

VILLAGE OF WEST HAMPTON DUNES  
MONTHLY MEETING OF THE BOARD OF TRUSTEES  
July 6, 2018 906 Dune Rd. West Hampton Dunes NY 11978

July 6, 2018

Present: Mayor Gary Vegliante, Trustee John J. Eff, Jr., Trustee Gary Trimarchi, Trustee Michael Craig, Trustee Barry Goldfeder, Clerk-Angela Sadeli, Treasurer-Claire Vegliante, Sgt. Timothy Turner, Sgt Brian Hennig, Village Attorney: Joseph Prokop,

Residents: Rose & Harry Grant, Ryan Osborne, Laura Fabrizio, Irwin Krasnow, John Mueller, Brian & Blair Lichter, Jay & Maddie Coopersmith, Richard & Jill Mueller, Steve Colucci, Robin Laveman, Kevin Brown, Michael Stern, David Alvillar, Richard Lebowitz, Linda Byrne

Meeting called to order at 7:35pm pm- Pledge of allegiance by the Deputy Mayor

**Organizational Meeting:**

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
APPROVING APPOINTMENTS OF VILLAGE OFFICIALS

WHEREAS the Honorable Gary Vegliante as the Mayor of the Incorporated Village of WEST HAMPTON DUNES has made certain appointments of Village Officials, Commissioners, Board Members and other appointed officers of the Village, and;

WHEREAS other public officials of the Village of West Hampton Dunes have terms to which they have been elected, and;

WHEREAS at the annual organizational meeting of the Village conducted on July 6, 2018, these appointments duly came before the Board of Trustees for approval, and the Board duly approved those appointments, it is therefore;

RESOLVED that the terms of the elected officials and the appointments of Village Officials, Officers, Commissioners, Board Members and other appointed officers of the Village are hereby approved as follows:

Mayor: Honorable Gary Vegliante (7/16-6/20)  
Trustee: John Eff (7/17-6/21)  
Trustee: Gary Trimarchi (7/17-6/21)  
Trustee: Michael Craig (7/16-6/20)  
Trustee: Barry Goldfeder (7/26-6/20)

Village Clerk; Angela Sadeli  
Village Treasurer: Claire Vegliante  
Village Building Inspector Bob Kalfer  
Village Attorneys: Joseph W. Prokop PLLC  
Acting Justice: Enrico Scarda  
Highway Supervisor: Michael Burner  
Records Access Officer: Angela Sadeli  
Records Access Appeals Officer: Joseph W. Prokop PLLC  
Designee for mailing of Notice of Claims: Joseph W. Prokop PLLC  
Village Commissioner of Wildlife Protection: Aram Terchunian

Mayor Gary Vegliante: Police Commissioner  
Trustee Michael Craig: Deputy Police Commissioner  
\_\_\_\_\_ Village Improvement District Commissioner

Zoning Board of Appeals

Harvey Gessin, Chairman (7/1/17-6/30/22)  
Jim Cashin (7/1/18-6/30/23)  
Joseph Mizzi (7/1/12-6/30/19)  
Mark Siegel (7/1/16-6/30/21)  
Eric Saretsky (7/1/08-6/30/20)

Motion to adopt resolution by: Trustee Craig  
Motion seconded by: Trustee Trimarchi  
In Favor: Unanimous  
Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
APPOINTMENT OF GARY TRIMARCHI AS DEPUTY MAYOR

WHEREAS the Honorable Gary Vegliante, Mayor of the Village of WEST HAMPTON DUNES has the responsibility pursuant to Section 4-400(1)(h) to appoint a member of the Board of Trustees as the Deputy Mayor of the Village of West Hampton Dunes, and has appointed GARY TRIMARCHI as Deputy Mayor;

WHEREAS GARY TRIMARCHI is a duly elected Trustee of the Village of WEST HAMPTON DUNES and possesses the knowledge, skills and experience to perform the duties of Mayor in the event of the absence of the Mayor and will distinguish the Village in that capacity, it is therefore;

GARY TRIMARCHI is hereby appointed Deputy Mayor of the Village of WEST HAMPTON DUNES.

