

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, March 3, 2011 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 Rebecca Molinaro  
Village Attorney Richard Haefeli**

---

Mayor Teller opened the meeting with the Pledge of Allegiance.

---

### **Proclamation – Eckart’s Luncheonette 100<sup>th</sup> Year**

Mayor Teller announced that they had a presentation for the Eckart family. He said Eckart’s luncheonette was celebrating its 100<sup>th</sup> year in business. He presented them with the attached proclamation.

Deputy Mayor Birk asked if Paul was going to waive those blue banners that say 100 years.

Mayor Teller said I must say, I’ve been going there for over sixty years and it’s been a wonderful place for me and of course, my father who was Chief of Police. He made many mentions when Jacob was over there to be careful, he was feeding us too much bad information. I got my legal advice over there and the conniving of the Republican Party in the back corner was something else. I also learned to tell dirty jokes over there and would read the comic books.

---

### **PUBLIC HEARINGS**

---

#### **Special Exception Application for Westhampton Auto Supply**

Mayor Teller opened the public hearing and asked if anyone had anything to say regarding Westhampton Auto Supply.

Village Attorney Richard Haefeli explained this was an application to convert what had been a physical fitness portion of the property into an electronic place for diagnostic testing of automobiles. It is permitted in the B3 zoning district, provided that a Special Exception has been received from this Board and provided there was a site plan approval from the Planning Board because it was a change of use. The Planning Board granted the site plan approval and there were no additional parking requirements; there were no additional Health Department requirements; that the building was basically set up to provide for this type or a similar type of use. The only condition that the Planning Board put on it and is also in your resolution is that any parking associated with this use is to remain in the rear of the property and no parking for this use can be in the front of the property. Based on that, I believe Mr. Morgan’s application meets the criteria for a Special Exception under the code.

Mayor Teller asked Mr. Morgan if he would like to say a few words.

Mr. Morgan said no.

Mayor Teller said okay. He asked if anyone else would like to address the Board. There being no further response, he made a motion to close the public hearing. Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Motion by Trustee Tucker:

The applicant is the owner of a parcel of real property located at 141 Riverhead Road in the B-3 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 an existing personal fitness center into a automobile diagnostic center which is permitted in the B-3 district provided a special exception permit is obtained. The applicant obtained site plan approval from the Planning Board on February 10, 2011 approving the change of use

from an existing personal fitness center into an automobile diagnostic center.

There is sufficient parking on the property to accommodate the automobile diagnostic center and this Board grants the special exception use of an automobile diagnostic center, provided that all vehicles are to be parked in the rear of the building and they shall not be visible from Riverhead Road and none of the vehicles shall be parked in the front of the building.

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

---

### **Amendments to Sign Ordinances and Regulations**

Mayor Teller opened the public hearing and asked if anyone would like to address the Board.

Deputy Mayor Birk wanted to take the time to tell the audience about the members that sat on the sign ordinance review committee. The committee started back in 2007, met through 2008 and then a little time off there and then we got it reconvened in September of 2010. Tonight is the public hearing presenting the work that the committee has done. On the committee we had, they are all members of the community: Erin Finley, she has Sydney's Taylor Made Cuisine on Main Street; Ken Schnabel owns Main Street Sweets on Main Street; Joe Musnicki, Ocean Spray Pools, Old Riverhead Road; Scott Miller, consulting actuary with the Actuarial Consulting Group on Sunset Avenue; Ed Kurosz with the Corcoran Group Real Estate Agency on Main Street and he is an officer with our Greater Westhampton Chamber of Commerce; Vic Levy of South Shore Boats and he is the Chairman of our Planning Board; Greg Minasian, I'm not sure what his livelihood is, but he's the Chairman of our Architectural Review Board; Laura Lizak, a member of our Architectural Review Board, as well. This is the committee that met without pay giving their time to review these ordinances. Kyle Collins will be talking in a minute. He's the Village Planner and has been consulting on many things with the community and Paul Houlihan, Building Inspector – head of the Building Department and Bridget Napoli our Code Enforcement Officer were in on these meetings. So, with that mentioned, it is a collective group of different individuals within the community. Kyle, do you want to pick up from there? Thank you.

