

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, May 2, 2019 at 5 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach.

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

Clerk-Treasurer Elizabeth Lindvit  
Village Attorney – Stephen Angel

**PUBLIC HEARINGS**

**LL # 4/2019 - Innovative & Alternative On-site Waste Water Treatment Systems**

Mayor Moore asked for a motion to open the public hearing, motion made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays; Trustee Tymann arrived late for the meeting. Mayor Moore explained the proposed law was discussed at the last work session; the Mayor asked if anyone in the audience would like to speak on the subject, Mr. Mike Nobiletti of Stillwaters Lane, Kevin McAllister of "Defend H2O" and Chris Clapp each spoke at the podium and addressed the Board. Mayor Moore stated that all comments would be taken into consideration and asked for a motion to hold open the hearing, motion made by Deputy Mayor Urban seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays.

**RESOLUTIONS**

**Accept minutes of Board of Trustees Meeting**

Motion made by Trustee Tymann:

RESOLVED, that the minutes of the Board of Trustees Meeting of April 4, 2019, and Special Meeting of April 17, 2019 are hereby accepted.

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

**Accept Departmental Monthly Reports**

Motion made by Deputy Mayor Urban:

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

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

**Appoint Satty, Levine and Ciacco to Audit 2018-19 Financial Statements**

Motion made by Trustee Frano:

RESOLVED, that the firm of Satty, Levine and Ciacco is appointed to audit the Village of Westhampton Beach's financial statements for the fiscal year 2018-19 at a cost of \$22,600.00 from G/L code A1320.4 Auditing and an audit of the Village Justice Court at a cost of \$3,900.00 to be funded from A1110.4 Justice Court Contractual.

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

**Refer Change of Zone Request to Planning Board-The Corner Restaurant**

Motion made by Trustee Rubio:

RESOLVED, that the request to the Village Board for a change of zone for property located on Oak Street and identified by Suffolk County Tax Map # 905-5-1-12 and 53.1 is deemed complete for purposes of initiating the review process, and the application is hereby referred to the Village Planning Board, as "lead agency," to initiate a coordinated environmental review under the State Environmental Quality Review Act.

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

**Approve Use of Village Property-Ocean Dunes Club Condominium**

Motion made by Trustee Tymann:

RESOLVED, that the Ocean Dunes Club Condominium is hereby authorized to use the Village Hall Board Meeting Room on Sunday June 23, 2019 from 10:00 a.m. to 12:00 p.m. for the Annual Condominium Meeting.

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

---

**Approve Use of Village Property-Westhampton Beach Historical Society**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Westhampton Beach Historical Society is hereby authorized to use the Great Lawn from Friday August 9, 2019 to Sunday August 11, 2019 for a Civil War Encampment and Skirmish from 10:00 a.m. to 4:00 p.m. with the following conditions:

- Replacement of displaced grass or soil
- No Cannon or gunfire before Noon on Sunday
- 1 Banner in corner of property and 1 activity schedule sign

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

---

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

Motion made by Trustee Frano:

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Rogers Beach Pavilion from July 1, 2019 to August 28, 2019 for various exercise and yoga classes from 8:30 am to 9:30 am and from 6:00 pm to 7:00 pm and Saturday August 17, 2019 from 6:00 to 7:30 pm for a music event.

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

---

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

Motion made by Trustee Rubio:

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Village Green on Tuesdays from July 9, 2019 to August 27, 2019 for the "Kids on the Green" performance series from 4:30 pm to 7:00 pm which includes set-up and take down.

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

---

**Authorize Use of Village Property-Musical Mime Co., Inc.**

Motion made by Trustee Tymann:

RESOLVED, that the Musical Mime Co., Inc. is hereby authorized to use the Great Lawn on Friday July 26, 2019 and Saturday July 27, 2019 from 6:00 p.m. to 10:00 p.m. for an "Evening of Classical Dance and Art" performance with set-up on Thursday July 25, 2019 and a rain date of Sunday July 28, 2019.

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

---

**Authorize Use of Village Property-Westhampton Cultural Consortium**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Westhampton Cultural Consortium is hereby authorized to conduct outdoor concerts each Thursday beginning June 27, 2019 through August 29, 2019 from 7:00 p.m. to 9 p.m. at the Village Green.

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

---

**Approve Use of Village Property-Moriches Bay Project**

Motion made by Trustee Frano:

RESOLVED, that Moriches Bay Project is hereby authorized to use the Village Marina property on Saturday June 29, 2019 from 7:00 pm to 10:00 pm with tent set-up on Friday June 28, 2019 and tent take down of Sunday June 30, 2019 for the 5<sup>th</sup> Annual "Save the Bay" Oyster fling.

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

**Approve Special Event-Camp Paquatuck Squaws**

Motion made by Trustee Rubio:

RESOLVED, that the Moriches Paquatuck Squaws are hereby authorized to hold a special event bike ride through the Village "Inlet Ride on Dune Road" on Saturday May 11, 2019 from 8:00 a.m. to 1:00 p.m. as per route on file with application.

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

**Authorize 2019 Renewal of Dee Angelo's Outdoor Dining Permit**

Motion made by Trustee Tymann:

WHEREAS, Dee Angelo's has applied to renew the Outdoor Dining Permit for 2019 to place (8) bistro tables or four (4) standard tables and (16) 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 2006 and the plan attached to the 2019 application.

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

**Authorize 2019 Renewal of Shock Outdoor Tables, Chairs/Benches Permit**

Motion made by Deputy Mayor Urban:

WHEREAS, Shock Ice Cream has applied to renew the Outdoor Tables, Chairs and Benches Permit for 2019 to place three (3) outdoor tables with attached benches 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 2004 and subject to the same set of conditions and plan attached to the 2019 application.

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

**Authorize 2019 Renewal of Best Market Outdoor Tables, Chairs/Benches Permit**

Motion made by Mayor Moore to Table Resolution

WHEREAS, Best Market has applied to renew the Outdoor Tables, Chairs and Benches Permit for 2019 to place ten (10) outdoor tables and twenty (20) 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 2016 and subject to the same set of conditions and plan attached to the 2019 application.

---

**Authorize Renewal of 2019 Best Market Outdoor Sales and Displays Permit**

**Motion made by Mayor Moore to Table Resolution**

WHEREAS, Best Market has applied to renew the Outdoor Sales and Displays Permit for 2019 to allow the limited outdoor sale and display of seasonal items pursuant to §140-2(A) (11) of the Village Code; and

WHEREAS, it appears from the Outdoor Display Plan and Planning Board report that the application satisfies the conditions of section 140-2(A) of the Village Code, with the exception of subdivision (11) thereof (which limits the seasonal display to the period of April 15 to November 15 of each year), and

WHEREAS, the Board finds that, under the unique circumstances of this property, the nature of a year-round grocery store use, and the seasonal items described in the Outdoor Display Plan, a waiver of the seasonal limitation of section 140-2(A) (11) is warranted; now therefore,

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

1. All conditions set forth in section 140-2(A) shall be followed with the exception of subdivision (11), which is expressly waived so as to allow year-round sales according to the Outdoor Display Plan;
2. Outdoor items installed on moveable racks shall be on racks that are secured to the building so as to prevent the racks and items from obstructing ingress and egress to and from the building, and pedestrian walkways;
3. No substantial deviation from the Outdoor Display Plan shall be allowed without further approval of the Board of Trustees;
4. In the event site work related to the Phase II or Phase III work approved by the Planning Board as part of the approved site plan is undertaken during the period of this permit in or near the area of the outdoor displays, the Building Inspector shall have the authority to limit such outdoor displays if necessary, to avoid public safety hazards; and
5. This permit shall be in effect to April 1, 2020, 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.

---

**Appoint 2019 Seasonal Beach Personnel**

Motion made by Trustee Frano:

RESOLVED, that the following personnel are hereby appointed to the positions specified below at Rogers and Lashley Beaches for the 2019 season to be funded from A7310.100 Beach Managers, A7310.101 Lifeguards and A7310.103 Beach Attendants, A7180.1 Kitchen Manager, A7180.101 Asst. Kitchen Manager and A7180.102 Kitchen Staff:

Beach Attendants:

Shaun Johnson	Manager	\$28.50
Mike Polan	Assistant Manager	\$20.00
Josh Tuttle	Assistant Manager	\$20.00
Tom Betjemann	Fill-in Assistant	\$19.00
Max Mascia	Fill-in Assistant	\$19.00
Andrew Caponi	Attendant	\$12.00
Marissa Cinque	Attendant	\$12.00
Luke Farnan	Sr. Attendant	\$12.75
Caitlin Gallagher	Attendant	\$12.00
Spencer Moyle	Attendant	\$12.00
James Orłowski	Attendant	\$12.00
Marc Schlecht	Sr. Attendant	\$14.00



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

---

**Appoint 2019 Seasonal Traffic Control Officers**

Motion made by Trustee Frano:

RESOLVED, that Louis Bancroft, Chase Rubio, John Sganga, Sean Johnson, Patrick Johnson and Maxwell Exposito are appointed as Seasonal Traffic Control Officers to be compensated at a rate of \$14.00 per hour to work as assigned by the Chief of Police effective May 6, 2019 to be funded from G/L account code A3120.109 Traffic Control Officers PS.

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

---

**Appoint Seasonal Public Safety Dispatcher**

Motion made by Trustee Rubio:

RESOLVED, that Michael Wexler, Kristin Kieman and Courtney Dombkowski are hereby appointed to the position of Seasonal Public Safety Dispatcher at an hourly rate of \$18.00 effective May 6, 2019 to be funded from A3120.106 Public Safety Dispatcher Personal Service.

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

---

**Authorize Purchase of 2019 Dump Truck**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approves the purchase of a 2019 Ford F650 Dump Truck from Otis Ford, Inc. in the amount of \$76,179.36 to be paid from G/L account A5110.2 Equipment.

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

---

**Appoint 2019 Election Inspectors**

Motion made by Deputy Mayor Urban:

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 Friday, June 21, 2019 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 Trustee Frano and unanimously approved 4 Ayes, 0 Nays

---

**Schedule Public Hearing Special Exception Application**

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 June 6, 2019 at 5:00 p.m. at the Village Hall on a Special Exception Application to "Construct, Operate and Maintain a Small Cell Public Utility Wireless Communication Facility" for property located at 112 Old Riverhead Road, Westhampton Beach.

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

---

**Authorize Appraisal for Planning Board**

Motion made by Trustee Rubio:

RESOLVED that the Village Board authorizes the retention of appraiser, Patricia Parsons, to perform an appraisal on behalf of the Planning Board, in order to determine an appropriate recreation area/park fee, pursuant to section 150-11.B. of the Village Code, in connection with the application of Avidor Group LLC for subdivision of property located at 92 Oak Street, and be it further

RESOLVED that the cost of the appraisal shall not exceed \$1,900 (plus applicable taxes and disbursements, if any), and any payment made by the Village in connection with the cost of the appraisal shall be reimbursed by the applicant, Avidor Group LLC, prior to the filing of any subdivision map.

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

**Accept Proposal for Project Management Services**

Motion made by Trustee Tymann:

RESOLVED, that the proposal submitted by Sandpebble in the amount not to exceed \$285,000.00 for Project Management Services for the Main Street project to include but not be limited to pre-bid phase (including sequencing and scheduling options, attendance and participation at community meetings, and creation of addendum to bid specifications), bidding phase, contract award phase, submittal phase and mobilization phase services to be taken from account code H9500 Roads is hereby accepted.

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

**Accept Proposal A+ Technology**

Motion made by Deputy Mayor Urban:

RESOLVED, that the proposal submitted by A+ Technology in the amount of \$8,900.00 for the annual Assurance Plan for the Village wide security cameras; to be taken from account code A3120.2 Police Equipment is hereby accepted.

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

**Approve Warrant for May 2019**

Motion made by Trustee Frano:

RESOLVED, that the warrant for May 2019 in the amount of \$207,781.22 for the General Fund and \$91,631.74 for the Capital Fund is hereby approved.

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

**Approve Use of Village Property-Lashley Beach and Dune Road**

Motion made by Trustee Rubio:

RESOLVED, that the Film Department, School of the Arts, Columbia University is hereby authorized to use Lashley Beach and a portion of Dune Road on Sunday May 5, 2019 from 8:00 a.m. to 2:30 p.m. to produce a short film by Columbia University students.

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

---

**PUBLIC COMMENT**

---

Mayor Moore asked if 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.

---

**MEETING ADJOURN AT 6:19 PM**

**DATED: May 2, 2019**

  
Elizabeth Lindtvit  
Village Clerk-Treasurer