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
DETERMINING COST OF BONDING VILLAGE  
OFFICERS TO BE A VILLAGE EXPENSE

WHEREAS certain officers of the Incorporated Village of West Hampton Dunes are required by law to be bonded, and;

WHEREAS such bonding is in conjunction with the discharge of their duties as officers of the Village, and;

WHEREAS the Board of Trustees by law may determine that the cost of such bonding is a Village expense, it is therefore;

RESOLVED by the Board of Trustees of the Village of West Hampton Dunes that the cost of the bonding required of certain Village officers in conjunction with the discharge of their duties as a Village officer is a Village expense, and that such charge shall be charged to and paid by the Incorporated Village of West Hampton Dunes.

Motion to adopt resolution by: Trustee Craig  
Motion seconded by: Trustee Trimarchi  
In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
WAIVING THE OBLIGATION OF FILING AN UNDERTAKING  
FOR MAYOR AND TRUSTEES

WHEREAS certain officers of the Incorporated Village of West Hampton Dunes are required by law to post an undertaking, and;

WHEREAS the undertaking is in conjunction with the discharge of their duties as officers of the Village, and;

WHEREAS the Board of Trustees by law may waive the requirement of posting an undertaking it is therefore;

RESOLVED by the Board of Trustees of the Village of West Hampton Dunes that the requirement that the Mayor and Trustees post an undertaking is hereby waived.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
DESIGNATING OFFICIAL VILLAGE BANKS AND DEPOSITORIES

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are required to designate and approve a bank as the official depositories of the Village for the deposit of Village funds, it is therefore;

RESOLVED that the official banks and depositories of the Incorporated Village of WEST HAMPTON DUNES shall be the following:

- TD Bank
- Bridgehampton National Bank

Subject to the review of appropriate documentation of each bank by the Village Attorney and Treasurer.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
DESIGNATING OFFICIAL VILLAGE NEWSPAPER

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are required to designate and approve a newspaper as the official newspaper of the Village for the posting of public notices of the Village, and other requirements, it is therefore;

RESOLVED that the official newspaper of the Incorporated Village of WEST HAMPTON DUNES shall be the Southampton Press and in emergency Newsday.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
SETTING DATES OF REGULAR MONTHLY MEETINGS AND  
ADOPTING THE RULES OF THE OPEN MEETINGS LAW

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are required to set the date for regular monthly meetings of the Board of Trustees through the year, unless otherwise designated by the Board and proper public notification is given, and;

WHEREAS the Mayor and Board of Trustees are desirous of adopting the requirements of the open meetings law as set forth in the Public Officers Law, and the other laws of the State of New York, it is therefore;

RESOLVED that the regular meeting date of the Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES shall be by printed schedule which shall be announced at a public meeting of the Board of Trustees and that all meetings shall be conducted at 914 Dune Road, West Hampton Dunes, unless proper public notice of an alternate meeting site is provided, and it is further;

RESOLVED that the Board of Trustees hereby adopts the notice requirements of the Public Officers Law as the official procedure of the Board, and directs the Village Clerk, unless otherwise directed or required, to provide at least seventy-two hours notice to and in the media of every meeting of the Board.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

+

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
ESTABLISHING PROCEDURES FOR THE SETTING

AND NOTIFICATION OF A SPECIAL MEETING

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of West Hampton Dunes desire to establish a procedure for setting special meetings of the Board of Trustees of the Village, it is therefore;

RESOLVED that a special meeting of the Board of Trustees of the Village of WEST HAMPTON DUNES may be called by either the Mayor or by two Trustees of the Village of WEST HAMPTON DUNES acting together, and it is further;

RESOLVED that in the event of a special meeting being called the Mayor and every member of the Board of Trustees shall be informed by telephone by either the Village Clerk or another member of the Board of Trustees of the date, time, location and subject of the special meeting, and unless the meeting is called to respond to an emergency concerning the safety and welfare of the Village, notice of the meeting shall be given to the trustees, newspapers and radio, and posted on the Village notice boards at least 24 hours in advance of the meeting, and otherwise as in conformance with the Public Officers Law, and the other laws of the State of New York.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
ADOPTING ROBERTS RULES OF ORDER AS THE  
OFFICIAL PROCEDURE OF THE BOARD

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are able to develop or designate rules of procedure and meetings to be applied for the meetings of the Board, and;

WHEREAS the Board of Trustees believes it is in the best interests of the Village to adopt the Roberts Rules of Order as the rules of procedure for the Board, it is therefore;

RESOLVED that the Roberts Rules of Order are hereby adopted as the rules of procedure for the Board of Trustees of the Village to the extent that they are not inconsistent with New York State law.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
ADOPTING THE VILLAGE INVESTMENT POLICY

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are required to adopt or formulate certain policy and procedures regarding the investment and deposit of Village funds, and the management of that money, and;

WHEREAS the Village of WEST HAMPTON DUNES has previously adopted the model investment policy of the Office of the State Comptroller as the Investment Policy of the Village, it is therefore;

RESOLVED that the investment policy of the Village of WEST HAMPTON DUNES shall hereby be the model investment policy of the Office of the State Comptroller as currently in effect as the investment policy of the Village,

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
ADOPTING THE VILLAGE PROCUREMENT POLICY

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are required to adopt or formulate certain policy and procedures regarding procurements by the Village, and;

WHEREAS the Village of WEST HAMPTON DUNES has previously adopted the model procurement policy of the Office of the State Comptroller as the procurement policy for the Village and the Board desires for that policy to remain, it is therefore;

RESOLVED that the model procurement policy of the Office of the State Comptroller as currently in effect is adopted as the procurement policy of the Village of WEST HAMPTON DUNES.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
DESIGNATING VILLAGE AUDITORS

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are required to retain the services of a public accounting firm to serve in the capacity as the auditors of the Village, and;

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are desirous remaining with the services of Nawrocki Smith, LLP as the auditors of the Village of WEST HAMPTON DUNES, it is therefore;

RESOLVED that Nawrocki Smith, LLP is hereby appointed as the Village Auditors of the Village of WEST HAMPTON DUNES, pursuant to further agreement of engagement to be submitted by that firm for review.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
AUTHORIZING PAYMENT OF CERTAIN CLAIMS PRIOR TO AUDIT

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES have determined that it may be necessary and in the best interests of the Village to make payment of certain claims regarding utilities, postage freight and express prior to audit by the Board of Trustees, it is therefore;

RESOLVED that the Village Treasurer is hereby authorized to make payment of invoices prior to audit by the Board of Trustees of public utility services, postage, freight and express charges, and it is further;

RESOLVED that in the event that a claim is paid prior to audit by the Board of Trustees pursuant to this resolution, the claimant and officer of the Village approving or incurring same shall be jointly and severally liable for any amount disallowed by the Board of Trustees in the subsequent audit of that claim.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
AUTHORIZING OFFICERS AND EMPLOYEES OF THE  
VILLAGE TO ATTEND CONFERENCES AND SEMINARS

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES have determined that it is in the best interests of the Village and its residents that officers and employees of the Village of WEST HAMPTON DUNES from time to time attend conferences and seminars of public employees and officials for educational and training and other similar purposes and that upon prior approval that they may be reimbursed for some or all of their reasonable expenses incurred, it is therefore;

RESOLVED that the officers and employees of the Village of West Hampton Dunes may after prior approval by the Board of Trustees attend conferences and seminars of public employees and officials for the purpose of education and training and other related purposes, and be reimbursed for part or all of their reasonable expenses incurred which shall be intended to be limited to the per diem amount established by the State of New York provided that their attendance and the expenses were approved by the Board of Trustees in advance of their attendance at the conference or seminar.

