

**Village of Westhampton Beach
Board of Trustees Meeting
Thursday May 6, 2021 at 5:00 PM**

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

Special Exception Application-Change of Use-11C Moniebogue Lane

Special Exception Application-Additional Tables/Chairs, 32 Mill Road, Sydney's

CDBG Budget Modification for ADA Sidewalk Construction

Commercial Properties in the B-2 & B-3 Business District

RESOLUTIONS:

1. Accept minutes of Board of Trustees Meetings
2. Accept Departmental Monthly Reports
3. Appoint Satty, Levine and Ciacco to Audit 2020-2021 Financial Statements
4. Appoint 2021 Seasonal Beach Personnel
5. Appoint 2021 Seasonal Marina Personnel
6. Appoint 2021 Seasonal Police Officers
7. Appoint 2021 Seasonal Traffic Control Officers
8. Appoint 2021 Seasonal DPW Laborers
9. Appoint 2021 Election Inspectors
10. Accept Resignation of Employee
11. Authorize Purchase of Police Equipment
12. Authorize Use of Village Property Application-Greater WH Chamber of Commerce
13. Authorize Use of Village Property Application-WHB Elementary School
14. Approve Release of Performance Bond – BMB Enterprises, LLC
15. Authorize Vehicle Peddling Permit – Soft Ice Cream
16. Approve Warrant for May 2021
17. Accept Proposal for Services
18. Authorize Mayor to Sign Agreement

19. Authorize the Mayor to Execute Any and All Documents Pertaining to the Town of Southampton Community Preservation Fund Water Quality Improvement Program
20. Authorize the Mayor to Execute Any and All Documents Pertaining to the Town of Southampton Community Preservation Fund Water Quality Improvement Program
21. Authorize 2021 Renewal of Shock Outdoor Tables, Chairs/Benches Permit
22. Approve and Ratifying Order to PSEG Long Island and Long Island Power Authority

PUBLIC COMMENT

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RESOLUTIONS:

1. Accept Minutes of Board of Trustees Meeting

RESOLVED, that the minutes of the Board of Trustees Meeting of April 1, 2021, Special Meeting of April 12, 2021 and Special Meeting of April 14, 2021 are hereby accepted.

2. Accept Departmental Monthly Reports

RESOLVED, that the Treasurer's reports for March 2021, Justice Court, Police Department's and Building Inspector's reports for April 2021, are hereby accepted.

3. Appoint Satty, Levine and Ciacco to Audit 2020-2021 Financial Statements

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 2020-2021 at a cost of \$25,000.00 from G/L code A1320.4 Auditing and an audit of the Village Justice Court at a cost of \$4,500.00 to be funded from A1110.4 Justice Court Contractual.

4. Appoint 2021 Seasonal Beach Personnel

RESOLVED, that pending the staffing of the Village beaches, the following personnel are hereby appointed to the positions specified below at Rogers and Lashley Beaches for the 2021 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	\$29.00
Mike Polan	Assistant Manager	\$21.00
Josh Tuttle	Assistant Manager	\$21.00
Tom Betjemann	Fill-in Assistant	\$19.00
Korey Williams	Fill-in Assistant	\$19.00
Luke Farnan	Sr. Attendant	\$14.00
Emma McAuley	Sr. Attendant	\$13.75
Spencer Moyle	Attendant	\$13.25

James Orlowski	Attendant	\$13.25
Jillian Watson	Attendant	\$13.25
Zach Zaffuto	Attendant	\$13.25
Andrew Mastrole	Attendant	\$13.00
Madilyn Dackow	Attendant	\$12.75
Mia Pazera	Attendant	\$12.50
Josh Kaplan	Attendant	\$12.50

Lifeguards:

James Ridgely	Head Lieutenant	\$23.00
Brian Hunter	Lt. Lifeguard	\$19.25
Frank Loria	Lt. Lifeguard	\$19.25
Timothy McAllister	Lifeguard	\$18.75
Timothy Fencel	Lifeguard	\$16.75
Matthew Fencel	Lifeguard	\$16.25
James Pazzitola	Lifeguard	\$16.25
Alex Williams	Lifeguard	\$15.75
Rory Paltridge	Lifeguard	\$16.00
Ryken Kutner	Lifeguard	\$16.00
Ethan Culhane	Lifeguard	\$16.00
Drew Peters	Substitute Lifeguard	\$18.75
Rob Duca	Substitute Lifeguard	\$18.75

Kitchen:

Mike Harpaul	Food Service Supervisor	\$25.00
John Buckley	Lead Food Service Worker	\$19.00
Marley Kosasih	Lead Food Service Worker	\$19.00
Rachel Torney	Lead Food Service Worker	\$18.00
Jesse Alfano St. John	Food Service Worker	\$13.25
Carter Papagni	Food Service Worker	\$13.25
Trevor Moyle	Food Service Worker	\$13.25
Justin Buonoma	Food Service Worker	\$12.75
Jaiyden Minter	Food Service Worker	\$12.75

5. Appoint 2021 Seasonal Marina Personnel

RESOLVED, that pending the staffing of the Village Marina, Michael Rewinski is appointed as Dock Manager to be compensated at a rate of \$19.50 per hour, Evan Robinson as Dock Attendant to be compensated at a rate of \$13.50 per hour effective May 7, 2021.

