



Smithtown Town Board
Regular Meeting
~ Minutes ~
Draft

Smithtown, NY
www.smithtownny.gov
Town Clerk's Office

Tuesday, May 5, 2026

2:00 PM

Victor T. Liss Board Room

The Regular Meeting of the Town Board of the Town of Smithtown was held in the Victor T. Liss Board Room, Town Hall, Patrick R. Vecchio Building, 99 West Main Street, Smithtown, New York on Tuesday, May 5, 2026 at 2:00 PM.

Present: Supervisor Edward R. Wehrheim, Councilman Thomas J McCarthy, Councilwoman Lynne C Nowick, Councilwoman Lisa M. Inzerillo, Councilman Thomas Lohmann Sr
Also Present: Thomas D. McCarthy Town Clerk, Simone Freeman Assistant Town Attorney, Marianne Bordonaro Deputy Town Clerk

I. CORRESPONDENCE

- A. 4492 - Special Event — Community Association of Greater St. James Summer Nights 7/1/26, 7/22/26 & 8/12/26

Permit to be Issued

- B. 4500 - Special Event — Kings Park Chamber of Commerce Kings Park Festival Day, June 20, 2026, from 9:00 A.M. to 5:00 P.M.

Permit to be Issued

II. PUBLIC HEARINGS

- A. 4539 - The Town Board to consider Proposed Local Law #8-2026, amend Chapter TC7 entitled "Off-Road Vehicles" as it relates to electric bicycles.

2026-459

Result: Hearing Closed (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- B. 4540 - The Town Board to consider Proposed Local Law #9-2026, amend Chapter 101 entitled "Department of Parks, Buildings and Grounds" as it relates to electric bicycles and motorized devices.

2026-460

Result: Hearing Closed (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

III. ADVERTISE FOR PUBLIC HEARING

- A. 4573 - Authorize the Town Clerk to advertise for a Public Hearing to be held at the Smithtown Town Hall, Patrick R. Vecchio Building, Victor T. Liss Board Room, 99 West Main Street, Smithtown, New York 11787, on Thursday, May 21, 2026 at 2:00 p.m. to consider Proposed Local Law #10-2026, amendments to Chapter 215 entitled "Peddling and Soliciting" with regard to Emergency Scene Solicitation and Board-Up Services.

2026-461

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

IV. CONSENT AGENDA

A. Minutes Approval April 23, 2026

Accepted

B. Comptroller

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

1. 4576 - Transfer from account DR.5110.0472 (Dues/Conference/Training) in the amount of \$15,000.00 and transfer to account DR.5110.0120 (Part-Time Salaries) in the amount of \$15,000.00.

2026-462

2. 4582 - Increase account A..2705 (Gifts and Donations) in the amount of \$750.00 and increase account A.4230.494 (Special Programs) in the amount of \$750.00 (Horizons).

2026-463

C. Resolutions

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

1. 4473 - Cornell Local Roads Program- Ithaca, NY June 1- 3, 2026. Highway staff attending: Daniel Morgan-Highway Construction Supervisor, Daniel G. Ryan-Highway General Supervisor and Joseph Cobelo-Highway Labor Crew Leader.

2026-464

2. 4571 - 2026 Highway Road Program amendment to add Sandy Dr, Scott Dr & Erita Ln in Smithtown.

2026-465

3. 4577 - Highway Department-1 month rental of a Loader Bucket from Komatsu America.

2026-466

4. 4578 - 1 month Rental of a Compact Track Loader from All Island Equipment.

2026-467

5. 4580 - Disposal of Computers and Equipment to be recycled at MSF.

2026-468

V. RESOLUTIONS

A. The Town Board to approve the following:

1. 4564 - Town Board authorization of tuition reimbursement for Brooke Ferreira, Environmental Analyst, in accordance with Town policy for Industrial Hygiene class at

Farmingdale State College, Summer 2026 semester. Final amount of reimbursement to be determined on submission of grade.

2026-469

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

2. 4565 - Addition of Catapano Engineering and Architecture, PC to the Town's Pre-Qualified List of Professional Service Consultants.

2026-470

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

3. 4568 - Statement of Support and Authorization to submit an application to the Suffolk County Downtown Revitalization Grant Program - Round 24 by the American Legion James Ely Miller Post 833 in connection with the rehabilitation of the water feature and added enhancements to Veterans Plaza on Main Street, Smithtown, and to further authorize the Supervisor to sign any and all necessary documents on a form approved by the Town Attorney.

2026-471

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

4. 4572 - Establish a Town-Wide Amazon Business Prime Account through the New York Association of Towns.

2026-472

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

5. 4579 - The Department of Environment and Waterways to purchase a Gator Utility Vehicle with Plow from John Deere & Co.

2026-473

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

6. 4581 - Rescind Resolution 2026-389, Item ID 4538

2026-474

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

7. 4587 - Town Board to concur with the determination that the proposed action to American Legion James Ely Miller Post 833 for rehabilitation of the Veterans Plaza on Main Street, Smithtown, is a SEQRA Type II Action pursuant to 6NYCRR Part 617.5(c) (2). Said

determination is required for an application for funding under the Suffolk County Downtown Revitalization Grant program.

2026-475

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

8. 4588 - Agreement with Thomas Vulpis Jr., RA for Renovation of Auditorium Space at Town of Smithtown Senior Center.

2026-476

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

9. 4590 - Adoption and implementation of Gender-Based Violence and the Workplace Policy

2026-477

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

10. 4592 - Agreements between the Recreation Department and various vendors to provide specialized services and programs to the Town of Smithtown for the 2026 summer season.

2026-478

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- B. The Town Board to authorize the acceptance of the following:

1. 4567 - Accept a donation on behalf of Horizons Counseling and Education Center from the Substance Abuse & Mental Health Services Administration for 2026.

2026-479

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- C. The Town Board to authorize the Supervisor to execute the following resolutions on a form approved by the Town Attorney:

1. 4566 - Horizons Medical Professional Liability Insurance for 2026

2026-480

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

2. 4574 - Agreement with James Patrissi to provide professional consultant services for the Town of Smithtown Youth Bureau Adaptive Sports Program.

2026-481

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

3. 4583 - Town Board to authorize an agreement with Brand Builders LLC., to furnish and deliver backyard composting units and rain barrels to the Department of Environment and Waterways for sale and distribution to Smithtown Residents and to further authorize the Supervisor to sign associated documents on a form approved by the Town Attorney.

2026-482

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

VI. PERSONNEL - The Town Board to approve the following Personnel matters:

- A. 4556 - Ratification of the Supervisor's signature of a Stipulation of Settlement agreement with Employee #005130.

2026-483

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- B. 4561 - Seasonal appointment of Faith Fogelman to the position of Recreation Aide II in the Recreation Department, at a rate of pay of \$18.00 per hour, effective May 8, 2026 - September 4, 2026.

2026-484

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- C. 4562 - Change in effective date for Riley McGovern, seasonal Recreation Aide II in the Recreation Department, from June 27, 2026 to May 8, 2026, with no change in rate of pay.

2026-485

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- D. 4563 - Change in salary for Richard O'Leary, seasonal Recreation Aide II in the Recreation Department, to a rate of pay of \$18.00 per hour, effective date retroactive to April 8, 2026 and continuing through November 13, 2026.

2026-486

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- E. 4569 - Rescind Resolution #2026-456 (Item ID#4518) adopted by the Town Board on April 23, 2026.

2026-487

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- F. 4575 - Unpaid Medical Leave of Absence for Employee ID #004501 in the Department of Parks, Buildings and Grounds, effective May 5, 2026.

2026-488

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- G. 4584 - Part time appointment of Julie Edwards to the position of Office Assistant in the Office of the Town Clerk, at a rate of pay of \$18.95 per hour, not to exceed 1/2 the normal work week, effective May 11, 2026.

2026-489

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- H. 4585 - Full time appointment of Brooke Spica to the position of Community Service Aide in the Office of the Town Clerk, at a rate of pay of \$22.33 per hour, subject to a 52 week probationary period, effective date pending satisfactory results of a pre-employment medical exam and drug screen.

2026-490

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- I. 4586 - Seasonal appointments/reappointments in the Department of Parks, Buildings and Grounds to various positions, at rates of pay and effective dates, as indicated.

2026-491

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- J. 4589 - Return from Medical Leave of Absence for Employee ID# 003640 in the Department of Parks, Buildings and Grounds, pursuant to Section 72 of Civil Service Law, effective date retroactive to May 4, 2026.

2026-492

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Seconder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- K. 4591 - Seasonal appointment of Alexander Andersen to the position of Student Intern II in the Planning & Community Development Department, at a rate of pay of \$16.00 per hour, effective May 19, 2026 through September 1, 2026.

2026-493

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Secunder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- L. 4593 - Promotion of Angela Hardina to the position of Administrative Assistant in the Recreation Department, at a rate of pay of \$31.66 per hour, subject to a 12 week probationary period, effective May 11, 2026.

2026-494

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Secunder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

- M. 4594 - Seasonal appointment of Brianne Scott to the position of Student Intern III in the Building Department, at a rate of pay of \$17.00 per hour, effective May 18, 2026 through July 31, 2026.

2026-495

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Secunder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

TO BE HEARD**Adjourn**

The Regular Meeting of the Town Board of the Town of Smithtown held in the Victor T. Liss Board Room, Town Hall, Patrick R. Vecchio Building, 99 West Main Street, Smithtown, New York on Tuesday, May 5, 2026 at 2:00 PM is hereby closed.

2026-496

Result: Adopted (UNANIMOUS)

Mover: Supervisor Wehrheim

Secunder: Councilman McCarthy

Ayes: Edward R. Wehrheim, Thomas J McCarthy, Lynne C Nowick, Lisa M. Inzerillo, Thomas Lohmann Sr

FILED: _____

Thomas D. McCarthy - Town Clerk