

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, April 5, 2012 at 7 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach**

**PRESENT: Mayor Conrad Teller  
Deputy Mayor Toni Jo Birk  
Trustee Patricia DiBenedetto  
Trustee Leola "Sue" Farrell  
Trustee Hank Tucker**

**Clerk-Treasurer Rebecca Molinaro  
Village Attorney Richard Haefeli**

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Mayor Teller opened the meeting by wishing everyone a Happy Easter and Happy Holidays.

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## **PUBLIC HEARINGS**

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### **Local Law to Authorize Tax Levy in Excess of Limit Imposed by General Municipal Law**

Mayor Teller made a motion to open the public hearing on a local law to authorize a tax levy in excess of the limit imposed by General Municipal Law, seconded by Trustee Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay.

Village Attorney Richard Haefeli said this is a measure to protect the Village if for some reason the budget goes over 2%. There are penalties if a Village goes over and doesn't have the law in place. The best example is, and I checked with the Village Clerk, the Town has not provided the Final Assessment Roll as of today, and if the Board adopts a budget with a roll that they believe is accurate, but it is corrected, that can put them over the 2%. Although I am not doing the budget, it is my understanding it is less than 2%.

Village Clerk Rebecca Molinaro agreed. She said to further expound, the Village has received three different assessment rolls from the Town in the last two days, which is why we are a little hesitant to move forward right now.

Mr. Haefeli said this is not unusual, over the years, the Village and school districts would adopt budgets based on the assessment and for whatever reason, sometimes the roll was slightly different than what was adopted. In the past it wouldn't matter because the budget was adopted but now with the 2% the Village has to have something in place if something of that nature occurred.

Mark Raynor, is this law on the books forever or just specific to this year?

Mr. Haefeli responded it is just for this year. And if the tax cap law stays in effect, the Board would have to adopt it again next year and I would advise they do that for the reasons I just specified.

Mr. Raynor asked what if they overcollect? Where does the money go?

Mr. Haefeli said no, you don't overcollect. In the past, you adopt the budget, and set the tax rate and if the assessment changes, you fix the tax rate. When the final roll comes, you have to adjust the tax rate before the tax bills go out. You are not collecting more money, you have to make the adjustment. This law says if you go over for any reason, you are subject to severe penalties. There is enough of a possibility of this happening you want to do the local law.

Mr. Raynor asked if the assessment was the only other error or is there something else in the budget...?

Mr. Haefeli said I am only using that example because they don't have the final assessment. He said you could have a budget with the assessment you have and you're at 1.9% and when the final assessment comes in you could be at 2.001% and you are over.

Mayor Teller asked if anyone else would like to be heard. There being no further response,

Mayor Teller made a motion to close the public hearing. Seconded by Deputy Mayor Birk and it was unanimously approved. 4 Aye, 0 Nay.

Motion by Trustee Tucker:

WHEREAS, this Board has advertised a local law adding Chapter 162 of the Village Code, entitled "TAX LEVY" and

WHEREAS, a public hearing was held on April 5, 2012, and

WHEREAS, this Board has resolved that it is the lead agency for purposes of SEQRA review, and

WHEREAS, this Board has reviewed the submitted EAF Part I and the applicable criteria pursuant to 6 NYCRR 617.7 in determining the environmental significance of this action, and

WHEREAS, this Board has determined that the proposed local law is one of general applicability;

IT IS THEREFORE RESOLVED that the proposed action will not have a significant effect on the environment and therefore this Board issues a negative declaration with respect to this proposed action; and

WHEREAS, all persons present at the meeting have had an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof, and

NOW THEREFORE, that after due deliberation the Board of Trustees of the Village of Westhampton Beach finds that it is in the best interest of the Village to adopt the Local law as advertised and attached.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**2012-13 Tentative Village Budget**

Mayor Teller made a motion to open the public hearing on the 2012-13 Tentative Village Budget. Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay.

Mayor Teller said this budget is fairly flat. Right now we are at 1.96%. We will not close the public hearing tonight because of the property tax levy from the Town that is bouncing around a little bit. The unfunded mandates from the State, health, retirement, contractual mandates are the biggest costs. All of our labor contracts right now are up to date, with the exception that the PBA will expire this year, this June. Going through the budget, anyone who has questions, just ask. Elected officials, stays the same. The Justice Court, the Court Clerk came up with a good program to collect old parking tickets. We struggled to pass it for a while but ultimately, we collected \$78,000 in fines. It is ongoing. The Village office, major increase was that we moved one employee from the Building Department to the Village Office. Legal has been increased, the cost of doing business. We have ongoing issues that have to be adjudicated. Municipal buildings has normal costs, normal repairs and expenses. The Police Department has taken a few cuts. Three people retired, we did not replace them. We've had savings of \$286,000 in salaries. We are still below what salaries were a couple of years ago. We have to have a mandatory upgrade of radios, which is to cost \$10,000. We are applying for grants. There are no major changes there. DPW is contractual raises and steps. They are down two positions also, and we have not funded. We will have to spend \$35,000-\$50,000 for fire suppression system at the barn, a sprinkler system, we maintain all our equipment there. We have converted to natural gas, which we should have lots of savings this year. We hooked up to the County who was running a line there. The State has left the CHIPS money the same as last year, and we are likely to repave Tuttle and Debbie but it is ultimately up to the Board for further review. We have a municipal agreement to handle Jeffrey and Adam, due to them running long the Town border, they wanted us to pay \$7.50 to dump our leaves. We renegotiated an agreement and we don't have to pay, we dump about 7-8,000 yards of debris. Our beach, we have hourly increases, few pennies. We are adding a deck area to improve access and

service to the snack bar, and negotiated more for electric so they will be paying for all electric there. These were negotiated by the Village Clerk and good shape there. At the

yacht basin, we had a profit of \$84,000 there and our Harbormaster figures this year may be a little leaner, some bigger boats may not come back. Beautification that encompasses flowers, maintenance, that is not donated, trees, that had a reduction. One of the tractor, we finished paying and another one will be done next year.

Mayor Teller asked if there were any questions.

Mr. Raynor asked about the bonds for the sidewalks, 2005. Why would that payment be going up, wouldn't it be going down?

Ms. Molinaro responded that for some reason, the way the bond was issued, in the last few years, the principal increased and the interest goes down. It is the way it was issued.

Mr. Raynor asked how many years are left on it?

Ms. Molinaro said she believed there were three years left on it.

Mr. Raynor said so it is going to increase every year?

Ms. Molinaro said no, it is going to stay this rate for the next three years.

Mr. Raynor asked about the Highway Department for their equipment. For \$125,000 is there more they are buying?

Mayor Teller said when the Village bought the payloader, the funds came out of beautification and a skid loader which is paid off.

Mr. Raynor said he had a question for the Chief. In the compensated absences line, it is minus \$73,000. What is that?

Mayor Teller said I will have Becky answer, that is a problem the our auditors...

Ms. Molinaro said in that particular line, part of the contract says they have to give notice ahead of time if they are retiring, so basically it is buyout pay, and if the Board knows ahead of time, they can budget for it. So last year, they knew about the payouts so they could calculate it for the budget. As of right now, there are no retirements anticipated in that department. The Village does have its own compensated absence reserve fund, like the park fund.

Mr. Raynor asked about the snow removal contract with Westhampton Dunes.

Ms. Molinaro said the monies are accounted for under snow removal, contractual.

Dean Speir, Main Street, asked what is the total line for the police dispatchers.

Mayor Teller said the same, with increases. They have different contract than police.

Trustee Tucker said \$128,276.00.

Mr. Speir said does that included benefits?

Ms. Molinaro said not that is just salaries.

Mr. Speir asked what are the attached benefits?

Trustee Tucker said all employess are lumped together.

Mayor Teller said we pay approximately \$20,000 for family plan and \$8,000 and something for single. There is also uniform allowance.

Mr. Speir said is there any new thinking on scaling back or doing away with what is a duplication of what we are paying the Town?

Mayor Teller said we are leaving the budget open.

Mayor Teller asked if anyone wanted to be heard.

Mayor Teller made a motion to adjourn the public hearing until April 18<sup>th</sup>. Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay.

Motion by Trustee Tucker:

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**RESOLUTIONS**

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**Accept Minutes of Board of Trustees Meeting**

Motion by Trustee Tucker:

RESOLVED, that the minutes of the Board of Trustees Meeting of March 1, 2012 and Special Meeting of March 21, 2012 are hereby accepted.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Accept Departmental Reports**

Motion by Deputy Mayor Birk:

RESOLVED, that the Treasurer's report for February 2012, Justice Court, Police Department's and Building Inspector's reports for March 2012, are hereby accepted.

Seconded by Trustee DiBenedetto and unanimously approved. 4 Aye, 0 Nay

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**Approve & Accept Performance Bond with Timber Ridge at Westhampton Beach V, LLC**

Motion by Trustee Farrell:

WHEREAS the Planning Board at its August 14, 2008 meeting adopted a resolution approving the site plan of Westhampton Beach Associates, LLC and among the conditions it imposed was that a performance bond in the amount of \$1,386,110.00.00 be posted to insure performance of certain site work; and

WHEREAS Timber Ridge at Westhampton Beach V, LLC, the successor to Westhampton Beach Associates LLC, as Principal has executed a performance bond in the amount of \$1,386,110.00 which has been secured by NGM Insurance Company, as surety; now therefore be it

RESOLVED, that the Board of Trustees hereby approves and accepts the performance bond in the amount of \$1,386,110.00 posted by Timber Ridge at Westhampton V, LLC and has accepted NGM Insurance Company, as surety for said bond.

Trustee Tucker said he wanted to ask a quick question. He asked Chief Building Inspector Paul Houlihan if we are getting all the fees for appraisals, for the other work we have to do?

Mr. Houlihan said yes, we are. Those appraisals are from the first time around, any of those fees we run into now, we will be getting, like the SWPP plans. You remember this was about four years ago, what they've done recently is some architectural changes and now they are getting ready to move forward.

Mr. Haefeli said Timber Ridge is finishing the condo project in Westhampton have been builders here for a while. They have taken over for Munchnik, who had gotten approval for the project. I spoke with their attorney who said the closing should take place in a few weeks and then they can file for building permit application.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

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**Approve Use of Village Property-Hurricane Education Foundation**

Motion by Trustee DiBenedetto:

RESOLVED, that the Hurricane Education Foundation is hereby authorized to use various Village locations for the 2012 Village Amazing Race on Saturday, May 12, 2012 from 10:00 a.m. to 2:00 p.m.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Approve Use of Village Property-EJ Autism Foundation**

Motion by Trustee Tucker:

RESOLVED, that the EJ Autism Foundation is hereby authorized to use the intersection of Montauk Highway and Sunset Avenue as a rest stop for the Annual Walk Relay on Saturday, May 19, 2012 from 4:30 p.m. to 6 p.m.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Approve 2012 Shared Computer Capability Agreement with Town of Southampton**

Motion by Deputy Mayor Birk:

RESOLVED, that the Mayor is hereby authorized to execute the renewal of the 2012 Shared Computer Capability Agreement with the Town of Southampton at a cost of \$13,716.36, plus fees for time and materials.

Seconded by Trustee Farrell and unanimously approved. 4 Aye, 0 Nay

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**Approve Inter-Municipal Agreement with Southampton Town**

Motion by Trustee Farrell:

WHEREAS, the Village of Westhampton Beach desires to enter into an Inter-Municipal Agreement with the Town of Southampton for the provision of waste management services and police services; and

WHEREAS, General Municipal Law § 119-o authorizes the Village to enter into an Inter-Municipal Agreement with the Town; now therefore be it

RESOLVED, that the Mayor is hereby authorized to execute an Inter-Municipal Agreement with the Town of Southampton for the provision of waste management services by the Town and police services to be rendered by the Village to the Town in certain areas.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

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**Declare and Approve Sale of Village Surplus Vehicles**

Motion by Trustee DiBenedetto:

WHEREAS, the Department of Public Works and the Police Department have submitted the attached list of items that are no longer in use by the Departments; and

WHEREAS, that the Village-owned vehicles and equipment are hereby declared surplus and obsolete for Village purposes; and be it further

RESOLVED, that the Department of Public Works and the Police Department are authorized to publicize the items for sale on GovDeals and to dispose of any items that may remain unsold after the auction period has closed.

Seconded by Trustee Farrell and unanimously approved. 4 Aye and 0 Nay

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**Authorize Installation of Electric Panel at Rogers Beach Pavilion**

Motion by Trustee Tucker:

RESOLVED, that DC Electric is hereby authorized to install one sixteen circuit electric panel at the Rogers Beach Pavilion at a cost not to exceed \$2,093.61, to be paid from the Village Park Fund.

