a week.

Mr. Laube said he understood that. He said their pay is only \$5,000 a year, so why aren't they paid more then.

Trustee Birk responded that she did not run for this position because she wanted to get the pay that comes along with it. Frankly and candidly, she did not know until she was in this position a good two weeks when the Village Clerk and Deputy Clerk approached her and said she could get health coverage. She had no idea it was even available. She said she did not run to get the benefits, she ran to help out and better the Village. She felt it was an added bonus that she got that, considering the time and effort she puts into it, because she loves this Village.

Mr. Laube asked if she took the benefits for her family.

Trustee Birk replied that she did.

Mr. Laube said he knew that Mayor Teller and Deputy Mayor Kametler receive benefits as retired police officers. He asked if Trustee Levan received benefits.

Trustee Levan replied that she did also.

Mr. Laube said he had run into Trustee Barnett in Waldbaum's the other day and she said she received benefits as well.

Mr. de la Fuente asked how much money the Trustees receive per year.

Trustee Levan responded \$5600.

Trustee Birk said it was paid quarterly.

Mr. de la Fuente said that was about \$110 a week. He asked how many hours the Trustees put in, ten or twenty. The Trustees replied it was more than that. He said that they were obviously getting under minimum wage and he felt that for the money paid they were wasting their time because they are obviously not making a lot of money here. He asked how much it cost a year for dental care for each Trustee.

Kathy McGinnis, Village Clerk-Treasurer, responded it was \$1700 for a family plan, but if it was just an individual it would be \$601.

Mr. de la Fuente said that was only a few more dollars a week. He said when you compare what the Trustees are making to the people working in this Village who have those same benefits, he felt Mr. Laube's complaints were a bit petty.

Mr. Yuen asked if the East End Little League were actually going to have games going on at the Great Lawn.

Mr. Bishop responded that between April 23rd and June 30th the little ones will be playing on the southeasterly most portion of the property and they have permission from the Church to do that. Because of the restrictive covenant in the deed, the Village had to obtain their permission. They are asking that it be renewed for next year, but we will take a look and see.

Mr. Yuen asked if they would try and snow fence it off so the dogs stay out of that area or will they have to check it every game.

Mr. Bishop felt they would have to check it, because the Village asked them not to disturb the area, but to keep it natural. He said they were talking in terms of building mounds and bases, but we asked them to leave it the way it is.

Mr. Speir asked if he had heard the word practice in the resolution.

Mr. Bishop said it was for games and practice and was a contract between the Village and the East End Little League, Inc. pursuant to the guidelines of the State. He said they had a problem because they had been ousted from the Middle School on Mill Road.

Mr. Raynor asked if this was the twelve and thirteen year old Little League.

Deputy Mayor Kametler said he had seen them practicing and it was the younger kids who play T-ball.

Ralph Neubauer, 33 White Oak Lane, said he was a resident taxpayer and homeowner in the Village of Westhampton Beach and had come here prepared to actually address Mr. Raynor, who at the Work Session had underlined the budgetary items that had increased. In his preparation, he was prepared to actually go through the list of areas where the Village budget had actually decreased. He said that in the interest of time, he was just going to thank the Board of Trustees for doing such a fine job on this year's budget and saving the taxpaying resident homeowner's of this Village a phenomenal amount of money. He thanked them all.

John Romanosky, said he was a renter in the Village and wanted to ask a quick question. He said that at the beginning of this meeting Mayor Teller said he wanted to commend the Police Chief and the District Attorney because, basically, we had a problem, a few problems that were going on and he wanted to commend them for the

work that they are doing. He said that later on in this meeting, Chief Teller said that this Board was looking into the Police Chief's contract to cut down what he is allowed to do and what is available to him. He said that in his business, if you do a good job you are commended for that and given raises and given good things for that. He said he was a little confused about why that was coming about.

Deputy Mayor Kametler said they should have said we would like to thank them for doing their job, because that is their job. Their job is to patrol the streets, to make sure everybody is safe and to regulate the laws, that is what they are supposed to do. They are supposed to put a patrol car out on Mill Road during school hours, so no one speeds by, that's their job. That is what they are doing and that is what the Mayor is saying.

Mr. Romanosky said that in other words, you are saying thanks for doing your job, we're going to look at what's going on with your contract.

Mayor Teller responded the contract comes up periodically for negotiation and that is what they are doing.

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 at 7:55 p.m. to adjourn the meeting to Executive Session. Seconded by Trustee Levan and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk