

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, January 3, 2008 at 7 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach**

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

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

**ABSENT: Deputy Mayor James Kametler**

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Mayor Teller opened the meeting with the Pledge of Allegiance. He wished everyone a Happy New Year.

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**Presentations**

**Holiday Lighting Contest Awards**

Trustee Levan announced the residential and business winners of the Sixth Annual Holiday Lighting Contest. (See attached list.) She congratulated everyone and thanked them for very importantly, "participating". She said everything looked terrific. The first place winners received \$100 and all of the winners received a framed photograph of their house.

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**Public Hearing:**

**Local Law 1/2008 to amend Village code Re: Park Fees**

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

Village Attorney Hermon Bishop explained that this is a law proposing to change the park fees paid for two-lot subdivisions from the formula that we have for the more than two-lot subdivisions, to a flat rate of \$5,000. He said the Trustees have been discussing this because there are residents of the Village who have subdivided their property for purposes of creating affordable housing for their family and the way the law is structured now, the expense for the park fee for a smaller parcel is quite expensive. The Board has looked at this carefully and looked at the number of lots that would be affected and based on that, they believe it is in the best interest of the Village to fix a flat rate of \$5,000.

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

Motion by Trustee Tucker:

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 January 3, 2008, to hear all parties on a proposed Local Law entitled "A Local Law amending Section 150-11 of the Code of the Village of Westhampton Beach, amending the requirements for reserved areas for park, parks, or for a park fee in lieu thereof for two-lot subdivisions," and

WHEREAS, 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 January 3, 2008, 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 determines that this action is subject to Article VIII of the Environmental Conservation Law (State Environmental Quality Review Act) (SEQRA), that it assumes lead agency, that it has reviewed the EAF Part I, and lists this action as a Type 2 action, requiring no further environmental review, 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 No. 1/2008, entitled "A Local Law amending Section 150-11 of the Code of the Village of Westhampton Beach amending the requirements for reserved areas for park, parks, or for a park fee in lieu thereof for two-lot subdivisions," 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 approved as follows:

Trustee Birk	Aye
Trustee Levan	Abstain
Trustee Tucker	Aye
Mayor Teller	Aye

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**Resolutions:**

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**Accept minutes of Board of Trustees Meetings**

Motion by Trustee Birk:

RESOLVED, that the minutes of the Trustee Meeting of December 6, 2007 are hereby accepted.

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

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**Accept Departmental reports**

Motion by Trustee Levan:

RESOLVED, that the Treasurer's report for November 2007, Justice Court, Police Department's and Building Inspector's reports for December 2007, are hereby accepted.

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

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**Approve 2008/09 real property tax exemptions**

RESOLVED, that the Board of Trustees acting in the capacity as the Board of Assessors hereby approve the attached list of taxpayers to receive aged exemptions,

disability exemption, veterans exemptions, clergy exemptions and volunteer ambulance workers/firefighters exemptions for the 2008/09 tax year as indicated: (see attached list)

This resolution was held over until the January 23, 2008 Work Session.

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**Schedule Grievance Day – Tuesday, February 19, 2008, 1 p.m. – 5 p.m.**

Motion by Trustee Tucker:

RESOLVED, that the Board of Assessors will meet for the hearing of the complaints on the 2008-2009 assessment roll on Grievance Day, Tuesday, February 19, 2008 between the hours of 1:00 pm and 5:00 pm at the Village Hall, 165 Mill Road, Westhampton Beach.

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

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**Schedule Village Tax Lien Sale - March 11, 2008 @ 10:30 a.m.**

Motion by Trustee Birk:

WHEREAS, from the accounts of unpaid taxes heretofore returned by the Treasurer of the Village of Westhampton Beach, New York, to this Board for the year 2008 or years 2007-08 both inclusive, the following taxes still remain due and unpaid after due notice and demand on each of the property owners for the payment of said taxes, to wit:

(see attached copy of unpaid taxes)

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

RESOLVED, that such unpaid taxes shall be collected by the sale for taxes as provided in Section 1454 of the Real Property Tax Law of the State of New York; that a copy of this resolution, duly certified by the Clerk, shall be transmitted forthwith to the Treasurer of this Village with the account, affidavit and certificate of such unpaid taxes, and that the Village Treasurer, upon receiving such an account of unpaid taxes and a certified copy of this resolution is authorized and directed to cause to be published in the official newspaper of the Village once each week for three successive weeks a list of statement of the real estate upon which such taxes are unpaid, as shown in the tax list, with the amount of the tax, a twenty-five dollar (\$25) advertising fee, interest and charges thereon and also a notice that the said real estate will, on a day subsequent to the expiration of said three weeks, be determined by said Village Treasurer and specified in said notice, be sold at public auction at a place in said Village to be designated by said Village Treasurer, to discharge, the tax, twenty-five dollar (\$25) advertising fees, interest and charges aforesaid, which may be due thereon at the time of such sale, and that said Village Treasurer, at the time and place specified in said notice, proceed with the sale of said real estate upon which such taxes are unpaid, as above set forth, and continue at the same from day to day until the sale is completed.

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

RESOLVED, that all remaining unpaid taxes for the fiscal year 2007-08 shall be collected by Public Sale to be held on Tuesday, March 11, 2008, at 10:30 a.m. in the Office of the Village Clerk-Treasurer and such unpaid taxes be advertised in the Southampton Press issues dated February 21, February 28, and March 6, 2008, in accordance with the statutory law.

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

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**Authorize annual service contract for Village Hall phone system - \$7,650.**

Motion by Trustee Levan:

RESOLVED, that the Mayor is hereby authorized to sign the 2008 service and maintenance agreement with CBS Technologies for the Village Hall telephone system at a cost of \$7,650.00.

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

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**Appoint Lundy & Company to audit the 2007/08 financial statements**

Motion by Trustee Tucker:

RESOLVED, that the firm of Lundy & Company is hereby hired to audit the Village financial statements for the 2007/08 fiscal year at a cost of \$19,500.00 and the audit of the Village Justice Court for \$3,750.00

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

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**Authorize appraisal of Village owned property**

Motion by Trustee Birk:

RESOLVED, that Frederick Wood Associates is hereby authorized to appraise Village owned property located at 174 South Country Road, Quogue, at a cost of \$1,800.00

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

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**Authorize Bldg. Dept. employees to attend Educational Conference**

Motion by Trustee Levan:

RESOLVED, that Bldg. Permits Coordinator Kerry Rogozinski and Code Enforcement Officer Bridget Napoli are hereby authorized to attend the 2008 Finger Lakes 33rd Annual Building Officials Conference in the Town of Parma, Hilton, New York on March 17-20, 2008 at a total cost of \$780.00 for registration, \$384.00 for air fare and \$352.00 for lodgings, plus reimbursement for meals and incidentals not to exceed \$200.00.

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

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**Schedule General Village Election Friday, June 20, 2008 12 noon**

Motion by Trustee Tucker:

RESOLVED, that the General Election of the Village of Westhampton Beach, New York shall be held on Friday, June 20, 2008 at the Village Hall, 165 Mill Road, Westhampton Beach, New York between the hours of 12 noon to 9 p.m. prevailing time, and the offices to be filled are:

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

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

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**Authorize 2008 Youth Recreation Program - \$3,200.00**

Motion by Trustee Birk:

RESOLVED, that the Mayor is hereby authorized to expend \$3,200.00 for the 2008 Youth Summer Recreation Program provided by the Westhampton Beach School District subject to reimbursement of \$1,600.00 by NYS Office of Children & Family Services and the approval of the Westhampton Beach UFSD budget in May 2008.

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

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**Authorize intermunicipal property management agreement with Southampton**

RESOLVED, that the Mayor is hereby authorized to sign an Intermunicipal Agreement with the Town of Southampton for the management and operation of land located at 11 Glovers Lane, and identified by SCTM# 905-12-4-18, acquired by the Town through the Community Preservation Fund.

This resolution was held over until the January 23, 2008 Work Session.

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**Authorize 2008 St. Patrick's Day Parade – Saturday, March 15, 2008**

Motion by Trustee Levan:

RESOLVED, that the St. Patrick's Day Parade Committee is hereby authorized to hold the 2008 St. Patrick's Day Parade on Saturday, March 15th @ 12 noon starting at the corner of Mill Road and Oneck Lane, proceeding south on Mill Road to Main Street and ending at the reviewing stand.

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

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**Authorize topographical survey for Lashley Beach - \$2,000.00**

RESOLVED, that Norton Dunn is hereby authorized to prepare a topographical survey of Lashley Beach at a cost not to exceed \$2,000.00 to be paid from the Park Fund.

This resolution was held over until the January 23, 2008 Work Session.

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**Approve January 2008 warrant**

Motion by Trustee Tucker:

RESOLVED, that the warrant for January 2008 in the amount of \$234,531.42 for the General Fund is hereby approved.

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

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**Public Discussion**

Tim Laube, Westhampton Beach, thanked the Village Board for approving the use of the Village for the 41<sup>st</sup> Annual Westhampton Beach St. Patrick's Day Parade. He said the Grand Marshal this year is Cheryl Heather, a long-time Westhampton Beach resident who has done a lot of community service in her life for others. He said they were proud to announce that this year they were adding a couple more events to their St. Patrick's Day weekend. He said they were bringing back the fireworks and stunt pilot, Mike Mancuso, a native of Remsenburg and Westhampton Beach graduate for a show down at the beach. He said he was also working with Jim Hulme to bring the Harlem Wizards to play at the high school Friday night after the fireworks. He said there would be a full schedule of events and was hoping everybody could come out for a great weekend. He invited the members of the Board to come out and march in the parade.

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Mayor Teller asked if anyone else would like to address the Board. There being no further response he made a motion at 7:18 p.m. to adjourn the meeting to Executive Session. Seconded by Trustee Birk and unanimously approved. 4 Aye, 0 Nay

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Respectfully submitted,

Christine Owen  
Deputy Clerk