

GENERAL VILLAGE MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF WEST HAMPTON DUNES
Tuesday March 19, 2024 at 7:30 PM in person at 732 Smithtown Bypass Suite 100 Smithtown NY
11787 and via Zoom

March 19, 2024

Present: Mayor Gary Vegliante, Trustee John Eff. Trustee Harvey Gessin, Trustee Gary Trimarchi, Trustee Michael Craig, Clerk-Robin Santora, Village Attorney Joseph Prokop, Village Treasurer Claire Vegliante, Sgt. Brian Hennig, Sgt. Tim Turner, Residents Stanley Vickers, Alex Antonacci, Attorney Jim Hulme
Stenographer Amy Thomas, Optimum's Samantha Pardal-Jerez & Joan Gilroy– via zoom

Meeting called to order 7:30 pm
Pledge of Allegiance waved no flag

The Mayor spoke of the sad passing of Michael Burner, a dear friend and the Village's volunteer Road Commissioner. The Mayor asked to keep Mike and his family in our thoughts and paused for a moment of silence.

Opened Public Hearing 7:33 pm

Proposal to renew the Cablevision Franchise Agreement by Altice.

Joining the meeting via zoom are two representatives from Altice, Samantha Pardal-Jerez, manager of Government Affairs and Joan Gilroy, a consultant from AlticeUSA. The Village is up for renewal on the contract we held with Cablevision. What is being negotiated:

1. Length of the contract- previously held a 10-year contract and are possibly looking to renew for 5 years.
2. Fiber optics position in providing service to the Village
3. Receive a contribution towards the cost to broadcast

Samantha Pardal-Jerez explained that the Village is working under a "fiber rich system" where the system is continually invested and upgraded in. She was unwilling to negotiate any details or financial aspects of the proposed contract in a public hearing setting. Willing to discuss details with the board and Attorney Joe Prokop in private. Fiber optics is available for residents who are fed their cable lines via a pole to their home. Homes that receive their cable from underground wires are serviced with a hybrid fiber coaxed system.

Discussion was open to the public and the main concern is the lack of customer service. Residents stated that it is extremely hard to get in touch with a customer representative. Samantha was asked for her direct number for customer help, however she said she would provide her email contact instead. I reached out to her for her email contact and below is the information she provided me with:

- Phone Support - 631.393.0637
- Online Support: <https://www.optimum.net/support/> (including chat)
- Outage Map: <https://www.optimum.com/outage-map> - for the latest information on local service outages and estimated restoration timeframes where available.

- Stay connected during weather-related service interruptions. Enroll [here](#) to receive text alerts on your mobile phone in the event of an outage. Learn more about storm season preparedness, visit optimum.com/storm.

Samantha was asked by the Mayor if she could provide a map of what homes in the Village can receive fiber optics and which cannot, and she said she would look into getting that information. Another question was asked of whether they still provided seasonal pause contracts for residents who want to temporarily stop their services during the off-season.

Samantha stated that she was happy to answer questions related to service in the Village, however that this public hearing and this document is strictly for the Cable Franchise, our right of way agreement to provide cable service. Samantha then asked to close the public hearing so she could then continue to negotiate and finalize the agreement privately. Attorney Joe Prokop disagreed and wanted to keep the Public Hearing open until the next board meeting. He asked to have a live person contact for the residents be put into the contract of the franchise agreement. Samantha wished to discuss this outside the public hearing.

Opened Public Hearing at 8:11pm:

Public Hearing on a Proposed Local Law of 2023, the Title of which is “Local Law No. of 2024, a Local Law Amending Chapter 560, Table 560B, Dimensional Regulations in the Residential Zone of the West Hampton Dunes Village Code to Change 2 Story Limit to 3 Story Limit.”

Three definitions need to be changed in our code:

1. How a story is defined
2. A story above grade
3. Basement changed in State code
4. The Public Hearing is open for discussion at this time and will continue to next month.

The Mayor wanted to be clear that this does not change the outside dimensions of a house, that the exterior will remain the same. It is the internal structure of the house that would be changed from two stories to three stories.

The Public Hearing is open for discussion at this time and will continue to next month.

- 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 April 2024 Board of Trustees meeting.