Motion to adopt resolution by: Trustee Craig  
Motion seconded by: Trustee Trimarchi  
In Favor: Unanimous  
Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
AUTHORIZING AND SETTING RATE OF MILEAGE  
REIMBURSEMENT FOR VILLAGE OFFICERS AND EMPLOYEES

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES have determined that it is in the best interests of the Village and its residents that officers and employees of the Village of West Hampton Dunes be reimbursed for the reasonable cost of the use of their personal vehicles for Village purposes, and that a standard for the rate of this reimbursement be adopted by the Village, it is therefore;

RESOLVED that the Village of West Hampton Dunes will reimburse the officers and employees for the reasonable cost of the use of their personal vehicles for village purposes on the submission of a written request and documentation of same, and that the rate of reimbursement shall be the then posted rate as set by the Internal Revenue Service at the time of the use.

Motion to adopt resolution by: Trustee Craig  
Motion seconded by: Trustee Trimarchi  
In Favor: Unanimous  
Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES  
AUTHORIZING THE VILLAGE BUILDING INSPECTOR  
TO RESIDE OUTSIDE OF THE VILLAGE OF WEST HAMPTON DUNES

WHEREAS the Public Officers Law of the State of New York requires that the Village Building Inspector reside in the Village of West Hampton Dunes unless the Board of Trustees adopts a resolution determining that the Village Building Inspector may reside outside of the Village of West Hampton Dunes but in Suffolk County; and

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES have determined that it is in the best interests of the Village and its residents that the Village Building Inspector may reside outside of the Village of West Hampton Dunes but inside Suffolk County, it is therefore;

RESOLVED that the Village Building Inspector of the West Hampton Dunes may reside outside of the Village of West Hampton Dunes but must reside in Suffolk County.

Motion to adopt resolution by: Trustee Craig  
Motion seconded by: Trustee Trimarchi  
In Favor: Unanimous  
Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES  
RESOLUTION OF THE BOARD OF TRUSTEES



AUTHORIZING THE VILLAGE CLERK  
TO RESIDE OUTSIDE OF THE VILLAGE OF WEST HAMPTON DUNES

WHEREAS the Public Officers Law of the State of New York requires that the Village Clerk reside in the Village of West Hampton Dunes unless the Board of Trustees adopts a resolution determining that the Village Clerk may reside outside of the Village of West Hampton Dunes but in Suffolk County; and

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES have determined that it is in the best interests of the Village and its residents that the Village Clerk may reside outside of the Village of West Hampton Dunes but inside Suffolk County, it is therefore;

RESOLVED that the Village Clerk of the West Hampton Dunes may reside outside of the Village of West Hampton Dunes but must reside in Suffolk County.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

RESOLUTION DESIGNATING THE  
NEW YORK STATE SECRETARY OF STATE  
AS AGENT FOR SERVICE OF NOTICE OF CLAIMS  
PURSUANT TO NEW YORK STATE  
GENERAL MUNICIPAL LAW SECTION 53

WHEREAS the New York State Legislature has adopted Section 53 of the New York State General Municipal Law which provides that the New York State Secretary of State is designated as agent of service of notice of claims for municipalities in New York State and which further requires municipalities to adopt and file a resolution designating the New York State Secretary of State as agent for service of notices of claim for municipalities in New York State; it is therefore

RESOLVED by the Board of Trustees of the Village of West Hampton Dunes as follows:

1. The New York State Secretary of State is hereby designated as the agent for service of notices of claim against the Village of West Hampton Dunes, care of Joseph W. Prokop, Esq., at 267 Carleton Avenue, Central Islip, New York 11722.

