

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Monday, July 7, 2008 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**

ABSENT: Trustee Hank Tucker

Mayor Teller opened the meeting with the Pledge of Allegiance.

Oath of Office - Elected Officials

Village Clerk Kathleen McGinnis administered the oath of office to re-elected Mayor Conrad Teller and Trustees James Kametler and Toni-Jo Birk, after which she congratulated them all.

Annual Appointments:

Appoint Deputy Mayor

Motion by Trustee Birk:

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

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

Appoint Village Attorney

Motion by Deputy Mayor Kametler:

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 \$67,600.00 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 Birk and unanimously approved. 3 Aye, 0 Nay

Appoint Special District Attorney

Motion by Trustee Levan:

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. 3 Aye, 0 Nay

Approve 2008-09 Board of Trustees meeting schedule

Motion by Trustee Birk:

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 Trustees work session will be held on the fourth Wednesday of each month at the Municipal Building at 7 p.m. unless there is a holiday conflict. The Annual Organizational Meeting will be held on Monday, July 6, 2009 at 7:00 p.m. at the Municipal Building.

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

Approve meeting schedule for appointed boards

Motion by Deputy Mayor Kametler:

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 fourth Thursday at 5 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 Levan and unanimously approved. 3 Aye, 0 Nay

Trustee Liaison Assignments

Motion by Trustee Levan:

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 - Mayor Teller

Building Maintenance - James Kametler

Yacht Basin - James Kametler

Village Beautification/Beach Operations – Joan Levan

Insurance Issues - Joan Levan

Community Development Program - Hank Tucker & Toni Jo Birk

Police Commissioner, Budget Officer & Labor Negotiations:

Mayor Teller, Deputy Mayor Kametler and Trustee Birk

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

Designate official depositories

Motion by Trustee Birk:

RESOLVED, that Commerce Bank, JP Morgan Chase, the Suffolk County National Bank, MBIA Municipal Investors Service Corporation (CLASS Program), Bridgehampton National Bank and Capital One 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 Deputy Mayor Kametler and unanimously approved. 3 Aye, 0 Nay

Authorize check signers

Motion by Deputy Mayor Kametler:

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 Levan and unanimously approved. 3 Aye, 0 Nay

Appoint Acting Village Justice

Motion by Trustee Levan:

RESOLVED, that Gair Betts is hereby appointed to serve as the Acting Village Justice for a one-year term at an annual salary of \$11,903.00.

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

Appoint Marriage Officer

Motion by Trustee Birk:

RESOLVED, that Trustees Toni Jo Birk and 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 Deputy Mayor Kametler and unanimously approved. 3 Aye, 0 Nay

Designate official newspapers

Motion by Deputy Mayor Kametler:

RESOLVED, that *The Southampton Press-Western Edition, 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. 3 Aye, 0 Nay

Appoint Village Clerk Treasurer

Motion by Trustee Levan:

RESOLVED, that Kathleen McGinnis is hereby appointed as the Village Clerk Treasurer for a term expiring June 30, 2010.

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

Appoint Deputy Village Clerk

Motion by Trustee Birk:

RESOLVED, that Christine Owen is hereby appointed as the Deputy Village Clerk for a term expiring June 30, 2010.

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

Appoint Deputy Village Treasurer

Motion by Deputy Mayor Kametler:

RESOLVED, that Elizabeth Lindtvit is hereby appointed as the Deputy Village Treasurer for a term expiring June 30, 2010.

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

Appoint Mayor as Commissioner of Licenses

Motion by Trustee Birk:

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

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

Approve Village Investment Policy

Motion by Deputy Mayor Kametler:

RESOLVED, that the attached investment policy is hereby approved.

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

Regular Meeting:

Accept minutes of Board of Trustees Special Meeting

Motion by Trustee Levan:

RESOLVED, that the minutes of Board of Trustees Special Meeting of May 28, 2008 are hereby accepted.

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

Accept monthly Reports from Departments

Motion by Trustee Birk:

RESOLVED, that the Treasurer's report for May 2008, and the Police Department, Justice Court and Building Inspector's reports for June 2008 are hereby accepted.

