

**Minutes of the
General Meeting of the Board of Trustees
Village of West Hampton Dunes
West Hampton Dunes, NY
October 17, 2008**

Attendance: Mayor Veliante, Trustees, Charles Brown, Gary Trimarchi, Catherine Woolfson, Michael Craig, Village Clerk, Laura J. Dalessandro, Joseph Prokop, Village Attorney, Chief, Don Zlatniski, Officer, Brian Hennig, about 15 residents.

Open Meeting 7:10 p.m.

Pledge of Allegiance

Mayors Report

- Mike Burner, Acting Village Road Commissioner - update on the Road Shoulder reconstruction project. The project was put out for a Bid on September 25, 2008 where the Village received a total of seven bids. The winning bid was awarded to Suffolk Paving Corp. in the amount of \$524,400.00 with a possibility of an additional \$4,500 for the removal of existing aprons if homeowners do not remove them themselves. The Project is slated to start around mid-December, 2008 contingent upon the Bonding being approved. Certified letters have been sent out to all of the Bayside homeowners.

- Christine Thomson, of 834A Dune Road, are the telephone poles going to be moved. Mr. Burner explains that the telephone poles will remain where they are and the shoulder will be built around them. The Village has reached out to Lipa, however, to date have had no response from them. The other utility companies, Cablevision, Verizon, SC Water Authority, have been very responsive, and have been to the Village to mark the roads already.

- The shoulder will be installed to the level of the road, and in the spring the entire road will be paved. The shoulder will have a delineation from the road.

- All of the Roads in the Village will be repaved up to and including Widgeon Way. From Widgeon Way to Cupsogue Park is a separate project with Suffolk County. That project is scheduled for the Spring of 2009. Suffolk County is funding an estimate of \$300,000 for the project.

- **Bond Resolution** – Motion to adopt a Bond Resolution for the Village of West Hampton Dunes, New York, authorizing the construction of road improvements, stating the maximum cost thereof is \$600,000, appropriating said amount thereof, and authorizing the issuance of \$600,000 Serial Bonds of said Village to finance said appropriation.

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| Motion by | Trustee Trimarchi |
| Seconded by | Trustee Woolfson |
| All in favor | Unanimous |
| All opposed | None |

- CEHA Violations – remaining violations have been issued a Notice of Violation. Court date of December 1, 2008.

- Re-nourishment Project – Preconstruction Meeting scheduled for Thursday with Army Corps of Engineers.

- Boat Law discussion – need to amend the current boat law to reflect the bayside houses and no storing boats between the Road and the house. Corner propertires will have to be addressed individually.

- Leash Law discussion.

- New Litigation – Civil Rights Action against Southampton Town by the Village of West Hampton Dunes. Village Attorney, Joseph Prokop recommends that the Trustees approve the retaining of Attorney, Jonathan Sinnreich. Southampton Town is using their authority to harass the Village. If the Village wins this lawsuit, a reimbursement of legal fees back to the Village is a very good possibility.

- Every homeowner who gives up their rights to the Trustees, hurts the individual homeowner’s case as well as weakens the Village’s case against the Town.

- During the course of this litigation, the town modified their complaint to include any Jane or John Doe whose properties were affected do to the storms of 1992 & 1993. That not only includes the bayside property owners, it includes everyone on the ocean who ever had the water under their house. That subtle change in the papers has opened the doors to a very dangerous issue for everyone in the Village. The bayside homeowners are bearing the cost of this litigation. Unfortunately, it is not legal for a municipality to fund litigation in the name of private property owners. This case needs to be brought in front of a federal judge showing that the Town has been prosecuting the Village unfairly, and been discriminating against the Village since the first incorporation.

- Village Resident, Steve Brenner, 10 Dune Lane, disagrees with the civil rights action.

- There have been washovers in Westhampton Beach, Southampton and Quogue since the 1930’s. There are exact duplicate washovers three miles east of us, and Southampton Town has never brought any action against any other town or municipality, except West Hampton Dunes. If we win the Civil Rights case it would stop the Town from going forward with any other cases against the Village.

- Civil Rights Case expense to Village initially estimated around \$15,000-\$20,000 with the conclusion of the pending litigation estimated around \$70,000 to \$80,000.

Motion to go into Executive Session to discuss Litigation in the Village.

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

Motion to re-open public meeting

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| Motion by | Trustee Craig |
| Seconded | Trustee Trimarchi |
| All in favor | Unanimous |
| All opposed | None |

Motion to approve funding for a civil rights action against the Town of Southampton of up to \$25,000 to and to retain the Law Firm of Jonathan Sinnreich.

Mayor Vegliante recused himself from the vote.

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

- On a very sad note, two long time resident’s of the Village, Tom Downing, Sr. and Sandy Feder, have passed away. The Village sends its deepest condolences to their families.

- **Police Constabulary Report** – Chief Zlatniski, discusses
 - upcoming training for the Constables.
 - Working on new group rental laws with Village of West Hampton Dunes
 - Controlling False alarms
 - All night lighting in the Village. Urges residents to please be courteous of you neighbors, turn lighting off at a reasonable hour.
 - Working on clarifying Village Law with regards to Construction and Pile driving. Hours for pile driving in the Village to be reflected in Local Law for exterior construction.

- **Resolution** to approve the minutes from last meeting;

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| 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;

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

Motion to adjourn meeting: 9:15 p.m.

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| Motion by | Trustee Trimarchi |
| Seconded | Trustee Woolfson |
| All in favor | Unanimous |
| All opposed | None |