

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, June 5, 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  
Trustee Hank Tucker**

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

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Mayor Teller opened the meeting with the Pledge of Allegiance.

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**Public Hearing:**

**Local Law 7/2008 to amend Village Code Chap. 200-1 Building Permit Fees**

Village Attorney Hermon Bishop explained that this was just a small change to the law to increase the amount of the building permits from \$3 per thousand to \$3.50 per thousand. Based on a 4100 square foot dwelling the old fee was \$3,122 and the new fee would be \$3,634. When we compared it to other municipalities, our Building Department fees are very low.

Mayor Teller asked if anyone in the audience wished to be heard. There being no further response, Trustee Levan made a motion to close the public hearing. Seconded by Trustee Birk and unanimously approved. 4 Aye, 0 Nay

Motion by Trustee Birk:

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 June 5, 2008, to hear all parties on a proposed Local Law entitled "A Local Law amending Section A200-1 of the Code of the Village of Westhampton Beach to amend the fee schedule for building permits," 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 June 5, 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 Part 617 of the implementing regulations pertaining to Article VIII (State Environmental Quality Review Act) (SEQRA), that it resolves itself lead agency, that it has reviewed the EAF Part I, and lists this action as a Type 2 action, pursuant to 6NYCRR Section 617.5, and accordingly, no further environmental review is necessary, 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. 7/2008, entitled "A Local Law amending Section A200-1 of the Code of the Village of Westhampton Beach to amend the fee schedule for building permits," 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 Tucker and unanimously approved. 4 Aye, 0 Nay

**Resolutions:**

**Accept minutes of Board of Trustees Meetings**

Motion by Trustee Birk:

RESOLVED, that the minutes of the Trustees Meetings of May 1, 2008 are hereby accepted.

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

**Accept departmental reports**

Motion by Deputy Mayor Kametler:

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

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

**Appoint seasonal DPW Laborer**

Motion by Trustee Levan:

RESOLVED, that Joe Cacciato 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 June 12, 2008.

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

**Appoint seasonal Beach personnel**

Motion by Trustee Birk:

RESOLVED, that the following persons are appointed to the positions specified below at Rogers and Lashley beaches for 2008:

| <u>Lifeguards (48 hrs/wk)</u>           | <u>Title</u> | <u>Per hr.</u> |
|---|--------------|----------------|
| Joseph Linehan                          | Lifeguard    | 12.00          |
| Christopher Tagliavia                   | Lifeguard    | 12.00          |
| <br><u>Beach Attendants (35 hrs/wk)</u> |              |                |
| Allison Barnett                         | Attendant    | 9.00           |
| Connor Raynor                           | Attendant    | 9.00           |

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

**Authorize refund of boat slip rental fee**

Motion by Deputy Mayor Kametler:

RESOLVED, that the Village Trustees hereby approve the refund of seasonal boat slip fees in the amount of \$2,270.00 to Terence McLinskey and \$1,395.00 to John Louden.

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

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**Authorize renewal of Dee Angelo's outdoor dining permit**

Motion by Trustee Levan:

WHEREAS, Dee Angelo's 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 Chapter 196-1 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 Village Trustees hereby authorize the placement of outdoor tables and chairs as shown on the original plan and determination duly approved in 2006 by the Board of Trustees.

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

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**Authorize renewal of Finn McCool's outdoor dining permit**

Motion by Trustee Birk:

WHEREAS, Finn McCool's has applied to renew the Outdoor Dining Permit granted in 2005 to place six (6) tables and twenty four (24) chairs pursuant to Chapter 196-1 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 Village Trustees hereby authorize the placement of outdoor tables and chairs as shown on the original plan and pursuant to the determination duly approved in 2005, subject to the clearance of any existing violations.

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

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**Authorize renewal of Wetter or Not outdoor music permit**

Motion by Deputy Mayor Kametler:

RESOLVED, that the Board of Trustees hereby approve the renewal of the Wetter or Not outdoor music permit for 2008 subject to the same conditions as set forth in the Determination dated August 2, 2007.