Seconded by Trustee Farrell and unanimously approved. 4 Aye and 0 Nay

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**Authorize Installation of Audio Recording Equipment**

Motion by Deputy Mayor Birk:

RESOLVED, that R.T. Sixty is hereby authorized to install an audio recording system in the Village Hall Trustee Meeting Room at a cost not to exceed \$3,610.00 for system components and labor, to be paid from budget account A. 1620.2.

Seconded by Trustee Farrell and unanimously approved. 4 Aye, 0 Nay

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**Authorize Purchase of Village Hall Printer**

Motion by Trustee Farrell:

RESOLVED, that the purchase of an HP Color LaserJet Enterprise CP4525xh Printer from New York State OGS Contract # PT58424 for the Village Office at a cost of \$2,782.03 is hereby approved, to be paid from budget account A.1620.2.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Authorize Construction of Deck Extension at Rogers Beach Pavilion**

Motion by Trustee DiBenedetto:

RESOLVED, that the Board of Trustees hereby authorizes the construction of a deal extension at a cost not to exceed \$2,450.00 on the south side of the concession at the Rogers Beach Pavilion

Seconded by Trustee Farrell and unanimously approved. 4 Aye, 0 Nay

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**Authorize 2012 Stormwater Management Plan Annual Report**

Motion by Trustee Tucker:

RESOLVED, that the Board of Trustees hereby authorizes the preparation of the 2012 Annual Stormwater Management Plan report by D & B Engineers and Architects at a cost not to exceed \$2,500.00 for submission to the New York State Department of Environmental Conservation.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Appoint 2012 Election Inspectors**

Motion by Deputy Mayor Birk:

RESOLVED, that Bonnet Brophy is hereby appointed Chairperson of the Election Inspectors, and John Bouvier, Thomas Betjemann and Mary Gallagher are appointed as Election Inspectors and Carol Matthews is appointed as Poll Clerk and each are to perform the official duties of the Village General Election to be held on Friday, June 15, 2012 and are to be compensated at a rate of \$13.00 per hour.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

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**Appoint 2012 Seasonal Beach Personnel**

Motion by Trustee Farrell:

RESOLVED, that the attached list of Beach personnel for the 2012 season is hereby approved at the hourly rates indicated and not to exceed forty (40) hours per week.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Authorize Renewal of 2012 Firehouse Pizza Outdoor Dining Permit**

Motion by Trustee DiBenedetto:

WHEREAS, Firehouse Pizza has applied to renew the Outdoor Dining Permit for 2012 to place three (3) picnic tables with attached benches pursuant to §196-1 of the Village Code; and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the submitted plan approved and subject to the same set of conditions.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Authorize Renewal of 2012 Dee Angelo's Outdoor Dining Permit**

Motion by Trustee Tucker:

WHEREAS, Dee Angelo's has applied to renew the Outdoor Dining Permit for 2012 to place eight (8) bistro tables or four (4) standard tables and sixteen (16) standard chairs pursuant to §196-1 of the Village Code; and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the submitted plan approved in 2006 and subject to the same set of conditions.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Authorize Renewal of 2012 Hampton Coffee Company Outdoor Dining Permit**

Motion by Deputy Mayor Birk:

WHEREAS, Hampton Coffee Company has applied to renew the Outdoor Dining Permit for 2012 to place four (4) tables and sixteen (16) standard chairs pursuant to §196-1 of the Village Code; and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the submitted plan approved in 2006 and subject to the same set of conditions.

Seconded by Trustee DiBenedetto and unanimously approved. 4 Aye, 0 Nay

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**Authorize Renewal of 2012 Funcho's Grill Outdoor Dining Permit**

Motion by Trustee Farrell:

WHEREAS, Funcho's Fajita Grill has applied to renew the Outdoor Dining Permit for 2012 to place five (5) outdoor tables and twenty (20) standard chairs pursuant to §196-1 of the Village Code; and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the submitted plan approved in 2006 and subject to the same set of conditions.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Authorize Renewal of 2012 Shock Ice Cream Outdoor Dining Permit**

Motion by Trustee DiBenedetto:

WHEREAS, Dee Angelo's has applied to renew the Outdoor Dining Permit for 2012 to place three (3) outdoor tables with attached benches pursuant to §196-1 of the Village Code; and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the submitted plan approved in 2004 and subject to the same set of conditions.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Authorize 2012 Renewal of Beach Bakery Outdoor Dining Permit**

