

GENERAL VILLAGE MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF WEST HAMPTON DUNES  
Thursday February 15, 2024, at 7:30 PM in person at 732 Smithtown Bypass Suite 100 Smithtown NY  
11787 and via Zoom

February 15, 2024

Present: Mayor Gary Vegliante, Trustee John Eff, Trustee Harvey Gessin, Clerk-Robin Santora Village Attorney Joseph Prokop Village Treasurer Claire Vegliante, Sgt. Brian Hennig, Resident Macrone 734/739 Dune Rd

Trustee Gary Trimarchi, Trustee Michael Craig, Stenographer Amy Thomas – via zoom

Opened Public Hearing 7:39 pm  
Pledge of Allegiance waved no flag

- Motion to adjourn the public hearing on a local law of 2024 amending Village Improvement District of 2021 to add additional properties until March 19, 2024 the next Board of Trustees meeting.

Motion by Harvey Gessin  
Second by John Eff  
All in favor: Yes  
None opposed

Joe Prokop explained that we need to make a change to the definition of a story, so our code matches the State code more clearly. The State divided up the definition of a story to two things, one is the definition of a story, and created a thing called a story above grade plane. The mayor was clear that the external dimensions of these homes will not change by virtue of our definition of a story. All houses will look the same as they have for the past 30 years.

- Motion to adjourn public hearing on a local law of 2024 amending Chapter 560 attachment table of dimensions of residential properties from two stories to three stories until March 19, 2024 Board of Trustees meeting.

Motion by Harvey Gessin  
Second by John Eff  
All in favor: Yes  
None opposed

The discussion that was planned for 738 and 742 Dune Road on the two-lot parcel to be subdivided into three lots was adjourned by the applicant and asked to be moved to the March 19<sup>th</sup> Board of Trustees meeting. We received a notification from the Suffolk County Department of Planning that they “consider this to be a matter of local determination” which means SCDP are leaving it up to the Village Planning Board. Discussion among the Board and some residents occurred without the applicant in attendance. The mayor explained that the application to the Planning Board by the applicant was cleverly done. The application shows a plan to divide the property into three lots all meeting the current zoning code without the need for Zoning Board request.

Members of the community asked for an in-person meeting to take place in the Village where they can review surveys and documents pertaining to the subdivision and be able to voice their concerns.

The submitted plan and survey are available for anyone to view and are posted on the village website. There was a stenographer here to take note of the public comments regarding 738/ 742 Dune Road and they will go in as part of the record on this application. When available the transcript will be put on the website. Any further questions please feel free to contact the mayor.

Motion to close a public discussion on 738/742 subdivision and adjourn until March 19<sup>th</sup> meeting.  
Motion by Harvey Gessin  
Second by John Eff  
All in favor: Yes  
None opposed

### **Mayor Report:**

- Tax grievance day is Tuesday February 20, 2024. All grievances must be in by 2/20/24 by 4pm for consideration. You must prove that the amount you are asking for in relief warrants a change.
- The mayor attended the NYCOM Winter Legislative meeting in Albany February 4-6th. At the conference the mayor was able to meet the new Secretary of State, Robert Rodriguez. Through this contact we finally received a call to schedule a meeting in Albany to discuss the Village's on-going legal issues with the Department of State. Hoping to schedule a meeting by the end of the month.
- Road flooding west end of the Village – The mayor has been petitioning the county to help rebuild and raise the road. The mayor is working with County Executive Ed Romaine to help facilitate a joint effort to get the job done. Residents expressed how the flooding is affecting deliveries, garbage collection along with destroying their automobiles. Joe Prokop has been in touch with Cupsogue County Park Commissioner Jason Smagin and is working on setting up a meeting with him.
- Summer construction – how it impacts some of our summer residents. The mayor wants to discuss possible changes to summer construction hours. Perhaps starting a little later in the day and ending earlier. Please email any ideas to the village office or call.
- The mayor stated how the Village has maintained 914 Dune Road since the property was bought. He would like to invest some money in repairing the building so it can be used as a Village facility. He is considering the use of a bond to make the necessary improvements to the building, such as repairing the stairs and improving the conference area. The village still plans to use the building as an office facility and to hold meetings. BBPA board members in this discussion included Sara Covelli, Audrey Mirochnikoff and Pricella Adam. This brought up a concerned discussion among the mayor and the BBPA board involving personal membership to the BBPA organization. The mayor believes he has been treated unfairly by the BBPA. Robin Laveman had offered previously and is offering again to broker a meeting with the mayor and the BBPA board so both parties can present their sides and to keep discussions behind closed doors. Both parties agreed to meet at a later date.
- FBS – Parking Ticket Processing Agreement: This is a ticket collection company, who does all the legwork in collecting payments and the company only gets paid a percentage if people pay

late. This is our only material way to collect these past due tickets. In between court clerks our agreement with this company lapsed, therefore we want to sign a new contract with them.