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

Accept results of General Village Election

Motion by Deputy Mayor Kametler:

RESOLVED, that the certified results of the General Village Election of June 20, 2008 are hereby accepted as set forth in the attached Official Return of Votes.

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

Appoint Architectural Review Board Chairman

Motion by Trustee Levan:

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, 2009.

Seconded by Deputy Mayor Kametler 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, 2009.

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

Appoint Zoning Board of Appeals Chairman

Motion by Deputy Mayor 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, 2009.

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

Appoint Architectural Review Board Member

Motion by Trustee Levan:

RESOLVED, that Laurette Lizak is hereby reappointed to serve a five year term as a member of the Architectural Review Board to commence June 1, 2008 through to May 31, 2013.

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

Appoint Planning Board Member

Motion by Trustee Birk:

RESOLVED, that Pamela Sheiffer is hereby appointed to serve a five year term as a member of the Planning Board to commence July 7, 2008 through to May 31, 2013.

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

Appoint Zoning Board of Appeals Member

Motion by Deputy Mayor Kametler:

RESOLVED, that Thomas Moore is hereby reappointed to serve a five year term as a member of the Zoning Board to commence June 1, 2008 through to May 31, 2013.

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

Refer Goldberg's Deli Outdoor Dining application to Planning Board

Motion by Trustee Levan:

RESOLVED, that the application for an outdoor dining permit filed by Goldberg's Deli, located at 65 Main Street, is hereby referred to the Village Planning Board for an advisory review.

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

Authorize Environmental Site Assessment of Village owned property

Motion by Trustee Birk:

RESOLVED, that Envirosience Consultants, Inc. is authorized to prepare a Phase I

Environmental Site Assessment of Village owned property located at 172 South Country Road, Quogue, (SCTM # 900-359-3-47.1) at a cost not to exceed \$4,000.00.

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

Ratify settlement of a DPW employee disciplinary reprimand

Motion by Deputy Mayor Kametler:

RESOLVED, the settlement of a disciplinary reprimand of a DPW employee pursuant to an agreement between the Village and the Suffolk County Association of Municipal Employees is hereby ratified.

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

Approve 2007/08 Budget Transfers

Motion by Trustee Levan:

RESOLVED, that the transfer of funds in the amount of \$66,878.73 for the 2007-08 fiscal year closing are hereby approved.

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

Approve warrant for July 2008

Motion by Trustee Birk:

RESOLVED, that the warrant for the month of July 2008 in the amount of \$255,615.60 for the General Fund is hereby approved.

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

Public Discussion

Dean Speir, 256 East Main Street, addressed his question to Mrs. Birk. He said that a year ago they had some discussion about the schedules of the Police Department, the new schedules that she had instituted in the Police Department. He said that she had indicated at that time that nothing was graven in stone, we will see how they work and we will get back to it. He stated they had been in effect for a year and he would like to know what her report is on that, how they are doing.

Trustee Birk responded that everything was working great.

Mr. Speir noted that Trustee Birk had said to him at the time that her main concern was that the Village had full protection "24/7, 365" was the term she had used. He asked if we were getting there.

Trustee Birk said we were getting the protection that the Village has come to know in the past couple of years that she has been in office, that is correct.

Mr. Speir asked her to re-state that, he did not understand her preface.

Trustee Birk reiterated that the Village is getting the protection and service they have come to know from our Police Department, yes.

Mr. Speir asked if there is the same manpower at this time as there was a year ago.

Trustee Birk explained that due to some people retiring and military obligations, there is a change, but we have the coverage as we have had in the past, correct.

Mr. Speir asked if he understood her to say that they were doing the same coverage with less people. He said it was not a trick, he asked what she had said.

Trustee Birk said she had spoken to Mr. Speir and asked what he had heard.

Mr. Speir said she had said we were getting the same coverage, but due to retirement and military service, we have less manpower.

Trustee Birk explained that we have less manpower with some of our full-timers, that is correct. She said we also have one of our full-timers that we are currently paying for, that is working with the Suffolk County Task Force and evidently Chief Dean feels that his work in the County on the Suffolk County Drug Task Force is more of a priority than him being here on the line in the Village.