Motion by Harvey Gessin
Second by Gary Trimarchi
All in favor: Yes
None opposed

Open Public Hearing at 8:39pm:

Proposed Local Law of 2024, the Title of which is “Local Law No. of 2024, a Local Law Amending Chapter 276 of the West Hampton Dunes Village Code” to Create Sections of that Chapter 276 Related to the Village Erosion Control District of 2021 to Add Additional Properties and Other Provisions Regarding the Two Erosion Control Districts.

This is a proposal to amend or create a second chapter of our erosion control district which would be 276A. In 2021 the Village adopted a local law that establishes a Chapter of our code 65A for our erosion control district. For some reason the communication with General Code did not make it into our published code. The current version of the code is 276 and Attorney Joe Prokop is recommending readopt the code and make it the second erosion control district 276A, which is close to the original district. The hope is that the Village will be able to add properties to this district.

Trustee Michael Craig explained that there is already a second Village Improvement District (VID #2) and there are a couple of houses that would like to join this district, with the possibility of other homeowners joining in the future.

There was a question as to what is the VID? The Mayor explained the Village Improvement District whereby a group of residents band together and create a project that would be totally funded by those individuals involved in the VID. If there's 12 homes, we offer the ability for them to work through our municipal grading to get a bond value rate and interest rate through our bonding. The group is solely responsible for the payment and will be assessed through their tax bill. There's absolutely no impact on the people outside the VID.

- Motion to close public hearing at 8:57pm

Motion by: Harvey Gessin

Second by: John Eff

All in favor: Yes

None: opposed

- Resolution regarding SEQRA adopting lead agency status determining that a vote on this local law is an unlisted action for purposes of SEQRA and will not have a negative action on the environment

Motion by: Harvey Gessin

Second by: John Eff

All in favor: Yes

None: opposed

- SEQRA Resolution Regarding the Adoption of a Local Law of 2024 Creating Chapter 176A 2024 Erosion Control and Shoreline Stabilization Special Assessment District

Motion by: Harvey Gessin

Second by: John Eff

All in favor: Yes

None: opposed

Trustee Trimarchi Abstain

Trustee Craig Abstain

- Public Hearing on a Proposed Local Law of 2024, the Title of which is "Local Law No. of 2024, a Local Law Authorizing the Village of West Hampton Dunes to Adopt a Budget if Necessary, Which Includes a Provision Exceeding the 2% Tax Cap.

Motion by: Michael Craig

Second by: Harvey Gessin

All in favor: Yes

None: opposed

- Public Meeting on the Application for Subdivision of 738 Dune LLC and 742 Dune LLC to Merge Two Lots and then Subdivide the Merged Parcel into Three Lots (resubmission of original application).

Joe Prokop explained that the Zoning Board of Appeals voted on November 18, 2023 to approve the lot width variances for three proposed lots and combined side yard setbacks conditioned on two items:

1. Submission and approval of a written decision
2. Correct subdivision site plan

A written decision has been reviewed and they are prepared to adopt but has not been adopted yet.

Attorney Jim Hulme and the applicant, Alex Antonacci were in person at the meeting. Jim Hulme explained that the process started with a different plan in front of the Planning Board and he wanted to be clear that the applicant has returned to the plan that was previously accepted by the ZBA. They took feedback seriously from the Planning Board and community, which is what brought them back to the ZBA approved plan. They fully intend to comply with the variances and the dimensional setbacks as approved by the ZBA.

Zoning Board Chairman Eric Saretsky, zoomed in and asked for a letter that was prepared by him and the zoning board, regarding this subdivision, be read and made public. The letter asks that the Zoning Board of Appeals be allowed to issue a written decision before the Planning Board issues a final decision. Joe Prokop thought a constructive move would be to:

1. Have the alternative application be formally withdrawn by Jim Hulme – which Mr. Hulme proceeded to do.
2. Have a verbal consensus vote by the Planning Board

The Mayor authorized Eric Saretsky to go ahead and read the letter aloud. The letter will be included as an attachment.

There was a discussion with Eric Saretsky and some of the other residents asking if any of the Board members had any personal interests and involvement with this subdivision. Members of the Board stated that they had no personal involvement and therefore did not stand to gain any benefit from this subdivision.

