INCORPORATED VILLAGE OF WEST HAMPTON DUNES
BOARD OF TRUSTEES
GENERAL MEETING
April 29, 2020
7:00 p.m.

Meeting Held Via
Video Conferencing

MEMBERS PRESENT:
Gary Vegliante - Mayor
Michael Craig - Trustee
Gary Trimarchi - Trustee

ALSO PRESENT:
Joseph Prokop - Village Attorney
Angela Sadeli - Village Clerk
Claire Vegliante - Village Treasurer

TAKEN & TRANSCRIBED BY:
Lucia Braaten - Court Reporter

Flynn Stenography & Transcription Service
(631) 727-1107
(The meeting was called to order at 7:09 p.m.)

MAYOR VEGLIANTE: All right. This should be a quick meeting, Joe, Let's get it going.

MR. PROKOP: There's a motion -- there's a motion to adjust the final budget, and by taking $26,000 from the General Appropriation line and moving it over to the VID line.

TREASURER VEGLIANTE: No, it's an add-on, Joe. It's an add-on.

ATTORNEY PROKOP: It's an add-on, okay.

TREASURER VEGLIANTE: And it has to be put into the Village Improvement District, because that's the --

MAYOR VEGLIANTE: The VID.

TREASURER VEGLIANTE: -- Legal -- yeah, the Village Improvement District Legal Fund, because that's the amount that they owe for the Legal Funds for the 12 residents for the Glanz issue. So that will make the line item in the -- in the budget for The Village Improvement District, $58,000 instead of the 32.

MR. PROKOP: Okay.

TRUSTEE CRAIG: Claire, can you just for my benefit explain what exactly it is we did and what we're doing?
TREASURER VEGLIANTE: All the legal fees and everything that you needed to get the Village -- you know, the area where Glanz was, it cost $26,000.

TRUSTEE CRAIG: And who paid --

TREASURER VEGLIANTE: So --

TRUSTEE CRAIG: Who paid that initially?

TREASURER VEGLIANTE: Actually, it was paid through the Village Improvement District.

TRUSTEE CRAIG: Okay.

TREASURER VEGLIANTE: But when they needed to do the extra portion, they asked if that could be paid over the twelve people, so that they could get the other area completed. So it's owed to the Village.

TRUSTEE TRIMARCHI: Right. So it should be spread over twelve people.

MS. BRAATEN: I'm sorry, say it again.

TRUSTEE TRIMARCHI: Because we've got twelve people. The next group --

MS. BRAATEN: I'm sorry, I can't understand. Angela. Could you repeat that?

TRUSTEE TRIMARCHI: I said it should be spread over the twelve people.

TREASURER VEGLIANTE: Something's wrong
with his audio.

MAYOR VEGLIANTE: Gary, your audio is not coming through.

MR. PROKOP: He said it should be spread over the 12.

TRUSTEE TRIMARCHI: Because they wouldn't have able to get it done if we didn't take care of Glanz.

CLERK SADELI: Because they wouldn't have been able to get it done if we didn't have the problem with Glanz.

TRUSTEE CRAIG: Right. Okay. So you're moving, you're moving $26,000 out of the VID and putting it to the Village; is that correct?

TREASURER VEGLIANTE: The Village -- well, it was in the VID, it was paid out of the VID, but when they needed to complete the other portion of the project just recently, they had to get it done right away --

MAYOR VEGLIANTE: The update.

TREASURER VEGLIANTE: -- the update, we did that and the Village, it's owed to the Village. So the Village needs to --

MAYOR VEGLIANTE: We laid out the money out of our budget.
TRUSTEE CRAIG: Okay, I'm clear.
TREASURER VEGLIANTE: Okay?
TRUSTEE CRAIG: Yep, got it.
MAYOR VEGLIANTE: We're replacing that money.
TRUSTEE CRAIG: Okay. So you need that motion to move that, funds?
TREASURER VEGLIANTE: Yeah, because we adopted it and we adopted the budget, and we didn't realize that we didn't add that on to the 32,000. So it's just a line item, 58,000, and there's no change to the budget otherwise.
MAYOR VEGLIANTE: It's just a line item.
TRUSTEE CRAIG: All right. I'll make that motion to move those funds.
MAYOR VEGLIANTE: Gary, you second it?
TRUSTEE TRIMARCHI: I second.
MAYOR VEGLIANTE: Okay. All in favor?
TRUSTEE CRAIG: Aye.
TRUSTEE TRIMARCHI: Aye.
MAYOR VEGLIANTE: None opposed, unanimous.
MR. PROKOP: Okay. There's one -- the next thing is the Attorney for the Village with regard to the Constables' contract has contacted me and said -- excuse me -- has contacted the Village,
and in his communication to the Village, he indicated that the current -- the current contract negotiations can be resolved, including the Tessitore matter, by a raise, a one-year raise to the Constables of 2.25%. So that, that raise is from June 1st of 2019 until May 31st of 2020. And the -- I'm sorry, I believe -- I'm sorry, I apologize. I believe it ends, the raise ends on June 1st. Right, it ends on June 1st of 2020.

So the prior year, the Constables' raise was 2.75%, and we attempted to get a five-year contract with them. And for what -- I'm not sure of the reason that was the rationale behind this, but the Attorneys for the Constables and also for the Village got back to us that the offer is on the table that they'll take one year at -- or a reduction, a reduced raise from what they got last year, 2.25%, with nothing else. All that other stuff that we talked about, adjustments to various types of insurance --

MAYOR VEGLIANTE: Stop payments on all that.

MR. PROKOP: That's out.

MAYOR VEGLIANTE: For now, but they've got
to -- we've got to go back to the table --

TREASURER VEGLIANTE: June 1st, 2020.

MAYOR VEGLIANTE: -- from June 1st on.


MR. PROKOP: Right. So we'll talk about that in a minute.

TRUSTEE CRAIG: So here's my question. We approved a 2.75, we've been paying them at 2.75, and now they want a 2.25 for the period that we've already paid them?

TREASURER VEGLIANTE: No, no, no.

MAYOR VEGLIANTE: No.

TREASURER VEGLIANTE: Besides that, they want it on top of that.

MAYOR VEGLIANTE: They want it on top of last year's budget.

TREASURER VEGLIANTE: Yeah.

MAYOR VEGLIANTE: They got the raise.

MAYOR VEGLIANTE: They got last year's raise.

TRUSTEE TRIMARCHI: (Inaudible)

TRUSTEE CRAIG: Wait. Gary, you have to fix your audio. Move your cell phone or something. Something's interfering with your --

TRUSTEE TRIMARCHI: My cell phone is
nowheres near me.

TRUSTEE CRAIG: No. Maybe log out and log
back in.

TREASURER VEGLIANTE: Or call. Just tell
him to call in.

TRUSTEE TRIMARCHI: Where am I calling? I
don't want to do all that. I got to change
the -- let me log out.

TRUSTEE CRAIG: We can't understand a word
you're saying.

TRUSTEE TRIMARCHI: I'm going to log out
and I'll log back in.

TRUSTEE CRAIG: Okay.

MAYOR VEGLIANTE: Yeah. I think it may be
your cell phone. Is your cell phone on?

TRUSTEE TRIMARCHI: My cell phone is
nowheres near me.

MAYOR VEGLIANTE: Oh, so we gave them a
2.25 last year?

TREASURER VEGLIANTE: 2.75 last year.

MAYOR VEGLIANTE: And they want 2.5 --

TRUSTEE CRAIG: This is -- that started on
June of '19.

TREASURER VEGLIANTE: On June 1st, '19.

MR. PROKOP: No, June 1st, '18.
TREASURER VEGLIANTE: Yeah, we've been paying them that.

ATTORNEY PROKOP: June 1st, '18 it started.

TREASURER VEGLIANTE: Oh, '18, right, right.

MAYOR VEGLIANTE: So if we agree to this, they will have gotten 5.25% for this year, the last --

TREASURER VEGLIANTE: No. They got 5. It will be --

MR. PROKOP: No, they got 5%.

TREASURER VEGLIANTE: It will be 5% total.

MAYOR VEGLIANTE: Oh, 5%, okay. Oh, yeah.

MR. PROKOP: Over the two years.

CLERK SADELI: Then did they agree to drop the Tessitore thing?

MAYOR VEGLIANTE: Yes.

TREASURER VEGLIANTE: Yes. But the thing that Tessitore has to be reduced in his pay, because they want the increase to be the way it should have been on his original amount of money. So instead of making twenty-four-seventy, he'll be making twenty-four-sixteen --

TRUSTEE TRIMARCHI: How about now?

TREASURER VEGLIANTE: -- going forward,
but they don't --

CLERK SADELI: That's better.

TRUSTEE CRAIG: Better.

TREASURER VEGLIANTE: But they don't ask us to get any money back, so.

TRUSTEE CRAIG: Okay.

MR. PROKOP: We're still in -- we're still in an open session. If you'd like to go into Executive Session, you could make that motion, and Lucia could just stop taking notes for a minute. Would you like to --

TRUSTEE CRAIG: I'll make the motion.

MAYOR VEGLIANTE: Okay. Mike makes the motion.

ATTORNEY PROKOP: Okay.

MAYOR VEGLIANTE: Seconded by Gary?

TRUSTEE TRIMARCHI: Second.

MAYOR VEGLIANTE: All in favor.

TRUSTEE CRAIG: Aye.

TRUSTEE TRIMARCHI: Aye.

MAYOR VEGLIANTE: Okay. Moving to Executive Session.

(Executive Session 7:16 p.m. - 7:28 p.m.)

MAYOR VEGLIANTE: All right. What else?

We got today's -- today's discussion with the
County, the numbers are down again. This is about the twelfth to thirteenth day where the numbers have been going lower and lower. So it looks like we're on our way back to recovery, and they should be opening things up possibly by the middle of the month. I don't think we'll see it right away, but they're concentrating first on construction and industry. So I think all the complainers, talking about this guy's working on his house, that guy's working on his house, they're within 300 feet, they're not -- all that bullshit will go away.

TRUSTEE TRIMARCHI: Right. We're getting a lot of --

TRUSTEE CRAIG: Write that.

MAYOR VEGLIANTE: I'm just getting the same complainers about the same job. The job was authorized by an architect and an engineer saying it's essential to the safety. There's nothing we can do, we can't stop them. These people live 400, 500 feet away from them, and they say, "Well, they're not practicing social distancing, they're not wearing their masks." I went to the job site, they got signs all over the job site. They're cleaning everything, they're sterilizing
everything. The guy is 100% compliant. It's just one person is a year-round tenant, she's not even a property owner, and the other person is a person who is generally concerned about everybody else's business. But --

TRUSTEE TRIMARCHI: Okay.

MAYOR VEGLIANTE: -- you know, we responded every time, there's no violations.

TRUSTEE TRIMARCHI: All right. Listen, the good thing is, is they don't run the show, we do.

MAYOR VEGLIANTE: That's right.

MR. PROKOP: So the -- in Cervoni's, Cervoni's variance hearing, there were -- there were two statements made by Richard Smith on the record that were completely wrong, and he said them just to hurt our Village. We have to figure out -- we're going to deal with this in some way to challenge it. We're going to start with a letter to the State, and then if we have to, we may --

MAYOR VEGLIANTE: Joe, not only weren't they -- were they not -- not only were they factually incorrect, they were not even part of the application.

MR. PROKOP: Yeah. So he said in the
hearing, Richard Smith from the State said, who really had no place in the hearing, got up and said that, "Oh, by the way, this is a four-story house." And he also said that -- the whole question in the hearing was whether the stairway from the deck is what's -- is a building.

MAYOR VEGLIANTE: Is --

MR. PROKOP: Right?

MAYOR VEGLIANTE: Correct.

ATTORNEY PROKOP: Because the -- because the tank has to be 10 feet away from the building, that's the law. And we were trying to get an interpretation on whether or not a stairway is considered the -- quote-unquote, the building. So Richard Smith blurted out that it's not the building, it's combustible material.

MAYOR VEGLIANTE: It's combustible.

MR. PROKOP: Which is completely wrong, it's just not what it -- not what the law is. So we're going to challenge the State on those two points, because that will affect a lot of people, and it's wrong.

MAYOR VEGLIANTE: Right.

MR. PROKOP: We can't let those two things stand.
TRUSTEE TRIMARCHI: I agree.

MAYOR VEGLIANTE: It's not going to affect Mr. Cervoni's variance, he's already got what he wanted, but we can't allow that to stay in the record, because it's just -- it's an outright attack on the Village and it's incorrect.

TRUSTEE TRIMARCHI: What happened with the whole scenario of the Building Inspector approving everything?

MAYOR VEGLIANTE: Well, there -- they did discover during the course of this, this application that the Building Inspector can approve what is equally protective. If he feels that the placement of the tank is an effective -- is equally effective as the law, he can -- he can make that ruling.

TRUSTEE TRIMARCHI: I think that we should try to put more and more responsibility on the Building Inspector and try to distance ourselves from this guy, Richard Smith.

MAYOR VEGLIANTE: Yeah.

TRUSTEE TRIMARCHI: And be throwing that in his face time and time again, so he starts to get the signal.

MAYOR VEGLIANTE: Well, we got to do it, we
have to dispute his decision

TRUSTEE TRIMARCHI: Right, I agree.

MAYOR VEGLIANTE: Joe, what are you going to do with that, are you going to compose a letter?

MR. PROKOP: Yeah. Yeah, Yaffe will write -- I will write a letter with Yaffe. Yaffe will --

MAYOR VEGLIANTE: Yeah.

ATTORNEY PROKOP: He'll sign it and we'll send it up.

MAYOR VEGLIANTE: It's got to be very strongly worded that --

ATTORNEY PROKOP: Yeah.

MAYOR VEGLIANTE: -- that we -- that this behavior is discriminatory and bias towards our Village.

MR. PROKOP: Okay.

TRUSTEE TRIMARCHI: And we should also start, Joe, I think, and tell me if everyone agrees with me, that we should be telling this guy if these rules are going to apply to the Village of Westhampton Dunes, they need to apply to the (video malfunction) --

ATTORNEY PROKOP: Right.
MAYOR VEGLIANTE: Yeah. But the answer to that, Gary, is that he'll say, "Well, of course they do, that's why I'm doing it. You guys want this not to apply to you." Yeah. Joe, a letter has to be strongly worded that this guy --

ATTORNEY PROKOP: Okay.

MAYOR VEGLIANTE: -- is very bias.

MR. PROKOP: I'll send a draft around.

Okay.

TRUSTEE TRIMARCHI: Okay.

MAYOR VEGLIANTE: All right. Anybody got anything else?

TRUSTEE TRIMARCHI: No, I'm good.

MR. PROKOP: Angela --

TRUSTEE CRAIG: When is our next meeting?

MR. PROKOP: Angela, are you in California or something? It looks so light out here.

(Laughter)

CLERK SADELI: No.

MAYOR VEGLIANTE: I know, yeah.

CLERK SADELI: Just good old Riverhead.

ATTORNEY PROKOP: Oh, yeah?

TRUSTEE CRAIG: Angela, when's our next meeting?

CLERK SADELI: We actually don't have a
date set for a Zoom meeting. It probably should be --

MR. PROKOP: Next week?

TRUSTEE CRAIG: Let's make one, because we're not going to be out of this.

TRUSTEE TRIMARCHI: End of the month, right?

CLERK SADELI: Could be like May -- or we want to go back to Fridays, or any day? It doesn't really matter.

MAYOR VEGLIANTE: If it's a Zoom meeting, it could be any day.

TRUSTEE TRIMARCHI: Why don't we -- why don't we go back to -- why don't we go to May 16th? That would be the day that the -- you know, all these -- the 15th is when they're going to, I guess --

MAYOR VEGLIANTE: Talk about opening up?

TRUSTEE TRIMARCHI: -- talk about opening.

CLERK SADELI: Yeah. So you want to do it the 15th?

TRUSTEE TRIMARCHI: The 16th.

MAYOR VEGLIANTE: No, let's make it a little after, so --

CLERK SADELI: Sixteenth is Saturday.
TRUSTEE TRIMARCHI: Okay. So let's do it that Monday.

MAYOR VEGLIANTE: Let's work it on a Monday.

CLERK SADELI: Monday on the 18th? That's good, because a lot of the bills come that week.

MAYOR VEGLIANTE: Oh, right.

CLERK SADELI: So we could do --

TRUSTEE CRAIG: But it's going to be a zoom call, correct?

TREASURER VEGLIANTE: We had put -- we had originally stated that we were going to have the meeting on Friday, the 22nd, because we thought we were back to Fridays, but being Zoom, it doesn't matter.

CLERK SADELI: Right.

TRUSTEE TRIMARCHI: Okay.

(The meeting was concluded at 7:35 p.m.)
CERTIFICATION

STATE OF NEW YORK  )

SS:

COUNTY OF SUFFOLK  )

I, LUCIA BRAATEN, a Court Reporter and Notary Public for and within the State of New York, do hereby certify:

THAT, the above and foregoing contains a true and correct transcription of the Video Conference proceedings taken on April 29, 2020.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of May, 2020.

Lucia Braaten

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