

**Village of Westhampton Beach
Board of Trustees Meeting
Thursday, March 7, 2024 at 5:00 P.M.**

PLEDGE OF ALLEGIANCE

RESOLUTIONS:

1. Accept minutes of Board of Trustees Meeting
2. Accept Departmental Reports
3. Authorize Refund Payment of Property Taxes
4. Schedule Public Hearing – Amend Local Law
5. Authorize Peddling Permit
6. Authorize Employees to Attend Course
7. Authorize Employee to Attend Workshop
8. Authorize Use of Village Property-St. Patrick's Parade
9. Authorize Use of Village Property-East End Little League
10. Authorize Use of Village Property-Chamber of Commerce
11. Authorize Waiver to SLA
12. Authorize Use of Village Property WHB Brewing Co.
13. Authorize Special Event Permit
14. Authorize Use of Village Property-Chamber of Commerce
15. Authorize Use of Village Property-Chamber of Commerce
16. Authorize Use of Village Property-Westhampton Free Library
17. Authorize Use of Village Property-Westhampton Free Library
18. Authorize Use of Village Property-Westhampton Free Library
19. Authorize Use of Village Property-Westhampton Free Library
20. Appoint Attorney for ERPO
21. Approve 2024 Beach Rates and Rules
22. Authorize Hourly Pay Increase
23. Authorize Stormwater Management Program

24. Authorize Continuance of 12 Hour Work Chart
25. Accept Performance Bond
26. Accept proposal for 2024 Kayak/Canoe/Paddle Board Concession
27. Approve Warrant for February 2024
28. Authorize Notice to Bidders-Gov. John Dix Windmill Project
29. Authorize Amendment to Rules for Use of Village Property
30. Authorize Purchase of Equipment
31. Award Bid for Gov. John Adams Dix Windmill Restoration Project

PUBLIC COMMENT

EXECUTIVE SESSION - Personnel

**Village of Westhampton Beach
Board of Trustees Meeting
Thursday, March 7, 2024 at 5:00 P.M.**

PLEDGE OF ALLEGIANCE

RESOLUTIONS:

1. Accept minutes of Board of Trustees Meeting

RESOLVED, that the minutes of the Board of Trustees Meeting of February 1, 2024 are hereby accepted.

2. Accept Departmental Reports

RESOLVED, that the Treasurer's report, Justice Court, Police Department's and Building Inspector's reports for January 2024, are hereby accepted.

3. Authorize Refund Payment of Property Taxes

RESOLVED, the Board of Trustees hereby authorizes the refund payment of 2023/24 tax year property taxes in the amount of \$17,887.31 to the property owners specified in the attached as a settlement of Small Claims as ordered by the NYS Supreme Court.

4. Schedule Public Hearing – Local Law Amendment

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday April 4, 2024 at 5:00 p.m. at the Village Hall for a Local Law to amend Chapter 178 entitled "Vehicles and Traffic".

5. Authorize One Day Peddling Permit

WHEREAS, Leonard Goldberg, Miguel Cordova, Marlene Rodas and Anabel Jimenez have applied for a one-day Peddling Permit to sell novelties during the St. Patrick's Day Parade on Saturday March 9, 2024 pursuant to §128-3 of the Village Code; and

WHEREAS, the Police department has reviewed and investigated the applicants and found no criminal history pursuant to §128-4; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes a One-day Peddling Permit to Leonard Goldberg, Miguel Cordova, Marlene Rodas and Anabel Jimenez effective March 9, 2024 and is subject to the requested documentation being supplied and all other conditions in Chapter 128-10 and 128-11 of the Village codes.

6. Authorize Employees to Attend Course

RESOLVED, that Andrew DeRubeis and Andrew Dunham are hereby authorized to attend the Long Island Horticulture Conference offered by the Cornell Cooperative Extension on Tuesday March 5, 2024 at a cost of \$85 per person from G/L account code A5110.406 DPW Expense.

7. Authorize Employee to Attend Workshop

RESOLVED, that Kevin Klokel is hereby authorized to attend the U.S. Customs and Border Protection Vehicle Theft and Recovery Workshop in Elizabeth, NJ on March 20, 2024 at a cost not to exceed \$110.00 for Gas, Tolls and Meals from G/L account code A3120.415 Training.