2. The applicable time to file a notice of claim on the Village of West Hampton Dunes shall be the 90 day limit that is provided under Section 50 of the New York State General Municipal Law. and it is further;

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

INCORPORATED VILLAGE OF WEST HAMPTON DUNES

RESOLUTION OF THE BOARD OF TRUSTEES  
SETTING THE DATE OF THE 2019 ORGANIZATIONAL MEETING

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of WEST HAMPTON DUNES are empowered to set the date of the 2019 organizational meeting of the Village of West Hampton Dunes, it is therefore;

RESOLVED that the 2019 Organizational Meeting of the Village of WEST HAMPTON DUNES shall be held on Friday, July 5, 2016, at 7:30 p.m.

Motion to adopt resolution by: Trustee Craig

Motion seconded by: Trustee Trimarchi

In Favor: Unanimous

Against: None

**Constables report:**

- Overtime-on target
- 4<sup>th</sup> of July was quiet and successful some fireworks were shot off at a few homes
- Two transformers blew

**Mayor's Report:**

- There should be two or three more beach re-nourishments before 2018. The beach is in good elevation now.
- Special use Permit-Joe to draft sample
- Plovers-fencing is coming down where there are no birds

**Trustee Report:**

- Dumpster Law-new dumpster law where they have to have closed tops and need to be enclosed making it esthetically pleasing

**BBPA:**

- Oyster farming at Lashley
- Ice Cream Social July 14<sup>th</sup> at 4pm
- Richard Spencer Artist on the beach July 12<sup>th</sup> 6pm
- Pancake Breakfast July 28<sup>th</sup> 10am
- Sandcastle contest in August

Rental Law discussion

**Steven Colucci**-wants to see an eclectic village

**Kevin Brown**-believes rental law is a nuisance law and the police force should regulate it. Does not believe one week renters are worse than a two week renter. The idea of online surveillance is against the first amendment.

**Ryan Osborne**-Believes we should all be able to rent within the rule. There are commercial rentals being done within the village and are being run like a business. Season should be extended as the off season is the worst time to come to their home.

Brian Lichter-Enforce the law that is on the books and that it will maintain residential status

**Richard Mueller**-Read an appellate court decision in Texas that stated short terms rentals are considered residential and not commercial. Believes that the same residents who are coming out against the law are also short term renting as well.

**Michael Stern**- States he has been a renter and always had great landlords. It increases home values but there are a handful of residents that are not abiding by the law.

**Patrick & Anne Byrne**-Has lived in the village for 18 years, has 9 grandchildren and loves the beautiful community we have. Says they chose the area because it was residential. Has spoken to other residents in her area and they want to see the rental law stay the same.

**Rose Grant**-States she built her home with the village. She built her first home and than another to rent. She chooses her tenants carefully.

**Harry Grant**-Wants to see a change made to the law

**Cheryl Michaels**-states she can understand both sides of the argument and there needs to be respect for one another. She bought her house as a second home so she could have the ability to rent. One week or two weeks doesn't make a difference. Rents to families so that they can enjoy something that maybe they cannot afford to own.

**Jay Coopersmith**-Lives on Cove Lane for 20 years and that people come out to the community to enjoy their homes. There are bad renters that do come to the village.

**Maddie Coopersmith**-Family is year round residents and that in the summer it is a great place for her grandchildren. If there are renters it is better for them to be there for a longer period of time because you will see them longer and get to know them. If they are short term renters they do not express the same interest in the area.

### **Resolutions:**

- Motion to adopt a resolution approving the properly audited, approved and duly ordered paid by Board of Trustees claim vouchers for the Village

Motion by: Barry Goldfeder

Seconded: John J. Eff, Jr.

All in favor: unanimous

All opposed: None

- Motion to adopt a resolution approving and the waiving of the reading of the minutes of the June 23, 2018 meeting

Motion by: John J. Eff. Jr.

Seconded: Barry Goldfeder

All in favor: unanimous

All opposed: none

- Motion to close a public meeting 9:18 p.m.

Motion by: Gary Trimarchi

Seconded: Barry Goldfeder

All in favor: unanimous

All opposed: none