

Minutes of Meeting of the Board of Trustees of
Village of West Hampton Dunes
July 14, 2007
906 Dune Road, West Hampton Dunes, NY

Present: Mayor, Vegliante, Laura Dalessandro, Village Clerk, Trustees, Bob Strecker, Charlie Brown, Gary Trimarchi & George Asem, Aram Terchunian, Commissioner of Wildlife Protection, Joe Prokop, Village Attorney, Chief, Don Zlatniski, Officer Hennig, Judge Joachim and about 75 residents

Mayor opens meeting: 9:35 a.m.

Pledge of Allegiance waived-no flag

- Mayor's Report –
 - ASBPA names Village of West Hampton Dunes one of America's top restored beaches
 - NYCOM- Press Release; Mayor Vegliante was elected 2nd Vice President of NYCOM;
 - Incredible Journey –Yale Nelson, one our own village residents, produced a documentary about the journey of the Village of West Hampton Dunes and how it all began; great Article in Southampton Press; Yale is hoping to get into the Hampton Film Festival. He will let us know when the Documentary in its entirety, can be seen. We look forward to it.
 - John O'Connell, Attorney for the Village's Oceanside Litigation matter goes on speaker phone to discuss the most recent issues regarding the litigation and answer any questions or concerns that the village residents (litigants) may have.

The information regarding the litigation and the strategy as to how the Village is going to proceed, is not for publication at this time. It is for discussion with the litigants (Village Residents), Village Attorney's and the Village Board. Mayor asks anyone who is taping, either by recording or video taping, to stop at this time.

At 10:15 a.m., at the suggestion of the Village Attorney, Joseph Prokop, the Mayor advised the Board to go into Executive Session with regards to the Litigation matter at hand, do to the fact that he believed that the meeting was being recorded.

Motion to go into Executive Session:

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

10:44 a.m., Motion to come out of Executive Session and open the Public meeting:

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

- Mayor, Vegliante addresses statements and accusations that have been made regarding the theft of Village funds. Mayor Vegliante asks the village resident who made this statement, Mr. Comito, if he believes that money was stolen by Claire, the Village Treasurer, or himself, the Mayor. Mr. Comito

responds by saying that he believes that the identity of the Village Treasurer, Claire Tevere-Vegliante, the Mayor's wife, has been concealed to Village residents.

- The Mayor explains that if Mr. Comito attended the Village meetings or at least attend the annual Village Budget Meeting, he would clearly see that Claire's identity was not a secret.

- Mr. Comito makes allegations that Claire's identity was a secret or alias. He also makes claims that the NYS Comptroller's office, while auditing the Village in 1996, did not know that Claire Tevere and Claire Vegliante were one in the same. Mr. Comito said that the person he spoke with said, had he known who she was and that she was the Mayor's wife, he would have made recommendations that she be removed as the Village Treasurer. Mayor Vegliante asked if Mr. Comito spoke to the actual auditor who did the audit for the Village. Mr. Comito responded no.

- The Comptroller spent 5-6 weeks doing the audit. He was well aware that Claire was the wife of the Mayor and he did note it in his audit.

- Mayor Vegliante, explains the checks and balances that the Village undergoes in order to pay any and all vouchers or bills that are passed through the village. It is a process that goes through the clerk, the treasurer and all of the trustees. There are always two signatures on every check to be paid out. The Mayor never signs a check.

- Mr. Comito's opinion is that by Mayor Vegliante appointing Claire Tevere, that it negates the checks and balances for the Village.

- Mr. Comito makes claims that there was a misappropriation of funds in the amount of \$1,507.00 that was paid to Claire Tevere, the Mayor's wife, the owner of a Tavern in Westhampton Beach.

- Mayor Vegliante, explains that the issue was fully dealt with in the Comptrollers report.

- Mayor Vegliante goes on to explain the story behind the \$1,507.00 that was paid to Claire Tevere, owner of the Tavern. In 1995 before the Project was about to begin, the Army Corps of Engineers came to him and needed a commencement organizational meeting for 40 men and women that would start in the morning and end at sometime that night. He needed to be able to have all three meals served during that day, so nobody would leave the room. After searching for this type of accommodation, nobody was able to accommodate the Village. At that time, Claire Tevere, owned a Tavern in Westhampton Beach and offered it for the meeting. She offered to pass through only the costs of what it would cost her for the day and she did.

- Mr. Comito claims that he is going to publish on his website new information disclosing that maybe things don't always appear as they seem and that Ms. Tevere is going to be put under oath. He will not discuss openly now at the meeting.

- Walkway issue –Easement exists over a property and you are the holder of the easement. When you want to use that easement there are very specific issues in that easement as what you can do and not do. However, there are problems with that because the easement provides you have the right to walk over that property, but, it does not give you the right to build anything on that property, unless the easement specifically says that. The Village passed a law that requires the easement holder to get the owner's permission, or a court order, to build anything on that property.

- The current Village Law allows for maximum height for a walkway without railings, of 18 inches. The Law in NYS has since changed to a minimum of 30 inches. The Village may change the current law to reflect an overall 30 inches of height from grade, so that it will not need railings. The overlying problem is that once you get to within designated wetland areas, you then need to make it 36 inches according to NYSDEC Rules and regulations, which then requires hand rails.

- The Village would amend the current law from the maximum height of 18 inches without railings, to a maximum height of 30 inches without railings, however, where there are intervening or overlapping state or federal regulations that mandate a walkway higher than 30 inches, then the permit from that agency will prevail. The proposed new law would reflect the following “non-railing walkways up to 30” following grade as closely as reasonably possible until any other agency demands something different”.

- Because of the obvious conflict between Village Law and DEC Law, the Village needs to amend the law so that a variance is not required. A local law cannot be created that would require a property owner to need a variance.

- Mayor puts it out to the audience that if anyone would like to serve on a Legal Review Committee, please call him at the Village office.

- And anyone who is a village resident would like to form an Ethics Committee, please call the Village office.

- And, once again, if anyone would like to apply for the position of Village Treasurer, please call the Village office to discuss with the Mayor.

- Mike Rossi, on the behalf of the BBPA, would like to thank village resident and BBPA member, Gina Mulhearn for all of her commitment to getting the oyster walk under way. It’s been a great success. Thank you!

- Bayside resident, Mrs. Fenner, asks about the Litigation on the Bay. Mayor explains that the Village Attorney, Joseph Prokop, has prepared our papers to be presented next Wednesday. If anyone would like to review them, come into the Village office and the Mayor would be happy to go over them with you.

- Village resident, Mr. Paladino resident of Cove Lane, commends the Police Constables, Officer Hennig and Officer Schwartz, for their quick response to a party that went out of control this past Saturday night. They could not have done more to get it quickly under control. There were estimated 150 people, that took 14 vans to escort them off the premises. Summonses were issue. However, the garbage is all over and blowing onto neighbors property. Constable will be checking on that issue, and if necessary will issue another summons.

Joe Prokop, looking laws regulating parties for next meeting.

Resolution to submit all submitted and audited vouchers to be paid:

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

Resolution to approve minutes from last months meeting:

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

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