8. Approve Use of Village Property-St. Patrick's Day Parade

RESOLVED, that the Westhampton Beach St. Patrick's Day Parade Committee is hereby authorized to conduct the Annual St. Patrick's Day Parade on Mill Road to Main Street, subject to weather, on Saturday, March 9, 2024 from 9:00 a.m. to 1:00 p.m. subject to receipt of insurance documents.

9. Approve Use of Village Property-East End Little League

RESOLVED, that East End Little League is hereby authorized to use the Great Lawn from March 15, 2024 through June 30, 2024, Monday through Friday from 4:00 p.m. to 7:00 p.m. for games and practices, and organizer will temporarily remove the fencing if requested by the Village.

10. Authorize Use of Village Property-Greater Westhampton Chamber of Commerce

RESOLVED that the Board of Trustees hereby authorizes the Greater Westhampton Chamber of Commerce to use Main Street from Library Avenue to Moniebogue Lane and Glovers Lane North to parking lot on Saturday April 27, 2024 with a rain date of April 28, 2024 from 11:00 a.m. to 4:00 p.m. with set-up at 9:00 am and break-down from 5:00 for the Greater Westhampton Beach Spring Fling.

11. Authorize Waiver to SLA

WHEREAS, the Village Board has received an application from the Greater Westhampton Chamber of Commerce to have a Spring Fling on Main Street on Saturday April 27, 2024 with a rain date of Sunday April 28, 2024, the perimeters which are set forth on the map submitted with the application and,

WHEREAS, the Chamber of Commerce has asked the Village Board to waive the Village code chapter 54 Section 1-A to allow open containers within the perimeters, and to assist the Chamber and its participants with an application to the State Liquor Authority to authorize open container alcoholic beverages for this particular event on that day, now therefore be it;

RESOLVED, that the Village of Westhampton Beach agrees to waive the provisions of the open container law as set forth in Chapter 54 Section 1A, and the Mayor is authorized to prepare and sign a "Container Letter" as quoted by the SLA confirming that the Village of Westhampton Beach authorizes and approves the use of open containers for this particular event within the perimeters.

12. Authorize Use of Village Property-WHB Brewing Company

RESOLVED, that the Westhampton Beach Brewing Company is hereby authorized to use the village roads for a 5K Run on a course approved by the Village Police Chief on Saturday April 27, 2024 from 9:00 a.m. to 5:00 p.m. with set-up on Friday April 26, 2024 and take down on Sunday April 28, 2024 by 1:00 p.m. with signage per the village sign guidelines and subject to receipt of fees and insurance.

13. Authorize Special Event Permit for Commercial Property

RESOLVED, that the Board of Trustees hereby authorizes Justin's Chop Shop to use the property located at 71 Sunset Avenue on Saturday March 9, 2024 from 11:00 a.m. to 4:00 p.m. to set up a tent, tables and chairs and have music, food and drinks; with no cooking under the tent and the alcoholic drinks limited to the property and fenced in area.

14. Approve Use of Village Property-Greater Westhampton Chamber of Commerce

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Village Green on Saturdays starting May 4, 2024 and ending November 23, 2024 with set-up starting at 7:00 am and breaking down no later than 2:00 pm for the seasonal Farmers Market, subject to signage limited to 1 on-site location sign only.

15. Authorize Use of Village Property-Greater Westhampton Chamber of Commerce

RESOLVED, that the Board of Trustees hereby authorizes the Greater Westhampton Chamber of Commerce to use the Village sidewalks on Saturday April 27, 2024 and Sunday April 28, 2024 from 10:00 am to 5:00 pm for the annual sidewalk sales sponsored by the Chamber of Commerce; 1 panel of sidewalks must remain clear for pedestrians.

16. Approve Use of Village Property-Westhampton Free Library

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Village Green on Tuesdays from July 9, 2024 to August 27, 2024 for the "Kids on the Green" performance series from 4:30 pm to 7:00 pm which includes set-up and take down.

17. Approve Use of Village Property-Westhampton Free Library

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Rogers Beach Pavilion from July 1, 2024 to August 29, 2024 for various exercise and yoga classes from 8:30 am to 9:30 am and from 6:00 pm to 7:00 pm.

18. Authorize Use of Village Property-Westhampton Free Library

RESOLVED, that the Westhampton Free Library is hereby authorized to conduct outdoor concerts each Wednesday beginning June 26, 2024 through September 4, 2024 from 7:00 p.m. to 9:00 p.m. with rain dates of Thursday which includes set-up and take-down at the Village Green.

