

**Minutes of the
General Meeting of the Board of Trustees
Village of West Hampton Dunes
West Hampton Dunes, NY**

May 16, 2009
West Hampton Dunes, NY

Attendance: Mayor Vegliante, Trustees, Charles Brown, Catherine Woolfson, Michael Craig, Gary Trimarchi, Village Clerk, Laura J. Dalessandro, Chief, Don Zlatniski, Sgt. Brian Hennig, Road Commissioner, Mike Burner, 10-12 residents. Absent: Joseph Prokop, Village Attorney, Aram Terchunian, Commissioner of Wildlife Protection.

Meeting open by Mayor 10:20 a.m. - Pledge of Allegiance

- Mike Burner, Road Commissioner gave update on the road. Village Roads have all been newly paved and all new signs have been ordered. Discussion of the plans for the striping of the road.

- Don Zlatniski, Chief of Police, explains the legality of the different striping. Double yellow lines prohibits passing and is a violation that is legally enforceable by the Police Constable. State Law requires a double yellow line in order to enforce No Passing.

- Mayor Vegliante directs Road Commissioner to work on getting the striping completed by Memorial Day.

- Still some puddles on the roads. All driveways should have drains at the end of them.

- Suffolk County Project – Widgeon Way to Cupsogue Park probably not getting done this year. Still working on easements necessary do the project, have five in place, two are still in court. Suffolk Paving offered to put a 1” road from Widgeon Way to Cupsogue for \$11,000. They have been a great company to work with.

- Motion to allocate \$11,000 for the paving of the last section of road from Widgeon Way to Cupsogue Park entrance:

Motion by	Trustee Craig
Seconded	Trustee Brown
All in favor	Unanimous
All opposed	None

- Road Commissioner & Engineer agree and have signed off that the final payment for the road project, except for the 5% retainer, can be released to Suffolk Paving.

- Motion to issue final payment minus the 5% retainer fee to Suffolk Paving Corp.

Motion by	Trustee Woolfson
Seconded	Trustee Brown
All in favor	Unanimous
All opposed	None

- Easement for project with Suffolk County. Five are in place, two are in Court. Village does not want to condemn but at this point, there is no alternative. In all seven cases, the Village has tried to work something out with each homeowner. Five homeowners agreed. Two have not. The Village tries to avoid condemnation at all costs. Unfortunately, in this case there is no choice.

Trustees Report

- Trustee Woolfson - Entrance to Village, working on putting Village name in stone with landscaping all within the budget or lower.

- The Village is also considering the possibility of putting in a monument for the Army Corps of Engineers and the NYSDEC for all of their work in making the beach re-nourishment project such a huge success.

- Trustee Brown suggested that the Village allocate each public walkway

with a plaque for each agency and individual who has been detrimental in putting sand on our beach.

- Trustee Trimarchi, suggests that the Board and the Village see what can be done to get the re-nourishment project extended further than the 20 years that is currently remaining.

- Mayor Vegliante stressed the importance of joining the American Shore and Beach Preservation Association (ASBPA). Individual membership is \$100.00. It will keep you informed of any beach nourishment issues that are going on around the country and let you know if individual lobbying is necessary.

- Mayor Vegliante & Aram Terchunian, the Village Commissioner of Wildlife Protection, explains what they have been doing for the Village to try to get more sand this Fall in the Village as well as trying to extend the project to 50 years. Mayor Vegliante met with Senator Gilabrand in Albany to discuss this issue.

- Trustee Brown – Village Hall plans. He is still waiting for feedback from the BBPA.

- NYCOM – 100th Anniversary on June 30th, 2009. Mayor Vegliante will be sworn in as the President of NYCOM. This is an extremely great position for the Village as well as Mayor Vegliante.

- Elections – June 16th, 2009 from 12-9 p.m. at 906 Dune Road. There are two Trustee positions, Gary Trimarchi and Charlie Brown, who are both up for re-election. Please come out and vote!

- June meeting moved to June 20th due to the Zoning meeting scheduled at the same date and time.

- Question from the audience as to a recent Zoning Board Application regarding a subdivision application. All meetings are posted in the Southampton Press and are open to the public.

- Question from the audience as to minutes not being posted on the website.

- The Mayor explains that it is not a requirement to have the minutes posted on the website, it is a courtesy. Minutes are available to anyone in the Village Office.

Attorney Report – Joe Prokop

- Litigation update – cautiously optimistic that there will be a settlement soon.

- Plover update – Aram Terchunian, to date there have been 11 plover pairs. Generally, 95% plover pairs nest before Memorial Day.

Motion to open the Public Hearing for the purposes of the Leash Law:

- Pursuant to public notice dated May 7, 2009. Proposed Local Law No. 1 of 2009 is read by Village Attorney, Joseph Prokop.

INCORPORATED VILLAGE OF WEST HAMPTON DUNES
LOCAL LAW NO. 1 OF THE YEAR 2009
A LOCAL LAW AMENDING THE REGULATIONS REGARDING
THE CONTROL OF ANIMALS ESTABLISHED BY LOCAL LAW 5 OF 1996
AND ADOPTING REGULATIONS REGARDING THE CONTROL OF ANIMALS
IN THE VILLAGE OF WEST HAMPTON DUNES AS FOLLOWS:

Section 1.0 Enactment, Effective Date,
Purpose and Definitions.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Findings.

1.5 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Amendment to the Control of Animals in the Village of West Hampton Dunes

2.2 Violations, Fines, Penalties

3.0 Severability

Section 1.0 Title, Enactment, Effective Date,

Purpose, and Definitions.

1.1. Title

This Local Law shall be entitled “Local Law No. 1 of 2009 of the Incorporated Village of West Hampton Dunes, a Local Law Amending Local Law 5 of 1996 and Adopting Regulations regarding the Control of Animals in the Village of West Hampton Dunes.”

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State of New York the Incorporated Village of West Hampton Dunes, County of Suffolk and State of New York, hereby enacts by this Local Law of 2009, a Local Law of the Village of West Hampton Dunes.

1.3. Effective Date.

This local law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of West Hampton Dunes.

1.4 Findings.

The Board of Trustees of the Village of West Hampton Dunes determines and finds that it is in the best interests of the Village, its residents, property owners and guests, and of the preservation of good order and public safety in the Village of West Hampton Dunes to amend the Village Animal Control Regulations, Local Law 5 of 1996, to adopt regulations regarding the control of animals in the Village of West Hampton Dunes.

1.5. Purpose and Intent of Local Law.

The purpose and intent of this Local Law is amend Local Law 5 of 1996 and to adopt a new section of the animal control regulations of the Village of West Hampton Dunes which requires the use of leashes to control animals on a seasonal basis.

2.0 General Provisions;

2.1 Amendment to Local Law 5 of 1996

The animal control regulations of the Village of West Hampton Dunes, which were created by Local Law 5 of 1996, are hereby amended to include a new section 2.2A as follows:

“DOGS AND OTHER ANIMALS

ARTICLE I

Enactment, Effective Date and Purpose

1-1 Enactment

1-2 Effective Date

1-3 Purpose

ARTICLE II

Definitions and regulations

2.1. Noisy animals

2-2. Vicious and unruly animals

2.2A Requirement for the use of Leashes

2-3. Dog and Animal Waste of Cleaning.

2-4. Penalties for offenses

ARTICLE I

1.1 Enactment

Pursuant to §10 of the Home Rule Law, §2-250 of the Village Law of the State of New York, the Village of West Hampton Dunes County of Suffolk and State of New York, hereby enacts as Local Law No. 5 of 1996, this local law entitled; “Local Law No. 5 of 1996, of the Incorporated Village of West Hampton Dunes, Creating Regulations for the Control of Dogs and Other Animals.”

