

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, June 3, 2021 at 5 p.m. via Zoom video conferencing

PRESENT: Mayor Maria Z. Moore
Deputy Mayor Ralph Urban
Trustee Brian Tymann
Trustee Stephen Frano
Trustee Rob Rubio
Clerk-Treasurer Elizabeth Lindtvit
Village Attorney – Stephen Angel

PUBLIC HEARING:

Approve Special Exception Application-Change of Use

Motion was made by Trustee Frano to open the public hearing, seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays. Mayor Moore explained the application for a special exception for a change of use for a photography studio, applicant Jennifer Jayne was present; she explained that she would be doing portraits inside the studio, possibly one family at a time. Mayor Moore stated the planning board had no objection; trustees wished her luck with her business. Mayor Moore asked for a motion to close the public hearing, motion made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays.

Motion made by Trustee Tymann:

WHEREAS, by Special Exception Permit Application dated and filed on May 7, 2021, Jennifer K. Jayne (hereinafter, the “applicant”) requested a Special Exception Permit from the Board of Trustees to change the use of property located at 196-208 Montauk Highway, Westhampton Beach, New York, from Office space to a Photography Studio and office; and

WHEREAS, the Board of Trustees referred the application on May 12, 2021 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 27, 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 197-76, following a public hearing on June 3, 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 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 196-208 Montauk Highway, Westhampton Beach, New York, from Office space to a Photography Studio and office is hereby approved.

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

RESOLUTIONS:

Accept minutes of Board of Trustees Meeting

Motion made by Deputy Mayor Urban:

RESOLVED, that the minutes of the Board of Trustees Meeting of May 6, 2021 and Special Meeting of May 19, 2021 are hereby accepted.

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

Accept Departmental reports

Motion made by Trustee Frano:

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

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

Authorize Use of Village Property-Beaver Lake Condominium

Motion made by Trustee Rubio:

RESOLVED, that the Beaver Lake Condominium is hereby authorized to use the Trustee meeting room on Saturday, June 12, 2021 from 10:00 a.m. to 12:00 p.m. to hold their annual election meeting.

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

Accept Proposal from NPV

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby accepts a proposal from Nelson Pope & Voorhis at a one-time cost not to exceed \$4,200.00 for the WHB Business District Update SEQRA Review and Documentation.

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

Authorize 2021 Renewal of The Claddagh Restaurant Outdoor Dining Permit

Motion made by Deputy Mayor Urban:

WHEREAS, The Claddagh Restaurant has applied to renew the Outdoor Dining Permit for 2021 to place six (6) tables and (12) chairs pursuant to §196-1 of the Village Code; and

WHEREAS, there were no substantiated complaints, 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 April 27, 2017 and subject to the same set of conditions and plan attached to the 2021 application.

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

Authorize Entertainment Permit

Motion made by Trustee Frano:

WHEREAS, The Claddagh Restaurant, 141 Montauk Highway, Westhampton Beach (SCTM 0905-5-2-6.2), has applied for an Entertainment Permit pursuant to Chapter 80 of the Code of the Village of Westhampton Beach, to allow the restaurant to offer limited entertainment accessory to the restaurant use; and

WHEREAS, the applicant submitted a sketch plan and description of the entertainment that it seeks to offer (hereinafter, the "Proposed Entertainment Plan"); and

WHEREAS, the Board of Trustees authorized an Entertainment Permit for 2020 the applicant The Claddagh Restaurant has applied to renew this permit for 2021; and

WHEREAS, it appears from the application and Proposed Entertainment Plan that the application satisfies the conditions of section 80-2(A) of the Village Code; now therefore,

BE IT RESOLVED that the application for an Entertainment Permit is granted subject to the following conditions:

1. All conditions set forth in section 80-2(A) shall be followed;
2. No substantial deviation from the Proposed Entertainment Plan shall be allowed without further approval of the Board of Trustees; and

- 3. This permit shall be in effect to December 31, 2021, unless previously revoked, and the applicant shall be required to follow the renewal provisions set forth in section 80-2(B) of the Village Code for future entertainment beyond such expiration date.

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

Appoint 2021 Seasonal Marina Personnel

Motion made by Trustee Rubio:

RESOLVED, that Nicholas Buonomo is appointed as Dock Attendant to be compensated at a rate of \$12.75 per hour effective June 1, 2021.

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

Schedule Public Hearing Local Law Amendment-Non-conforming Lots

Motion made by Trustee Tymann:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Tuesday July 6, 2021 at 5:00 p.m. at the Village Hall to consider a local law # 3 to amend Chapter 197 Section 26.1 entitled "Zoning" of the Code of the Village of Westhampton Beach.

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

Schedule Public Hearing Local Law Amendment-Non-conforming Structures

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 Tuesday July 6, 2021 at 5:00 p.m. at the Village Hall to consider a local law # 4 to amend Chapter 197 Section 5 and Chapter 197 Section 29.1 entitled "Zoning" of the Code of the Village of Westhampton Beach.

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

Schedule Public Hearing Local Law Amendment-Floor Area

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 Tuesday July 6, 2021 at 5:00 p.m. at the Village Hall to consider a local law # 5 to amend Chapter 197 Section 34 entitled "Zoning" of the Code of the Village of Westhampton Beach.

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

Authorize Mayor to Sign Employee Contract

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to sign the employment contracts for the Village Clerk-Treasurer and Secretary to the Mayor effective June 1, 2021 to May 31, 2024.

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

Authorize Mayor to Sign Employee Contract

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to sign an amendment to the employment contract for the Building & Zoning Administrator

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

Approve Warrant for May and June 2021

Motion made by Deputy Mayor Urban:

RESOLVED, that the warrant for May 31, 2021 in the amount of \$451,701.01, and the Warrant for June 2021 in the amount of \$230,314.43 for the General Fund and \$307,402.75 for the Capital Fund is hereby approved.

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

Authorize the Mayor to Execute Any and All Documents Pertaining to the Schumer Congressionally Directed Spending

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees of the Village of Westhampton Beach hereby authorizes the Mayor or her designee to execute any and all documents pertaining to the 2021 Schumer Congressional Directed Spending request application for improvements to the SC Sewer District No. 24 STP at Gabreski Airport.

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

Refer Special Exception Application to Planning Board

Motion made by Trustee Rubio:

RESOLVED, that the Special Exception application filed by Irwin Krasnow of AREA Real Estate Associates for property located at 107 Old Riverhead Road SCTM # 905-2-1-19.5, for a proposed gas pump station and convenience store is hereby referred to the Village Planning Board for review.

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

Appoint 2021 Seasonal Beach Personnel

Motion made by Trustee Tymann:

RESOLVED, that Emilee Morgan is appointed as a Lifeguard to be compensated at a rate of \$15.50 per hour and Maya Farnan as a beach attendant at a rate of \$12.50 per hour effective June 5, 2021.

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

PUBLIC COMMENT

The Mayor asked if anyone in attendance would like to speak, Mrs. Joan Levan raised her hand and asked is the station in the previous resolution the one across from Valero, Trustee Frano responded it is the property on Old Riverhead Road, vacant lot south of the railroad tracks. Mayor responded that an application was submitted by Irwin Krasnow. Mayor asked if anyone else wanted 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 5:21 PM.

Respectfully submitted,

Elizabeth Lindtvit
Clerk-Treasurer