19. Approve Use of Village Property-Westhampton Free Library

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Great Lawn on Mondays from July 1, 2024 to August 26, 2024 for the "Monday Night Movies" from 4:00 pm to 9:00 pm which includes set-up and take down.

20. Appoint Attorney for ERPO

WHEREAS, the Village of Westhampton Beach Police Department has made an application for an Extreme Risk Protection Order ("ERPO") to the Supreme Court, Suffolk County; and

WHEREAS, the Village Prosecutor and the Village Attorney cannot represent the Police Department because of conflicts of interest; and

WHEREAS, on behalf of the Village, the Mayor has tentatively retained Trevor M. Darrell, an attorney in East Hampton with experience in ERPO applications.

NOW, THEREFORE, BE IT RESOLVED that Trevor M. Darrell, an attorney with the firm of Fleming & Darrell, PLLC, 10 Gingerbread Lane, East Hampton, New York 11937, is hereby retained by the Village to represent the Village Police Department in connection with an ERPO application in Supreme Court, Suffolk County, at the rate of \$350.00 per hour, and that the Mayor is authorized to sign a retainer agreement with Mr. Darrell in form approved by the Village Attorney.

21. Approve 2024 Beach Rates and Rules

RESOLVED, that the attached Beach rates and rules for 2024 resulting with an increase of \$100.00 for Non-Resident parking and a \$40.00 charge for the second parking permit for residents, taxpayers and complimentary recipients are hereby approved.

22. Authorize Hourly Rate Increase

RESOLVED, that the Board of Trustees hereby authorizes the increase of \$2.50 per hour for all part time and seasonal employees as a result of the NYS minimum wage legislation effective June 1, 2024.

23. Authorize Stormwater Management Program Services

RESOLVED, that the Board of Trustees hereby authorizes D & B Engineers and Architects, P.C. to prepare the 2024 SWMP Annual Report and additional services for the 2024 Annual Storm Water Management Program at a cost not to exceed \$13,300.00 to be taken from G/L code A6410 Environmental.

24. Authorize Continuance of 12 Hour Work Chart

RESOLVED, that the Board, pursuant to PBA CBA Section 19(D)(II)(2), hereby agrees to continue the experimental 12-hour work chart through and including May 31, 2025.

25. Accept Performance Bond

RESOLVED that the Performance Bond received from The Gables of Westhampton LTD, and WH Equity Group, LLC, in the amount of \$2,224,781.75, as secured by Arch Insurance Company, is accepted as security for the performance of the improvements with satisfaction of the Village Planning Board.

26. Accept proposal for 2024 Kayak/Canoe/Paddle Board Concession

WHEREAS, the Village of Westhampton Beach has advertised for bids for the operation of a Kayak/Canoe/Paddle board concession at the Village Marina for the 2024 summer season based upon the specifications on file with the Village Clerk; one bid was received and opened; this bid was submitted by Island Surf in the amount of \$2,000.00 and met the bid specifications, now therefore this bid is now hereby accepted.

27. Approve Warrant for February 2024

RESOLVED, that the warrant for February 2024 in the amount of \$341,529.64 for the General Fund, \$8,850.00 for the Special Revenue Fund and \$202,306.89 for the Capital Fund is hereby approved.

28. Authorize Notice to Bidders-Gov. John Dix Windmill Project

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to post a Notice to Bidders for the Electrical Restoration of the Gov. John Dix Windmill project.

29. Authorize Amendment to Rules for Use of Village Property

WHEREAS, the Board of Trustees of the Village previously adopted "Rules for the Use of Village Property for Non-Village Related Purposes;" and

WHEREAS, Rule No. 2 provides the following: "2. No admission fees may be charged for functions conducted on Village Property."; and

WHEREAS, the Board has determined that policy No. 2 has to be changed to allow for the charging of fees in connection with functions of not-for-profit educational, cultural, charitable and service organizations.

NOW, THEREFORE, be it RESOLVED that Rule No. 2 of the Rules for the Use of Village Property for Non-Village Related Purposes is changed, effective immediately, to read as follows:

"No admission fees may be charged for functions conducted on Village property, except functions approved by the Board of Trustees of the Village for not-for-profit educational, cultural, charitable and service organizations."

30. Authorize Purchase of Equipment – Police Vehicle

RESOLVED, that the Board of Trustees hereby authorizes the purchase of 1 2023 Ford F-150 Police Responder XL 4WD from NYS Contract PC69843 from Nielsen Ford in the amount of \$48,665.00 and radio equipment from NYS Contract PC21562 in the amount of \$7,092.89 to be taken from G/L account A5110.2 Equipment.

31. Award Bid for Gov. John Adams Dix Windmill Restoration Project

WHEREAS, the Village of Westhampton Beach (the “Village”) and the Town of Southampton (“Town”) are the joint owners of the New York State Governor John Adams Dix Windmill (the “Windmill”); and

WHEREAS, pursuant to an Inter-Municipal Agreement, the Village and the Town have agreed, among other things, that the Windmill shall be restored, that the restoration shall be accomplished and/or partially accomplished using Town Community Preservation management and stewardship funds, pursuant to the terms of a subsequent written agreement between the Village, Town and Contractor, and in accordance with Town Law 64-e and the Community Preservation Fund Acquisition and Stewardship Rules and Regulations adopted by the Town Board on January 25, 2011; and

WHEREAS, a bid package for the restoration of the Windmill was prepared by the Village consultants; and

WHEREAS, the Village received three bids, one of which did not conform to the bid requirements and specifications; and

WHEREAS, the Village has determined to award the Governor John Adams Dix Windmill Restoration Project (the “Project”) to the lowest responsible bidder, that is, Ashlar Contracting LLC, 87B Carleton Avenue, Islip Terrace, New York 11752, for the sum of One Million Five Hundred Fifty Thousand Dollars (\$1,550,000.00) contingent, however, upon the execution of a post-bid award project funding agreement among the Town, Village and Ashlar Contracting LLC.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Westhampton Beach hereby accepts the bid of Ashlar Contracting LLC and awards the Governor John Adams Dix Windmill Restoration Project to Ashlar Contracting LLC for the sum of One Million Five Hundred Fifty Thousand Dollars (\$1,550,000.00), contingent upon the execution of a post-bid award project funding agreement among the Town, Village and Ashlar Contracting LLC.

32. Authorize Change Order for Sewer System Construction

RESOLVED, that the Board of Trustees hereby approves change order # 5 (E-CO-05) for Eldor Contracting Corp. Contract E in the amount of \$7,578.00 for the supply and installation of 6 cube relays.

PUBLIC COMMENT

DATED: March 7, 2024

Elizabeth Lindtvit
Village Clerk-Treasurer

2024 BEACH PARKING PERMIT STICKER RATES
INCORPORATED VILLAGE OF WESTHAMPTON BEACH

BEACH OPEN WEEKENDS FROM MAY 25, 2024 THRU JUNE 23, 2024
BEACH OPEN 7 DAYS A WEEK FROM JUNE 24, 2024 THRU SEPTEMBER 2, 2024

ROGERS PAVILION - 631-288-6306
LASHLEY PAVILION-631-288-3646

OPEN 10:00 A.M. TO 5:00 P.M.
OPEN 10:00 A.M. TO 5:00 P.M.

PERMIT CATEGORY	FEE	PROOF OF RESIDENCY	GUESTS
RESIDENT/TAXPAYER	4 BEACH PASSES & 1 PARKING PERMIT 2ND PERMIT - \$40.00	DRIVER'S LICENSE & CAR REGISTRATION	LIMITED COMPLIMENTARY
NON-RESIDENT MEMBER OF: WHB FIRE DEPARTMENT WHB AMBULANCE PERSONNEL OR WHB VILLAGE EMPLOYEE	COMPLIMENTARY 4 BEACH PASSES & 1 PARKING PERMIT 2ND PERMIT - \$40.00	DRIVER'S LICENSE & CAR REGISTRATION PROOF OF MEMBERSHIP IN ORGANIZATION	LIMITED COMPLIMENTARY
OCCUPIED COMMERCIAL BUSINESS (WHB Village Properties ONLY)	4 BEACH PASSES & 1 PARKING PERMIT 2ND PERMIT - \$40.00 **TRANSFERABLE TO TENANT AT OWNERS DISCRETION ** WITH COMMERCIAL PROPERTY APPLICATION ON FILE	COPY OF VILLAGE TAX BILL SHOWING BUILDING OWNERSHIP PLUS COPY OF LEASE IF NON OWNER OCCUPIED	LIMITED COMPLIMENTARY
YEAR ROUND VILLAGE RENTER	4 BEACH PASSES & 1 PARKING PERMIT	DRIVERS LICENSE & CAR REGISTRATION WITH WESTHAMPTON BEACH ADDRESS OR 1 WINTER UTILITY BILL & 1 CURRENT UTILITY BILL **NO LEASES ACCEPTED**	LIMITED COMPLIMENTARY
NON-RESIDENT/TAXPAYER YEAR-ROUND RESIDENT WESTHAMPTON, REMSENBURG, SPEONK, QUIOQUE	PERMIT \$650.00 \$3 charge per Photo ID Card VETERANS - 10% DISCOUNT 4 BEACH PASSES & 1 PARKING PERMIT	CAR REGISTRATION & DRIVER'S LICENSE	(10 years old & over) \$10.00 PER GUEST PER DAY WEEKDAYS (Unlimited) WEEKENDS/HOLIDAYS 2 per PASS
SEASONAL RENTER IN WESTHAMPTON BEACH	PERMIT \$650.00 \$3 charge per Photo ID Card 4 BEACH PASSES & 1 PARKING PERMIT (PARKING PASS MUST BE MADE AVAILABLE BY OWNER)	DRIVERS LICENSE & CAR REGISTRATION WESTHAMPTON BEACH RENTAL PERMIT APPROVED & ON FILE IN VILLAGE OFFICE	SAME AS ABOVE
SEASONAL RENTER IN WESTHAMPTON REIMSENBURG, SPEONK QUIOQUE	PERMIT \$975.00 \$3 charge per Photo ID Card 4 BEACH PASSES & 1 PARKING PERMIT	LETTER FROM HOMEOWNER DRIVER'S LICENSE & CAR REGISTRATION	SAME AS ABOVE
STUDENT	PASS \$10.00 (NO Parking Permit)	WESTHAMPTON BEACH SCHOOL ID	NO GUESTS ALLOWED
HOTEL/BED & BREAKFAST GUEST	\$10.00 PER DAY/PER PATRON (10 yrs old & over)	HOTEL PASS	NO GUESTS ALLOWED

VILLAGE OF WESTHAMPTON BEACH BEACH REGULATIONS--SUMMER 2024

1. **PARKING STICKERS AND PASSES ARE NON-TRANSFERABLE. The discovery of any transferred, copied or altered permit, sticker or pass will result in immediate confiscation and will NOT be replaced.**
2. Parking Permit Stickers are required on all cars parked at Village Beaches. A resident taxpayer in Westhampton Beach may obtain a **MAXIMUM** of two (2) auto stickers. A year-round renter may Obtain a **MAXIMUM** of one (1) auto sticker.
3. Village residents, who intend to rent any part of their property, must have a rental permit on file in the Building Department at village hall. A beach permit will be made available to the renter only if both beach permits have not been acquired by the property owner.
4. Beach passes must be presented for admission. Additional beach passes may be obtained for dependent family members age 26 and under.
5. Children 10 years of age and under must be accompanied by an adult.
6. Guests must be accompanied by members. The Village reserves the right to limit the number and frequency of any and all guests.
7. The charge for a replacement Parking Permit Sticker is a \$10 fee plus the ability to produce part of the damaged sticker or other proof of loss. Charge for a replacement Beach Pass is \$25.00 for the first and \$50.00 for any additional.
8. There will be **NO REFUNDS** on Parking Permit Stickers or passes.
9. The Village of Westhampton Beach is not responsible for lost or stolen items.
10. Use of profane or indecent language is **PROHIBITED**.
11. Glass containers are **PROHIBITED**.
12. Open fires and/or consumption of alcoholic beverages are **PROHIBITED**.
13. Cans, refuse, garbage must be deposited in designated receptacles. Do not move receptacles.
14. No animals are allowed; **EXCEPT** during posted hours. All persons are **REQUIRED** to clean up after any animal (Village Code section 103-2.1) violators subject to a fine not exceeding \$250.00.
15. Parties by permission of the Mayor and Board of Trustees, upon proper application by Village Taxpayers only.
16. Chair Rental - \$5.00
17. Any violations of the aforementioned Beach Regulations may result in the loss of beach privileges.