Village Planner Kyle Collins said thank you very much. He said he also wanted to express his appreciation to the sign committee. We had numerous late nights having spirited debates about signs and I think it came out to a good conclusion. I'm going to speak here tonight about the recommendations that came out of the sign committee, as well as the consensus or initial consensus that was achieved on those recommendations by the Village Trustees. As Deputy Mayor Birk had mentioned, this started actually as a recommendation coming out of the 2006 Master Plan Update for the business district. It was to revisit the sign ordinance. The objectives of revisiting that was to look at signs in the interest of protecting the unique character within the Village's business districts and the Village as a whole, while still maintaining the importance of advertising to the businesses. So, it is a balancing act. I don't know if many of you have seen the actual public notice. I'm not going to go word for word or verbatim out of the actual code amendments. What I'm going to do is, I'm going to identify what the issues were identified by the sign committee and what the ultimate recommendation was with the amendments to the code. With that said, one of the first issues was some of the visual obstructions associated with signs, particularly in the B1 zone. As you all know, on Main Street we have beautiful streetscape which is accented by our street trees. However, some of those street trees block some of the signage on Main Street, particularly as it relates to not only automobile,

but pedestrians. When walking down the street you have a wall sign and you're on the sidewalk. In order to see that wall sign you almost have to step out into the street and look up and see it. So, one of the recommendations coming out of the committee was to permit something that wasn't specifically permitted under the code, which are blade signs. A blade sign is a sign, many communities permit them. It is actually a horizontal projection from the building so you can actually see it while you are walking down the street. The proposed changes for those blade signs are made in what is known now as Section 197.30.

That is the sign regulation section of the code. The amendment within that section of the sign regulations is paragraph C section 10. The amendment is to include that blade sign, permit blade signs within the B1, which is the downtown district. The next provision or issue that was addressed under the code, similar, was still a visual issue about signs, but in the B2, B3 zone. That zoning district is located along Montauk Highway and Riverhead Road. In those two districts the visual issue is not so much pedestrian, since those are highway corridors. It's associated with vehicle traffic. One of the issues was how do we identify businesses in those types of zones. B2, B3 is not pedestrian oriented typically and how do we still attract somebody in there, more focus the uses that are permitted there now, more destination uses and not drive-by traffic. One of the provisions that was included, which was not included in the code was something called a commercial complex identification sign and we included a definition under commercial complex identification sign and it reads: a site having a group of four or more commercial districts, one ground sign shall be permitted that contains the name of the complex and/or address only the size and setback of said sign shall be the same as permitted as a ground sign in the B2, B3 district. The issue was here that there is also something contemplated under the code called the directory sign. The directory sign is when you have multiple signs with individual business names under them. The issue about, again going back to the vehicular nature of this, is if you had small individual signs for each business within a strip commercial complex, it could be two reasons. It could represent severe clutter of visual space in terms of the streetscape because you would have to have many, many signs to identify it. Also, given the speeds that are permitted and travelled by vehicles on both of those highway corridors, the signs would have to be relatively big. So, the consensus was we will have one ground sign that would identify the complex. It would only have the name of that complex and the address. It does not affect how the signs, wall mounted signs and/or window mounted signs would be affected inside the complex itself, because once you get into the complex you are not driving at those high rates of speed. That's the other proposed amendment. Getting back to the directory signs, directory signs will now be permitted in the B1 zoning district. Directory signs shall be permitted for those business establishments that do not have direct frontage on Main Street, those are some of the businesses located down the alley, or are obscured from view from a public parking lot, i.e., the lot on the south side of Main Street, public parking site, so you can also have a directory sign for people who are parking to identify where those businesses are located in those alleyways. The next one was, there was an issue, again, this goes back to ground identification signs. There had been some issues in the past about the setbacks associated with ground identification signs. Originally in the code right now is permitted to be a minimum setback of fifteen feet from the property line. Now it is going to be down to ten feet from the property line. Also, within the change in the regulations there was some discussion about real estate signs. The consensus out of the Village Trustee was to make some amendments to the real estate signs only as it relates to the type of structure that is supporting the real estate signs.