- Motion to adjourn for a vote for approval at the next meeting
No vote was taken

Treasurer Report:

- Tentative Budget:

The Tentative Budget will be posted on the website once it is approved. It should be up by the end of this week. The mayor proceeded to read through and explain the tentative budget. Some items discussed were fire protection with Westhampton Beach Fire Department increased \$702.00. Snow removal increased \$3000.00. The road bond is done – we own our road. We remain under the 2% tax cap.

Motion for the Board to accept the Tentative Budget 2024-25 from the Treasurer and move for a hearing on the Final Budget at the April meeting.

Motion by Michael Craig
Second by Gary Trimarchi

All in favor: Yes
None opposed

Mayor Report:

- 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. The mayor, Joe Prokop and Jim Cashin had a phone conference with Copsogue County Park Commissioner, Jason Smagin. The Village needs to locate archive plans and present them to the County.
- The mayor attended the NYCOM Winter Legislative meeting in Albany last month. He had a good conversation with the new Secretary of State, Robert Rodriguez. The mayor, Joe Prokop, Trustee Harvey Gessin and Special Counsel David Yaffe are trying to schedule a meeting in Albany to meet with the Department of State Director Robert Rodriguez.
- Upcoming renourishment – We are scheduled for our last renourishment for the fall. Unfortunately, the beach was surveyed before the recent storms, so it really needs to be resurveyed. We have written them a letter to reassess or resurvey the beaches.

-Trustee Trimarchi expressed how important string fencing is to our beaches and how it is essential to the beach strength.
-String fencing installation will begin in April. Please let us know of any special needs. It is a federal program that regulates fencing.
- 914 Dune Road – The Board and BBPA member Catherine Woolfson tried to set up an in-person meeting. Possible dates would be Saturday March 23, 2024 or Saturday April 20, 2024. Catherine was going to talk to her board and see if one of those dates could work.
- Summer construction – how it impacts some of our summer residents. The mayor wants to discuss possible changes to summer construction hours, making it more restrictive. He wants to make it more restrictive, especially to building permits that extend the permits into a second year. Other thoughts are to reduce the hours construction can occur during the day. Possibly starting later and ending earlier in the day. Mayor Vegliante wants to get a matrix set in place before the summer begins. Please email any ideas to the village office or call.
- Annexation of unincorporated Dune Road into the Village – The Village is looking to fill-in the entire unincorporated area, excluding the multiple dwelling places in between, roughly 50 houses. Village attorney Joe Prokop is recommending for him to be authorized to start a petition, (not include multiple dwellings) to see who would like to join our Village. The purpose for these homes to join our incorporated village is so they can enjoy the same services that are provided to the village. The benefit to the Village is it will increase the assessment base which in turn will increase the tax base.

Trustees Report:

- Trustee Craig spoke of meeting and negotiating a contract with the Constable Union. The newly implemented contract will go into effect June 1, 2024. The current contract only had a year

remaining and he felt it was important, with inflation, to close the gap with the Constable pay and offer catch-up pay to the cost of living. The mayor also explained that by increasing the pay, we have made our department more competitive. The Village has hired two part-time employees.

Constables Report:

- Hired 2 highly qualified part-time employees
- Started training and getting everything ready.
- Upgrades to the camera equipment and adding enhancements, the cameras and new technology have proven valuable to the Village.

Attorney Report:

- The upcoming election is Friday June 21, 2024. It is the third Friday in June, and it will be held at 914 Dune Road from 12 noon – 9 pm. Positions open for re-election are:
 - Mayor – term of four (4) years (July 1, 2024 – July 3, 2028)
 - Trustee– term of four (4) years (July 1, 2024 – July 3, 2028)
 - Trustee– term of four (4) years (July 1, 2024 – July 3, 2028)
 - Village Justice – term of four (4) years (July 1, 2024 – July 3, 2028)

Filing of petitions can begin six (6) weeks before the election. Can check the Board of Election website for any further information.

Resolutions:

- Motion to set Friday June 21, 2024 as the Village Election date.

Motion by Gary Trimarchi

Second by Michael Craig

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 February 2024 Board of Trustees Meeting

Motion by Harvey Gessin

Second by John Eff

All in favor: Yes

None opposed

- Motion to close a public meeting 10:35 pm

Motion by Harvey Gessin

Second by Gary Trimarchi
All in favor: Yes
None opposed