6. Appoint 2021 Seasonal Police Officers

RESOLVED, that John Rankin, Jeffrey Platt, Joseph E. Loria and Sabina Constantini are hereby appointed as Seasonal Police Officers in the Police Department at an hourly rate of \$26.00 to work as assigned by the Chief of Police effective May 17, 2021 to be funded from G/L account A3120.104 Seasonal Part Time.

7. Appoint 2021 Seasonal Traffic Control Officers

RESOLVED, that Louis Bancroft, Kayla Hannan, Jared Polak, Matthew Meyer and William Krause are appointed as Seasonal Traffic Control Officers to be compensated at a rate of \$15.00 per hour to work as assigned by the Chief of Police effective May 17, 2021 to be funded from G/L account code A3120.109 Traffic Control Officers PS.

8. Appoint 2021 Seasonal DPW Laborers

RESOLVED, that Dylan Kendall and Tye Koslow are hereby appointed as Seasonal Laborers at a rate of \$16.00 in the Department of Public Works to work as assigned by the Public Works Superintendent effective May 17, 2021 to be funded from G/L account A5110.103 Seasonal Part Time.

9. Appoint 2021 Election Inspectors

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 18, 2021 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.

10. Accept Resignation of Employee

RESOLVED, that the Board of Trustees hereby accepts the resignation of Gennaro DeScalo as Police Officer effective April 16, 2021.

11. Authorize Purchase of Vehicle

RESOLVED, that the Board of Trustees hereby authorizes the purchase of 1 2021 Ford Utility Police Interceptor AWD from Van Bortel Ford under Mini-bid # 6306 at a cost of \$39,682.35 to be taken from G/L account A3120.2 Equipment.

12. Authorize Use of Village Property-Greater WH Chamber of Commerce

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Village Sidewalks on Main Street for the annual "Sidewalk Sale" event on Saturday and Sunday May 15 & 16, 2021 from 10:00 a.m. to 5:00 p.m. with limitations of one (1) clothing rack or table per business, and no blocking of the pedestrian walkways or village sidewalks and follow the NYS COVID19 protocols.

13. Authorize Use of Village Property-Westhampton Beach Elementary School

RESOLVED, that the Westhampton Beach Elementary School is hereby authorized to use Rogers Beach on Monday, June 21, 2021 and a rain date of Tuesday June 22, 2021 from 9:30 a.m. to 2:30 p.m. for the annual 5th Grade Bike to the Beach Day which includes the 5th graders riding their bikes to the beach; due to safety concerns the Board is requesting the students walk their bikes across the bridge and follow NYS COVID19 protocols.

14. Approve Release of Performance Bond – BMB Enterprises, LLC

RESOLVED, that the Board of Trustees per the recommendation of the Building & Planning Administrator authorizes the release of a performance bond submitted by BMB Enterprises, LLC in the amount of \$14,503.92 which includes interest earned from October 2018 to present; from Trust & Agency account code T36 Performance Bond-BMB Enterprises LLC.

15. Authorize Vehicle Peddling Permit – Soft Ice Cream

WHEREAS, Savas Koc has applied to for a vehicle Peddling Permit to sell soft ice cream throughout the Village pursuant to §128-3 of the Village Code; and

WHEREAS, the Police department has reviewed and investigated the applicant and found no criminal history pursuant to §128-4 and all requested documentation has been supplied; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes a vehicle Peddling Permit to Sava Koc effective May 7, 2021 and expiring on December 31, 2021 as all other conditions in Chapter 128-10 and 128-11 of the Village Code have been met.

16. Approve Warrant for May 2021

RESOLVED, that the warrant for May 2021 in the amount of \$281,995.38 for the General Fund and \$57,480.55 for the Capital Fund is hereby approved.

17. Accept Proposal for Services

RESOLVED, that the Board of Trustees hereby accepts a proposal from H2M to provide on an hourly basis, not to exceed \$15,000.00 assistance with the administration of existing grants for the Phase 1 Collection and Conveyance System to SCSD No. 24 to be taken from G/L code A1440.4 Engineering.

18. Authorize Mayor to Sign Contract

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to sign a Payment Processing Agreement with CSG Forte Payments, Inc. for Automated Clearing House (ACH) processing of Credit and Debit card payments.

19. Authorize the Mayor to Execute Any and All Documents Pertaining to the Town of Southampton Community Preservation Fund Water Quality Improvement Program

RESOLVED, that the Village of Westhampton Beach hereby authorizes the Mayor or her designee to execute any and all documents pertaining to the 2021 Town of Southampton Community Preservation Fund Water Quality Improvement Program application to support estimated project costs associated with construction of stormwater quality improvements in priority areas of the Village.