It gives more flexibility and this is actually the business standard right now utilized in Westhampton Beach, which is a sign that is supported by a vertical black post. Right now in the code the only sign support that is permitted is a single post with an arm construction, so it is almost like a flag sign. Right now this would grant greater flexibility and actually permits most of the signs that are being utilized now. Another issue about the real estate signs, right now it requires that real estate signs be setback a minimum of twenty feet from the property line. Given the practical reality of landscaping associated with residential properties, that standard basically renders those signs obscured from the right of way. The proposed change is to eliminate that setback requirement and just states that the real estate sign will have to be placed on the subject property. There was also a lot of discussion about, which was not accounted for in the Village code at the moment, is open house signs. It is a provision under the code to allow open house signs under certain provisions. Those provisions are that one open house sign, again this is for the sale of real estate, will be permitted on the subject lot that will be the subject of the open house, as well as three additional open house signs within a perimeter, actually it says, to be placed at any of the five closest intersections to the subject open house. The size of those signs will be consistent with the size of regular real

estate for sale signs as provided under the existing code. Also, they can only be placed in the daylight hours when the open house event is to take place. The height shall not exceed a maximum of four feet above grade which is set on the subject property and has to be set back a minimum of ten feet from the edge of the pavement. The next issue that was raised during the review of the existing code was temporary identification signs for new businesses. Again, it is not permitted under the existing code. These are signs for, say somebody signs a new lease on the building, wants to get a sign up to identify that that business will be coming soon to that location; we provided a provision under the code that would allow that to happen. Right now that is not permitted under the code. That was achieved by amending the announcement sign provisions under the code which really only talked about, which is still permitted, but we broke the definition into two sections, which really only as related to promotional signs; the typical signs you see for charitable events and stuff like that. So, the new business, temporary new business sign, allows for a new business to actually have some identification that that business is coming soon, without having to go through the full sign permit process which can be, takes some time and actually get that notification out there. The other provision under the code, there were some amendments for the non-conforming sign sections. Non-conforming signs, there was a definition added for when non-conforming signs had to be terminated and there were some provisions under the code that had to be amended right now. There were provisions added as it relates to modifications and alterations. So, if a non-conforming sign is modified or altered in the future, it has to be made conforming. The question is what does that mean. There was a definition included under the amendment as to what modification and alterations are and what it includes. Any modification or alteration, not including routine maintenance, to any such lawfully pre-existing, non-conforming sign shall be subject to all requirements of this article including that any change in the text or business name associated with said sign. Then the key is, which was added, was what is the definition of routine maintenance. Routine maintenance is defined as the cleaning, painting, with no change in the color, repair of the subject sign in a matter that did not alter the basic copy, color, design or structure associated with the subject sign. So, that gave some clarification of when a sign has to, a pre-existing, non-conforming sign has to come into conformance with the code. There were also provisions under non-conforming signs that were added, which was to amortize pre-existing, internally illuminated signs. Those are the shadow box type internally illuminated signs that would be amortized. There are provisions under the code to extend the amortization period for a period of five years, which would end in 2016. So, 2016 all internally illuminated signs would have to come into conformance with the code. There was another provision under the code that did not exist, which was found important and was raised by the sign committee, was restaurant menu signs, you may have seen them in other communities. The existing code does not permit it where you have a restaurant menu that is mounted outside of a restaurant. They indicate what is either standard on the menu, maybe specials. There are provisions in the code - before it was prohibited and therefore it was actually illegal to do that. There are existing regulations proposed that would permit those restaurant menu signs. There were changes to the administrative process for the sign regulations. There was an inclusion of what is called a master plan sign and those are typical for multi-tenanted sites. What happens is you have a multi-tenanted site; it goes through site plan approval and typically there could be a master plan sign for the entire complex that has to be consistent with that master plan sign that has been approved. If that is the case and that has been approved by both the Planning Board and the ARB, any sign, new sign, if there is a change in tenant and somebody submits a sign for a site that already has an approved master plan sign, then that can be processed administratively as long as it is consistent with that master plan sign requirements. Also, there were provisions for administrative sign review that meets certain standards that were recommended and included by the Village Trustees. There are certain standards if the sign is proposed, meets the standards; they can go through the administrative review. It is a quicker review process and does not have to be reviewed by the ARB. It strictly goes straight through the Building Department, provided they meet those standards. Also, under prohibited signs, there were issues about what the intent of prohibited signs was. It was a catch all provision that was included under that section for prohibited signs. It simply reads "temporary or permanent signs nested on or attached to or inside any vehicle, building, fence, telephone pole or other structure or means to support or otherwise display in any manner designed to circumvent these restrictions would be prohibited". Getting back to illumination of signs, through the design committee there was discussion to provide some greater flexibility in some types of illuminations of signs and it was the consensus at the time with the sign committee to allow certain backlit signs. They're also called "halo" signs (he passed around some examples of those types of

signs). It is basically a sign that is opaque, it's only the lettering, so the light does not shine through the signs, but actually illuminates back against the building. It's called a "halo" sign and it is also technically and the definition here is a backlit sign consisting of an internally illuminated sign with opaque reverse panel halo lit signs and elements with concealed light source in which the line projects away from the viewer. Reverse hand letters are set away from the side with a light illuminating out of the back of each sign rather than through the front. It was the consensus at the time to provide greater flexibility with sign illumination particularly with eliminating through amortization the typical shadow box lighting. The next amendment that was proposed would actually provide even more detailed design guidelines for all signs, particularly when reviewed by the ARB and also assist applicants when making a sign application so that they know exactly what the Village is looking for. They don't have to guess now. There were certain design standards which needed to be bolstered up and more definitive design standards have been included in the code. That is basically the nature of the amendments to the sign regulations.

Mayor Teller asked if anyone would like to be heard.

Dean Speir, 256 East Main Street, said he just had a question. You spoke about shadow box signs or any modification of text or name. Are you including marquis signs, of which I can count several currently in the Village.

Mr. Collins said that was a good point. Historically, there is a definition that was included for historical marquis signs. Those are those existing marquis signs associated with the theaters in town. They are exempt from the amortization provisions proposed under the code.

Mr. Speir asked how about the ones, say Circle M and Casey's?

Mr. Collins said I would say those would have to be amortized, right now as proposed under these regulations.

Mr. Speir said so, if Circle M wants to put a different beverage on sale a certain week, that would start the clock ticking on an amortization?

Mr. Collins replied no, if any sign is internally illuminated, it meets the definition of the existing internally illuminated sign, it is subject to amortization. Now, you're talking about the other non-conforming signs, it could stay there forever and could do routine maintenance forever, provided that there is not a change in text or color or to the structure of the sign. Now, the provisions for, say the Circle M when they put different lettering on that, I don't know. He asked Paul Houlihan, Building Inspector, how he would treat that.

Mr. Houlihan explained I don't think that is what the intent of what was discussed.

Mr. Collins said but, the point is, if it is an internally illuminated sign, whether they're changing text or not changing text, it is subject to as proposed under the regulation, would be subject to the amortization and would have to be removed by 2016.

Trustee Tucker asked if there was any plan to inform the businesses that the clock is ticking on.

Mr. Collins said absolutely.

Trustee Tucker said so that they know that five years doesn't come and all of a sudden they had no idea about it.