Motion to approve the FBS contract agreement.

Motion by John Eff

Second by Harvey Gessin

All in favor: Yes

None opposed

- WHD Village Policies – Joe Prokop drafted and wants to implement new IT and Electronic Equipment policies and procedures. For the Electronic Equipment policy, the main idea is how to dispose of obsolete equipment, and for the IT policy the concern is to have a plan in place, if there was a shutdown to our system or if there was some type of cyber-attack. We are largely in compliance with what the controller office of NY State recommends but these changes to Electronic Equipment and IT policies are what Joe believes the Village should review and adopt.
- Cable Franchise Renewal: Still have not gotten any information back from Altice regarding fiber optics service in the Village. Joe recommends advertising for the March meeting to hear public comments from the residents on Cablevision's service and to discuss the new contract. We will let Altice know and ask to have the representative show up for this meeting. Joan Gilroy, who was our original contact, has now been retained by Cablevision. Joan has reached out to the mayor and Joe Prokop and is trying to set up a meeting. They hope to meet with her to negotiate and challenge the contract.  
Altice is the only operator on our side of the bridge. They have dug fiber optics on Dune Road and if you have a pole near your house, they can easily get service to your home. Without the pole, it is not cost effective for Altice to bring fiber optics service to individual homes. Since there are not a lot of homes in the village, Altice is resistant to spending the money on projects like this, where there is not a big return on their investment.  
Trustee John Eff believes the main problems have to do with construction and service issues. We should not be signing any Franchise agreement until they meet and satisfy these demands. One of the obligations Altice has in their contract is to provide fiber optics service to the village. Because they do not meet these standards, we have the option to vote against the new contract since they are not being compliant with their obligations.

### **Trustees Report:**

- The Village Improvement District invited Carlos Vargos, who is a project manager and landscape architect from VHB Engineering. Representatives of the Village Improvement District (VID) Theresa Mattioli and Stanley Vickers solicited VHB on their own to produce a feasibility report. This report will cost \$47,500 and is fully funded by the residents of the VID.  
For the feasibility study, VHB begins with coastal investigations of coastal reporting to help identify the significant problems associated with the erosion to develop a conceptual design. This is the initial phase, the data received from the investigation will help set the tone and track for the next stages of work.
- Trustee John Eff talked about attending the NYS Energy Research Development Authority program where he learned about a 25 million clean energy community program. On April 4, 2024 there is an Energy Code Enforcement Training (ECET) class. Trustee Eff would like to send John the building inspector to complete this training.

### **Treasurer Report:**

- Bank statements and reconciliation reports were emailed to the board, attorney and accountant.
- The new auditors R.S Abrams & Co spent the day in the village office on February 5th reviewing documents. They are still requesting additional information that we are working on providing to them.
- Next month is the budget meeting. Claire has requested budgets from all departments to start the budget process. We are reviewing and updating contracts.
- We have a good reserve, a good emergency fund and overall, the Village is in great shape.
- If you have any questions call or email Claire at the Village office.

### **Constables Report:**

- Starting their annual training which is required by the State.
- In the process of upgrading the body camera equipment and adding enhancements to the camera system at the beginning of the village. The cameras and new technology have proven valuable to the Village.

### **Attorney Report:**

- As a precaution most municipalities in the middle of their budgets process adopt a local law allowing them to pierce the tax cap.

### **Resolutions:**

- Motion to set a public hearing at the next meeting to adopt local law authorizing to pierce the tax cap.

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to adopt a resolution approving the claim vouchers by the Board of Trustees

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to adopt a resolution waiving of the reading of the minutes of the January 2024 Board of Trustees Meeting

Motion by John Eff

Second by Harvey Gessin

All in favor: Yes

None opposed

- Resolution to approve continued participation in Suffolk County All Hazard Plan 2025 Renewal and authorize letter to Suffolk County

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Resolution to approve new IMA with Suffolk County Planning regarding planning referrals.

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to go into Executive Session to discuss matters of employment and upcoming budget at 9:29 pm

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to exit Executive Session at 9:43 pm

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to reopen Public Session at 9:49 pm

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to approve contract with VHB Engineering for feasibility study for the Village Improvement District (VID) and authorize the VID to sign it.

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to authorize Michael Craig to make an offer and finalize contract with the West Hampton Dunes Constables.

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to close a public meeting 9:51 pm

Motion by John Eff

Second by Harvey Gessin

All in favor: Yes

None opposed