20. Authorize the Mayor to Execute Any and All Documents Pertaining to the Town of Southampton Community Preservation Fund Water Quality Improvement Program

RESOLVED, that the Village of Westhampton Beach hereby authorizes the Mayor or her designee to execute any and all documents pertaining to the 2021 Town of Southampton Community Preservation Fund Water Quality Improvement Program application to support project costs associated with facility upgrades at County Sewer District No. 24 at Gabreski Airport. The upgrades are to be completed on accordance with the connection agreement between the Village and the Suffolk County Sewer Agency for the purpose of providing wastewater treatment for the Village of Westhampton Beach Phase I Sewer Collection and Conveyance System.

21. Authorize 2021 Renewal of Shock Outdoor Tables, Chairs/Benches Permit

WHEREAS, Shock Ice Cream has applied to renew the Outdoor Tables, Chairs and Benches Permit for 2021 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 2021 application. Subject to the Restrictions of the NYS Governor's Executive Order for re-opening.

22. Approve and Ratifying Order to PSEG Long Island and Long Island Power Authority

WHEREAS, the Village of Westhampton Beach was advised by its engineers for the sewer project, H2M Architects + Engineers, that the PSEG Long Island ("PSEG") and Long Island Power Authority ("LIPA") line located between LIPA pole #1 (nw corner of Mill Road and Woodland Avenue) and LIPA pole #6 (on Glovers Lane) is in conflict with the sewer line being installed in the bed of Glovers Lane; and

WHEREAS, the conflict appears to have been caused by PSEG locating the line in the middle of Glovers Lane rather than within the curb as required by the agreed-upon plans; and

WHEREAS, regardless of the fault, New York law provides that where there is a conflict between existing utility lines and a project required by the public health, safety or convenience – like the sewer project – the relocation of the lines must be done at the expense of the utility; and

WHEREAS, time being of the essence, on behalf of the Village, the Mayor issued an Order to PSEG and LIPA directing the relocation of the line on or before May 19, 2021 at no expense to the Village; and

WHEREAS, the Board has reviewed the Mayor's Order and now wishes to confirm, ratify and authorize it.

NOW, THEREFORE, be it resolved that

1. PSEG and LIPA are directed to relocate the utility line between LIPA pole #1 (nw corner of Mill Road and Woodland Avenue) and LIPA pole #6 (on Glovers Lane) on or before May 19, 2021, so that said PSEG and LIPA line is not in conflict with the sewer line, at no expense to the Village; and
2. that the Order dated May 4, 2021 issued on behalf of the Village by the Mayor be and the same hereby is confirmed, ratified and approved.

PUBLIC COMMENT

ADJOURN

DATED: May 6, 2021

Elizabeth Lindtvit
Village Clerk-Treasurer

Special Exception Application-Change of Use, 11 C Moniebogue Lane

WHEREAS, by Special Exception Permit Application dated and filed on March 10, 2021, James Nicholas Custome Home Builders, LLC., James Aracri (hereinafter, the “applicant”) requested a Special Exception Permit from the Board of Trustees to change the use of property located at 11 C Moniebogue Lane, Westhampton Beach, New York, from Retail space to an Administrative Contractor’s office; and

WHEREAS, the Board of Trustees referred the application on March 23, 2021 to the Village of Westhampton Beach Planning Board for its recommendation, pursuant to Village of Westhampton Beach Code section 197-63 (I); and

WHEREAS, on April 9, 2021, the Planning Board stated that, based upon its review, it believed that the applicant could comply with the provisions set forth in the Village Code and recommend 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 197-63 (I), following a public hearing on May 6, 2021, 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, the application is a Type II action under the State Environmental Quality Review Act, so now therefor be it;

RESOLVED that, the applicant’s request for a Special Exception Permit to change the use of property located at 11 C Moniebogue Lane, Westhampton Beach, New York, from a Retail space to an Administrative Contractor’s Office is hereby approved.

Approve Sydney’s Taylor Made Cuisine-Additional Outdoor Seating

WHEREAS, Sydney's Taylor Made Cuisine has applied for additional Outdoor Tables, Chairs and Benches for the 2021 permit season of five (5) tables and thirteen (13) chairs for a total of eight (8) tables and twenty-five (25) chairs pursuant to the provisions of Chapter 196-2 of the Zoning Code of the Village of Westhampton Beach located at 32 Mill Road, Westhampton Beach, SCTM # 905-12-4-50.

WHEREAS, the Board of Trustees referred the application on March 24, 2021 to the Village of Westhampton Beach Planning Board for its recommendation, pursuant to Village of Westhampton Beach Code section 196-4 (F); and

WHEREAS, on April 9, 2021, the Planning Board stated that, based upon its review, it believed that the applicant could comply with the provisions set forth in the Village Code and recommend that the Board of Trustees grant the Special Exception Permit for the change of use to the applicant; 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 the additional tables and chairs as shown on the site plane submitted with the application Application period is from March 1 through December 31, 2021.

CDBG Budget Modification

RESOLVED, that the Board of Trustees hereby authorizes the budget modifications for the CDBG programs as below:

Year	Current	Proposed Change	Amended Budget
After School Drop-in Program 2017	\$ 2,790.00	\$ (2,790.00)	\$ -
Education Program 2017	\$ 2,790.00	\$ (2,790.00)	\$ -
Sidewalk Improvements for Accessibility 2021		\$ 5,850.00	\$ 5,850.00