

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

**PRESENT: Mayor Conrad Teller
Deputy Mayor Toni Jo Birk
Trustee Leola "Sue" Farrell
Trustee Joan Levan
Trustee Hank Tucker**

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

Moment of Silence – former Trustee Pat Covello (1978 – 1988)

Mayor Teller opened the meeting with the Pledge of Allegiance. He then asked for a moment of silence in memory of former Trustee Pat Covello. He said he was a Village Trustee for ten years, a member of the Fire Department. He was Chief. He was a member of the Westhampton Beach War Memorial Ambulance. He was a quiet man. He did a lot for the community and I can say God speed for Pat.

Public Hearings:

Funcho's Fajita Grill Outdoor Music

Trustee Tucker made a motion to adjourn this hearing to December 1, 2010. Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Local Law 4/2010 to amend Village Zoning Code Chapter 197-63(Q)(3)

Village Attorney Richard Haefeli explained this is a proposal to give the Planning Board some leeway in when a park fee has to be paid in either a subdivision or site plan approval. It is something the Planning Board would then decide with the applicant whether or not it would have to be paid all up front or whether it could be paid in some sort of reasonable installments where the Village would be fully protected.

Mayor Teller asked if anyone in the audience would like to speak. There being no response, he made a motion to close the public hearing. Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

Motion by Trustee Tucker:

WHEREAS, this Board has advertised a local law adding Chapter 197 of the Village Code, entitled "ZONING" and

WHEREAS, a public hearing was held on Thursday, October 7, 2010, and

WHEREAS, this Board has resolved that it is the lead agency for purposes of SEQRA review, and

WHEREAS, this Board has reviewed the submitted EAF Part I and the applicable criteria pursuant to 6 NYCRR 617.7 in determining the environmental significance of this action, and

WHEREAS, this Board has determined that the proposed local law is one of general applicability.

IT IS THEREFORE RESOLVED that the proposed action will not have a significant effect on the environment and therefore this Board issues a negative declaration with respect to this proposed action, and

WHEREAS, all persons present at the meeting have had an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof, and

NOW THEREFORE, that after due deliberation the Board of Trustees of the Village of Westhampton Beach finds that it is in the best interest of the Village to adopt Local Law 4/2010 as advertised and attached.

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

Local Law 5/2010 to amend V & T Code Chapter 178 – Parking Fines

Village Attorney Richard Haefeli explained that summonses that are issued for parking violations have a provision in them providing for additional fines over and above the standard. The Village has not been able to collect those fines because a local law hasn't been adopted putting those additional fines into place and this law corrects that.

Mayor Teller asked if anyone in the audience had any comment. There being no response, he made a motion to close the public hearing. Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

Motion by Deputy Mayor Birk:

WHEREAS, this Board has advertised a local law amending Chapter 178 of the Village Code, entitled "VEHICLES AND TRAFFIC" and

WHEREAS, a public hearing was held on Thursday, October 7, 2010, and

WHEREAS, this Board has resolved that it is the lead agency for purposes of SEQRA review, and

WHEREAS, this Board has reviewed the submitted EAF Part I and the applicable criteria pursuant to 6 NYCRR 617.7 in determining the environmental significance of this action, and

WHEREAS, this Board has determined that the proposed local law is one of general applicability.

IT IS THEREFORE RESOLVED that the proposed action will not have a significant effect on the environment and therefore this Board issues a negative declaration with respect to this proposed action, and

WHEREAS, all persons present at the meeting have had an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof, and

NOW THEREFORE, that after due deliberation the Board of Trustees of the Village of Westhampton Beach finds that it is in the best interest of the Village to adopt Local Law 5/2010 as advertised and attached.

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

Resolutions:

Accept Departmental reports

Motion by Trustee Tucker:

RESOLVED, that the Treasurer’s report for the month of August 2010, and the Police Department, Justice Court and Building Inspector’s reports for September 2010, are hereby accepted.

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

Determination - Liberty Gas Special Exception

Motion by Deputy Mayor Birk:

The applicant is the owner of a parcel of real property located at 26 Riverhead Road in the B-2 Zoning District and has applied to this Board for a special exception permit pursuant to the provisions of Article VIII of the Zoning code to convert the existing contractor’s office into a retail gas propane business which is permitted in the B-2 district provided site plan approval and a special exception permit are obtained. The applicant obtained site plan approval from the Planning Board on July 8, 2010.

Due to the nature of the business and the fact that it is adjacent to residentially zoned property, the Planning Board in its site plan approval not only imposed an irrigated vegetation buffer of twenty feet along the easterly property line and a limitation on garbage pick-up but a number of conditions that are specific to the proposed use of the property as a retail gas propane business, including limitations on the location for the parking of the gas tank trucks, the limitations on the use of the one-story metal building, the prohibition of venting and discharge from any propane tank or chemicals used in the process on the property, except as incidental to filling of gas grill barbecue tanks, the limitations on the storage of propane to the 1,000 pound propane tank and the propane stored in the tank trucks and the limitations on the storage of propane tanks.

Based upon the forgoing and subject to the terms and conditions set forth above, this Board grants the applicant a special exception to operate a retail propane gas business from the property.

In addition, if any legal proceedings are commenced by the Village of Westhampton Beach in order to force the provisions of this special exception permit in any court or to obtain injunctive relief in the Supreme Court against the owner, occupant or the tenant of the owner or the heirs, successors or assigns of the owner, the occupant or the tenant of the owner the legal fees, court costs and other associated expenses incurred by the Village of Westhampton Beach shall become a lien upon the real property.

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

Approve Park Fee Kenny Subdivision

Motion by Trustee Farrell:

WHEREAS, Eileen Araskog and The Kenny Family Lost Tree Trust have filed an application with the Planning Board requesting subdivision approval for the subdivision

of a 6.04770 acre parcel of property owned by the applicants which is located on the east side of Oneck Lane in the R-1 Zoning District into four lots, and

WHEREAS, the Planning Board adopted a preliminary resolution dated March 7, 2007 with respect to the subdivision application finding 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 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 said fee to be determined by this Board, and

WHEREAS, this Board finds that the demand for recreational facilities exceeds the existing resources of the Village and that the continued construction of residential units together with the substantial increase in land values over the last several years has increased the problem and in order to reduce the impact that the subdivision planned by Eileen Araskog and The Kenny Family Lost Tree Trust will have upon the recreational facilities of the Village, the determination by the Planning Board to require a fee in lieu of park land was reasonable, and

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

NOW BE IT RESOLVED AS FOLLOWS:

That the Board of Trustees hereby establishes that based upon the appraisal of Hamptons Appraisal Services Corporation the park fee to be paid by Eileen Araskog and The Kenny Family Lost Tree Trust in lieu of providing park land is \$108,921.00 and that said park fee and the time of payment thereof shall be set forth in the resolution of final approval of the subdivision application of Eileen Araskog and the Kenny Family Lost Tree Trust.

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

Authorize employees to attend Building Officials Conference

Motion by Trustee Levan:

RESOLVED, that Bldg. Administrator Paul Houlihan and Fire Marshal Bill Hart are hereby authorized to attend the 2010 NYS Building Officials Capital District Annual Educational Conference in Albany on October 18, 2010 through to October 20, 2010 at the Holiday Inn at a cost per person of \$ 622.00 for tuition, lodgings and meals, plus associated travel expenses not to exceed \$350.00.

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

Authorize DPW Crew Chief to attend NYCOM Public Works Training School

Motion by Trustee Tucker:

RESOLVED, that DPW Labor Crew Chief John Kearns is hereby authorized to attend the 2010 NYCOM Public Works Training School in Lake Placid on October 18, 2010 through to October 21, 2010 at the High Peaks Resort at a cost of \$ 495.00 for tuition, and lodging and meals, plus associated travel expenses.

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

Authorize appraisal for Patio Gardens Park Fee

Motion by Deputy Mayor Birk:

RESOLVED, that Hampton Appraisal Service Corp is hereby authorized to appraise an 8 acre parcel to be subdivided to construct condominiums, located at Montauk Highway and Depot Road and identified by SCTM # 905-4-1-22.1, 23, 26.3 and 30.1, at a cost of \$3,500.00 to be paid by the applicant.

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

Declare DPW obsolete vehicles as surplus

Motion by Trustee Farrell:

WHEREAS, the Department of Public Works have submitted the attached list of items that are no longer in use by the Department, and therefore be it

RESOLVED, that the Village owned vehicles and equipment are hereby declared surplus and obsolete for Village purposes, and be it further

RESOLVED, that the Department of Public Works is authorized to publicize the items for sale through an on-line auction or public notice and to dispose any items that remain unsold after the auction period.

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

Adopt Board of Trustees Rules of Procedures for Board Meetings

Motion by Trustee Levan:

RESOLVED, that the amended Rules of Procedures for Board of Trustees Meetings are hereby adopted.

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

Accept proposal for Justice Court door installation

Motion by Trustee Tucker:

RESOLVED, that the price quote submitted by building contractor Edward S. O'Rourke to install a new door in the Judge's Chamber at a cost of \$850.00, is hereby accepted.

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

Authorize grant application to NYS Unified Court System

Motion by Deputy Mayor Birk:

RESOLVED, that the Mayor is hereby authorized to sign a 2010 Justice Court Assistance Application requesting grant funding in an amount not to exceed \$30,000 for the purchase of various Court items and equipment.

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

Authorize Halloween Parade- Fri. October 29th @ 3 pm

Motion by Trustee Farrell:

RESOLVED, that that Westhampton Beach Elementary School PTA is authorized to hold the annual Halloween parade on Friday, October 29th starting at 3:00 p.m. at the Westhampton Beach Elementary School on Mill Road and ending with Trick or Treating on Main Street until 5:15 p.m.

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

Authorize public notice of Local Law to amend towing rates

Motion by Trustee Levan:

RESOLVED, that the Village Clerk-Treasurer is directed to publish and post a Notice of Public Hearing to be held on Thursday, November 4, 2010 at 7:00 p.m. at the Village Hall on a proposed Local Law to amend the towing rates.

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

Authorize payment of small claims property tax reductions

Motion by Trustee Tucker:

RESOLVED, that the Board of Trustees hereby authorize the payment of 2009/10 property tax reductions in the amount of \$3,299.39 to the property owners specified on the attached list as a settlement of small claims as ordered by the NYS Supreme Court.

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

Appoint part time Police Officer

Motion by Deputy Mayor Birk:

RESOLVED, that Jason Luhrs is hereby appointed as a part time Village Police Officer, to be compensated at the rate of \$20.00 per hour and to work as scheduled by the Chief of Police.

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

Approve October 2010 warrant

Motion by Trustee Farrell:

RESOLVED, that the warrant for October 2010 in the amount of \$463,170.69 for the General Fund is hereby approved.

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

Public Discussion

Police Chief Ray Dean said I think you have a problem with the Halloween Parade. They wanted it on Thursday, the 28th. Someone was supposed to contact the Village, but you passed the resolution.

Village Clerk Kathleen McGinnis said actually, we were contacted today by the applicant on behalf of the PTA and she explained that there was an Executive Board meeting of the Chamber and the PTA last evening and they decided that they wanted to remain on the 29th, so.....

Erin Finley, 103 Main Street said that is so coming from the Chamber. That is not coming from the PTA.

Mrs. McGinnis said I just spoke to her this afternoon.

Ms. Finley said I can understand that. That is from the Chamber.

Mrs. McGinnis said no, the woman that I spoke to is the applicant and she was the applicant for the Westhampton Beach PTA.

