

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, August 4, 2011, at 7 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach

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

**Clerk-Treasurer Rebecca Molinaro
Village Attorney Richard Haefeli**

Mayor Teller opened the meeting with the Pledge of Allegiance.

RESOLUTIONS

Accept Minutes of Board of Trustees Meeting

Motion by Trustee Tucker:

RESOLVED, that the minutes of the Board of Trustees Special Meetings of June 30, 2011, July 12, 2011, and July 27, 2011, are hereby accepted.

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

Accept Departmental Reports

Motion by Deputy Mayor Birk:

RESOLVED, that the Treasurer's Report for June, 2011, and Justice Court's, Police Department's and Building Inspector's reports for July, 2011, are hereby accepted.

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

Authorize Refund of Duplicate Tax Payments

Motion by Trustee Farrell:

RESOLVED, that the Board of Trustees hereby authorize the refund of duplicate real property tax payments in the amount of \$13,654.74 to property owners specified on the attached list.

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

Authorize Payment of 2010-11 Certiorari Settlements

Motion by Trustee DiBenedetto:

RESOLVED, that the Board of Trustees hereby authorize the payment of 2010-11 property tax reductions in the amount of \$9,766.29 to Cronin, Cronin & Harris as attorneys for Hampton Square Realty LLC specified on the attached list as certiorari settlements as ordered by the NYS Supreme Court.

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

Authorize Payment of 2011/12 Certiorari Settlements

Motion by Trustee Tucker:

RESOLVED, that the Board of Trustees hereby authorize the payment of 2011/12 property tax reductions in the amount of \$1,599.07 to Cronin, Cronin & Harris as attorneys for Hampton Square Realty LLC specified on the attached list as certiorari settlements as ordered by the NYS Supreme Court.

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

Authorize Payment of 2010/11 Small Claims & Certiorari Property Tax Reductions

Motion by Deputy Mayor Birk:

RESOLVED, that the Board of Trustees hereby authorize the payment of 2010/11 property tax reductions in the amount of \$11,004.38 to the property owners specified on the attached list as a settlement of small claims & certioraris as ordered by the NYS Supreme Court.

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

Authorize Payment of 2011/12 Small Claims & Certiorari Property Tax Reductions

Motion by Trustee Farrell:

RESOLVED, that the Board of Trustees hereby authorize the payment of 2011/12 property tax reductions in the amount of \$30,815 to the property owners specified on the attached list as a settlement of small claims & certioraris as ordered by the NYS Supreme Court.

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

Authorize Agreement with Southampton Town for Installation of Beach Markers

Motion by Trustee DiBenedetto:

WHEREAS, in an effort to assist the general public in indentifying and conveying their exact location while at ocean beaches, the Town of Southampton plans to install beach markers along the shore from Cupsogue Beach in the west to Town Line Road in the east; and

WHEREAS, the markers are needed to provide quick confirmation of a beach location, in the event of an emergency incident, for first responders and the public; and

WHEREAS, Southampton Town plans to install 275 - 300 numbered, color-coded beach markers every tenth of a mile (i.e., 528 feet), immediately seaward of the toe of the dune along the ocean beaches; and

WHEREAS, the Southampton Town Planning Division has determined that the Emergency Beach Marker Capital Project is a Type II Action pursuant to Section 617.5 (c) (7, 15, 20, 27 & 33) of 6 NYCRR Part 617, State Environmental Quality Review Act, and accordingly no further environmental review is required; now therefore be it

RESOLVED, that the Board of Trustees of the Village of Westhampton Beach hereby authorizes the installation of numbered, color-coded beach markers along the beach

front falling within Village boundaries to be installed immediately seaward of the toe of the dune, at no cost to the Village.

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

Approve Use of Village Hall for Harbor House Annual Shareholder Meeting

Motion by Trustee Tucker:

RESOLVED, that the Harbor House Library Owners Corporation is hereby authorized to use the Village Hall Meeting Room on Saturday, August 27, 2011 from 9:30 a.m. to 12:00 p.m. for their annual shareholder meeting.

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

Approve Bide-A-Wee “Love on a Leash” Pet Parade and Fair

Motion by Deputy Mayor Birk:

RESOLVED, that Bide-A-Wee is hereby authorized to conduct a pet parade on Main Street on Wednesday, August 31, 2011, at 4:30 p.m. and a pet fair at the Village Green from 12 p.m. to 7 p.m.

