

The Board of Trustees of the Village of Westhampton Beach held a Special Meeting on Wednesday, August 19, 2020 at 5 p.m. via Zoom video conferencing.

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

Cont'd-Special Exception Application-Change of Use, 26 Old Riverhead Road

Motion was made by Trustee Frano to open this held over public hearing, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays. Mayor recapped the last meeting, the Board of Trustees reviewed the planning board recommendations and added four (4) more restrictions, the planning board had eleven (11) conditions. Trustee Tymann asked if anyone from the Village has communicated with the applicant about the added restrictions, Mayor Moore stated the applicant knew that the public hearing was to be continued on August 19, 2020. Mayor Moore asked if the Trustees had any additional comments, Deputy Mayor Urban stated it was good to wait the additional time for the Trustees restrictions. Mr. Hammond stated the Trustees added the restrictions for the use of the property, the planning board recommendations for the site plan and conditions of the property. Village Attorney Steve Angel stated the applicant had a duty to be present at this meeting which he wasn't and recommended the Board proceed as they would normally. Mayor Moore stated the applicant seemed anxious to get it approved at the last meeting and was informed the Board would do it at the August 19, 2020 special meeting. Trustee Frano made a motion to close the public hearing, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays.

Motion made by Trustee Tymann:

WHEREAS, by Special Exception Permit Application dated January 28, 2020, and filed on January 28, 2020, Build Coastal LLC (hereinafter, the "applicant") requested a Special Exception Permit from the Board of Trustees to change the use of the property located at 26 Old Riverhead Road, Westhampton Beach, New York, SCTM 905-4-2-9, from an Administrative Contractors office to a Propane Contractor and Administrative Contractors Office; and

WHEREAS, the property is located in a commercial zone and a Propane Contractor is listed as a Special Exception use under the Village Code in the B-2 zoning district; and

WHEREAS, the Board of Trustees referred the application to the Village of Westhampton Beach Planning Board; and

WHEREAS, the Planning Board conducted a comprehensive site plan review relating to the change of use, pursuant to Village of Westhampton Beach Code section 197-77; and

WHEREAS, the applicant submitted an Environmental Assessment Form Part 1 pursuant to the State Environmental Quality Review Act (SEQRA) and the Planning Board granted a SEQRA determination dated October 10, 2019; and

WHEREAS, by Decision dated July 9, 2020, the Planning Board approved the site plan for the property, subject to several conditions designed to mitigate the impacts of the uses; and

WHEREAS, the Planning Board notified the Trustees of the site plan approval and that it has no objection to the application for special exception use; 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 opened on August 6, 2020 and thereafter adjourned until the hearing was closed on August 19, 2020, it is hereby

RESOLVED that, the applicant’s request for a Special Exception Permit to change the use of the property located at 26 Old Riverhead Road, Westhampton Beach, New York, SCTM 905-4-2-9, from an Administrative Contractors office to a Propane Contractor and Administrative Contractors Office is hereby approved, subject to all the conditions as set forth in the July 9, 2020 Decision of the Planning Board granting site plan approval, and the following additional conditions, which additional conditions shall be incorporated into the Declaration of Covenants and Restrictions to be filed pursuant to the Planning Board’s Decision:

1. There shall be no filling or purging of propane tanks on site.
2. There shall be no retail propane/barbecue tank exchanges conducted on site.
3. There shall be a limit of two tanker trucks on site at one time, to be parked at the rear (eastern portion) of the property in accordance with the approved site plan.
4. Used/decommissioned tanks may only be stored if they are already purged and located within the designated tank storage area in compliance with the Planning Board’s site plan conditions. All such tanks must be removed from the premises every fifteen (15) days.

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

RESOLUTIONS

Authorize Unreserved Fund Balance Transfer

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approves the transfer of \$500,000.00 from the 2019-2020 unreserved fund balance to increase the 2020-2021 Transfer to Capital Fund Budget line A9950.0 to fund H1500 Salt Shed Building.

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

Appoint 2020 Seasonal DPW Laborer

Motion made by Deputy Mayor Urban:

RESOLVED, that Dylan Kendall is hereby appointed to the position of Seasonal Laborer for the Department of Public Works effective Monday August 17, 2020 at an hourly rate of \$15.00 to be funded from A5110.103 P/S Seasonal DPW.

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

Appoint 2020 Seasonal Marina Personnel

Motion made by Trustee Frano:

RESOLVED, that Nicholas Buonomo is appointed as Dock Attendant to be compensated at a rate of \$12.00 per hour effective August 22, 2020.

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

Appoint 2020 Seasonal Beach Personnel

Motion made by Trustee Rubio:

RESOLVED, that Ethan Culhane is hereby appointed to the position of Beach Attendant at an hourly rate of \$12.00 and Daniel Sullivan and Ryken Kutner as Lifeguards at an hourly rate of \$15.00 per hour effective August 17, 2020 at the Village Beaches for the 2020 season.

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

Authorize Notice to Bidders-Sewer System Project

Motion made by Trustee Tymann:

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to post a Notice to Bidders for the Village of Westhampton Beach Phase 1 Sewer System Project.

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

Accept Proposal for Engineering Services

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby accepts the proposal from H2M Architects and Engineers for engineering design during construction, construction

administration and construction services associated with the Phase 1 Sewer System Service Area in an amount not to exceed \$1,275,000.00 from G/L account code H9900 Sewer District.

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

Approve Special Event-Bike to the Beach

Motion made by Trustee Frano:

RESOLVED, that the Bike to the Beach Inc. is hereby authorized to hold a special event Charity ride through the Village on Saturday September 26, 2020 from 11:00 a.m. to 3:00 p.m. as per route on file with application and subject to the restrictions of the NYS Governor's Executive Orders and there shall be no permanent markings on the road but chalk markings are acceptable.

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

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

Motion made by Trustee Rubio:

RESOLVED, that St. Mark's Church is hereby authorized to use the Great Lawn from Saturday September 5, 2020 to Sunday, September 6, 2020 from 10 a.m. to 6 p.m. with the set-up day of Friday September 4, 2020 from 8:30 a.m. to 12:00 pm for the Annual Paragon Art Show and Sale, subject to the Event Safety Guide and the restrictions of the NYS Governor's Executive Orders.

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

Mayor Moore asked if anyone would like to be heard, there being no response the Mayor asked for a motion to close the meeting, motion made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays. Meeting adjourned at 5:41 PM.

Respectfully submitted,

Elizabeth Lindtvit
Clerk-Treasurer