Ms. Finley said this has been an issue now for a week or so, as some of you know. The PTA is actually the one who initiated the conversation, came to us, in hopes of resolving what they had heard, what was an issue with the merchants not wanting the PTA parade this year. I will tell you we started up a meeting a week and a half ago, two weeks ago, with thirty something merchants who wanted absolutely nothing to do with the parade, don't want it on Main Street, don't want Main Street closed. We came to, after a lengthy discussion, a compromise that allowed the parade to continue, which as far as I am concerned, I am a merchant, I am a parent, I have an organization. Regardless of any of that, living in a small town, the PTA parade is something I think should continue. But, it should not continue at a high cost to the merchants, which is what their argument was when once again they were planning on doing it on a Friday. We met. We came up with a compromise. I re-met with the PTA that had originally brought it to our attention. They then contacted the Superintendent and the Principal, all of which had no issue whatsoever with changing the date. I have spoken to them all firsthand now. I have spoken to Elementary School PTA, Middle School PTA, Remsenburg PTA, Lynn Schwartz and the Principal of the elementary school. None of them have an issue. I understand that the permit was originally filed back in January. I would have been here sooner except for I did not know it was actually on the agenda to be approved this evening. I was told earlier it had already been approved or I really would have made a point of trying to change my schedule and then I walked in and was told that you guys just went ahead and approved it. I understand that the Chamber does not want to change the date. I would love to know the reason why the Chamber does not want to change the date, when you have a group of merchants who are happy to participate in it provided it is the day before and.....(Ms. Finley started speaking to Ed Kurosz, Vice President of the Greater WH Chamber of Commerce who was in the audience.)

Mayor Teller asked Ms. Finley to please hold the conversation to us.

Ms. Finley continued saying an organization, the PTA, who is happy to change the day and a school who has a printed calendar that is happy to change the date. I even went as far as to have the school principal call the President of the Chamber. He was given the same two reasons this afternoon at 4:00. It can't be changed because of you. So, that's why I'm here, because this is what we are being told. We're being told it can't be changed because of the police. I already had a conversation with Ray Dean. He's assured me there is no problem with staffing it on Thursday. I had a conversation with Toni-Jo. I don't believe it would be a problem for your permits, especially knowing that it was just approved five minutes ago. These are the reasons we're being told. We have a group of merchants that have come to me and it has nothing to do with organizations

battling. These are not members of my organization or the Chamber's. Some of them are both, some of them are not. It is a group of merchants who are saying Halloween weekend they cannot afford to close their doors Friday afternoon. I understand from talking to Toni, yes absolutely, it is a choice of every merchant whether they want to participate in this or not. That is not the issue here. Even if they decide not to spend the money and not to participate, you're still closing the road. You're still costing them three hours of business on a Friday afternoon. If all of the people who are affected by this, the parents, the teachers, the children, have no issue and came to us to try to resolve it in a friendly manner and had no issue in switching it to Thursday, then I would ask you not to issue a permit for Friday and to issue it only for Thursday. You have a group of merchants and it's not a membership. You've got merchants on Main Street. We have walked and we have talked to everybody and besides two merchants so far that have told me they want it on Friday, I haven't found a soul that wants to give up that business. I don't think it's fair that you as Trustees, the Chamber of Commerce, has the right to force us to close our doors and by closing the street that is what you are doing. I had thirty something merchants all who wanted the parade gone. It took a lot of compromising to get thirty something merchants to turn around and say you know what, we would do this. We would be happy to do this on a Thursday. It's not costing us our revenue. Yes, we'll go out and we'll still spend some money on candy. Yes, we'll still come in. We'll open our doors. We'll let the children trick or treat. To get thirty something merchants to turn around like that and then be told that the organization that filed the permit and I don't mean the PTA, because they're on board, that it can't be changed, but the reason I'm being told it can't be changed now is based on you. So, you have the right to do something about that. I'm being told it's the police and the permit.

Trustee Levan asked Mrs. McGinnis who she spoke to.

Mrs. McGinnis said she spoke to the applicant. I'm going to go downstairs and get the application. The applicant called today and she said that she had spoken with the Principal and she told me that Heather Bester and John White of the Chamber had a meeting with the Executive Board of the PTA last evening and that they were not changing it. And, she told me that the Principal in her school didn't. So, the school is the applicant for the parade, so I can't make this change. They're the ones that provide the insurance certification so I think if you feel that.....

Ms. Finley asked the Chamber doesn't provide the insurance certificate?

Mrs. McGinnis explained they give us an insurance certificate for all of their events at one point, but it's a dual function and the police cannot have a parade one day and closing the street another day. That would be a very onerous cost for the deployment of our police officers.

Ms. Finley said no one wants that.

Mrs. McGinnis said I have an insurance certificate and an applicant who just told me several hours ago that they want to stay with the Friday, so I don't know what to say. I don't think we can change it without hearing from the applicant.

Ed Kurosz, Vice President of the Chamber of Commerce, 25 Liberty Street, said the Greater Westhampton Chamber of Commerce submitted the application for the Main Street Trick or Treat event on behalf of the Chamber on December 15, 2009. It was approved by the WHB Trustees on January 11, 2010. For the last fifteen to sixteen years that this event has been going on, if Halloween fell on a weekday, the event happened on Halloween. If Halloween fell on a weekend, the parade apparently occurred on the preceding Friday, which this is a Sunday so the event is being held on Friday. Not a single member, not a single merchant from Westhampton Beach Main Street business district has contacted the Chamber of Commerce. Ms. Finley, who is the President of WHAM, has not made any effort prior to doing her poll has made any type of attempt to contact us saying that there was any type of potential problem or type of issue with the date of the event before her poll. We still have not received a single

call. The only thing that we have received are two e-mails from members saying that they would prefer that the event remain on Friday, that it is unnecessary to disrupt the children's day to extend it to a fourth day of Halloween activities, to disrupt another day of classroom activities for the sake of the event. It is for the children. It is an hour of enjoyment on Main Street. It is not an imposed event on the merchants. If they wish not to participate, they don't have to. The original goal of this activity was to show that Westhampton Beach merchants, Main Street area, was alive, vibrant and the stores were open, to show the parents that they can come down to Westhampton Beach and find open stores on a year round basis in the shoulder seasons. That was the initial goal of the event when it was started seventeen years ago. The Greater Westhampton Chamber of Commerce had a meeting. The Executive Board had a meeting with Ellen Caruso and Heather Crane yesterday afternoon at 12:30, at which point we really don't know where the issue started. We gather it was instigated by WHAM to begin with. It is the position of the Chamber that our application was submitted December of last year for this Friday. It will remain as such. But, it is just totally unnecessary to go in and disrupt the schools, public government and public facilities as the Police Department for any further amount of time.

Mrs. McGinnis had retrieved the original application from her office downstairs. She said we have the application which was dated September 28th. It was submitted by the Westhampton Beach Elementary School PTA. The person who submitted the application was JoAnn Rignola and that is who I spoke to today. We have a certificate of insurance and then it was included on the overall submission of the Chamber, which we received earlier in the year and it was listed as that date, October 29th in conjunction with the PTA. I spoke to her today and she.....

Ms. Finley stated she's not the President of the PTA.

Mrs. McGinnis said but, she's the person.....I don't want to argue with you.....

Mayor Teller said I don't want any further arguments. Does anybody on the Board have anything further they want to know about?

Trustee Levan said I want to hear what else she has to say.

Ms. Finley said first of all, just to clarify this, I'm not even here for WHAM. I'm here for the merchants, period. Like I said, most of these merchants that are having to be involved with this are members of mine, members of the Chamber and non-members of any organization. This has nothing to do with membership to an organization. This has to do with merchants who do not want to be closed down on Friday. Second of all, this was not started by WHAM at all. This was instigated by a former President of the PTA who came to us with concerns. And, the Principal who came to us with concerns who had heard there was this disgruntled Main Street regarding the parade. Their hope was to continue to do the parade in a way that worked it out with the merchants. They are the ones who approached the merchants, not vice a versa. They wanted this to be a good feeling, not only for the children, but for the merchants. They did not want the merchants either closing their doors or participating and not feeling good about it. That is how this whole thing started. Now, you just told me that the applicant, but that's September 28th, as in last week.

Mrs. McGinnis responded yes.

Ms. Finley said this has been ongoing, Ed, since three weeks ago with Heather Bester via e-mail. I have all of the e-mails. So, please do not tell me that until today when we decided to take a written poll to submit to you that you heard nothing about it. I spoke to John David about it over a week ago. I spoke to Heather about it before our meeting, two weeks before our meeting and tried to get an answer before our meeting, our meeting was a week and a half ago. This was not.....and to say that nobody has responded to the Chamber, no one has called, I have twelve merchants who tell me that they called John David today, all of which you say you do not have a response. I also have printouts of e-mails that were sent to the Chamber today, all saying the same

thing, all saying if the merchants don't want to close their door on Friday and are happy to do this on Thursday, what's the problem. The PTA President is happy to do it on Thursday. The Principal of the Elementary School is happy to do it.