1.2 Effective Date

The local law shall become effective on the filing of the local law with the Secretary of State of the State of New York which shall be within five days of the date hereof, and after any required publication of this law, as may be required pursuant to the Village Law of the State of New York.

1.3 Purpose

This Local Law No. 5 of 1996, establishing a local law for the purpose of creating regulations for the control of dogs and other animals in the village of West Hampton Dunes and for the following purposes:

A. To promote in the public interest the orderly enforcement of laws and regulations in the Village for the control of dogs and other animals.

B. To provide for the safety and well-being of the residents of the Village and the visitors to the Village, and to provide for safe conditions in the Village.

C. To establish a building department and regulation and procedures thereof for the Village of West Hampton Dunes.

ARTICLE II

Definitions and Regulations

2.1 Noisy Animals.

It shall be unlawful to harbor any dog or other animal which continually or intermittently howls, cries or makes other noises disturbing to the peace and quiet of the neighborhood during either the daytime or the nighttime in or on any land, building, structure or

water within the jurisdiction of the Village of West Hampton Dunes.

2.2 Vicious and unruly animals;

It shall be unlawful to harbor any vicious or unruly dog or other animal, unless muzzled, tied, leashed or otherwise securely confined, in or on any land, building, structure or water within the jurisdiction of the Village of West Hampton Dunes.

2.2A Control of Dogs

A. No person in the Village of West Hampton Dunes who possesses or harbors a dog (male or female) shall permit or allow such dog to run loose or at large in any street, sidewalk, lane or public place in the Village of West Hampton Dunes or upon any private property without the consent of the owner or person in possession of said property.

B. During the period beginning at 12:01 a.m. of the Friday prior to Memorial Day through 11:59 p.m. of Labor Day of each year, on every Friday, Saturday and Sunday, and on each National Holiday occurring during that period, from the hours of 10:00 a.m. through 4:00 p.m., No dog shall be permitted at any time to be on any street, sidewalk, lane or public or private place in the Village of West Hampton Dunes unless the dog is effectively restrained by a chain or leash or similar means in the immediate custody and control of the owner or custodian of the dog by a chain or leash not exceeding ten feet in length.

2.3 Dog and Animal Waste and cleanliness

The owner of each dog and animal pet in the Village or the person responsible for of in the control or possession of every such dog or animal in the Village shall be responsible for the removal and proper disposal of the waste of that animal in the Village both on the property of the owner or individual described herein.

2.4 Penalties for offenses.

Each violation of any separate provision of this law shall constitute a separate offense hereunder, and any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

3.0. Severability.

In the event that any section or portion of this Local Law shall be deemed to be unenforceable or of no effect, the remainder of the Local Law shall survive and remain in full force and effect.

- Resolution to approve Local Law 1 of 2009 A Local Law amending the Regulations regarding the control of Animals Established by Local Law 5 of 1996 and Adopting Regulations Regarding the Control of Animals:

Motion by: Trustee Woolfson
 Seconded by Trustee Brown
 All in favor Unanimous
 All opposed None

- Resolution to approve the minutes from the last meeting:

Motion by: Trustee Craig
 Seconded: Trustee Brown
 All in favor: Unanimous
 All opposed: None

- Resolution to approve the payment of standard and ordinary monthly bills;

Motion by: Trustee Woolfson
 Seconded: Trustee Craig
 All in favor: Unanimous
 All opposed: None

- Carole Hankin, 837 Dune Road – would like to have the CEO of Peconic Bay Medical Center to come in and speak to the Village on June 6th. Please let the Village office know if you think you will attend. It would be good for the Village. This is not a Fund Raiser, it is for informational purposes only.

- Motion to close the meeting: 12:15 p.m.

Motion: Trustee Brown
 Seconded: Trustee Craig
 All in favor: Unanimous
 All opposed: None