

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

PUBLIC HEARINGS

Special Exception-Change of Use-Fisher Signs and Shirts

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. Mayor Moore explained this was for a Special Exception application to change the use of a location from office space to an Administrative Contractor's office. Mayor Moore asked if anyone in the audience would like to be heard; there being no response, Mayor Moore 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.

Motion made by Trustee Tymann:

WHEREAS, by Special Exception Permit Application dated and filed on December 5, 2018, Fisher Signs and Shirts (hereinafter, the "applicant") requested a Special Exception Permit from the Board of Trustees to change the use of property located at 96 Old Riverhead Road, Westhampton Beach, New York, from office space to an Administrative Contractor's office; and

WHEREAS, the Board of Trustees referred the application to the Village of Westhampton Beach Planning Board for its recommendation, pursuant to Village of Westhampton Beach Code section 197-77; and

WHEREAS, on January 11, 2019, the Planning Board stated that, based upon its review, it believed that the applicant would comply with the provisions set forth in the Village Code and recommended that the Board of Trustees grant the Special Exception Permit for the change of use to the applicant; and

WHEREAS, pursuant to Village Code section 197-76, following a public hearing, the Board of Trustees has the power to approve, disapprove, or approve with conditions an application for a Special Exception Permit for uses that are specifically provided for in Chapter 197; and

WHEREAS, a Public Hearing was duly noticed and held on February 7, 2019,

NOW THEREFORE BE IT RESOLVED, That, the applicant's request for a Special Exception Permit to change the use of property located at 96 Old Riverhead Road, Westhampton Beach, New York, from office space to an Administrative Contractor's office is hereby approved.

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

LL # 2/2019 - Outdoor Dining, Tables, Chairs and Benches Season Extension

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. Mayor Moore explained that this amendment would allow the Board of Trustees the authority to expand the amount of time for the permit. Deputy Mayor Urban stated he would like to make a change to the law, Village Attorney Stephen Angel advised the Board to have the Clerk make the change and redistribute the law to the Trustees for a special meeting on February 20, 2019. Motion to close the public hearing made by Trustee Rubio, seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays.

RESOLUTIONS

Accept minutes of Board of Trustees Meeting

Motion made by Deputy Mayor Urban:

RESOLVED, that the minutes of the Board of Trustees Meeting of January 3, 2019 and Special Meeting of January 16, 2019 are hereby accepted.

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

Accept Departmental Reports

Motion made by Trustee Frano:

RESOLVED, that the Treasurer's reports for December 2018, Justice Court, Police Department's and Building Inspector's reports for January 2019, are hereby accepted.

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

Accept 2017-2018 Fiscal Year Annual Financial Statements

Motion made by Trustee Rubio:

RESOLVED, that the 2017-2018 Fiscal Year Annual Financial Statements prepared by Satty, Levine and Ciacco for the Village of Westhampton Beach and the Village Justice Court are hereby accepted.

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

Authorize Payment of 2015/16 through 2016/17 Assessment Reduction

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorize the payment of a 2015/16 through 2016/17 property tax assessment reduction in the amount of \$3,224.84 to David & Felicia Bieber for SCTM#0905-10-7-31.15.

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

Authorize Payment of 2017/18 Assessment Roll Correction

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby authorize payment of 2018/19 tax year property tax reduction in the amount of \$7,889.65 to the property owner specified on the attached as settlement of Small Claims as ordered by the NYS Supreme Court.

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

Approve 2019 Marina Rates, Rules and Regulations

Motion made by Trustee Frano:

RESOLVED, that the attached marina rates, rules & regulations for 2019 are hereby approved.

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

SEQRA DETERMINATION

Motion made by Trustee Rubio:

WHEREAS, the Trustees of the Village of Westhampton Beach are considering a proposed local law to Chapter 197 ("Zoning") of the Village Code with respect to the conditions, definitions, dimensional regulations and Table of Use Regulations applicable to hotels; and

WHEREAS, in particular the proposed amendments to Chapter 197 in the proposed local law are appropriate for the following reasons:

The Village's Business Districts Comprehensive Plan 2006 Update has the following vision statement for the Village.

"A welcoming 'coastal community' with a charming vibrant, prosperous downtown full of first-rate shops, cafes, and culture that's bustling with pedestrians."

The 2006 plan update has policy guidelines for each of the Village's business districts to achieve this vision. The following is a specific policy guideline from the 2006 plan update for Business I (B-1) Zoning District (Downtown) related to encouraging uses that provide accommodations to visitors:

"On the side streets of downtown and adjacent to Main Street, inns and bed and breakfast facilities that stress Village ambiance should be located to accommodate people that have been attracted to visit the Village."

Further §197-16A. (8) codified the goal to "Provide for visitor accommodations and tourist amenities;" in the B-1 district.

This proposed local law is designed to implement these recommendations from the Business Districts Comprehensive Plan 2006 Update and the Village Code; and

WHEREAS, after preparation and review of the Long Environmental Assessment Form ("LEAF") Parts I and II, as prescribed by 6 NYCRR Part 617, State Environmental Quality Review Act (SEQRA) for the subject Unlisted Action, the Village Trustees have considered the magnitude and importance of each potential impact; and

WHEREAS, an uncoordinated review was conducted, pursuant to SEQRA on the subject unlisted action, as there are no other involved agencies associated with the subject action; and

WHEREAS, the Village Trustees find that there are no moderate to large impacts identified in the LEAF Part 2 and, therefore, there are no significant adverse impacts associated with adoption of the proposed local law;

NOW, THEREFORE, BE IT RESOLVED, pursuant to SEQRA 6 NYCRR Part 617, the Village Trustees hereby adopt a negative declaration (determination of non-significance) for the proposed local law to Chapter 197 ("Zoning") of the Village Code with respect to the conditions, definitions, dimensional regulations and Table of Use Regulations applicable to hotels, and authorize the Mayor of the Incorporated Village of Westhampton Beach, Maria Moore, to complete and sign the LEAF Part 3, indicating that the proposed action will not result in any significant environmental impacts.

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

RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2019

Motion made by Trustee Tymann:

WHEREAS, the Board of Trustees, as the legislative body of the Village of Westhampton Beach, is empowered to enact local laws pursuant to the provisions of Article 9 of the New York State Constitution, the Village Law, and the Municipal Home Rule Law; and

February 7, 2019

WHEREAS, a proposed Local Law has been prepared to amend Chapter 197 (Zoning) with respect to the conditions, definitions, dimensional regulations and Table of Use Regulations applicable to the approval of hotels; and

WHEREAS, the Village's Business Districts Comprehensive Plan 2006 Update has the following vision statement for the Village.

"A welcoming 'coastal community' with a charming vibrant, prosperous downtown full of first-rate shops, cafes, and culture that's bustling with pedestrians."

The 2006 plan update has policy guidelines for each of the Village's business districts to achieve this vision. The following is a specific policy guideline from the 2006 plan update for Business I (B-1) Zoning District (Downtown) related to encouraging uses that provide accommodations to visitors:

"On the side streets of downtown and adjacent to Main Street, inns and bed and breakfast facilities that stress Village ambiance should be located to accommodate people that have been attracted to visit the Village."

Further §197-16A. (8) codified the goal to "Provide for visitor accommodations and tourist amenities;" in the B-1 district.

This proposed local law is designed to implement these recommendations from the Business Districts Comprehensive Plan 2006 Update and the Village Code; and

WHEREAS, the proposed local law was referred to the Suffolk County Planning Commission pursuant to section 239-m of the General Municipal Law; and

WHEREAS, the proposed Local Law, in final form, has been on the desks or tables of all the members of the Board of Trustees for seven calendar days, exclusive of Sunday; and

WHEREAS, the action is classified as an unlisted action under the State Environmental Quality Review Act ("SEQRA") and a Negative Declaration has been issued by the Village's Board of Trustees; and

WHEREAS, pursuant to due notice a public hearing has been held on the December 6, 2018 and continued to January 3, 2019 at which time the public hearing was closed, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public during regular business hours in the Office of the Village Clerk; and

WHEREAS, the Board of Trustees has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on the dates set forth above, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, this Board deems it in the public interest to adopt the proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, be it RESOLVED That the Board of Trustees of the Village of Westhampton Beach hereby enacts and adopts Local Law # 1 of 2019, a local law amending Chapter 197 of the Village Code entitled "Zoning" with respect to the conditions, definitions, dimensional regulations and Table of Use Regulations applicable

to hotels; that the Board of Trustees of the Village of Westhampton Beach authorizes the Mayor to sign the local law annexed; and that the Board of Trustees of the Village of Westhampton Beach hereby authorizes the Village Clerk to certify the local law annexed as a true and correct enactment adopted by this Board and to forward it in proper form to the Secretary of State for filing.

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

Approve Warrant for February 2019

Motion made by Deputy Mayor Urban:

RESOLVED, that the warrant for February 2019 in the amount of \$260,618.43 for the General Fund and \$88,930.60 for the Capital Fund is hereby approved.

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

Accept Proposal - Project Management Services

Motion made by Trustee Frano:

RESOLVED, that the proposal submitted by Sandpebble Project Management in the amount of \$25,250.00 to oversee the Main Street Improvement project including, scheduling, assessing community impacts, plan and specification review, and project budget development from G/L Capital account H9500 Road Improvement is hereby accepted.

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

Approve 2019 Fire Inspection Services with Southampton Town

Motion made by Trustee Rubio:

RESOLVED, that the Mayor is hereby authorized to execute the renewal of the 2019 Fire Inspection Services Agreement with the Town of Southampton pursuant to fees established by the Town of Southampton and the type of necessary service.

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

PUBLIC COMMENT

Mayor Moore asked if anyone in the audience wanted to speak, Mr. Michael Nobiletti of Stillwaters Lane ask the Mayor for an update of the funding for the Sewer District. Mayor Moore explained that additional \$1,040,000.00 CPF money was for the surveying, soil boring and design. Mr. Nobiletti asked about the WQIP grant, Mayor Moore stated the Village has not received any paperwork for this grant yet, she was informed the Village will receive it. Mr. Nobiletti asked about the WIAA grant, Mayor Moore stated the Village was not accepted to receive this grant. Mayor Moore stated the Village will apply again in 2019 for the WIAA grant. She also stated the Village will apply to the Town of Southampton in 2019 for CPF funding. Mr. Nobiletti asked the Mayor if the Village would have a referendum, Mayor Moore stated if the Village has to borrow and finance the sewer district they would be a referendum. Mayor Moore asked in anyone else would like to speak there being no response, the Mayor asked for a motion to close the meeting and go into executive session; motion made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays. Meeting adjourned at 5:40 PM.

Respectfully submitted,



Elizabeth Lindtvit
Clerk-Treasurer