Mayor Teller said we have a form here with an insurance certificate. She was contacted by the Village Clerk today and.....

Ms. Finley said this is the first time we're hearing that JoAnn Rignoli is even involved in any of this and I am very happy to get a statement from her or have her contact you. I contacted Ellen because the school assured me that the PTA President is the one who is in charge of this. And, when she assured me and the Principal this afternoon at 4:00 that she had no issue, once again, in switching it.

Mayor Teller said I have not been contacted by anybody. I sit in the office most of the day.

Ms. Finley said I fully understand. I was trying to not have the Village get involved in this.

Mayor Teller said my phone has not rang. I was down on Main Street yesterday. I was down on Main Street today and not one merchant said a word to me as I walked.

Ms. Finley said I don't believe that any of the merchants, including myself, would have ever thought to bring this type of issue here to the Trustees. It was our last resort since you control closing the road.

Mayor Teller said we heard about it late this afternoon. We contacted the applicant.....

Mrs. McGinnis said no, they contacted us.

Mayor Teller said the one that signed the piece of paper. She did not change her dates or anything else and that's what we're going by.....

Ms. Finley said so, if JoAnn Rignoli submits an application with the changed date, then you will change the date.

Mayor Teller said if she submits a date and everybody agrees to it, then we would possibly have a vote on it, but until I get something from the Chamber or I get something from somebody in an official writing.

Ms. Finley said well, that's the question. Who is the official on this? Is it the merchants it affects or.....I have no problem with the PTA. Believe me, I have spoken to them and spoken to them and spoken to the Principal who also then called the President of the PTA. So, that is a non-issue. The issue still becomes if the Chamber is not willing to look at changing the date.....

Mr. Kurosz said the application says Friday, October 29th.

Mayor Teller said that is the issue.

Mr. Kurosz said the applications have been submitted by the Chamber and they have been submitted by the PTA.

Ms. Finley said and the PTA doesn't have a problem changing their day.

Mr. Kurosz said there has been no application for any other date.

Mayor Teller said they kept the same date. I have not heard from the Chairman.....

Ms. Finley said this is a person who is removed from all of this.....

Mayor Teller said I have not even heard from the Chairman or the President of the Chamber nor have I heard from you as the Chairman of WHAM.

Ms. Finley said I called Toni-Jo this morning. This is the first time it ever dawned on me to bring up such an issue with the Village. A Halloween parade is not something I would normally think merchants and PTA and Chamber couldn't work out. It's not.....

Mayor Teller said apparently there is miscommunications all the way through. We do have the documents and we acted upon the documents and the documents were not changed as of this afternoon when we were contacted.

Ms. Finley said my question still is, if the PTA is willing to.....

Mayor Teller said if the PTA and.....

Ms. Finley said which I know they are willing to come in and do.

Mr. Kurosz said it is not necessary.

Ms. Finley said it is necessary, Ed, because merchants don't want to lose hundreds of dollars on a Friday afternoon. You do not own your own business, do you? So, you don't.....

Deputy Mayor Birk asked let's keep it directed at the Board.

Mrs. McGinnis showed Ms. Finley the application and said the President signed this, too, the President, Ellen Caruso. So, we cannot make a change without hearing from them. If you want to just go ahead and hold this over.....

Trustee Levan said we can only go by what they turned in.

Mrs. McGinnis said right and there is an insurance certificate here and either don't vote and hold this over or.....

Deputy Mayor Birk said I brought it to the PTA President's attention last Thursday afternoon while picking up my child from school and she heard mumblings about something, couldn't even tell me what the talk was, the PTA President last Thursday, Ellen Caruso the current PTA President. She said you know, Toni, I haven't heard anything definitive. I've heard some mumblings, but nothing definitive. I said I'd just be curious to find out what's going on because the application has been in and when it is approved by the Village, the Police get notification so it's shut down and everything goes. She said I'll let you know what I hear. And that was last Thursday and I've heard you say today when I spoke to you, you know that, go back three weeks, six weeks. When I talked to Ellen, the PTA President, she just heard about it from me that there might be anything.

Ms. Finley said no, this was handled by another PTA member and the Principal and the Superintendent..

Deputy Mayor Birk said I mean, the application was in the 29th. As I said earlier, I don't want to see anybody lose any business, especially in this tough economic climate.

Ms. Finley said then don't approve closing the street.

Deputy Mayor Birk said but, the application has been in, Erin.

Ms. Finley said that's not the question. I understand that you don't want to listen to the fact that I am assured that the PTA will resubmit the application tomorrow.

Mayor Teller said I'm not going to beat it to death. We have passed the resolution. We have set a date and if the Chamber comes in, the PTA comes in and says they want to change it.....

Ms. Finley said the Chamber is not going to come in. I think he's expressed he doesn't care what the merchants feel. I don't understand what the issue is.....

Mayor Teller said he didn't say that. If the PTA, whoever gave us the insurance certificate, comes in and wants to change the date, we'll review it and we've got time to do it. But, until they do it.....

Ms. Finley said that's fine. That's all I'm asking.

Mayor Teller said I don't see beating around the bush and wasting the public's time. Thank you, Erin.

Patricia DiBenedetto, 21 Adam Lane, said I just want to say thank you for the new plantings in the islands on Bridle Path. I saw Andrew the other day and I asked him.....at the beginning of the summer they cleaned out a few of the beds and the northernmost bed on Bridle still needs attention with getting cleaned out and he mentioned for me to come down and just ask the Board if something could be done with that one and then also there is a bed on Jeffrey Lane. There are actually three of them. One was cleaned out and then the southernmost one closest to Montauk Highway is just a mess, if that could be addressed at some time.

Mayor Teller said I think we're on our way to working our way around there.

Mrs. DiBenedetto said I just have one other question. On August 5th, I was in front of the Board asking about an issue regarding rentals from September to May and if there was going to be anything as far as with the permit.

Mayor Teller said there is nothing right now.

Mrs. DiBenedetto asked is there going to be.

Mayor Teller said maybe yes, maybe no.

Mrs. DiBenedetto asked can I persuade it to be a maybe yes, because as of yesterday there were over a thousand homes listed in Westhampton Beach listed for rent at this point in time and I think that, what is an application in the summertime for a rental unit, \$100, \$150. Multiply 1,000 homes. There were 1,044 matches. That is just more income that the Village can generate if we have it and add a little bit more control as to who rents.

Mayor Teller said we'll take it under consideration.

Dean Speir, 256 East Main Street, said I just have a quick question. There was a resolution passed for eight hundred and some odd dollars to replace the door to the Judge's chambers.

Mrs. McGinnis said no, it's new construction. We're adding a door.

Mayor Teller said there is no door in there between the two rooms.

Mrs. McGinnis said it is just between the Judge's and the Clerk's office.

Trustee Farrell said it's construction. It's not just a door.

Mayor Teller said you can go between the clerical and the Judge's chambers without....

Mr. Speir said fortunately, I've never been down there, so.....

Mayor Teller said you and I are very fortunate.

Trustee Farrell said don't go.

Mr. Speir said thank you very much.

Mayor Teller asked if anyone else would like to address the Board. There being no further response, he made a motion at 7:42 p.m. to adjourn the meeting to go into Executive Session. Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Mayor Teller made a motion to return to the regular meeting from the Executive Session. Seconded by Trustee Farrell and unanimously approved. 4 Aye, 0 Nay

Approve Amendments to Village Office Staff Agreement

Motion by Trustee Levan:

RESOLVED, that the attached amendments to the Village Office Staff Agreement are hereby approved.

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

Approve Transfer of Senior Assessment Clerk

Motion by Trustee Tucker:

RESOLVED, that the Board of Trustees hereby accept the transfer of Senior Assessment Clerk Veronica Wagner, an employee of the Town of East Hampton, in accordance with applicable Civil Service rules, at a bi-weekly salary of \$1,532.56 based on a thirty hour work week, effective November 15, 2010.

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

Mayor Teller made a motion to adjourn the meeting. Seconded by Trustee Levan and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk