

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Tuesday July 6, 2021 at 5 p.m. at Village Hall, 165 Mill Road, Westhampton Beach, NY.**

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

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**PUBLIC HEARING:**

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**LL # 2 of 2021 - Amending Chapter 197 Section 26.1 of the Village Code Entitled "Zoning Nonconforming Lots", Mergers**

Mayor Moore asked for a motion to open this public hearing, motion made by Deputy Mayor Urban seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays. The mayor asked Brad Hammond, Building Department Administrator to explain this local law amendment, he talked about the purpose of these changes, Mayor Moore stated these were discussed at the May work session held by the Board of Trustees. She asked if anyone in the audience would like to be heard, there being no response she asked for a motion to close the public hearing; motion made by Trustee Frano, seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays.

Motion made by Trustee Tymann:

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on the 6th day of July 2021 to amend Chapter 197, entitled "Zoning," of the Code of the Village of Westhampton Beach; and

WHEREAS, the Suffolk County Planning Commission, via correspondence dated June 10, 2021, determined the proposed amendment to be a matter of local determination; and

WHEREAS, the Building & Zoning Department has found the proposed amendment to be a Type II action under 6 NYCRR 617.5 (c)(33) & (37) (SEQR) without the need for further environmental review.

NOW THEREFORE BE IT RESOLVED, that after due deliberation the Board of Trustees of the Village of Westhampton Beach hereby adopts the Local Law as advertised; and be it further

RESOLVED, the Village Clerk is hereby directed to enter said Local Law in the records of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

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**LL # 3 of 2021 - Amending Chapter 197 Sections 5 & 29.1 of the Village Code Entitled "Zoning Nonconforming Structures"**

Mayor Moore asked the board for a motion to open this public hearing, motion made by Trustee Frano, seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays. Mayor Moore again Brad Hammond to explain this code change; he talked about the purpose of these changes. Mayor Moore stated these were discussed at the May work session held by the Board of Trustees. She asked if anyone in the audience would like to be heard, there being no response she asked for a motion to close the public hearing; motion made by Trustee Frano, seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays.

Motion made by Deputy Mayor Urban:

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on the 6th day of July 2021 to amend Chapter 197, entitled "Zoning," of the Code of the Village of Westhampton Beach; and

WHEREAS, the Suffolk County Planning Commission, via correspondence dated June 2, 2021, determined the proposed amendment to be a matter of local determination; and

WHEREAS, the Building & Zoning Department has found the proposed amendment to be a Type II action under 6 NYCRR 617.5 (c)(33) & (37) (SEQR) without the need for further environmental review.

NOW THEREFORE BE IT RESOLVED, that after due deliberation the Board of Trustees of the Village of Westhampton Beach hereby adopts the Local Law as advertised; and be it further

RESOLVED, the Village Clerk is hereby directed to enter said Local Law in the records of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

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**LL # 4 of 2021 - Amending Chapter 197 Section 34 of the Village Code Entitled "Zoning Floor Area"**

Mayor Moore asked the board for a motion to open this public hearing, motion made by Trustee Frano, seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays. Mayor Moore again Brad Hammond to explain this code change; he talked about the purpose of these changes. Mayor Moore stated these were discussed at the May work session held by the Board of Trustees. She asked if anyone in the audience would like to be heard, there being no response she asked for a motion to close the public hearing; motion made by Trustee Tymann, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays.

Motion made by Trustee Frano:

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on the 6th day of July 2021 to amend Chapter 197, entitled "Zoning," of the Code of the Village of Westhampton Beach; and

WHEREAS, the Suffolk County Planning Commission, via correspondence dated June 10, 2021, determined the proposed amendment to be a matter of local determination; and

WHEREAS, the Building & Zoning Department has found the proposed amendment to be a Type II action under 6 NYCRR 617.5 (c)(33) (SEQR) without the need for further environmental review.

NOW THEREFORE BE IT RESOLVED, that after due deliberation the Board of Trustees of the Village of Westhampton Beach hereby adopts the Local Law as advertised; and be it further

RESOLVED, the Village Clerk is hereby directed to enter said Local Law in the records of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State

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

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**ANNUAL APPOINTMENTS AND RESOLUTIONS:**

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**Appoint Village Attorney**

Motion made by Trustee Rubio:

RESOLVED, that the firm of Esseks, Hefter, Angel, Di Talia & Pasca, LLP are hereby appointed to serve as the Village Attorneys to perform the functions and duties as legal counsel to the Board of Trustees, Planning Board and Zoning Board of Appeals for an annual retainer of \$65,000.00 to be paid in twelve equal installments; and the Architectural Review Board on an hourly basis as needed.

