

PRESENT: Mayor Maria Z. Moore  
Deputy Mayor Ralph Urban  
Trustee Stephen Frano  
Trustee Rob Rubio  
Trustee Brian Tymann

Clerk-Treasurer Elizabeth Lindtvit  
Village Attorney – Stephen Angel

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**PUBLIC HEARINGS**

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**Special Exception Application-Wireless Communication Facility**

Mayor Moore asked for a motion to open the public hearing, motion made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays; a presentation was made by Simone Freedman, attorney for Verizon and various other persons representing Verizon. After the presentation Mayor Moore asked if anyone in the audience would like to speak on the subject or have a question, there being no response the Mayor asked for a motion to close the public hearing, motion made by Trustee Frano seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays.

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**RESOLUTIONS**

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**Accept minutes of Board of Trustees Meeting**

Motion made by Trustee Tymann:

RESOLVED, that the minutes of the Board of Trustees Meeting of May 2, 2019 and Special Meetings of May 15, 2019 and May 23, 2019 are hereby accepted.

Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

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**Accept Departmental Monthly Reports**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Treasurer's reports for April 2019, Justice Court, Police Department's and Building Inspector's reports for May 2019, are hereby accepted.

Seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays

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**Appoint 2019 Seasonal Beach Personnel**

Motion made by Trustee Frano:

RESOLVED, that Emily Arpino, Tristan Cohen, Emma McAuley, Andrew Mastrole and Fainne Sheehan are hereby appointed to the positions of Beach Attendant at an hourly rate of \$12.00 effective May 25, 2019, Tim McAllister and Joe Mensch are appointed as Substitute Lifeguards effective May 25, 2019 at an hourly rate of \$18.75 to be funded from A7310.101 Lifeguards and A7310.102 Beach Attendants.

Seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays

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**Appoint 2019 Seasonal Beach Personnel**

Motion made by Trustee Rubio:

RESOLVED, that Tyler Crispino is hereby appointed to the positions of Food Service Worker at an hourly rate of \$12.00 effective May 25, 2019 to be funded from A7180.102 Kitchen Staff.

Seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays

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**Accept Resignation**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Traffic Control Officer Patrick Johnson effective May 3, 2019.

Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

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**Accept Employee Retirement**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby regretfully accepts the retirement of Sgt. Thomas Hubbard effective June 30, 2019.

Seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays

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**Accept Proposal for Services-GASB 43 & 45**

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby accept a proposal from Aquarius Capital to prepare an actuarial evaluation of post-employment benefits as required under GASB 43 and 45 at a cost of \$4,000.00.

Seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays

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**Accept Proposal for Services – Bartlett Tree Experts**

Motion made by Trustee Rubio:

RESOLVED, that the proposal submitted by Bartlett Tree Experts for a plant health care program for Glovers Lane Park in the village in the amount of \$2,495.00 to be taken from account code A8510.405 Beautification Materials is hereby accepted.

Seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays

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**Authorize Purchase of Decorative Street Lights – Main Street Park**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approves the purchase of 8 Decorative Street Lamps from Spec-lines for the Main Street Park in the amount of \$27,920.00 to be paid from the Park Fees Fund T37.

Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

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**Authorize Use of Village Property-Raynor Country Day School**

Motion made by Deputy Mayor urban:

RESOLVED, that the Raynor Country Day School is hereby authorized to use the Rogers Beach Pavilion on Wednesday June 12, 2019 (rain date June 19, 2019) from 12:30 p.m. to 2:30 p.m. for a community service project of planting beach grass.

Seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays

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**Authorize Use of Village Property-Photo Shoot**

Motion made by Trustee Frano:

RESOLVED, that Arthur Elgort, Ltd. is hereby authorized to use Rogers Beach on Monday June 17, 2019 from 7:00 a.m. to 8:30 p.m. for a British Vogue magazine photo shoot.

Seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays

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**Authorize Use of Village Property-Westhampton Beach Elementary School**

Motion made by Trustee Rubio:

RESOLVED, that the Westhampton Beach Elementary School is hereby authorized to use Rogers Beach on Thursday, June 20, 2019 and a rain date of Friday June 21, 2019 from 9:30 a.m. to 2:30 p.m. for the annual 5<sup>th</sup> Grade Beach Day which includes the 5<sup>th</sup> graders riding their bikes to the beach; due to safety concerns the Board is requesting the students walk their bikes across the bridge.

Seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays

**Approve Use of Village Property-Westhampton Free Library**

Motion made by Trustee Tymann:

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Great Lawn on Mondays from July 1, 2019 to August 26, 2019 for the "Monday Night Movies" from 4:00 pm to 9:00 pm which includes set-up and take down.

Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

**Authorize Use of Village Property-Beaver Lake Condominium**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Beaver Lake Condominium is hereby authorized to use the Trustee meeting room on Saturday, June 29, 2019 from 10:00 a.m. to 12:00 p.m. to hold their annual election meeting.

Seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays

**Authorize Use of Village Property-Seafield Center**

Motion made by Trustee Frano:

RESOLVED, that the Seafield Center is hereby authorized to use the Rogers Beach Pavilion on Friday, September 6, 2019 (rain date September 9, 2019) from 7 a.m. to 4 p.m. for the 24th Annual Wellness Day.

Seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays

**Authorize Use of Village Property-Westhampton Beach Fire Department**

Motion made by Trustee Rubio:

RESOLVED, that the Westhampton Beach Fire Department is hereby authorized to use Rogers Beach Pavilion on Saturday September 7, 2019 (rain date Sunday September 8, 2019) from Noon to 4:00 p.m. for the annual membership barbeque.

Seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays

**Authorize Use of Village Property-Rogers Beach**

Motion made by Deputy Mayor Urban:

RESOLVED, that Catherine Fancher is hereby authorized to use Rogers Beach and Pavilion on Saturday July 13, 2019 (rain date Sunday July 14, 2019) from 5:30 to 11:00 p.m. for a family birthday party.

Seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays  
Trustee Tymann abstained from vote

**Approve Use of Great Lawn-St. Mark's Church Art Show**

Motion made by Trustee Tymann:

RESOLVED, that St. Mark's Church is hereby authorized to use the Great Lawn from Saturday August 31, 2019 to Sunday, September 1, 2019 from 10 a.m. to 6 p.m. with the set-up day of Friday August 30, 2019 from 8:30 a.m. to 12:00 pm for the Annual Paragon Art Show and Sale and is also authorized to place 6 directional signs and 2 parking entrance signs.

Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

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**Authorize 2019 Renewal of Funcho's Fajita Grill Outdoor Music Permit**

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby approve the renewal of the Funcho's Fajita Grill Outdoor Music Permit for 2019 subject to the same conditions as set forth in the Determination dated January 6, 2011, the provisions of Chapter 196-3 of the Village Code and the requirement that the volume of the amplification shall not be as excessive as to annoy or disturb a reasonable person of normal auditory sensitivity.

Seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays

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**Authorize 2019 Renewal of Funcho's Fajita Grill Outdoor Tables, Chairs & Benches**

Motion made by Trustee Rubio:

WHEREAS, Funcho's Fajita Grill has applied to renew the Outdoor Tables, Chairs and Benches Permit for 2019 to place five (5) outdoor tables and twenty (20) standard chairs pursuant to §196-2 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 and plan attached to the 2019 application.

Seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays

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**Authorize 2019 Renewal for Outdoor Sales and Displays Permit - Collect**

Motion made by Trustee Tymann:

WHEREAS, Leif Neubauer, tenant of the premises known as Collect, located at 83D Main Street, Westhampton Beach (SCTM 0905-11-2-10), has applied for a 2019 renewal permit for Outdoor Sales and Displays pursuant to Chapter 140 of the Code of the Village of Westhampton Beach, and

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

RESOLVED that the application for an Outdoor Sales and Displays permit for 2019 is granted subject to the following conditions set forth in section 140-2(A) shall be followed;

- a. Pursuant to the Planning Board's report, there can be no placement of signs or any items which reflect signage, and all items must be placed a minimum of 30" from the Village right of way.
- b. No substantial deviation from the Outdoor Display Plan shall be allowed without further approval of the Board of Trustees; and
- c. This permit shall be in effect to November 15, 2019, unless previously revoked, and the applicant shall be required to follow the renewal provisions set forth in section 140-2(B) of the Village Code for future outdoor displays beyond such expiration date.

Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

**Authorize 2019 Dropoff Bin Permit**

Motion made by Deputy Mayor Urban:

Whereas, Big Brothers Big Sisters of Long Island has applied for an annual permit to have a dropoff bin for donations located at 7 Glovers Lane, Westhampton Beach, NY; 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 this dropoff bin as shown on the survey of property and subject to the requirements of Chapter 77 of the Village Code.

Seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays

**Authorize 2019 Renewal of The Claddagh Restaurant Outdoor Dining Permit**

Motion made by Trustee Frano:

WHEREAS, Thomas Dollard has applied to renew the 2019 Outdoor Dining Permit for The Claddagh Restaurant to place (6) six tables and (12) twelve chairs pursuant to Chapter 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 original plan and subject to the same set of conditions approved in 2017 and the plan attached to the 2019 application.

Seconded by Trustee Rubio and unanimously approves 4 Ayes, 0 Nays

**Authorize Special Exception for Outdoor Dining for Joe's American Grill**

Motion made by Trustee Rubio:

WHEREAS, Joe's American Grill has applied for a Special Exception permit for Outdoor Dining for 2019, to place three (3) tables and twelve (12) pursuant to §196-2 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 based upon the recommendation of the Planning Board the placement of outdoor tables and chairs as shown on the submitted plan approved June 8, 2017 and subject to the same set of conditions approved in 2017 and the plan attached to the 2019 application.

Seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays

**Authorize Payment of Suffolk County Sewer Agency Review and Inspection Fee**

Motion made by Trustee Tymann:

RESOLVED that the Board of Trustees hereby authorizes the payment of Review and Inspection fees in the amount of \$10,000.00 to the County of Suffolk for the review and inspection of the Sewer Engineering Design Report for the upgrades to the County facility at Gabreski to be taken from G/L Capital account H9900 Sewer District Capital Fund.

Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

**Authorize Mayor to Sign Agreement with WHB School District**

Motion made by Deputy Mayor Urban:

WHEREAS, The Village of Westhampton Beach and the Westhampton Beach School District desire to renew the School Resource Officer Program (the "SRO Program") to promote safety, education and establish a positive police presence for an additional one (1) year period within the school environment, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to sign the agreement with the Westhampton Beach School District to implement the SRO Program effective September 4, 2019.

Seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays

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**Approve Warrant for May and June 2019**

Motion made by Trustee Frano:

RESOLVED, that the warrant for May 31, 2019 in the amount of \$227,333.95, and the Warrant for June 2019 in the amount of \$248,540.52 for the General Fund and \$551,748.68 for the Capital Fund is hereby approved.

Seconded by Trustee Rubio and unanimously approved 4Ayes, 0 Nays

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**Authorize Notice to Bidders-Main Street Improvement Project**

Motion made by Trustee Rubio:

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to post a Notice to Bidders for the Main Street Improvement project.

Seconded by trustee Tymann and unanimously approved 4 Ayes, 0 Nays

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**Schedule Public Hearing Local Law**

Motion made by Trustee Tymann:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 1, 2019 at 5:00 p.m. at the Village Hall for Amending Chapter 174 "Underground Utility Lines".

Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

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**Authorize Vehicle Peddling Permit – Soft Ice Cream**

Motion made by Deputy Mayor Urban:

WHEREAS, Livaydin Ilyas has applied to for a vehicle Peddling Permit to sell soft ice cream throughout the Village pursuant to §128-3 of the Village Code; and

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

RESOLVED, that the Board of Trustees hereby authorizes a vehicle Peddling Permit to Livaydin Ilyas effective June 7, 2019 and expiring on December 31, 2019 and is subject to the requested documentation being supplied and all other conditions in Chapter 128-10 and 128-11 of the Village Code.

Seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays

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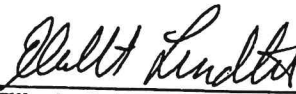
**PUBLIC COMMENT**

Mayor Moore asked in anyone in the audience would like to speak, there being no response the Mayor asked for a motion to close the meeting and go into Executive session for personnel matters. Motion made by Trustee Frano, seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays.

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MEETING ADJOURN AT 6:35 PM

DATED: June 6, 2019

  
Elizabeth Lindtvit  
Village Clerk-Treasurer