Motion by Trustee Tucker:

WHEREAS, Beach Bakery has requested a permit for outdoor dining pursuant to the provisions of Section 196-1 of the Code; and

WHEREAS, this Board granted Beach Bakery a permit for outdoor dining in 2011 which was subject to Beach Bakery filing an application with the Building Department to clear all of the outstanding violations on the property; and

WHEREAS, there are still outstanding violations on the property; and

WHEREAS, Beach Bakery has filed an application with the Planning Board for site plan approval which if approved by the Planning Board and the work is undertaken and completed pursuant to said approval all of the outstanding violations would be corrected; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes and grants to Beach Bakery a permit for outdoor dining, subject to all of the conditions set forth in Section 196-1 of the Code together with the following conditions:

1. Three (3) bistro tables and six (6) chairs placed such that they do not obstruct the ingress and egress of the Bakery main entrance and the 2<sup>nd</sup> level apartment entrance and are located in front of the most easterly staircase;
2. Four (4) tables and sixteen (16) chairs placed and contained in the alleyway on private property and not in front of the business;
3. All of the tables and chairs shall not be permitted to extend onto the Village sidewalk and shall not interfere with pedestrian traffic using the Village sidewalk;
4. This permit is further subject to and conditioned upon Beach Bakery proceeding with its application before the Planning Board for site plan approval and if that application is withdrawn during the period this permit is in effect, this permit shall automatically be revoked.
5. It shall be a condition to the submission and acceptance of an application for a permit for outdoor dining and the issuance of a permit in the year 2013 that site plan



approval has been obtained from the Planning Board and a building permit has been issued for the work authorized in the site plan by May 1, 2013. If no building permit has been issued, the application for outdoor dining shall be denied unless, Beach Bakery shall after hearing before this Board, establish upon good cause the reason why the building permit has not been issued.

Deputy Mayor Birk asked Mr. Houlihan what the outstanding violations were.

Mr. Houlihan responded that they are from the 2<sup>nd</sup> story apartment when the number of bedrooms was increased from three to five.

Deputy Mayor Birk asked when the violations first came about?

Mr. Houlihan said violation notice was issued several years ago.

Deputy Mayor Birk said several years ago and we are still are not in compliance in 2012.

Mr. Houlihan said no we are not.

Trustee DiBenedetto said with last year's resolution a site plan had to be in place and authorized by May 1, 2012, is it the same wording that Beach Bakery has to establish good cause.

Mr. Haefeli said Mr. Simon has been moving but said it is not complete, he does not have Health Department approval yet, there is still work to be done, but the substantial amount of work he is proposing has more or less been discussed and as long as he puts it into the plans we are discussing is likely to be approved but he still has work to be done. He has put a lot of time into this, assuming he puts it into the plans, he will have approval in the future.

Deputy Mayor Birk said she has a problem that the violations still exist after this many years. She said she knows what a viable business he is in the community, he provides a great service to the Village but as an official, I am not happy that these violations are still open and you come each year asking for the permission for outdoor dining, I would have hoped the violations would have been rectified.

Trustee DiBenedetto said I would like to see more specifically defined tables. You have bistro and then tables. The other ones have either picnic tables, etc and I would like to see more of a definition of table. That would affect seating and size.

Mayor Teller asked if anyone else wanted to be heard.

Trustee Tucker said May 2012 has not come yet but I don't suspect you will be ready by then, is that the case? Where do you stand with the Board of Health?

Mr. Jorna said we have a new wastewater management plan for the new septic to be installed, we would not be able to get Board of Health, we are waiting for SEQRA, Mr. Haefeli knows better than I do.

Mr. Haefeli said the Board of Health will not issue approval without a SEQRA determination from the local municipal government. The Planning Board agreed to issue it at their next meeting, there is still other work he has to do, he and the Planning Board have come together on a substantial amount of things.

Trustee DiBenedetto asked if that included the outstanding violations.

Mr. Haefeli said the outstanding violations will go away with these plans because he created two additional bedrooms on 2<sup>nd</sup> and 3<sup>rd</sup> floor which created more parking. On the existing property, he cannot create the parking spaces so there is a violation with that. His proposal is he owns the property right behind and he is going to merge those two pieces of property into a single piece of property. He is going to have parking spaces and septic system there. And a number of spaces that are being allocated for parking will comply with the Village Code for his business and the number of apartments.

Trustee DiBenedetto asked if he will be able to keep the apartments.

Mr. Haefeli said he can keep the number of bedrooms at five. The issue wasn't the apartments, it was that he was not providing the parking for the apartments. Once he has approval, the requisite parking will be there and there will no longer be violations.

Trustee Tucker said to Mr. Jorna, last year we said if no building permit has been issued by May 1, 2012, the application for outdoor dining shall be denied unless before a hearing before the Board, shall establish good cause the reason why the building permit has not been issued. Is there anything you would like to say about that?

Simon Jorna, Beach Bakery, said he has said to the Planning Board they are close to final approval. But with the new renovations and additions to the bakery, all violations will be fixed. So there is no reason to deny his outdoor dining.

Trustee DiBenedetto asked if the site plan was in its final stage. Has a final site plan been presented to the Planning Board?

Mr. Jorna said many paperwork has been delivered.

Mr. Haefeli said he believes, and assuming he gets his Board of Health approval, assuming he puts a set of plans together that can be reviewed by the Village Building Inspector, the Village Engineer and Village Planner, and has been agreed to by everybody, I would say mid-summer. After that he would be able to get a building permit, and construction could begin end of the summer.

Trustee DiBenedetto asked if the number of seats and tables has changed.

Mr. Jorna said the Board just gave me 22 seats, for the last ten years I have had 23 seats.

Deputy Mayor Birk said she would like to have further discussion on this with the Board and hold it over.

Mr. Jorna said it should not be held over. The season begins April 15<sup>th</sup>.

Deputy Mayor Birk said yes, but when everything is in order, she has some concerns she would like to discuss with the Board. There is a work session on April 18<sup>th</sup>.

Mr. Haefeli said the Board can schedule a public meeting for April 18<sup>th</sup>.

Mayor Teller made a motion to hold over to the work session for discussion on April 18<sup>th</sup>. Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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**Approve Warrant for April 2012**

Motion by Deputy Mayor Birk:

RESOLVED, that the warrant April 2012 in the amount of \$ 247,233.59 for the General Fund is hereby approved.

Seconded by Trustee DiBenedetto and unanimously approved. 4 Aye, 0 Nay

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**PUBLICCOMMENT**

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Elyse Richman, said she applied for Outdoor Music but only Outdoor Dining is here.

Ms. Molinaro said no Outdoor Music applications were on for approval tonight.

Ms. Richman said they were put in at the same time.

Mr. Haefeli said he suggested that the Board discuss these at the work session because there seems to be a number of applications and conflicts between the dates and the times

that the merchants are having it and the dates and times some not-for-profits are having it. I said they should look at them before they approve them all. The Music portion has expanded over the years and it is something that we are just going to look at.

Ms. Richman asked when, to be part of the discussion.

Mayor Teller said it will be part of the work session.

Dean Speir, asked about the Inter-Municipal Agreement with Southampton Town, you were not very specific.

Mr. Haefeli said the Inter-Municipal Agreement with the Town permits the Village to..

Mr. Speir said I know that, I was going to ask where.

Mr. Haefeli said Adam and Jeffrey Lane. The only way to get there is through the Village. The other area is Dune Road between the Village and Westhampton Dunes.

Mr. Speir asked about the EJ Autism event, what is the location?

Ms. Molinaro said it is a rest stop, Montauk Highway.

Mr. Speir asked about time of Hurricane Education Foundation times.

Trustee DiBenedetto said 10 am to 2pm.

Simon Jorna, Beach Bakery, asked about paving Main Street anytime this year.

Mayor Teller said that would come under a capital improvement, for discussion by the entire Board. You would have to do the entire street, sidewalks and curbs would have to be upgraded. We still have poles, lighting to be buried. It would require a major thing. The Master Plan calls for looking at Mill Road and Main Street. Just to pave the street won't happen for a while. We have to work up a capital program. Under the 2% to do the work, I don't think we would have enough CHIPS money to do it.

Mayor Teller asked if anyone else would like to be heard. There being no further response, he made a motion at 7:52 p.m. to adjourn the meeting. The motion was seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

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Respectfully submitted,

Rebecca Molinaro  
Clerk-Treasurer