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

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**Approve Westhampton Beach Library use of Village property**

Motion by Trustee Levan:

RESOLVED, that the Westhampton Free Library is hereby authorized to use Village facilities during the 2008 summer season as follows:

| <u>Location</u> | <u>Activity/Event</u>  | <u>Date/Time</u>                               |
|-----------------|------------------------|--|
| Village Green   | Animal Lovers Club     | 6/14/08 10:30 am-noon                          |
| Rogers Beach    | Storytime 4-7 yr. olds | Thurs. 7/10 -8/21<br>9:30 a.m. – 10:15 am      |
| Rogers Beach    | Bookmobile             | Thurs. 7/10 -8/21<br>9:00 a.m. – noon          |
| Rogers Beach    | Library van            | Tues. 7/8 -8/19<br>5:30-9:00 p.m.              |
| Rogers Beach    | Adult yoga             | Tues. 7/8 -8/19<br>6:00 – 7:00 p.m.            |
| Rogers Beach    | Adult meditation       | Tues. 7/8 -8/19<br>7:15 – 8:15 p.m.            |
| Rogers Beach    | Pajama Story time      | Tues. 7/8 – 8/19<br>7:00 – 7:45 p.m.           |
| Lashley Beach   | Library van            | Tues. 7/8 -8/19<br>9:00 a.m. -noon             |
| Lashley Beach   | Storytime 4-7 yr. olds | Tues. 7/8 -8/19<br>9:30 a.m. – 10:15 a.m.      |
| Rogers Beach    | Steel Drum Band        | Sat. Aug. 23 <sup>rd</sup><br>7:30 – 9:00 p.m. |

Seconded by Deputy Mayor Kametler and approved as follows:

|                       |     |                |           |
|-----------------------|-----|----------------|-----------|
| Deputy Mayor Kametler | Aye | Trustee Levan  | Aye       |
| Trustee Birk          | Aye | Trustee Tucker | Abstained |

**Authorize Summer Concert series on Village Green**

Motion by Trustee Birk:

RESOLVED, that the Westhampton Cultural Consortium is hereby authorized to hold the 2008 Summer Concert series on the Village Green on Thursday evenings commencing July 3<sup>rd</sup> through to August 28<sup>th</sup> between 6 p.m. to 9 p.m.

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

**Authorize Police Chief to attend NYS Chief’s Conference**

Motion by Deputy Mayor Kametler:

RESOLVED, that Police Chief Raymond Dean is hereby authorized to attend the 2008 NYS Police Chief’s Association Conference to be held at Lake George, New York on Sunday July 27<sup>th</sup> through to Wednesday, July 30<sup>th</sup> at a cost of \$100.00 for registration, plus the cost of lodging not to exceed \$159.00 per day plus applicable taxes and reimbursement for meals and incidental travel expenses.

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

**Authorize use of Glovers Lane Park by WHB Historical Society**

Motion by Trustee Levan:

RESOLVED, that the Westhampton Beach Historical Society is hereby authorized to host a children’s farm animal educational program to be presented by the Cornell Cooperative Extension at the Glovers Lane Park on Saturday mornings starting on July 12<sup>th</sup> through to August 23<sup>rd</sup> from 11:00 a.m. to 12 noon.

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

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**Appoint Special Counsel**

Motion by Trustee Birk:

Robert Strebel, et al., Maureen Liccione, of the firm Jaspan Schlesinger Hoffman, is appointed Special Counsel to represent Richard T. Haefeli and Hermon J. Bishop, pursuant to Chapter 15 of the Village Code, and is additionally appointed Special Counsel to represent Kyle Collins and David Emilita, to be paid the total amount of \$200.00 per hour, \$25.00 per hour to be paid by Kyle Collins and RESOLVED that in the matter of the Westhampton Beach Associates, LLC v. \$25.00 per hour to be paid by David Emilita; and it is

FURTHER RESOLVED that the Mayor is authorized to execute the Retainer Agreement between Jaspan Schlesinger Hoffman and the Village of Westhampton Beach, dated June 5, 2008.