Mr. Collins said that's right. There is going to be a provision, if and when this is adopted, there's going to be a proposal for a process to notify all businesses of the revised sign regulations, particularly as it relates to amortization and will identify what those regulations are and the procedure for granting the extended amortization period out to 2016. And, there is a proposal even a year before that, there's been discussion to again remind those non-conforming signs that they will be amortized in a year and they need to take action within that year. For 2015 those will be sent out in order to tell them you need to come in and put in a sign application in order to conform to the code. Those, like everybody else, also have the opportunity to go to the ZBA to legalize it.

Mayor Teller asked if anyone else would like to be heard. There being no further response, he thanked Mr. Collins and made a motion to close the public hearing. Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

---

**Amendments to Coastal Erosion Management Law**

Mayor Teller opened the public hearing.

Village Attorney Richard Haefeli explained this is a proposed amendment that we will have to wait to get the approval from the state DEC. The whole purpose of it is to come up with a simpler manner in which to determine the value of property you're going to build in a coastal erosion hazard area. You can't make an improvement if it exceeds 50% of the value. There have been several cases around where different people have made estimates as to what the value of the property is. Since most of the properties, not all, but many of the properties in the Village have been; they've all been reassessed to 100% and I would say a good portion of those fairly reflect what the value of the property is. Therefore, in the future we would use the assessed valuation as determined by the Town as opposed to having the applicant come up with an appraiser. If the applicant doesn't like the assessed valuation, then he can have an appraisal done, but it still would be up to the Board to determine the value. But, in order to pass this, we have to get the approval from the State and that's what we're waiting for.

Mayor Teller asked if anyone in the audience would like to address the Board.

Mr. Haefeli said he would just suggest that because we haven't gotten the approval from the State, that the Board adopt the motion to keep the public hearing open and adjourn it until next month.

There being no response from anyone in the audience, Mayor Teller then made a motion to keep this public hearing on the coastal erosion law open and adjourn it to next month. Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

---

**RESOLUTIONS:**

---

**Accept minutes of Board of Trustees Meeting**

Motion by Trustee Tucker:

RESOLVED, that the minutes of the Board of Trustees Meetings of December 23, 2010 and February 3, 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 January 2011, Justice Court, Police Department's and Building Inspector's reports for February 2011, are hereby accepted.

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

---

Motion by Trustee Farrell:

RESOLVED, that the 2009–10 fiscal year annual Financial Statement prepared by Lundy and Co. for the Village of Westhampton Beach’s Justice Court is hereby approved.

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

---

**Authorize petty cash for Justice Court**

Motion by Trustee Levan:

RESOLVED, that the Board of Trustees hereby authorizes the Village Justice Court to have petty cash available not to exceed an amount equal to \$200.00 (two hundred dollars) during court hours.

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

---

**Schedule public hearing on 2011–12 Tentative Village Budget**

Motion by Trustee Tucker:

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to publish and post a Notice of Public Hearing for the 2011–12 Tentative Budget to be held on Thursday, April 7, 2011 at 7 pm at the Village Hall.

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

---

**Schedule public hearing on Local Law to amend code relating to Wireless Towers**

Motion by Deputy Mayor Birk:

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to publish and post a Notice of Public Hearing on amendments to Village code in reference to visual impacts from Wireless Communication Facilities to be held on Thursday, April 7, 2011 at 7pm at the Village Hall.

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

---

**Authorize land transfer to Habitat for Humanity**

Motion by Trustee Farrell:

WHEREAS, the Village of Westhampton Beach is the owner of a vacant parcel of real property of approximately 15,911 square feet located on a private road known as Guldi Street, and which is designated on the Suffolk County Tax Map as 0905-06-01-12; and

WHEREAS, the Village acquired the property from the County of Suffolk on March 8th, 2002 to be used for affordable housing, subject to certain conditions; and

WHEREAS, Habitat For Humanity of Suffolk, Inc. is desirous of acquiring the property for the purposes of constructing an affordable house; and

WHEREAS, the Village is desirous of promoting affordable housing within the Village;

NOW THEREFORE BE IT RESOLVED, that the transfer of the real property owned by the Village of Westhampton Beach, which is designated on the Suffolk County Tax Map as 0905-06-01-12, to Habitat For Humanity of Suffolk, Inc. without consideration is hereby authorized, subject to the following conditions to be imposed in the deed as a covenant:

Habitat For Humanity of Suffolk Housing Development Fund, Inc. shall offer the house for sale to an individual who meets their income eligibility standards and who meets the following conditions in the following order; (1) a full-time employee of the Village of Westhampton Beach, (2) an active member of the Westhampton Beach Fire Department, (3) an individual who graduated from Westhampton Beach High School from 1980 to the present time and who was a resident of the Town of Southampton at the time of graduation, (4) an individual who currently resides within the area of the Westhampton School District, Quogue School District, East Quogue School District or Remsenburg School District, (5) an individual who currently resides within the Town of Southampton, (6) an individual who currently resides within the County of Suffolk and (7) any other individual who qualifies. The property shall only be transferred to an individual to be used as the individual's permanent residence. The term individual as used herein may include a husband and wife as joint owners.

Proof of compliance with the above shall be a condition to the issuance of a Certificate of Occupancy with proof to be delivered to the Building Department of the Village of Westhampton Beach and the Building and Zoning Administrator shall make the initial determination of compliance. In the event any issue arises regarding compliance with the above requirements, the final determination of compliance shall be made by the Board of Trustees of the Village of Westhampton Beach after a public hearing.

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

---

**Approve 2011 Beach Rates and Regulations**

Motion by Trustee Levan:

RESOLVED, that the attached Beach Rates and Regulations for the 2011 summer season are hereby approved.

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

---

**Approve 2011 Marina Rates**

Motion by Trustee Tucker:

RESOLVED, that the attached Marina Rates for 2011 are hereby approved.

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

---

**Accept proposal for 2011 Rogers Beach Snack Bar Concession**

Motion by Deputy Mayor Birk:

WHEREAS, the Village of Westhampton Beach has advertised for bids for the operation of the Snack Bar Concession at the Rogers Beach Pavilion for the 2011 summer season based upon the specifications on file with the Village Clerk; and

WHEREAS, five bids were received and opened; and

WHEREAS, the highest bid price was submitted by JR WaterCorp in the amount of \$18,600,000, and

WHEREAS, the bid by JR WaterCorp did not meet the bid specifications, and

WHEREAS, the next highest bid was submitted by Jessup Foods, LLC (d/b/a Quogue Country Market), in the amount of \$9,000.00, and

WHEREAS, the bid by Jessup Foods, LLC (d/b/a Quogue Country Market), did meet the bid specifications; and

NOW THEREFORE BE IT RESOLVED, that the bid received from JR WaterCorp is rejected as not meeting the bid specifications; and

IT IS FURTHER RESOLVED, that the bid submitted by Jessup Foods, LLC (d/b/a Quogue Country Market) being the next highest bid that meets the bid specifications, is hereby accepted.

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

---

**Accept proposal for tree pruning project for Main Street and vicinity**

Motion by Trustee Farrell:

RESOLVED, that the Board of Trustees hereby accept the proposal submitted by Bartlett Tree Experts in the amount of \$5,670.00 for a tree pruning project for Main Street and neighboring areas pursuant to standards specified by ANSI.

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

---

**Approve Use of Village Property fee schedule**

Motion by Trustee Levan:

RESOLVED, that the Board of Trustees hereby approve the attached fee schedule for use of Village property.

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

---

**Approve Westhampton Beach Athletics Run/Walk for Women**

Motion by Trustee Tucker:

RESOLVED, that the Westhampton Beach Athletics Department is hereby authorized to hold a Run/Walk for Women fundraiser that will begin on Oneck Lane, heading south making a left onto Reynolds, then a left onto Meadow Lane, then left onto Oneck Road and then right, concluding on Oneck Lane on Saturday, April 2, 2011 from 9:00 am to 10:30 am.