Mr. Speir said that in essence, he thought he did hear her correctly, she is stating that there is less manpower. He asked if they didn't have a man on the Suffolk County Drug Task Force last year, isn't that the same.....

Trustee Birk responded that he has been on for over a year.

Mr. Speir said that the status was the same as it was a year ago as far as that particular personnel or that slot.

Trustee Birk said that was correct.

Mr. Speir remarked that there is less manpower than there was a year ago and we are getting the same coverage.

Trustee Birk stated that when you look apples to apples from previous years, yes.

Mr. Speir said that was good, that was commendable. He asked about the costs.

Trustee Birk said she did not have them right here to roll off her tongue right now.

Mr. Speir asked if she could ask the Police Chief since he was in the audience.

Trustee Birk responded that Mr. Speir could ask him since he was at the podium.

Mr. Speir noted that he directed everything through the Mayor or the Trustees.

Mayor Teller asked what costs he wanted to know about.

Mr. Speir asked if they were getting the same protection with less manpower for the same cost.

Mayor Teller reported that there was a man on retirement, one man on a line of duty injury and another out on terminal leave, so you are down three. You are down four with the man on the Task Force.

Mr. Speir said that was the same guy that was on the Task Force last year, so we are not really down him.

Mayor Teller said you can discount him.

Deputy Mayor Kametler said you can discount him, but he is there. He felt that if it was such an urgent problem, then he should come back. He said it was not really true,

because we do have part-timers that are working the summer months and we can use them in the fall and the wintertime, too. So, let's put that into the equation, also. He said he did not know where Mr. Speir was getting his information from.

Mr. Speir said he was asking a question and was looking for information. He said he had waited a year on this....

Mayor Teller stated the Village was getting the coverage that they want.

Mr. Speir said he had waited a year on this at Mrs. Birk's request. She said we would look at this and we would see how it is working, so I am trying to find out how it is working.

Trustee Birk asked if Mr. Speir had any complaints about anything in the Police Department.

Mr. Speir replied he would just like to know if we are paying the same thing this year for the same coverage as we had last year. He said he was trying to figure out how they were doing the same or more with less.

Trustee Birk explained that she did not say they were doing more.

Mr. Speir asked her to not dance around it, then.

Mayor Teller said the Village had the amount of coverage that the Board feels is necessary.

Mr. Speir asked what the cost of this was to the taxpayers.

Mayor Teller responded it was no larger cost than it cost last year or the year before, other than the pay raises. He said that ultimately you've lost one police officer, his salary is gone.

Mr. Speir asked if that was the one on terminal leave.

Mayor Teller said no, they just had a retirement and his salary is gone.

Mr. Speir said he had been looking for items about that in the last couple of Village Board meetings and haven't seen it. He asked what the details were of that retirement. He said he understood that was a special accommodation.

Trustee Birk said no, that was as part of their contract, it was within the PBA contract.

Mayor Teller said he had twenty years of service.

Deputy Mayor Kametler said it was a terminal sick leave.

Trustee Birk added that it was nothing special.

Mr. Speir asked if they were talking about the same....

Trustee Birk said it was not terminal sick leave.

Mayor Teller said no, Neil Hanrahan retired with twenty years of service.

Mr. Speir asked what about Officer Havens.

Mayor Teller stated that Officer Havens was out on terminal leave and he will finish up next February.

Mr. Speir asked if the Village was still paying him.

Mayor Teller responded yes, he would still be paid.

Trustee Birk added that this was all part of his PBA contract.

Deputy Mayor Kametler said it was a contractual item.

Mr. Speir asked if that required any special accommodation by the Board.

Trustee Birk indicated there was no special accommodation but that it was brought through for that police officer who served the time as per his contract.

Mayor Teller asked if anyone else would like to address the Board. There being no further response Deputy Mayor Kametler made a motion at 7:20 p.m. to adjourn the meeting to Executive Session. Seconded by Trustee Birk and unanimously approved. 3 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk