



Smithtown Town Board

Regular Meeting

~ Minutes ~

Final

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.

Good afternoon, Supervisor and Members of the Town Board. The purpose of this first public hearing is to consider amendments to Chapter TC 7 as it relates to electric bicycles, also known as e-bikes. This amendment updates the code to incorporate definitions for e-bikes consistent with the New York State Vehicle and Traffic Law. The proposed amendment also restricts the operation of e-bikes and motorized devices in town parks and beaches. It also authorizes seizure and impoundment of e-bikes and motorized devices, unless specifically authorized by the Town Board, and establishes redemption fees for impounded devices with increased penalties for repeat violations. Parents or legal guardians may also be held responsible for minors who violate the section. Move to close. Second. Supervisor Wehrheim. Yes. Councilman McCarthy. Yes. Councilwoman Nowick. Yes. Councilwoman. Inzerillo. Yes. Councilman Lohmann. Yes.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Public Hearing held in the Victor T. Liss Board Room, Town Hall, Patrick R. Vecchio Building, 99 West Main Street, Smithtown, New York 11787 on Tuesday, May 5, 2026 at 2:00 p.m. to consider Proposed Local Law #8-2026 amend Chapter TC7 entitled "Off-Road Vehicles" as it relates to electric bicycles is hereby closed.

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.

The purpose of the second public hearing is to consider amendments to Chapter 101, as it also relates to electric bicycles. This proposed amendment adds subsection C, which addresses e-bikes and similar motorized devices. It establishes a general prohibition on the use of electric bikes and

motorized devices in town parks and beaches. Unless specifically authorized by the Town Board, operation of such devices is only permitted on pedestrian walkways, paths, or trails that are expressly designated for such use where such use is permitted. The law imposes several safety requirements, which include a helmet requirement, a minimum operator of age 16, area limitations, and operation with due care. Violators may be directed to leave the park property, and any device used in violation may be removed and secured by the town. Unless there are any questions, that concludes this public hearing. Move to close. Second. Supervisor Wehrheim. Yes. Councilman McCarthy. Yes. Councilwoman Nowick. Yes. Councilwoman. Inzerillo. Yes. Councilman Lohmann. Yes.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Public Hearing held in the Victor T. Liss Board Room, Town Hall, Patrick R. Vecchio Building, 99 West Main Street, Smithtown, New York 11787 on Tuesday, May 5, 2026 at 2:00 p.m. 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 is hereby closed.

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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED that the Town Board hereby authorizes 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.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board hereby authorizes 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":

Proposed Local Law #10-2026

Chapter 215. Peddling and Soliciting

Article IV Emergency Scene Solicitation and Board-Up Services

Additions indicated by underlines.

Deletions indicated by ~~strikeouts~~.

§215-41. Legislative intent.

The Town Board of the Town of Smithtown finds that structures within the Town may sustain damage from fires, storms, explosions, and other emergency events. The Town Board further finds that businesses offering board-up, restoration, remediation, or related services frequently respond to such incidents and may attempt to solicit property owners at or near emergency scenes. The Town

Board determines that such solicitation may interfere with emergency response operations conducted by firefighters, police officers, emergency medical personnel, and fire investigators; property owners affected by disasters may be particularly vulnerable to high-pressure or misleading solicitation practices immediately following such events; and emergency scenes require controlled access to ensure public safety and preserve fire and police investigations.

The purpose of this article is to regulate solicitation and related conduct at emergency scenes within the Town while recognizing the licensing authority exercised by Suffolk County over board-up businesses and similar contractors.

The Town Board further finds that the restrictions contained in this article are directed solely at commercial solicitation practices occurring at emergency scenes and are necessary to protect public safety and prevent interference with emergency operations.

§215-42. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BOARD-UP BUSINESS

Any person, firm, corporation, or other entity engaged in the business of boarding, tarping, securing, or otherwise protecting structures damaged by fire, storm, or other emergency event.

EMERGENCY PERSONNEL

Any firefighter, police officer, fire marshal, fire investigator, emergency medical technician, or other authorized emergency responder acting in an official capacity.

EMERGENCY SCENE

Any location within the Town where emergency personnel are actively engaged in response, suppression, rescue, or investigation activities.

RESTORATION BUSINESS

Any person, firm, corporation, or other entity engaged in the business of repairing, restoring, remediating, or securing property damaged by fire, water, storm, or other casualty event.

SOLICITATION

Any attempt to obtain a contract, agreement, or commitment for board-up services, restoration services, remediation services, insurance adjustment services, or similar work.

§215-43. Compliance with Suffolk County licensing requirements.

No board-up business or restoration business shall perform services within the Town unless it complies with all applicable licensing or registration requirements established by Suffolk County. Nothing in this article shall be construed to establish a separate Town licensing requirement or to duplicate licensing requirements imposed by Suffolk County.

§215-44. Prohibited conduct.

No person engaged in a board-up business, restoration business or similar activity shall:

- a. Interfere with the operations of any fire department, police department, emergency medical service, or fire investigation.
- b. Enter or remain within an emergency scene in violation of a perimeter, safety boundary or other restriction established by emergency personnel. Where no physical perimeter or boundary has been established, no person shall approach the immediate area of the emergency scene in a manner that interferes with emergency operations or safety, as determined by emergency personnel.
- c. Approach any property owner, occupant, or other person present at an emergency scene for the purpose of soliciting services while emergency personnel remain actively engaged in response or investigation activities.
- d. Fail to comply with any lawful order or directive issued by emergency personnel controlling or managing the emergency scene.

§215-45. Order to leave emergency scene.

A. Any person engaged in a board-up business, restoration business, remediation service, or similar activity who is present at an emergency scene in violation of this article may be directed by emergency personnel or a police officer to immediately leave the emergency scene and the surrounding area.

B. Any person who refuses or fails to comply with such direction shall be deemed to have committed a separate violation of this article.

C. Nothing in this section shall be construed to authorize emergency personnel to regulate or control lawful activities unrelated to emergency scene safety or the enforcement of this article.

§215-46. Post-emergency solicitation restriction.

No person engaged in a board-up business, restoration business, remediation service, or similar activity shall solicit business from the owner or occupant of property affected by an emergency event for a period of four hours following the termination of active emergency response operations at the scene, unless the property owner or occupant initiates such solicitation.

§215-47. Following emergency vehicles prohibited.

A. No person engaged in a board-up business or restoration business shall follow any authorized emergency fire vehicle displaying emergency lights in the same lane or an adjacent lane for the purpose of arriving at the scene to solicit business.

B. No person engaged in a board-up business or restoration shall follow, pursue, or monitor emergency communications or radio transmissions or emergency vehicles for the purpose of arriving at an emergency scene to solicit business.

C. No such person shall position a vehicle or themselves at an emergency scene in a manner that interferes with emergency operations or access by emergency vehicles.

§215-48. Identification requirement.

Any representative of a board-up business or restoration business who is present at or near an emergency scene for the purpose of providing services shall, upon request by emergency personnel or law enforcement, identify the business they represent and produce identification showing their name and affiliation with that business.

§215-49. Misrepresentation prohibited.

No person engaged in board-up, restoration, remediation, or similar services shall represent or imply that:

a. The person or business is affiliated with any fire department, police department, or government agency; or

b. The person or business has been dispatched or authorized by any governmental authority to perform services at the emergency scene.

§215-50. Referral payments prohibited.

No board-up business, restoration business, or similar service provider shall offer, pay, or provide any form of compensation, fee, or other thing of value to any person in exchange for information regarding the location of an emergency event or for directing the business to the scene of such emergency for the purpose of soliciting services.

§215-51. Enforcement.

This article may be enforced by the Town Fire Marshal, the Suffolk County Police Department, Town Code Enforcement Officers, or any other officer authorized to enforce the Town Code.

§215-52. Violations and penalties.

Any person who violates any provision of this article shall be guilty of a violation punishable by a fine not exceeding \$1,000, or imprisonment for a period not exceeding 15 days, or both. Each violation shall constitute a separate offense.

§215-53. Preservation of emergency authority.

Nothing in this article shall be construed to create, expand, limit, or otherwise modify the authority of any fire department, fire district, fire marshal, police officer, or incident commander as established under New York State law or the New York State Uniform Fire Prevention and Building Code.

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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby authorizes 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

Secunder: 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby authorizes the addition of Catapano Engineering & Architecture, PC to the Town's Pre-Qualified Professional Services Consultants List, as approved by the Town Board on May 22, 2025.

2026-470

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

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.

The following resolution was offered by the Town Board en masse:

WHEREAS, the Town of Smithtown is always desirous to improve the economy and quality of life within the Town of Smithtown, and;

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will have an important and sustainable impact on the downtowns and business districts; and

WHEREAS, as part of the application process in conformity with Suffolk County Resolution No. 808-1998, the County of Suffolk requires a resolution of the Town Board showing local support for the proposed project; and

WHEREAS, upon the County's approval of the project, the Town would be required to enter into an inter-municipal agreement with the County under Article 5-G of the General Municipal Law pursuant to which the Town of Smithtown would be required to undertake and complete the project and the County would be responsible for providing financing for all or part of the cost of the project; and

WHEREAS, in order to provide County financing for all or part of the project, the County of Suffolk must obtain a leasehold, easement or other real property interest in the site of the project; and

WHEREAS, the American Legion James Ely Miller Post 833. is desirous of proposing that the Town of Smithtown participate in such program in connection with the rehabilitation of the water feature and added enhancements to Veterans Plaza on Main Street Smithtown and the Town will be applying for \$40,000 under the program;

WHEREAS, the Town has reviewed the project and has recommended the undertaken action to be considered a Type II Action pursuant to 6NYCRR Part 617.5(c)(2) ‘replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site,’ and

WHEREAS, pursuant to 617.3(b), 617.5(a)(1)(i) agency SEQRA responsibilities end with this designation with no significance determination being necessary; and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Smithtown hereby states its support of this project proposed by American Legion James Ely Miller Post 833. pursuant to the Suffolk Downtown Revitalization Grant Program Round 24 through the Town of Smithtown and be it further

RESOLVED that the Town Board authorizes the Supervisor to sign any and all necessary documents, including but not limited to the required easement/lease documents and an inter-municipal agreement, subject to review and approval of the Town Attorney to participate in the above referenced program.

2026-471

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

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

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board authorizes the establishment of a town-wide Amazon Business Prime account through the New York Association of Towns.

2026-472

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

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

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby authorizes 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

Secunder: 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

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby rescinds Resolution 2026-389, Item ID 4538 approved at the April 23, 2026 Town Board meeting.

2026-474

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

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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board concurs 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with Thomas Vulpis Jr., RA for renovation of auditorium space at the Senior Center. Said agreement is to be on a form approved by the Town Attorney.

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

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, the Town Board hereby approves the adoption and implementation of a 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute agreements between the Recreation Department and various vendors to provide specialized services and programs to the Town of Smithtown for the 2026 summer season. Said agreements are to be on a form approved by the Town Attorney.

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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby accepts a donation on behalf of the Horizons Counseling and Education Center from Substance Abuse & Mental Health Services Administration in the amount of \$750.00, check #0003198776 dated April 22, 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

BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute any and all insurance applications and documents necessary, including the payment of all insurance premiums, for the purchase of Professional Medical Liability Insurance for the Town's Horizons department operations. Said applications are to be on a form approved by the Town Attorney.

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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute an agreement with James Patrissi to provide professional consultant services for the Town of Smithtown Youth Bureau Adaptive Sports Program. Said agreement is to be on a form approved by the Town Attorney.

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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby authorizes 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 further authorizes 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, the Town Board hereby ratifies 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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.

The following resolution was offered by the Town Board en masse:
 BE IT RESOLVED, that the Town Board hereby approves the 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby rescinds 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the seasonal appointments/reappointments in the Department of Parks, Buildings and Grounds to various positions, at rates of pay and effective dates, as indicated.

May 5th, 2026

Name	Proposed Title	Proposed Salary per hour	Budget Code	Effective Date	Terminate Date
Ackerman, Lucas	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26
Ackerman, Matthew	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26
Armentano, Maria	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26
Aversa, Dylan	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26
Bances, Alayna	Lifeguard	\$17.00	A.7111.01	206/23/26	9/11/26
Briante, Vincent	Laborer/Beach	\$15.00	A.7112.01	205/23/26	9/11/26
Concagh, Cooper	Laborer/Gas Dock	\$15.00	A.7113.01	205/23/26	9/11/26
Famighetti, Joseph	Laborer	\$15.00	A.7112.01	205/6/26	11/20/26
Garguilo, Michael	Laborer Crew leader	\$22.00	A.7112.01	205/6/26	11/29/26
Gemmell, John	Laborer/Hoyt	\$15.00	A.7521.01	205/20/26	9/11/26
Hurd, James	Laborer	\$15.00	A.7112.01	205/23/26	9/11/26
Kowalski, Eric	Laborer/Beach	\$15.00	A.7112.01	205/16/26	9/11/26
Martin, Ava	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26
McCormick, Molly	Laborer/Hoyt	\$15.00	A.7521.01	205/6/26	11/20/26
Olszweski, Piotr	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26
Postel, Tegan	Laborer/Beach	\$15.00	A.7112.01	205/23/26	11/20/26
Schroeter, Bradley	Laborer	\$15.00	A.7112.01	205/6/26	11/20/26
Skoblicki, Ayden	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26
Sudama, Brennan	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26
Vinci, Clare	Lifeguard	\$17.00	A.7111.01	205/23/26	9/11/26

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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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

Seconder: 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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

Seconder: 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.

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby approves the 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

Seconder: Councilman McCarthy

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

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