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

---

**Approve Remsenburg-Speonk PTO use of Village Green for Annual Earth Day**

Motion by Deputy Mayor Birk:

RESOLVED, that the Remsenburg-Speonk PTO is hereby authorized to use the Village Green for the 3<sup>rd</sup> Annual Earth Day Festival on Saturday, April 30, 2011 from 1:00 pm to 4:00 pm.

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

---

**Approve Five Borough Bicycle Club use of Village Marina**

Motion by Trustee Farrell:

RESOLVED, that the Five Borough Bicycle Club is hereby authorized to use the Village Marina as a rest stop during the annual Montauk Bicycling event on Sunday, May 15, 2011 from 7:00 am to 5:00 pm where they will provide food, drink, bicycle repair and portable bathrooms.

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

---

**Approve EJ Autism Foundation use of Montauk Highway and Sunset Avenue intersection for rest stop**

Motion by Trustee Levan:

RESOLVED, that the EJ Autism Foundation is hereby authorized to use the intersection of Montauk Highway and Sunset Avenue as a rest stop on Saturday, May 21, 2011 from 5:00 pm to 6:00 pm for their Walking Relay to Montauk.

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

---

**Approve Responsible Solutions for Valued Pets Walk and Event from Great Lawn to Village Green**

Motion by Trustee Tucker:

RESOLVED, that Responsible Solutions for Valued Pets is hereby authorized to hold a dog walk on Sunday, June 12, 2011 from 10:00 am to 2:00 pm beginning at the Great Lawn and ending at the Village Green with the dog walk to take place from 10:00 am to 10:30 am and festivities to take place at the Village Green from 10:30 am until 2:00 pm.

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

---

**Approve Westhampton Rotary Club Annual Flea Market use of the Great Lawn**

Motion by Deputy Mayor Birk:

RESOLVED, that the Westhampton Rotary Club is hereby authorized to use the Great Lawn for the Annual Flea Market on Saturday, August 13, 2011 from 10:00 am to 6:00 pm and Sunday, August 14, 2011 from 12:00 pm to 6:00 pm.

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

---

Motion by Trustee Farrell:

RESOLVED, that the Board of Trustees hereby regretfully accept the retirement of Village Police Detective Edwin Hamor effective March 13, 2011.

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

---

**Approve warrant for March 2011**

Motion by Trustee Levan:

RESOLVED, that the warrant for March 2011 in the amount of \$268,711.20 for the General Fund is hereby approved.

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

---

**PUBLIC DISCUSSION**

Dean Speir, 256 East Main Street, asked about the schedule that was adopted for Habitat for Humanity. He asked if that was a pecking order of eligibility.

Deputy Mayor Birk responded yes.

Mr. Speir asked what was the status of the police disciplinary hearings. He said they have been going on for a while and we haven't heard of any sort of response.

Mayor Teller said it is a little faster than the rubber rooms in the New York City school system, but one hearing has been concluded. The hearing officer has made a recommendation and it has been submitted to the Board. They will be reading it, maybe tonight and tomorrow.

Mr. Speir asked, and then what?

Mayor Teller responded then we have to have a Special Meeting to make a determination based on the recommendation of the hearing officer.

Mr. Speir asked if that will be a public meeting.

Mayor Teller said that I will have to check on.

Village Attorney Richard Haefeli explained the determination will be public.

Mayor Teller said the resolution that would come from that meeting would be public.

Mr. Speir asked if he anticipated that this will take place in the next week or so.

Mayor Teller said probably Tuesday.

Mr. Speir said okay, in the next week or so, thank you.

---

Mayor Teller asked if anyone else would like to be heard. There being no further response, he made a motion at 7:46 p.m. to adjourn the meeting. The motion was seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

---

Respectfully submitted,

Christine Owen  
Secretary