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

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**Appoint Special District Attorney**

Motion made by Trustee Tymann:

RESOLVED, that Anthony Rattoballi is hereby appointed to serve as a Special District Attorney to prosecute Village Justice Court cases and write appeals as necessary, at an hourly rate of \$175.00 for a term of one year.

Seconded by Trustee Frano and approved 3 Ayes, 0 Nays, Deputy Mayor Urban Abstained from vote

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**Appoint Acting Village Justice**

Motion made by Deputy Mayor Urban:

RESOLVED, that Martha M. Rogers, Esq. is hereby appointed as the Acting Village Justice of the Village of Westhampton Beach, to serve for a one-year term to expire May 31, 2022 at an annual salary of \$6,000.00.

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

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**Appoint Deputy Mayor**

Motion made by Trustee Frano:

RESOLVED, that Trustee Ralph Urban is hereby appointed to serve as Deputy Mayor for a term of one year to expire May 31, 2022.

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

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**Appoint Architectural Review Board Member**

Motion made by Trustee Rubio:

RESOLVED, that Gregory Minasian is hereby appointed to serve a five-year term as a member of the Village Architectural Review Board to commence June 1, 2021 through to May 31, 2026.

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

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**Appoint Architectural Review Board Chairman**

Motion made by Trustee Tymann:

RESOLVED, that Gregory Minasian is hereby appointed to serve as Chairman of the Village Architectural Review Board for a term of one year to expire May 31, 2022.

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

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**Appoint Zoning Board of Appeals Member**

Motion made by Deputy Mayor Urban:

RESOLVED, that Gerard Piering is hereby appointed to serve a five-year term as a member of the Village Zoning Board of Appeals to commence June 1, 2021 through to May 31, 2026.

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

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**Appoint Zoning Board of Appeals Chairman**

Motion made by Trustee Frano:

RESOLVED, that Gerard Piering is hereby appointed to serve as Chairman of the Village Zoning Board of Appeals for a term of one year to expire May 31, 2022.

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

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**Appoint Planning Board Member**

Motion made by Trustee Rubio:

RESOLVED, that David Reilly is hereby appointed to serve a five-year term as a member of the Village Planning Board to commence June 1, 2021 through to May 31, 2026.

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

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**Appoint Planning Board Chairman**

Motion made by Trustee Tymann:

RESOLVED, that David Reilly is hereby appointed to serve as Chairman of the Village Planning Board for a term of one year to expire May 31, 2022.

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

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**Appoint Planning Board Member**

Motion made by Deputy Mayor Urban:

RESOLVED, that Rocco Logozzo is hereby appointed to serve a five-year term as a member of the Village Planning Board to commence June 1, 2021 through to May 31, 2026.

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

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**Appoint Conservation Advisory Council Members**

Motion made by Trustee Frano:

RESOLVED, that Christopher Clapp, Raymond Dowd and Jim Badzik are appointed to the Conservation Advisory Council for a two-year term to end May 31, 2023.

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

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**Appoint Conservation Advisory Council Chairperson**

Motion made by Trustee Rubio:

RESOLVED, that Patricia Schaefer is hereby appointed as Chairperson of the Village Conservation Advisory Council to serve a one-year term to expire on May 31, 2022.

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

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**Appoint Ethics Board Members**

Motion made by Trustee Tymann:

RESOLVED, that Carol Matthews is hereby appointed to the Ethics Board to serve a two-year term to expire May 31, 2023.

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

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**Appoint Gabreski Airport Conservation Committee Member**

Motion made by Deputy Mayor Urban:

RESOLVED, that Beecher Halsey is hereby appointed to serve a three (3) year term as a member of the Gabreski Airport Conservation Committee effective June 5, 2021 for a three-year term to end June 5, 2024.

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

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**Appoint Waterfront Advisory Committee**

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby appoints the following individuals to the Waterfront Advisory Committee in connection with the LWRP Maria Moore Mayor, Brian Tymann Trustee, Elizabeth Lindtvit Village Clerk, