

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, May 6, 2010 at 7 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach

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

**Clerk Treasurer Kathleen McGinnis
Village Attorney Richard Haefeli**

Mayor Teller opened the meeting with the Pledge of Allegiance.

Resolutions:

Accept minutes of Board of Trustees Meetings

Motion by Trustee Tucker:

RESOLVED, that the minutes of the Board of Trustees meeting of April 1, 2010 and Special Meetings of March 24, 2010 and April 28, 2010 are hereby accepted.

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

Accept Departmental reports

Motion by Deputy Mayor Birk:

RESOLVED, that the Treasurer's report for March 2010, Justice Court, Police Department and Building Inspector reports for April 2010, are hereby accepted.

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

Approve 2010 Westhampton Free Library use of Rogers Beach Pavilion

Motion by Trustee Kametler:

RESOLVED, that the Westhampton Free Library is hereby authorized to use Rogers Beach Pavilion for events and activities during the 2010 summer season as specified on the attached list.

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

Approve Hampton Security proposal for upgrades to security camera system

Motion by Trustee Levan:

RESOLVED, that the proposal submitted by Hampton Security for upgrades to the surveillance camera system is hereby accepted at a cost of \$2,025.00.

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

Establish park fee for DiGiacomo Subdivision

Motion by Trustee Tucker:

WHEREAS, Philip DiGiacomo filed a subdivision application with the Westhampton Beach Planning Board requesting that his property located at 257 Mill Road, Westhampton Beach, be subdivided into three (3) lots, and

WHEREAS, the Planning Board adopted a resolution on June 11, 2009 granting the application to subdivide the property into three (3) lots, and

WHEREAS, the Planning Board in its resolution found that there was a need for additional park and recreational opportunities in the Village and that the property of the applicant was not suitable for such a park or recreational facility, and

WHEREAS, the Planning Board further determined that the applicant was required as a condition of approval to make a payment in lieu of park land dedication with the amount of the fee to be determined by the Board of Trustees, and

WHEREAS, this Board finds that that there is a need for additional park land to be used for recreational purposes and that the determination by the Planning Board to require a fee in lieu of park land was reasonable, and

WHEREAS, this Board authorized Hampton Appraisal Services Corporation to undertake an appraisal of the property to determine the amount of the park fee.

NOW BE IT RESOLVED AS FOLLOWS:

That the Board of Trustees hereby establishes that, based upon the appraisal of Hampton Appraisal Services Corporation, the park fee to be paid by Phillip DiGiacomo in lieu of providing park land is \$44,330.34.

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

Accept park fee for DiGiacomo subdivision

Motion by Deputy Mayor Birk:

WHEREAS based upon this Board resolution establishing a park fee in the amount of \$44,330.34 with respect to the three lot subdivision of property owned by Philip DiGiacomo located at 257 Mill Road, Westhampton Beach:

NOW BE IT RESOLVED AS FOLLOWS:

This Board accepts the park fee in the amount of \$44,330.34 paid by Philip DiGiacomo.

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

Authorize renewal of 2010 Dee Angelo's outdoor dining permit

Motion by Trustee Kametler:

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 Levan and unanimously approved. 4 Aye, 0 Nay

Authorize renewal of 2010 Goldberg’s Deli dining permit

Motion by Trustee Levan:

WHEREAS, Goldberg’s Deli has applied to renew the Outdoor Dining Permit granted in 2008 to place four (4) standard tables and twelve (12) 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 2008, subject to the clearance of any existing violations.

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

Authorize renewal of 2010 Tonino’s Pizzeria outdoor dining permit

Motion by Trustee Tucker:

WHEREAS, Tonino’s Pizzeria has applied to renew the Outdoor Tables and Chairs Permit to place two (2) outdoor tables and eight (8) chairs pursuant to Section 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 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 Birk and unanimously approved. 4 Aye, 0 Nay

Authorize renewal of 2010 Shock Ice Cream outdoor dining permit

Motion by Deputy Mayor Birk:

WHEREAS, Shock Ice Cream has applied to renew the Outdoor Tables and Chairs Permit for 2010 to place three (3) outdoor tables with attached benches pursuant to Section 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 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 approved in 2004.

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

Authorize renewal of 2010 Beach Bakery outdoor dining permit

Motion by Trustee Kametler:

WHEREAS Beach Bakery has requested a permit for outdoor dining pursuant to the provisions of Section 196-1 of the Code.

NOW BE IT RESOLVED AS FOLLOWS:

That the Board of Trustees hereby authorizes and grants to Beach Bakery a permit for outdoor dining, subject to all the conditions set forth in section 196-1 of the Code, together with the following conditions:

1. All of the tables and chairs shall be located on the private property of Beach Bakery and tables and chairs shall not be permitted to extend onto the Village sidewalk and shall not interfere with pedestrian traffic using the Village sidewalk.
2. At the present time there are a number of outstanding zoning and building code violations with respect to the subject property, and it is a condition of this permit that the owner and tenant of the property at which Beach Bakery is operated, to file an application or applications to the Village Building Department by July 1, 2010 for any and all permits and approvals necessary, including any application to any Board of the Village to correct the violations.
3. If an application or applications for the correction of all violations are not made by July 1, 2010 and a notice is sent by the Building Department to this Board that such application or applications have not been filed, this Board shall conduct a public hearing to determine whether the permit should be revoked.
4. It shall be a condition to the submission and acceptance of an application for a permit for outdoor dining and the issuance of a permit in 2011 that all violations have been corrected by the owner or tenant of the property.

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

Authorize renewal of 2010 Funcho’s Fajita Grill outdoor dining permit

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 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 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 Birk and unanimously approved. 4 Aye, 0 Nay

Authorize renewal of 2010 Patio Restaurant outdoor dining permit

Motion by Trustee Tucker:

WHEREAS, the Patio Restaurant has applied to renew the Outdoor Tables and Chairs Permit to place five (5) outdoor tables and twenty (20) chairs pursuant to Section 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 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 Birk and unanimously approved. 4 Aye, 0 Nay

Authorize renewal of 2010 Firehouse Pizza outdoor dining permit

Motion by Deputy Mayor Birk:

WHEREAS, Firehouse Pizza has applied to renew the Outdoor Tables and Chairs Permit to place three (3) picnic tables with attached benches pursuant to Section 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 Board of Trustees hereby authorizes the placement of outdoor picnic tables as shown on the original plan and subject to the same set of conditions.

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

Authorize renewal of 2010 Hampton Coffee Company outdoor dining permit

Motion by Trustee Kametler:

WHEREAS, Hampton Coffee Company has applied to renew the Outdoor Tables and Chairs Permit to place four(4) tables and sixteen (16) chairs pursuant to Section 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 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 Levan and unanimously approved. 4 Aye, 0 Nay

Authorize renewal of 2010 Shock Ice Cream outdoor music permit

Motion by Deputy Mayor Birk:

RESOLVED, that the Board of Trustees hereby approve the renewal of Shock Ice Cream outdoor music permit for 2010 subject to the same conditions as set forth in the Determination dated August 3, 2006, the provisions of Chapter 196-2 of the Village Code and the requirement that the volume of the amplification shall not be so excessive as to annoy or disturb a reasonable person of normal auditory sensitivity.

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

Authorize renewal of 2010 Beach Bakery outdoor music permit

Motion by Trustee Tucker:

WHEREAS Beach Bakery has requested a permit for outdoor music pursuant to the provisions of Section 196-2 of the Code.

NOW BE IT RESOLVED AS FOLLOWS:

The Board of Trustees hereby authorizes and grants to Beach Bakery a permit for outdoor music, subject to all the conditions set forth in Section 196-2 of the Code, together with the following conditions:

1. It shall be the obligation of Beach Bakery that the public sidewalk not be obstructed and that no structures shall be placed on Main Street, preventing the use of any parking spaces in front of Beach Bakery.
2. There shall be no advertising of any type, with respect to any musician, musicians or artist performing on the property of Beach Bakery.
3. At the present time there a number of outstanding zoning and building code violations with respect to the subject property, and it is a condition of this permit that the owner and tenant of the property at which Beach Bakery is operated, to make an application or applications to the Village Building Department by July 1, 2010 for any and all permits and approvals necessary, including any application to any Board of the Village to correct the violations.
4. If an application or applications for the correction of all violations are not made by July 1, 2010 and a notice is sent by the Building Department to this Board that such application or applications have not been filed, this Board shall conduct a public hearing to determine whether the permit should be revoked.
5. It shall be a condition to the submission and acceptance of an application for a permit for outdoor music and the issuance of a permit in 2011 for outdoor music that all violations have been corrected by the owner or tenant of the property.

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

Authorize renewal of Wetter or Not 2010 outdoor music permit

Motion by Deputy Mayor Birk:

RESOLVED, that the Board of Trustees hereby approve the renewal of the Wetter or Not outdoor music permit for 2010 subject to the same conditions as set forth in the Determination dated August 2, 2007, the provisions of Chapter 196-2 of the Village Code and the requirement that the volume of the amplification shall not be so excessive as to annoy or disturb a reasonable person of normal auditory sensitivity.

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

Approve Hurricane Education Foundation Amazing Race

Motion by Trustee Kametler:

RESOLVED, that the Hurricane Education Foundation is hereby authorized to hold the Amazing Race on Saturday, May 15, 2010 between 10 a.m.-1:00 p.m., commencing at the Village Green, with a stop at Village Hall, proceeding along the route specified on the attached map.

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

Seafield Center Wellness Day at Rogers Beach

Motion by Trustee Levan:

RESOLVED, that Seafield Center is hereby authorized to hold the 15th Annual Wellness Day & Beach Party at Rogers Beach for counseling professionals on Friday, September 10, 2010 (Sept. 17th rain date) between 8 a.m. and 4:00 p.m.

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

Schedule public hearing St. Marks Cell Tower Special Exception

Motion by Trustee Tucker:

WHEREAS St Mark’s church previously received a special exception permit to construct a wireless telecommunication tower on the steeple of its church pursuant to the provisions of Section 197-42.1 of the Zoning Code, and

WHEREAS Section 197.42.1 U requires the Board of Trustees to review the special exception permit every five years, and

WHEREAS five years have elapsed since the granting of the special exception permit.

NOW BE IT RESOLVED AS FOLLOWS:

That the Board of Trustees shall hold a public hearing on June 3, 2010 at 7:00 p.m. to review the conditions for the renewal of the special exception permit set forth in Section 197.42.1 U and determine whether the permit shall be renewed for an additional five year period of time.

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

Appoint 2010 Part time/Seasonal Police Officers

Motion by Deputy Mayor Birk:

RESOLVED, that the following 2010 Part time Seasonal Police Officers will be hired at the rate of \$20.00/hour and will be scheduled to work at the discretion of the Chief of Police:

- | | |
|----------------|--------------|
| Steve Frano | Jeff Platt |
| John Rankin | James Storan |
| Marc DeMartino | Kevin Nolan |

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

Appoint 2010 Part time/Seasonal Traffic Control Officers

Motion by Trustee Kametler:

RESOLVED, that the following 2010 seasonal Traffic Control Officers will be hired at the rate of pay of \$ 16/hour and will be scheduled to work at the discretion of the Chief of Police:

- | | | |
|--------------|--------------|-----------------|
| Ron Gholson | Robert Laube | Thomas Glover |
| Connie Corso | Bruce Howson | Vincent Ianella |

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

Appoint 2010 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 2010:

Managers (40 hrs/wk)

Stephen Wisnoski \$22.44/hr.
 Anthony Grausso \$20.40/hr.
 Eric Sweet \$20.40/hr.

Substitute Manager (as needed)

Tom Betjemann \$22.00/hr.

Lifeguards

James Raynor	Head Lifeguard	17.25
John Balzano	Lt. Lifeguard	15.75
Matthew Montpetit	Lt. Lifeguard	14.50
Mark Nordman	Lifeguard	14.50
Mike Malloy	Lifeguard	14.25
Derek Westfield	Lifeguard	14.00
Rob Duca	Lifeguard	13.50
Joe Lenihan	Lifeguard	12.50
Chris Tagliavia	Lifeguard	12.50
Kellie Westfield	Lifeguard	12.50
Brian Carr	Lifeguard	12.00

Beach Attendants

James Carr	Head Attendant	11.50
Merisa Booth	Attendant	10.00
Olivia Lignon	Attendant	10.00
Sarah Burke	Attendant	9.75
Allison Barnett	Attendant	9.50
Connor Raynor	Attendant	9.50
Michael Polan	Attendant	9.25
Sam Wiles	Attendant	9.00

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

Appoint 2010 seasonal Village Marina personnel

Motion by Trustee Tucker:

RESOLVED, that Frank Prudente is appointed as the Dock Manager to be compensated at the rate of \$16/hr. and Vincenzo Portelli is appointed as a Dock Attendant to be compensated at the rate of \$13.50/hr.

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

Appoint part time DPW Laborers

Motion by Deputy Mayor 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 \$14.00 per hour effective May 1, 2010 and Joe Cacciato is also appointed as a part time Laborer at an hourly salary of \$14.00 per hour effective May 15, 2010.

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

Trustee Tucker asked if he could make a motion to add something to the agenda.

Mayor Teller said go right ahead.

Trustee Tucker said I make a motion to table the next eleven resolutions up to the May warrant.

Village Attorney Richard Haefeli said first you need a motion to add an item to the agenda.

Trustee Tucker said that's what I said.

Mr. Haefeli said and then you have to take a vote on that.

Trustee Tucker said okay.

Mr. Haefeli said and then the second motion is, okay and the first one is to add an item to the agenda and you have to take a vote on that.

Trustee Kametler said I'll second that.

Resolution was approved as follows:

Deputy Mayor Birk	Nay	Trustee Tucker	Aye
Trustee Kametler	Aye	Mayor Teller	Nay
Trustee Levan	Aye		

Trustee Tucker made a motion to table the next eleven agenda items on the agenda up to the warrant:

- Rescind Resolution Re: Withdrawal of Police Disciplinary Charges
- Rescind Resolution Re: Reinstatement of Police Officers
- Authorize Hearing Upon Written Charges
- Appoint Hearing Officer to conduct a hearing of Police Disciplinary charges
- Approve transcription/stenographic services for Police disciplinary hearing
- Authorize suspension of employee pending hearing Re: disciplinary charges
- Authorize suspension of employee pending hearing Re: disciplinary charges
- Rescind resolution adopted 3/4/10 concerning command discipline
- Rescind resolution adopted 3/4/10 requesting production of records pertaining to the failure to preserve, the loss or destruction of video and/or audio evidence
- Rescind resolution adopted 3/4/10 for production of firearm ownership records
- Rescind resolution adopted 3/4/10 for first report on investigations of penal law offenses

Seconded by Trustee Kametler and approved as follows:

Deputy Mayor Birk	Nay	Trustee Tucker	Aye
Trustee Kametler	Aye	Mayor Teller	Nay
Trustee Levan	Aye		

Mayor Teller read the following statement: With regards to these resolutions, written legal opinions by our labor attorney and dialogue at the Executive Board meeting with the labor attorney, Richard Zuckerman has fully supported all actions I have taken concerning the disciplinary charges against the two police officers. They are fully supported by law. A disciplinary hearing must be held to hear all the evidence to either

clear these officers of the allegations developed by another police agency or to discipline them. No other responsible course of action is justified.

Approve May 2010 warrant

Motion by Deputy Mayor Birk:

RESOLVED, that the Board of Trustees hereby approve the warrant for the month of May 2010 in the amount of \$ 148,650.29 for the General Fund.

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

Public Discussion

Fred Hager, 6 Debbie Lane, said he was with the Police Department for twenty years and union president for seven years. I would like to touch upon information which is supposed to be a personnel matter, not to be released to the public, has once again been leaked out. That information which was anonymously released was that Mayor Teller and Chief Dean are now seeking a third disciplinary hearing for a police officer in the department, mainly Stephen Cunneen. Stephen Cunneen has been nothing shy of a stellar employee for the Village for almost twenty-two years with an exemplary record to date. It was only a few years ago that he was named Officer of the Year. He further received commendations from the Village for rescuing a boy that was held at knife point in the Oak Street apartments. Let me remind you that all these Village residents that are present, that both the Mayor and Ray Dean use him as a primary training officer for new officers, due not only to his expertise and his well earned respect from his co-workers and public and yourselves. How soon we forget his dedicated service. Now, he's being charged with not providing medical records. Officer Cunneen provided full medical documentation, which was required as it was made available to him with regard to his line of duty injury at the time it occurred. It was duly reported to you, Mr. Mayor, Chief Dean and to the Village. The current outlandish charges against him, failure to bring his notes from his own surgeon to the Suffolk County Police doctor, are nothing less than a childish attempt to tarnish his twenty-two years of service. They are not only unwarranted, but will likely cost this Village another fortune. I ask you this Mayor, now that you have these three disciplinary hearings, what is the expected cost of these hearings - \$100,000, \$200,000? What is the cost to the Village residents to run these hearings? Back in 1995 to 1998, the Village paid nearly one million dollars of taxpayer money to go to these Village hearings on another officer, all considered a waste, since the hearing is not binding and the Village Board has a final say on what the disciplinary action is since there is non-binding disciplinary action in the contract of the Westhampton Beach PBA. What is the actual goal here? Do you, Mr. Mayor, and Chief Dean want to systematically destroy a proud Village Police Department and see how many lawsuits you can bring upon them with false accusations against good family men? Somehow, Mayor, I think if Bruetsch, Pesapane and Cunneen were in Chief Dean's inner circle, none of this would be happening to them and their families. While we're on the fact of the inner circle of Chief Dean, what exactly happened to his select officers? We have a loss of a firearm. We had an escaped prisoner. We had lying more than once to internal affairs while being interviewed. An officer refusing to leave headquarters while a man lay dying on Main Street in front of Magic's Pub. Allowing possible evidence tampering with police video after an arrest, namely Supervisor Linda Kabot. Allowing a prisoner to carry a knife into headquarters and misrepresenting themselves on police applications as they are Village residents. Although I certainly could continue, I ask that you evaluate the severity of the aforementioned charges and compare them to the charges levied against these three officers. Let us remember, Mayor, Chief Dean has been here almost eleven years. The Police Department is still operating under the rules and regulations that are in effect since 1964. Considering we are presently in 2010, isn't eleven years enough, Ray, that those rules and regulations are updated so to be reflective of forty-six years that have transpired in the interim. Seriously, eleven years to do a job, that certainly warrants updating to the current day policing. Also, note in eleven years Police Chief Ray Dean has yet to even have his

Police Department accredited with the New York State Division of Criminal Services, Justice Services. Yet again, something all the surrounding Police Departments have accomplished with pride. This has resulted in taxpayer gain and a decrease in insurance premiums in Quogue, Southampton Town Police Department and Southampton Village Police Department. Chief Dean and his staff have not performed officer evaluations in over three years, something that again is done annually in the surrounding Police Departments. This has all occurred under your watch, Mayor, or should I say not occurred. Perhaps Chief Dean is too busy counting his approximately two hundred thousand plus salary, all the time he had been wishing to own a cesspool company. It is with great regret that I urge Mayor Teller and Chief Dean to step down and the Village Board to provide us with a fiscal leader in the forward direction that the Village residents deserve. In closing, I will make myself available in person or by phone to Southampton Press to expand further on these disciplinary hearings and any other questions the press may have. Thank you.

Mayor Teller said thank you, Fred. I'll make myself available for your disciplinary records for the Press if you would like them.

Mr. Hager said whatever you have to do, Mayor.

Angelo de la Fuente, 30 Old Riverhead Road, said he lives in Remsenburg, but he pays taxes here. This is a follow-up to a question I had last month in reference to the blog that Mr. Speir wrote in reference to Mr. Kametler and myself about using equipment of the Highway Department to fix my parking lot. As you remember, Mr. Mayor, I called you from Florida, I believe it was February or March, to tell you that it was not the truth, that no equipment was ever used and you told me that you knew that, that there was no problem with that. You would take care of that. Mr. Speir, on his blog, after the Highway Department sent him a memo saying that no equipment was used from the Village, said "I stand for what I wrote". I would like to question him as I did last month with reference to proof that the charges against Mr. Kametler and myself are correct. I believe that the charges for an officer on the Board are very serious and I would like to know what you have done about this.

Mayor Teller said this would be a civil matter between you and Mr. Speir.

Mr. De la Fuente said Mr. Kametler is involved here. He's a part of the Board. He is a member of this Board.

Mayor Teller said he never said anything to me.

Mr. De la Fuente said, he never said anything to you, but it was in the paper.

Trustee Kametler said first of all, I'd like to say something. Mr. Speir's blog is nothing but a bunch of lies. Anyone that thinks that is the truth is like laughing all the way to the next pack of lies that he writes. As far as Mr. Speir writing that I used Village equipment to work for Mr. Angelo de la Fuente's business is a total lie and I challenge you, Mr. Speir, to come forward with the person or persons who gave you that information. Or, did you just make that up just like you make everything else up, alright. And as far as, Mr. Mayor, I did speak to you about this. You told me, don't worry about it, it's just another one of those things that happen while you sit up here on this Board. The reason why good people don't want to get involved with this Board is because you allow things like this to happen. The previous Mayor of this Village would have never allowed this to happen. He used to chew out the editor of the Press, Michael Pitcher, on a daily basis because he wouldn't write the truth. I sat up here and listened to this for six years now.

Mayor Teller said you're a public official. They can treat us any way they want.

Trustee Kametler said yeah, but you should defend your Board members when you know there's a lie going on. You should shut that down right away, alright. You told me about the possum, "don't worry about it, it will go away". They have anniversaries on the day it happens, this clown out here. He writes about my personal, my wife and my

personal family. It's B.S. and you allow it. You've allowed it and that is one of the reasons why good people don't want to get involved with this Board.

Mayor Teller said I have nothing to do with Dean's blog. Anything he puts in his blog is his business, not mine. If you and Angelo have anything to do with complaining about Dean, it's a civil matter.

Mr. De la Fuente said okay, Mr. Mayor, okay, but his blog has been accusing a member of this Board of something that is not true.

Trustee Kametler said Angelo, listen, it rolls off me. I'm not upset.

Mayor Teller said he's a public official.

Mr. De la Fuente said thank you very much.

Jackie Sprotte said my husband and I have resided at 441 Dune Road in Westhampton Beach for the past sixteen years. We also have a residency in Garden City. I am here tonight to inquire whether there has been any definitive resolution on the issue that caused considerable confusion and upset at this time of last year's Village election. Specifically, the issue is whether a person who resides in two different counties is permitted to change his or her address from one county to the other for the purpose of voting in the local election. This issue is relevant to quite a few Village residents. As far as I know, the Board of Elections, Bo Bishop has sent a letter to the Board of Elections. I was wondering if, has anyone gotten an answer back, because it's already over a year and I know that in Southampton Press, Bob Breen, the Deputy Director of the NYS Board of Elections explained that it is possible for voters to change their primary resident for purpose of voting up to two times each year. For example, a person living in Manhattan and who has a summer home in Westhampton Dunes can vote in the general election in November and then switch their residency to vote in the Village election in June. I, myself, received the same advice when I spoke to an official of the Nassau County Board of Elections. Unfortunately, I didn't get it in writing. I've learned a lesson. Next time, I will definitely ask for that. I trust we all agree there should be a final, definitive resolution on this issue prior to the registration deadline, which is coming up. Here are my questions. Do you have any reason to believe the Board of Election plans to respond to Bo Bishop's letter and has anyone heard from the Board of Elections?

Mayor Teller asked Village Clerk Kathy McGinnis to respond.

Mrs. McGinnis said we haven't received anything from the Board of Elections, but at the same time when Bo sent the letter to the Board of Elections, he also sent it to the NYS Conference of Mayors. The Conference of Mayors did respond and they also publish a quarterly magazine that goes throughout the state and they conduct the training for people like me to run Village elections. They go all over New York State and they hold them. I was in Garden City for my training this year, which is an annual event. So, they have given, again, there is not a set opinion that they have given, but they have given a lot of information which I have available and I'll give to you. It's what we've been told. I can only tell you that it talks about how to run the election and what to do in the process. Based on what was said there, there wasn't anything that was done wrong last year which, of course, made me happy. I'll make that available and again, I wish the Board of Elections had weighed in. They may be, from what I've heard.

Trustee Levan said they will be.

Mrs. McGinnis said well then, we'll have an answer.

Trustee Levan said I did speak to the attorney who wrote the article in NYCOM and she said that she will bow to whatever the Board of Elections says.

Mrs. McGinnis said I actually called her recently to see if she's heard anything from the state Board of Elections and they didn't.

Trustee Levan said I don't think they intended to contact her. I don't think that the state board.....

Mrs. McGinnis said they'll need to know, because they do the training.

Trustee Levan said I know she'll need to know. I understand that, but there was nothing in Bo's letter that said "Please send a copy of this to NYCOM".

Mrs. McGinnis said well, they were cc'd and they were meant to.....

Trustee Levan said I don't think they were going to do that.

Mrs. McGinnis said well, whatever. I hope we get it. That's the important thing.

Trustee Levan said I spoke to them a week ago and we will be.

Mrs. Sprotte said I'm a resident here, now. My husband, I did change his residency well before the thirty days that I was told. So, that's why I'm just here to clarify, there might be other people. In fact, someone wrote a letter to the editor stating that he couldn't vote in the school elections. I don't think that person realized he would have had to change his residency here. We're continually being told we're illegal or throwing the election, which isn't the truth. We're taxpayers and our vote should count. Mr. Speir's wife is a very lovely lady and wrote a letter to the editor saying "everyone should get out, every vote counts". How ironic that it was Mr. Speir who actually challenged forty people and my vote didn't count last year.

Trustee Kametler said sixty-four, all residents.

Mrs. Sprotte said oh, sixty-four.

Trustee Levan said along with the Mayor, yes.

Mrs. Sprotte said I just want to make sure this year that our vote counts. My next couple questions are, with everyone that is running for Trustee and Mayor, is there going to be any opportunity for residents to ask questions, because what I'm hearing in town is that people want to do away with, disband the Police Department and I would really like to know what everyone, what their feeling is. Because, to be honest, in '96 my father had a stroke on Dune Road and if it wasn't for the Police Department he probably wouldn't be here today. So, I'm definitely for the Police Department and I would like to know what everyone's views are before I go to vote. Also, I read about the wind turbines. I'm all for conserving energy, but I also have a couple of articles that says the noise that comes out of these wind turbines are horrible. So, I have a couple of articles here for you to look at so we don't just go and approve something without actually looking at the causes and effect. Also, the casino, I would like to know what people think about the casino, because I think it will be a quality of life issue for Westhampton Beach. The eruv, I would like to know that whoever is coming on knows all the pros and cons and is well informed. And, I was wondering for the Mayors, can you disclose who you are picking for the attorney to the Village.

Village Attorney Dick Haefeli said I took this as a two and a half, three month job, okay. It's up to the Mayor, whoever is Mayor come July, he chooses, subject to the approval of the Board.

Mrs. Sprotte said I only ask because I did read that you asked Peter Bee for an opinion and I was wondering if Peter Bee was on your list. He actually knows a lot about Village law. He was the Mayor of Garden City, so I was just throwing that out there. I was just wondering why he was asked the opinion.

Mrs. McGinnis said it was the paper that asked him.

Mrs. Sprotte said okay, I'm sorry.

Trustee Levan said you'll have an opportunity, because the League of Women's Voters is setting up a debate.

Mrs. Sprotte said thank you.

Deputy Mayor Birk said Jackie, I'm running for Trustee. If you want to call me, my cell phone is 514-5295.

Mrs. Sprotte said, I would say everyone here has been very easily accessed and I agree with Mr. Kametler. Anyone who runs or sits here deserves our respect. It's a hard job, whether you agree or not. I give you guys a lot of respect.

Dean Speir, 256 East Main Street, said I just have one question that Mr. Hager raised. I read a piece in the paper today about a third officer who wasn't identified. Is Mr. Hager accurate. Was it Officer Cunneen? Where did he get that information from?

Mayor Teller responded I have no idea.

Trustee Kametler said the same way that you got your information last month when you said everybody knows, it's the word on the street. So, that's probably where he got it, Mr. Speir.

Mr. Speir said well, I was on the street and I didn't hear that.

Trustee Kametler said well, that's unbelievable you didn't hear that. Mr. Hager heard it and you didn't.

Simon Jorna, Beach Bakery, said he was here last month asking about what was going to happen on Main Street, if you were going to do any repairs. Do you have any news as to when you are going to do it?

Mayor Teller said you haven't been looking. They've been painting.....

Mr. Jorna said when I came back today, I walked around and I didn't see anything.

Mayor Teller said you didn't walk in the parking lots first. They're painting the poles. They're taking out some of the boxes. We figure about 4th of July, we'll be down by you.

Mr. Jorna asked is there anything about the big flower boxes that everybody hates on Main Street. Anything more on that?

Trustee Levan said they planted them.

Mr. Jorna asked but, they're not going to change.....

Mayor Teller explained there will be some discussion between a couple of people tomorrow probably and we'll let you know.....

Mr. Jorna said good, thank you.

Victor Levy, 58 Beach Road, said since it appears that what could be best termed the "revolutionary" wars have continued where there was nothing being done on these various resolutions that have sat out, the matter of the disciplinary action sat out here for about six months now, I'm wondering could somebody on the Board or the Mayor tell us why nothing is being done. I know, by the Board's own admission, they've spoken to counsel. I know that was the excuse for several, four or five months, three months I think actually, that there was no meeting with counsel. It was reported and acknowledged that there was a meeting with legal counsel, yet we don't seem to have resolved anything and I'm kind of wondering why.

Mayor Teller responded the resolutions haven't gone through.

Mr. Levy asked if there was a reason that the three Trustees that voted against doing anything with the resolutions, is there a particular reason that they could give for doing that without involving the personnel involved, which I certainly understand you can't do.

Deputy Mayor Birk said that is an excellent question. I don't know why we're not going forward, especially when my interpretation from our counsel is to move forward.

Trustee Kametler said I was at the same meeting you were, Mrs. Birk, and there are options that we have and as far as I'm concerned, I'm still weighing my options on which way to go, okay.

Mr. Levy asked six months, Jim?

Trustee Kametler said six months because I'm on a Board with two other people that decided that we were going to look into this matter further, so we're weighing our options on which way to go.

Mr. Levy again asked six months?

Trustee Kametler said they might be weighed right out until June 18th. You never know.

Mr. Levy asked why is that a critical date, Jim?

Trustee Kametler responded it is a critical date because those things could get cleared up pretty quick after that date.

Mr. Levy said okay, so then they're being delayed until after the election. Is that your answer?

Trustee Kametler said I would think that would be the best response you're going to get from this Board.

Mr. Levy said well, at least that's an honest response.

Trustee Tucker said actually, Vic, we asked for info. We asked for certain info.....

Mr. Levy asked so, his information is not correct?

Trustee Kametler said that's not true. My information is correct.

Trustee Tucker said you wouldn't let me speak, but that's okay.

Mr. Levy said I'm sorry I interrupted you. You were waiting for more information.

Charlie Palmer, 38 Liberty Street, said it seems like these resolutions, these eleven resolutions, I was reading them over today before I came to the meeting, the four of them kind of go hand in hand with the other seven. The seven seem to be on the path to having a hearing and the four other resolutions give you information to make actually a good conscious decision as to whether to go to a hearing or not. So, the four get information that you can want to get to all the information in the department, not just the facts, all the facts pertaining to the hearings and then you can proceed with the other seven resolutions whether to proceed with it. I mean, I agree with Officer Hager as far as the accreditation process. This is what really involves the Police Department because May 25th the Suffolk County Police are coming in for a re-certification right now, because Suffolk County Police is accredited and they come in, DCJS comes in periodically every one or two years and they go over your procedures to see if you have updated things as far as whether it be cell phones. We've been hearing a lot of things as far as like human trafficking, I-pads, I-pods, right now. So, your procedures and even with, any other hostile things that are going on are updated. So, that is what they come in to see, if you have updated your procedures with this kind of stuff. So, when

you reference that back from 1964, this is totally not even taking into fact some of the latest things that are going on, the latest technology, whether it be search and seizure rules or the latest technology as far as surveillance equipment or any of that kind of stuff. Jackie alluded to the fact that people were talking about whether to keep the Police Department together or not. The idea is to actually look at the whole department as a whole and that's what those four resolutions do. It actually looks at the whole department as a whole and assesses whether, what road we want to go down, get those R & P's up to date as far as from 1964. And, get it on there on an accreditation path. I mean it will take a while to do it. It takes about a year, but it is a path to standardizing your procedures. That is definitely the direction that if the department goes, it definitely would actually conform procedures and you actually can handle people. You have rules to be able to sit down and say okay, these are the rules if something is off kilter a little bit, you can bring some of the guys back in. But, when you don't have rules that are up to date, it's hard to command people, discipline people, train people. It's all part of a training process, too. They have training when the kid comes out of the academy, so, this is the path that the police and that is what the four resolutions, to see if the police can actually look at them overall and see if they can get on back on the path so they can serve the residents. I hope that is what actually will happen. I think those eleven resolutions kind of go together. You know seven, four comes before seven and it leads right into the seven. So, hopefully a determination can be made on those eleven resolutions.

Mayor Teller asked, did you write those resolutions, Charlie?

Mr. Palmer said well, I'm not really sure because of the fact that the four resolutions actually give you the information that you need to make a conscious decision, you know, all the facts, just not little piecemeal and the Chief not wanting to give or maybe doesn't think he has to give or whatever. But, as long as you sit down and make a conscious decision, but if you have all the facts, people have been handled basically the same. Because that is what a lot of things, I mean, even the past stuff that seems to be around as far as Verbeeck and everything on a federal complaint. A lot of the things was that people were not being handled somewhat consistently. And, it goes back to the accreditation again where the procedures are not consistent, it's hard for officers to look okay. If I had a pullover or like a DUI thing, what procedures do I follow? So, when you don't have procedures that are up to date, it makes it very hard to be able to conform a police officer in the way of discipline or even train him for the right procedures. So, you know, I agree, but, I mean hearing or no hearing is what four resolutions would determine and then you just go down the proper path what you think it is. So, I kind of, you know, agree with the eleven, kind of, you know, they should probably be approved together.

Jeanne Speir, 256 East Main Street, said I am Mrs. Speir. I am not Mr. Speir and anybody who knows the two of us knows that we don't always see things eye to eye. However, I would like, Jimmy, to wish you the best of luck as you go on with life and thank you for advertising Dean's blog here, WHBQT, brilliant.

Trustee Kametler said I have no problem with that. I figure if anybody wants a laugh, they should read it.

Mrs. Speir said I know and I think we all had a good laugh tonight, too and I think "Possum Day" is going to become part of Westhampton Beach.

Trustee Kametler said then you should start selling t-shirts. You might make a few bucks.

Mrs. Speir said awesome, good idea. As far as the police officer was concerned who spoke this evening, I think we forgot again and I know this was mentioned the last time I came to a meeting, is that the laws from 1776 are working very well for us right now and I don't think we can forget them. I think we need to remember the Taylor Law that exists to protect people and I think we are violating that. I think a trial by media is not the way to resolve a personnel problem and this whole thing is playing out in the press.

It drives me crazy. So, that's pretty much what I had to say. And, thank you Mrs. Sprotte. That was very kind of you. Thanks.

Fred Hager said Mayor Teller, I just want to make it clear that you are in favor of these disciplinary hearings, is that correct?

Mayor Teller said, absolutely.

Mr. Hager said okay, do you recall having a conversation with me in 1998 when I was PBA President and you said that the hearings were a farce, it cost the taxpayers money and you would never go through that again. Do you recall that at all? Do you recall saying that.....

Mayor Teller said I probably said I wouldn't want to go through it again.

Mr. Hager said you wouldn't want to go through it again. And what is the reason for that, the taxpayer expense of almost a million dollars or the fact that it splintered the police department?

Mayor Teller said it was two years of my life.

Mr. Hager remarked, two years of your life. But, you're willing to go through it now as Mayor backing the Police Chief on three disciplinary charges going through a full section seventy-eight hearing. Is that correct?

Mayor Teller said let's.....

Mr. Hager asked is that correct?

Mayor Teller said let's get back to what you're talking about.....

Village Attorney Richard Haefeli said he is the Mayor.....

Mr. Hager said I asked him a question.

Mr. Haefeli said he is the Mayor and.....

Mr. Hager said I'm asking a question. Can't I ask a question?

Mr. Haefeli advised you don't speak to any member of the Board that way. If you want to ask them a question, that's fine, but do it in a respectful manner.

Mr. Hager said, in a respectful manner, do you recall.....

Mayor Teller asked do you want to be District Attorney?

Mr. Hager said do you recall saying to me you will never go through another disciplinary hearing that costs the taxpayers hundreds of thousands of dollars. Do you recall that?

Mayor Teller said that was ten years ago.

Mr. Hager said disciplinary hearings and the costs haven't changed, they've only increased, Mr. Mayor.

Mayor Teller said that's alright. There comes a time when you have to.

Mr. Hager said I think these charges are frivolous from what I see and I think it's a witch hunt on Chief Dean's part.

Deputy Mayor Birk said Freddy, how do you know these charges? How do you know these charges, Freddy?

Trustee Kametler said how does he know? Someone gave it to the newspaper.

Trustee Levan said it's been in the paper, right? We've been all over the paper.

Deputy Mayor Birk said someone gave it to him.

Henry Bramwell, General Manager of the Westhampton Aviators said I think what I'm about to say will be agreed on by everyone, so..... We have a collegiate summer baseball league that is played out here in Westhampton and we have twenty-five of the top players from the country come out to Westhampton for the summer to play college ball. I've seen most of the Board there at the games and I just wanted to ask for the Village's support for the team. It is free entertainment to come down. You can now watch a game for free. We have free clinics for the children and we've improved the baseball field behind the elementary school. We put new sod down. Tom Lettieri has generously built new dugouts. So, we have our players coming on June 1st, twenty-five of them coming into this Village. Their parents will be coming to the Village to spend a week or a few days to watch their kids play and they will be staying at hotels and eating at restaurants in the Village and we are just asking for everyone's support for the team. If you can house a player or you can give a kid a job for a few weeks.... They're required to do community service while they're here, so if anyone needs anything done, you can certainly contact me. My e-mail address is HB@westhamptonaviators.com. And, we're the 2009 champs, so, we hope to be it again this year.

A member of the Board asked what is the season?

Mr. Bramwell said the season starts June 4th and it goes to July 31st. Then we have the playoffs for the first week and then we win the championship on August 3rd.

Mayor Teller asked if anyone else would like to address the Board. There being no further response, he made a motion at 7:50 p.m. to adjourn the meeting. Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk