

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

Village Attorney – Stephen Angel  
Clerk-Treasurer Elizabeth Lindtvit

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## RESOLUTIONS

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### Local Law # 8 of 2019 - Chapter 197-1 Accessory Use, Automotive Service Station

Motion made by Trustee Frano:

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on the 3<sup>rd</sup> day of October to amend Chapter 197, entitled "Zoning," of the Code of the Village of Westhampton Beach; and

WHEREAS, the Department of Building & Zoning has recommended that the adoption be considered a Type I action pursuant to 6NYCRR 617.4(b)(2), and that the Village Board of Trustees assume Lead Agency; and

WHEREAS, the Suffolk County Planning Commission, via correspondence dated October 1, 2019, determined the proposed amendment to be a matter of local determination and the Board of Trustees assumes Lead Agency and determines the adoption to be Type I action; and be it further

RESOLVED, the Village Board of Trustees, as Lead Agency, issues a negative declaration of significance for the purposes of SEQRA compliance; and

NOW, THEREFORE, that after due deliberation the Board of Trustees of the Village of Westhampton Beach hereby adopts said Local Law as advertised and attached, and the Village Clerk is directed to enter said Local Law in the records of the Village; and to give due notice of the adoption of said Local Law to the Secretary of State.

Seconded by Trustee Rubio and unanimously approved 3 Ayes, 0 Nays

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### Local Law # 9 of 2019 - Chapter 197, Attachment # 1

Motion made by Trustee Rubio:

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on the 3<sup>rd</sup> day of October to amend Chapter 197, entitled "Zoning," of the Code of the Village of Westhampton Beach; and

WHEREAS, the Village Planner has recommended that the adoption be considered an Unlisted action without the need for coordinated review pursuant to 6NYCRR 617 (SEQR), and that the Village Board of Trustees assume Lead Agency; and

WHEREAS, the Suffolk County Planning Commission, via correspondence dated October 1, 2019, determined the proposed amendment to be a matter of local determination.

NOW THEREFORE BE IT RESOLVED, that the Village Board of Trustees assumes Lead Agency and determines the adoption to be an Unlisted action; and be it further

RESOLVED, the Village Board of Trustees, as Lead Agency, issues a negative declaration of significance for the purposes of SEQRA compliance; and be it further

RESOLVED, that the local law amending Chapter 197, entitled "Zoning," is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Village Clerk is hereby authorized to publish the attached notice once in the Southampton Press and to post the same on the signboard at Village Hall.

Seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays

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**Accept minutes of Board of Trustees Meeting**

Motion made by Deputy Mayor Urban:

RESOLVED, that the minutes of the Board of Trustees Regular Meeting of October 3, 2019 are hereby accepted.

Seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays

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**Accept Departmental reports**

Motion made by Trustee Frano:

RESOLVED, that the Justice Court, Building Department and Police Department reports for October 2019 and Treasurer's Report for September 2019 are hereby accepted.

Seconded by Trustee Rubio and unanimously approved 3 Ayes, 0 Nays

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**Accept Performance Bond from Avidor Group LLC**

Motion made by Trustee Rubio:

RESOLVED that the Performance Bond submitted by Avidor Group, LLC (as Principal) on November 4, 2019 and executed on October 24, 2019, to secure the performance of certain improvements required by the Planning Board of the Village of Westhampton Beach in connection with the subdivision application made by Avidor Group, LLC, is accepted, together with the accompanying deposit of \$71,399.00, which shall be deposited and held in Village of Westhampton Beach Trust and Agency Account T32 "Performance Bond-Avidor Group, LLC" in accordance with the terms of the Performance Bond.

Seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays

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**Authorize Use of Village Property-East End Hospice**

Motion made by Deputy Mayor Urban:

RESOLVED, that East End Hospice is hereby authorized to use the Village Green on Sunday, December 8, 2019 for the annual Tree of Lights Memorial Service from 2:30 p.m. until 3:30 p.m. subject to the condition of Main Street during the project.

Seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays

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**Refer Special Exception Application for Entertainment Permit to Planning Board**

Motion made by Trustee Frano:

RESOLVED, that the Special Exception application received from the Westhampton Country Club for an Entertainment Permit for property located at 35 Potunk Lane is hereby referred to the Village Planning Board for review.

Seconded by Trustee Rubio and unanimously approved 3 Ayes, 0 Nays

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**Approve Warrant for November 2019**

Motion made by Trustee Rubio:

RESOLVED, that the warrant for November 2019 in the amount of \$281,317.59 for the General Fund and \$3,372,294.26 for the Capital Fund is hereby approved.

Seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays

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**Authorize Snow Removal Agreement with Village of Westhampton Dunes**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Mayor is hereby authorized to execute an agreement with the Village of Westhampton Dunes for the removal of snow by the Village of Westhampton Beach Department of Public Works employees for an annual fee of \$15,000.00 plus reimbursement of any certified expenses that may exceed said fee, for the time period November 1, 2019 through October 31, 2020.

Seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays

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**Schedule Public Hearing Local Law Amendment**

Motion made by Trustee Frano:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday December 5, 2019 at 5:00 p.m. at the Village Hall on a Local Law Amending Chapter 197-27 of the Village Code entitled "Fill".

Seconded by Trustee Rubio and unanimously approved 3 Ayes, 0 Nays

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**Refer Village Code Changes to Planning Board**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees are referring 2 Local Law changes amending Chapter 197-1 entitled "Zoning" and Chapter 150-6 entitled "Lot Design" to the Village Planning Board for review.

Seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays

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**Schedule Public Hearing Local Law Amendment**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday December 5, 2019 at 5:00 p.m. at the Village Hall on a Local Law Amending Chapter 197-1 of the Village Code entitled "Zoning".

Seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays

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**Schedule Public Hearing Local Law Amendment**

Motion made by Trustee Frano:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday December 5, 2019 at 5:00 p.m. at the Village Hall on a Local Law Amending Chapter 150-6 of the Village Code entitled "Lot Design".

Seconded by Trustee Rubio and unanimously approved 3 Ayes, 0 Nays

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**Approve 2020 Marina Rates, Rules and Regulations**

Motion made by Trustee Rubio:

RESOLVED, that the attached marina rates, rules & regulations for 2020 are hereby approved.

Seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays

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**Authorize Renewal of HVAC Annual Service Agreement**

Motion made by Deputy Mayor Urban:

RESOLVED, that the annual renewal of labor and inspection service agreement for October 1, 2019 to September 30, 2020 with Dynaire Service Corp. for the Village Hall HVAC system at a cost of \$8,000.00 is hereby renewed.

Seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays



**Authorize Purchase and Installation of a Control System Upgrade for HVAC**

Motion made by Trustee Frano:

RESOLVED, that the proposal from Dynaire Corporation for the installation for control upgrades for the Village Hall HVAC system at a cost of \$10,500.00 is hereby approved and to be taken from G/L account H9999 General Fund Capital Repair.

Seconded by Trustee Rubio and unanimously approved 3 Ayes, 0 Nays

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**Authorize Purchase of LED Street Lighting Materials**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby approves the purchase of various Street Luminaires, and Photocontrol cells from Goodmart, LLC to convert Village street lights to LED in an amount not to exceed \$12,500.00 to be taken from G/L account A5182.421 Street Lighting Materials.

Seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays

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**Appoint DPW Laborers**

Motion made by Deputy Mayor Urban:

RESOLVED, that Andrew Prelli, Salvatore King and Andrew Dunham are hereby appointed as Laborers at a rate of \$1,863.66 Semi-monthly in the Department of Public Works to work as assigned by the Public Works Superintendent effective November 11, 2019 to be funded from G/L account A5110.101 P/S Public Works.

Seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays

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**Appoint Part-time Police Officer**

Motion made by Deputy Mayor Urban:

RESOLVED, that Sabina Costantini is hereby appointed to the position of Part-time Police Officer at an hourly rate of \$23.00 effective November 8, 2019 in accordance with Suffolk County Department of Civil Service rules and procedure pending completion and graduation from the Suffolk County Police Academy.

Seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays

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**Authorize Change Order for Main Street Improvement Project**

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby approves change order # 2 in the amount of \$500,000.00 as a payment on account to excavate, load and transport existing unsuitable material from Main Street and replace with Recycled Concrete Aggregate (RCA), compacted for the unit price of \$8.05 per square foot to (two feet deep) subject to the recommendation of The Raynor Group and set forth in PCO # 2, (proposed change order) be charged to the Capital Fund account H9500 Roads and issue credits as appropriate.

Seconded by Trustee Rubio and unanimously approved 3 Ayes, 0 Nays

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**PUBLIC COMMENT**

Victor Consecro from Sandpebble gave a presentation on the Main Street project, explaining what is currently going on and the status of the work. There was supposed to be a slide presentation, missing cable. There was an open discussion about when Main Street would be opening etc.

Motion made by Deputy Mayor Urban to close the meeting and go into an Executive session for the Board, seconded by Trustee Frano, meeting adjourn at 5:45 pm

DATED: November 7, 2019

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Elizabeth Lindtvit  
Village Clerk-Treasurer