

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, August 6, 2020 at 5 p.m. via Zoom video conferencing

PRESENT: Mayor Maria Z. Moore
Deputy Mayor Ralph Urban
Trustee Stephen Frano
Clerk-Treasurer Elizabeth Lindtvit
Village Attorney – Anthony Pasca

ABSENT: Trustee Rob Rubio
Trustee Brian Tymann

PUBLIC HEARING:

Special Exception Application for Outdoor Music - North Fork Roasting Co.

Motion was made by Deputy Mayor Urban to open the public hearing, seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays. Mayor Moore explained this was an application for outdoor music, she explained the Planning Board approved this with the removal of 1 table to allow for the musician, she asked the Board if anyone had a comment, there being no response she asked for a motion to close the public hearing, motion made by Trustee Frano, seconded by Deputy Mayor Urban and approved 3 Ayes, 0 Nays.

Motion made by Deputy Mayor Urban:

WHEREAS, North Fork Roasting Co., located at 59 Main Street, Westhampton Beach (SCTM 0905-11-2-2-5), has applied for an Outdoor Music permit pursuant to Chapter 196-3 of the Code of the Village of Westhampton Beach; and

WHEREAS, the application was referred to the Village Planning Board, which, by memorandum dated July 9, 2020, stated that it has no objection to the request to place one (1) musician by removing one (1) table and three (3) chairs for a total of five (5) tables and sixteen (16) seats as depicted on the site plan submitted with the application; and

WHEREAS, a public hearing was held on the application on August 6, 2020, pursuant to section 196-4(D) of the Village Code; and

WHEREAS, it appears from the Outdoor Music Plan and Planning Board report that the application satisfies the conditions of section 196-3(B) of the Village Code; now therefore,

BE IT RESOLVED that the application for an Outdoor Music permit is granted subject to the following conditions:

The requirement that the volume of the amplification shall not be so excessive as to annoy or disturb a reasonable person of normal auditory sensitivity.

1. It shall be the obligation of North Fork Roasting Co. that the public sidewalk is not obstructed.
2. No substantial deviation from the Outdoor Music Plan shall be allowed without further approval of the Board of Trustees; and
3. This permit shall be in effect from August 6, 2020 to October 31, 2020, unless previously revoked, and the applicant shall be required to follow the renewal provisions set forth in section 196-4(A) of the Village Code for future outdoor music beyond such expiration date.

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

Special Exception Application - Change of Use

Motion made by Trustee Frano to open the public hearing, seconded by Deputy Mayor Urban and approved 3 Ayes, 0 Nays. Mayor Moore explained this was a request for a change of use from retail to contractor's office. The planning board had no objection to the change of use, the Mayor asked the board members if they had any comments or concerns, there being no response she asked for a motion to close the public hearing, motion made by Deputy Mayor Urban, seconded by Trustee Frano and approved 3 Ayes, 0 Nays.

Motion made by Trustee Frano:

WHEREAS, by Special Exception Permit Application dated April 17, 2020, Krzysztof Zebrowski (hereinafter, the “applicant”) requested a Special Exception Permit from the Board of Trustees for a Change of Use from Retail to Contractors office located at 121 Main Street, Westhampton Beach, New York, SCTM numbers: 905-11-2-24; and

WHEREAS, on May 7, 2020, 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 July 14, 2020 the Village Planning Board by memorandum, stated that it has no objection to the Change of Use from Retail to Contractors Office as shown on the site plan attached to the application; and

WHEREAS, a Public Hearing was duly noticed and held on August 6, 2020, it is hereby;

RESOLVED that, the applicant’s request for a Special Exception Permit for a change of Use for property located at 121 Main Street, Westhampton Beach, New York is hereby approved.

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

Special Exception Application - Change of Layout

Motion made by Deputy Mayor Urban to open the public hearing, seconded by Trustee Frano and approved 3 Ayes, 0 Nays. Mayor Moore explained this was a request to change the interior floor plan for the 16-seat luncheonette. The planning board had no objection so the Mayor asked the board members if they had any comments or concerns, there being no response she asked for a motion to close the public hearing, motion made by Trustee Frano, seconded by Deputy Mayor Urban and approved 3 Ayes, 0 Nays.

Motion made by Deputy Mayor Urban:

WHEREAS, by Special Exception Permit Application dated May 8, 2020, WHB Kitchen, LLC d/b/a Flora Restaurant requested a Special Exception Permit from the Board of Trustees for a Change of Layout of the kitchen for property located at 149 Main Street, Westhampton Beach, New York, SCTM numbers: 905-11-3-1; and

WHEREAS, on May 23, 2020, 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 May 29, 2020 the Village Planning Board by memorandum, stated that it has no objection to the Change of Layout to an existing 16 seat luncheonette as shown on the site plan attached to the application; and

WHEREAS, a Public Hearing was duly noticed and held on August 6, 2020, it is hereby;

RESOLVED that, the applicant’s request for a Special Exception Permit for a change of layout for property located at 149 Main Street, Westhampton Beach, New York is hereby approved.

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

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

Motion made by Deputy Mayor Urban to open the public hearing, seconded by Trustee Frano and approved 3 Ayes, 0 Nays. Mayor Moore asked Brad Hammond to explain this application, current occupant Build Coastal would like to have another tenant which would be a propane distributor on the property. There is a special exception needed for the gas dealer in the B-2 district. Trustee Frano asked if the bulk truck can be stored on the property, propane stored in truck on property. Mr. Hammond stated there was site plan approval for the storage of the trucks on the property. Mayor Moore stated the Planning Board supplied the Board with their approval with multiple conditions. Trustee Frano stated the sign on CR 31 must be removed, Mayor Moore asked if there was

anyone at the meeting for the applicant, Deputy Mayor Urban stated the Board need more time to consider this application, so the public hearing would be held over. Mr. Downing for the applicant stated the trucks would be kept at the back of the property, and the sign for help wanted would be removed not a problem. Mayor Moore asked about screening the property, Mr. Hammond explained the current and future screening on the property. Mayor Moore stated this will be held over to the August 19, 2020 meeting, Mr. Downing asked why the hold over, he has complied with all the planning board requested; Mayor Moore explained this was the first time the Board of Trustees has reviewed the recommendation from the planning board, Trustee Frano stated it is almost over. Trustee Frano made a motion to hold over the public hearing, seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays.

RESOLUTIONS

Appoint Police Sergeant

Motion made by Deputy Mayor Urban:

RESOLVED, that Mark Yakaboski is hereby appointed to the position of Provisional Contingent Police Sergeant at a semi-monthly salary of \$5,564.72, effective August 7, 2020 in accordance with Suffolk County Department of Civil Service rules and procedures.

Seconded by Trustee Frano and unanimously approved 3 Ayes 0 Nays

Accept minutes of Board of Trustees Meetings

Motion made by Trustee Frano:

RESOLVED, that the minutes of the Board of Trustees Meeting of July 2, 2020 and Special Meeting of July 15, 2020 are hereby accepted.

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

Accept monthly Reports from Departments

Motion made by Deputy Mayor urban:

RESOLVED, that the Police Department, Justice Court and Building Inspector's reports for July 2020 and the Treasurer's reports for May and June 2020 are hereby accepted.

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

Appoint 2020 Seasonal Beach Personnel

Motion made by Trustee Frano:

RESOLVED, that Sean Buonomo, Justin Buonomo and Madilyn Dackow are hereby appointed to the position of Beach Attendant at Rogers Beach for the 2020 season at an hourly rate of \$12.00, Elizabeth Knieriemen and Annabelle Mugno to the positions of Lifeguards at Rogers Beach for the 2020 season at an hourly rate of \$15.00 to be funded from A7310.100 Beach Attendants and A7310.101 Lifeguards effective July 17, 2020.

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

Appoint 2020 Seasonal Beach Personnel

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby authorize James Pizzitola, Lifeguard to receive an hourly rate of \$15.25 and Daniel Qua, Lieutenant Lifeguard to receive an hourly rate of \$16.75 effective July 27, 2020 be funded from A7310.101 Lifeguards.

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

Appoint 2020 Seasonal Beach Personnel

Motion made by Trustee Frano:

RESOLVED, that Stephen Sutton, Rory Paltridge and Lilly Simpson-Heavey are hereby appointed to the positions of Lifeguards at Rogers Beach for the 2020 season at an hourly rate of \$15.00 to be funded from A7310.101 Lifeguards effective July 29, 2020.

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

Accept Resignation of Employees

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Kristen Webber, Caitlynn Webber and Natalie Williams as Lifeguards effective July 27, 2020.

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

Appoint Part-time Police Officer

Motion made by Trustee Frano:

RESOLVED, that Mackenzie Buckley is hereby appointed to the position of Part-time Police Officer at an hourly rate of \$26.00 effective August 7, 2020 in accordance with Suffolk County Department of Civil Service rules and procedures.

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

Accept Resignation of Employee

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Madeline Sganga as Part-time Police Officer effective July 30, 2020.

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

Accept Proposal for Moniebogue Creek Sampling & Dredging Project

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby accepts the proposal from Sea Level Mapping for a Hydrographic survey of Moniebogue Creek in an amount not to exceed \$2,400.00 from G/L account code A1440.4 Engineering & Surveys.

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

Approve Warrant for August 2020

Motion made by Deputy Mayor Urban:

RESOLVED, that the warrant for August 2020 in the amount of \$374,329.35 for the General Fund and \$254,728.16 for the Capital Fund is hereby approved.

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

Authorize Payment of 2017/18 Assessment Roll Correction and 2019/20 Certiorari Order

Motion made by Trustee Frano:

RESOLVED, the Board of Trustees hereby authorize payment of 2018/19 Assessment Roll Correction and 2019/20 assessment year Certiorari order and judgment in the amount of \$2,026.43 to the property owner/petitioner specified below as an assessment reduction and Certiorari as ordered by the NYS Supreme Court.

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

Approve 2019–2020 Fiscal Year Budget Transfers

Motion made by Deputy Mayor Urban:

RESOLVED, that 2019–2020 fiscal year budget transfers in the amount of \$139,591.05 are hereby approved.

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

Appoint 2020 Election Inspectors

Motion made by Trustee Frano:

RESOLVED, that Bonnet Brophy is hereby appointed Chairperson of the Election Inspectors, Thomas Betjemann, Patricia Gonce and Jennie Beck are appointed as Election Inspectors and Carol Matthews is appointed as Poll Clerk and each are to perform the official duties of the Village General Election to be held on Tuesday September 15, 2020 and are to be compensated at a rate of \$15.00 per hour to be funded from G/L account A1450.1 Elections-Personal Service.

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

PUBLIC COMMENT

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 3 Ayes, 0 Nays. Meeting adjourned at 5:41 PM.

Respectfully submitted,

Elizabeth Lindtvit
Clerk-Treasurer