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

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**Authorize 2007/08 budget transfers**

Motion by Deputy Mayor Kametler:

RESOLVED, that the attached budget transfers for the 2007-08 fiscal year in the amount of \$208,273.33 are hereby approved.

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

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**Approve May 2008 warrant**

Motion by Trustee Levan:

RESOLVED, that the General Fund warrants for May 30, 2008 in the amount of \$127,596.32 and for June 1, 2008 in the amount of \$411,704.26, are approved.

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

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**Public Discussion**

Deputy Mayor Kametler read the following statement: “The circulated and printed accusations concerning my personal and professional conduct are misleading, scurrilous and false. Thank you.”

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Dean Speir, 256 East Main Street, asked regarding the library use of Village facilities as to how they would handle the parking on that, since this is an extra Village.... He said that just because somebody was attending the different programs at Lashley and Rogers, doesn't necessarily mean that they will have a parking permit for any of the beaches.

Mayor Teller explained that they would have to play this by ear, the library is closing down, they are going to be rebuilding, so these are some of the programs that have been put out. If they do become a hazard or a problem, they will have to be changed.

Mr. Speir said that basically, if somebody shows up without a permit, but they say I'm here for the library program, they'll be allowed in.

Mayor Teller responded, yes.

Mr. Speir said he had not heard the vote on that. He said he knew that Mr. Tucker abstained. He asked Trustee Levan how she had voted.

Trustee Levan stated she had voted yes. She said she did not feel there was anything wrong with having the programs there, so she voted yes.

Mark Raynor, 35 Bridle Path, asked if those programs were being held on the beach.

Trustee Levan said they would be held on the deck, not on the beach.

Mr. Raynor asked if the yoga and all of that was going to be held on the deck. He wanted to know if someone was going to monitor them to make sure they don't go down to the water, because if they don't have a sticker and something happens, then....

Trustee Levan responded it would be held on the deck and there would be two librarians there.

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Irene Barrett, 1 Notamiset Road, Quiogue, said she would like to pose a question to Mr. Roland and to Mr. Laube. She said she understood that there is an election June 20<sup>th</sup> .....

Mayor Teller responded to Mrs. Barrett by saying that all questions go through him.

Mrs. Barrett said she would pose it to him, then. She said she would like to know if Mr. Laube and Mr. Roland are in favor of the eruv.

Mayor Teller remarked that this was not a proper question and he was not entertaining it.

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Victor Levy, 58 Beach Road, asked, regarding the library use of the facilities if those programs were on the weekends or just on the weekdays.

Trustee Levan answered that they were on the weekdays and not on weekends.

Mr. Levy said he thought that was when it was, because the weekends are pretty much the only time the beach lots fill up.

Trustee Tucker added that there was one weekend event that was at night.

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Fred Hager, Debbie Lane, explained for those that did not know him that he was the PBA president for six years in Westhampton Beach and a member of the Police Department for twenty years. He said he had come to know Deputy Mayor Kametler

very well during that time and he had noticed that in the Southampton Press Mr. Kametler had been taking quite a hit and also taking a hit in the local political fliers that have been going out, mainly by Tim Laube. He indicated he had a question for the Deputy Mayor.

Mayor Teller asked Mr. Hager to please put all the questions to him.

Mr. Hager stated that Deputy Mayor Kametler was accused of setting off a hand gun in a residential area. He asked if that was the handgun that he had a permit for.

Mayor Teller responded it was a handgun he had a permit for.

Mr. Hager concluded that there was no wrongdoing in that instance. He asked if Deputy Mayor Kametler had ever been charged with any crime or violation here in the Village.

Mayor Teller said he would let him answer that.

Deputy Mayor Kametler responded no, he had not.

Mr. Hager asked if these allegations were unfounded as far as Deputy Mayor Kametler knew.

Deputy Mayor Kametler answered yes.

Mr. Hager asked if Deputy Mayor Kametler owned or operated a bed and breakfast.

Deputy Mayor Kametler answered no.

Mr. Hager asked Mayor Teller if Dean Speir was employed by the Village as any kind of Commissioner or anything to do with the Police Department.