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

Approve Seafield Center 16th Annual Wellness Day at Rogers Beach

Motion by Trustee Farrell:

RESOLVED, that Seafield Center is authorized to hold the 16th Annual Wellness Day and Beach Party at Rogers Beach for counseling professionals on Friday, September 9, 2011 (rain date of September 23) from 8 a.m. to 4 p.m.

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

Approve Westhampton Beach High School Homecoming Parade

Motion by Trustee DiBenedetto:

RESOLVED, the Westhampton Beach High School Student Government is authorized to hold its Annual Homecoming Parade on Friday, September 16, 2011, from 4:30 p.m. to 5:30 p.m. along a designated route approved by the Village Police Department.

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

Adopt Village Family and Medical Leave Act Policy

Motion by Trustee Tucker:

RESOLVED, that the Board of Trustees hereby adopt the attached Family and Medical Leave Act Policy for all Village employees.

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

Authorize Village Justice and Justice Court Director to attend NYS Magistrate's Association Conference

Motion by Deputy Mayor Birk:

RESOLVED, that Robert Kelly, Village Justice, and Leanne Gionta, Justice Court Director, are hereby authorized to attend the 2011 New York State Magistrates Association Annual Training Conference in Albany from September 25 - 28, 2011, at a cost of \$726.30 for Justice Kelly for registration, lodging and travel expenses and \$524 for Leanne Gionta for registration, lodging and travel expenses.

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

Authorize Police Lieutenant to attend FBI National Academy

Motion by Trustee Farrell:

RESOLVED, that Police Lieutenant Trevor Gonce is hereby authorized to attend the FBI National Academy's 248th Training Session from January 12, 2012, through March 16, 2012, at a cost only to include incidental travel expenses.

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

Authorize Village Clerk-Treasurer to attend NYCOM Fall Training School

Motion by Trustee DiBenedetto:

RESOLVED, that Rebecca Molinaro, Village Clerk-Treasurer, is hereby authorized to attend New York Conference of Mayors Fall Training School from September 19 - 22, 2011, at a cost not to exceed \$849.15 for lodging and \$240 for Program Registration and incidental travel expenses.

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

Approve Warrant for August, 2011

Motion by Trustee Tucker:

RESOLVED, that the warrant for August, 2011, in the amount of \$372,612.38 for the General Fund is hereby approved.

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

PUBLIC DISCUSSION

Mr. Mark Raynor indicated that he served as a deputy mayor and a trustee for the Village for twelve years. He was formerly a fire chief and has been a volunteer member of the Westhampton Beach Fire Department for 37 years. He asked if the Village had adopted a new policy prohibiting volunteer firefighters and EMS responders from leaving work to respond to emergency calls. Mr. Teller confirmed he had restricted Mr. Raynor's son from answering volunteer fire calls while on duty as a lifeguard, whether he is on break or in the lifeguard chair.

Mr. Raynor spoke with Sen. Fred Thiele who has written a local law currently in Albany and strongly favors volunteers being allowed to leave work; Mr. Raynor further indicated that the Fire District and the executive board of the Fire Department also favor allowing workers to respond to fire calls. Mr. Raynor wondered if this policy applies only to his son or to all Village workers; Mayor Teller clarified that this policy covers any employee working as a beach lifeguard during the summer. Mr. Raynor insisted that no employer has ever restricted an employee from responding to fight a fire to help someone in this Village or responding to an accident to save someone's life. If his son is on a break or lunch hour, Mr. Raynor does not believe his son should be told he is forbidden to help a Village resident.

Mayor Teller reiterated that an employee cannot leave the beach while being paid for eight hours to work as a lifeguard. Mr. Raynor claimed that Mayor Teller is singling out his son, as there is another Village employee in the Fire Department who is permitted to respond to fire calls. The Mayor indicated that the employee is a shop mechanic, not an emergency services staff member. Ms. Birk interjected that the mechanic's paid position is not a lifesaving position. Mr. Raynor reiterated his dissatisfaction with Mayor Teller's decision on this matter.

Mayor Teller asked if anyone else would like to be heard. There being no further response, he made a motion at 7:13 p.m. to adjourn the meeting. The motion was seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Rebecca Molinaro
Clerk-Treasurer