Mayor Teller responded no, he was not.

Mr. Hager commented that he had noticed on Mr. Speir's blog he had been making many derogatory comments about the radio dispatchers and possibly another officer that recently went out on terminal leave. He asked if Mr. Speir had any expertise or any access to the Police Department.

Mayor Teller answered that he had no knowledge of that.

Mr. Hager closed by saying that the members of the Westhampton Beach Police Department, namely, the public safety dispatchers, Kathy Barosa and Charlie Benkov, are an integral part of this police department and he took insult, being the past president of the PBA. He said that although he did not represent them, he did work closely with them and he wanted the Village Board to know that their job was very important to the Village and he commended them and this Board on a job well done.

Mayor Teller stated that he would take his remarks under advisement.

John Roland, 291 Dune Road, commented with reference to the Board that there were a lot of nice smiles up there tonight, so obviously the dental insurance is paying off very well. He said he saw a lot of nice smiles in the audience as well, although they were paying for their own smiles, we are paying for these. He asked Mayor Teller if his Deputy Mayor had hired an attorney to defend himself against these allegations of a bed and breakfast that he does not run.

Mayor Teller responded he did not have any knowledge of that.

Mr. Roland asked if he knew if Deputy Mayor Kametler had been notified by the IRS for evading taxes on the bed and breakfast that he never ran.

Mayor Teller stated he did not know if he ever did.....

Jim Going, 22 Oneck Road, interrupted this exchange and asked if the Mayor would just give him a moment. He said the Mayor had ruled against Mrs. Barrett speaking out about anything of a political nature because there is obviously a political campaign going on in the Village, and yet he had allowed Mr. Hager and now Mr. Roland to speak, basically, everybody knows it's a political statement. He felt it should only be done one way, either you don't allow people to comment or you let them all comment.

Mayor Teller said that was fair enough.

Mr. Roland indicated he would help out in that area by divulging to Mrs. Barrett that he was in favor of the eruv, and he was on record as being in favor of it.

Mrs. Barrett then asked if Mr. Laube was in favor of the eruv. She said she knew Mr. Roland was in favor of it.

Mr. Roland said she would have to ask Mr. Laube, although it is a moot point at this time because the Rabbi has withdrawn his application. He questioned why Mrs. Barrett asked him if he was in favor of it if she already knew the answer.

Mrs. Barrett replied that she wanted him to state it in public.

Angelo de la Fuente, Old Riverhead Road, asked Mr. Roland if he ate potatoes.

Mr. Roland responded that he was happy he was asked that, because he knew exactly what he was referring to and he happened to have Cindy Adam's column with him. He read it as he felt it should have been read to begin with. He said to listen carefully and asked if he had Mr. de la Fuente's attention. He read, "Former anchorman John Roland, at Elaine's, discussed his push for Mayor at Westhampton Beach, which barring summertime only residents, is peopled with potato farmers". He stressed that they were Cindy Adam's words and not his.

Mr. de la Fuente said he knew what he had read in the paper, also.

Fred Hager once again came to the podium and asked through the Mayor to Village Clerk Kathy McGinnis if there were challenges to be made on addresses of the candidates running in this election, who would they be addressed to, the Board of Elections or the Village Clerk.

Mayor Teller indicated it would be the Village Clerk.

Mr. Hager stated that he had several addresses for Tim Laube.

Mayor Teller said until he votes.....

Mr. Hager said that every year, 2004, 2006, 2008, he has different addresses. He asked if he could wait until he votes from them or question them now.

Mayor Teller responded he would have to wait until he votes.

Victor Levy, 58 Beach Road, stated that he still lives at the same address. He said he didn't know it was against the law to move, but apparently with Mr. Hager's interpretation of police actions, it must be. He said he wouldn't have brought it up, but since Deputy Mayor Kametler had, he asked if he had not operated a bed and breakfast or some place of lodging at 24 Oak Street over the last year.

Deputy Mayor Kametler said he had already given his statement.

Mr. Levy said that was not the question he had asked him. He asked if his statement was that he did not operate a bed and breakfast and he had not.

Deputy Mayor Kametler replied that was what his statement was.

Mr. Levy asked if his statement was he had not taken in lodgers for money at 24 Oak Street.

Village Attorney Hermon Bishop wanted to correct the record. He said he recalled Mr. Kametler saying he is not operating a bed and breakfast. That was the statement that was made.

Mr. Levy asked Mr. Kametler if he operates or has he operated since the first of the year, a place where people pay money to stay. He said that would be a commercial inn under the state law and under the law that governs how a residence or how an inn is taxed for real estate tax. He said he might have a little sensitivity to that since today when taxes haven't gone up, he got a tax bill for \$7,213 on a piece of property he owns that was taxed last year for \$4,830, so in fact, taxes did go up on commercial property. He felt that apparently some commercial property doesn't get to be registered as commercial property in the Village. He asked Deputy Mayor Kametler if he had or had not taken money for people to stay in his house as an inn.

Deputy Mayor Kametler reiterated his previous statement, "The circulated and printed accusations concerning my personal and professional conduct are misleading, scurrilous and false." He told Mr. Levy he had answered his question.

Mr. Levy felt he had not answered his question because he was not asking him about his professional conduct. He said that simply stated, Mr. Kametler did, and he had personal knowledge that he was paid money to have people stay in his house, he advertised it, it is widely known, it is circulated around and yet he still stands there and sits there. Mr. Levy told Mayor Teller he had been a Trustee here for six years, he served on the Zoning Board of Appeals here for four and a half years, he was on the Planning Board for six years and was on different other facilities. He said he was proud of every minute he sat there. He could not understand how the rest of the Board could sit at a Board panel when somebody is obviously not telling the truth when there is incontrovertible evidence that the man has taken people into his house for money and he is still there.

Mayor Teller responded that Mr. Levy was saying evidence, if he has the evidence he should take it to the Building Inspector who makes the investigation. He said if he did not have the evidence, then shut up.

Mr. Levy replied that he had the evidence and Mayor Teller had seen the evidence.

Mayor Teller said no, he had not seen any evidence.

Mr. Levy asked if he had not seen advertisements that show that Mr. Kametler advertised with his name.

Mayor Teller stated he had not seen Deputy Mayor Kametler take any money for any rental of a room.

Mr. Levy asked when he brings in the Pay Pal receipts, would that be the proof.

Mayor Teller told Mr. Levy to bring the receipts to the Building Inspector because he is the one that is making the investigation.

Mr. Levy said okay, but they do exist, clearly they do.

Mayor Teller told Mr. Levy to produce them and bring them in. He then asked Building Inspector Paul Houlihan to give a short explanation of how investigation of zoning violations take place.

Mr. Houlihan wanted to first say how happy he was to be here tonight. He said he would cut to the chase on this. The Building Department didn't actually get complaints about any bed and breakfast on Oak Street, but they were made aware through advertisements on several websites that advertised a bed and breakfast on Oak Street. They did get copies of those and he did look at those. He said he had spoken to the owners of the Oak Street property and they said they were not running a bed and breakfast and the advertisements were a mistake, they were going to be taken off. He believed they had been taken off and that they do not run a bed and breakfast. The

Building Department can't issue a summons based on an advertisement. He did not think you would find an attorney that would say we can do that. It is common when they look every year at group rentals, sometimes the Ordinance Inspector will go onto sites that advertise rentals and you will see a share house being advertised out here and she will keep a note of that. Sometimes, she will contact the owner and will say to them that we've seen this on the website and you can't have a share house. We give them a rental permit and outline what they would have to do and we would keep an eye on it. That is really the same thing we are doing right now. Beyond those two advertisements that were on the website, we don't have anything else to prove it was run and the owner says they are not running it at this time. So, that is where it is sitting and we are still looking at it.

Mrs. Barrett said she had gone on the website for the Hampton Synagogue and advertised on there is a place on Griffing Road called Westhampton Manor advertising weddings and corporate events.

Mr. Houlihan said he had a conversation with the woman....

Mrs. Barrett said she wanted people to be aware that it was on the website until she had called this woman and reported it to Code Enforcement. She said she lives across from them and all summer long there were bands, bands, bands, every Saturday, every single Saturday.

Mr. Houlihan explained that he had received her complaint two weeks ago and had spoken directly to the homeowner and let her know the activities that would be prohibited and they were also taking a look at that.

Mrs. Barrett said they were going after Jim and she was just telling them that this had been going on for years at this location.

Mr. Houlihan responded that he was not going after anyone. He said he was doing the same thing on the property that she had just mentioned on the other property. We contacted the owner, we explained what the regulations were and we are monitoring that house. He said he did not think she had any problems with that house so far, he did not believe she will and if she does, they will give them their fair warning. He felt they were handling that code enforcement consistent and even as they have throughout the Village.

Mr. Going asked who was actually the owner of the property.

Mr. Houlihan said that they were talking about a possible code enforcement violation and he had been a building official for twenty-six years and he did not feel comfortable talking about people's names up here. He stated that if someone wants to look at the file and what they had done, they can come in and he would be happy to show it to him, but he did not think that we should mention the names of a possible violation at a public hearing. He did not feel it was fair to the owner.

Mr. Bishop stated that he was the special prosecutor working with Paul and Bridget on zoning violations with the Village and they are even-handed, they are very, very good at what they do and there is no special treatment to anybody and it is an honor working with them.

Mr. Speir said that when he had gotten up to ask a question about the vote on the library use of Village facilities earlier at this meeting, Mr. Kametler felt obliged to read a statement. He felt that was either an attempt at some sort of preemptive strike about what he thought he might say, but he did read the statement and he has read it twice since then and he is familiar with the documents that have been made available both on his blog site and on the Southampton Press site, 27 East, and he would like to know exactly what is false, because if there is something wrong, he would like to correct it. He asked Deputy Mayor Kametler what exactly is false. He said scurrilous, he could understand in his characterization, but he would like to know exactly what is false.

Mayor Teller said that Jim has read his statement. He turned any information over to the Building Inspector, he is making the investigation.

Mr. Speir said there was no relation necessarily to the Building Department on this.

Mayor Teller said they were not playing question and answer to Mr. District Attorney here.

Mr. Speir said he made a statement and he was questioning him on his statement.

Mayor Teller said he made a statement. Apparently, he was told that was the only statement he should make and that is that.

Mr. Speir said we are back to no information again, Mr. Mayor.

Mayor Teller said he would see that on the blog tomorrow morning, he had no doubt.

Mr. Speir said he did not know the Mayor read the blog, but thank you very much.

Mayor Teller said he did scan it for whatever is going on in the Village.

Mr. Speir responded that it was good that he keeps up.

Mayor Teller said he had no doubt he would see his name and picture in there.

Mr. Raynor said that Mr. Bishop said he represents the Building Department...

Mr. Bishop responded that he had said he was the Special Prosecutor for the District Attorney's Office prosecuting zoning violations in the Village. He said the enforcement officer is the Building Inspector and the Code Enforcement Officer.

Mr. Raynor asked if it would be advisable to get a special counsel if it does affect one of the Trustees.

Mr. Bishop stated that there were no charges pending so he was not taking any action.....

Mr. Raynor asked, but in the case something happens.

Mr. Bishop said that was a hypothetical question and he does not answer hypothetical questions. When faced with facts before him, if there is any conflict of interest he will withdraw. He will do what he is supposed to do unto the Code of Professional Responsibility and as he said before it is an honor working with the Building Department and the Building Inspector and the Code Enforcement Officer and they do an excellent job. They are even-handed, they are non-political.

Mr. Raynor said his question was if it is concerning a Trustee, is it a conflict of interest.

Mr. Bishop said he answered the question. If Mr. Raynor wanted to consult with counsel, that was up to him. He said he just told him he will not act in a matter where there is a conflict of interest.

Mr. Raynor asked if it is a conflict of interest if it involves a Trustee, that was his question.

Mr. Bishop answered if a Trustee is charged with a violation, he would not feel comfortable in being Special Prosecutor.

Mrs. Barrett asked Tim Laube if he was in favor of the eruv.

Mr. Laube said if Mayor Teller was willing to stand with him at the podium and do a debate right now, he would answer any questions.

Mrs. Barrett said she was not asking Mayor Teller, she was asking him and the only question she was asking was if he was or was not in favor of the eruv.

Mr. Laube responded yes, he was.

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Ralph Folz, 25 Seafield Lane, said his area of concern may be beyond the purview of the Mayor and Trustees of this Village, but it has to do with some of the larger business organizations in our Village, specifically the movie theater, the supermarket and the bowling alley. He said these three buildings in his view, and maybe the view of some others, are tremendous eyesores to this Village. The movie theater is decrepit, it is filthy dirty inside. He said he and his wife stopped going there now for several years. He said he had spoken with people that have gone more recently and they say it is worse than ever before. He was just wondering if there was anything that the Mayor and the Trustees can do to improve upon the appearance and the running of some of these major businesses.

Trustee Levan asked when was the last time he was in the movie theater.

Mr. Folz responded it was about two years ago. He said he had spoken to someone that was there a week ago and said it was filthy dirty, worse than ever.

Trustee Levan said they put new seats in there, they put new carpeting and they cleaned up all the floors.

Mr. Folz asked if that met with all of Trustee Levan's expectations in terms of inside and out of what a movie theater should be like.

Trustee Levan stated she was there a couple of nights ago and she found it comfortable.

Mr. Folz said then he did not know how other people feel. He thought it was disgraceful. He thought the bowling alley is an eyesore and he thought the supermarket is the worst of any Village.

Mayor Teller explained that a set of plans came in for the bowling alley and a piece of property next to it where the old decrepit gas station was, which they tore down. That is going to be developed. The plans are before the Planning Board now, so that entire property, they are going to remodel the bowling alley. The bowling alley is staying as a bowling alley, but they are going to remodel the outside to make it presentable.

Mr. Folz said he was glad to hear that.

Trustee Tucker added they were doing the abandoned gas station, as well.

Mayor Teller stated the movie theater is a private entity, but it is not the prettiest thing on the outside, but it has been that way since he was.....

Mr. Folz said that was not a good reason to let it remain that way, if there is anything at all that can be done.

Trustee Birk asked if he had expressed his concerns to the owners of these facilities.

Mr. Folz said he had not.

Trustee Birk said that would be a nice place to start, as well.

Mr. Folz said his way of expressing himself was to avoid these places. His wife shops in Riverhead now, which is unfortunate, for her groceries and his. They go to the movie theater in Hampton Bays. Fortunately, they don't bowl, so that is not a problem. He said he just felt our Village could benefit from improvements from all three of these facilities.

Mayor Teller said we know the bowling alley has submitted plans, Waldbaum's has plans on file. They have started some of the work, they put the pipeline in, the fire

hydrant for the Fire Department that they were supposed to do. He believed they had started some of the electric and then they stopped. Their plans covered both buildings. Within the past week, they are putting the old store up for rent, the old five and dime – National's. They are putting that up for rent. That only started a week or so ago.

Mr. Folz thought the supermarket originally was going to expand into that store.

Mayor Teller said they were, but their set of plans are all okayed to re-do everything.

Mr. Houlihan explained that there were approvals from the Planning Board and the Building Department for a permit they have had for over a year and a half to renovate both stores and to expand the Waldbaum's into the old National's. They haven't done it. We have contacted them. They had problems last year because they were actually buying the Pathmark organization and that caused them to freeze all of their construction. He said he had talked to the construction manager several times about that and he told him they had frozen construction all over Long Island because of that purchase. According to the construction manager, he told him they were going to start in September, but we've heard that before. He felt the Village had done everything we can to try and get them going. They have a valid permit right now and they could do that construction tomorrow if they wanted to. It was really up to that organization to give the Village of Westhampton Beach a better store that we deserve. All of the communities around us are all getting beautiful supermarkets and there is no reason that they shouldn't do that. We have done everything we can to encourage them to move forward with it.

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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 8:45 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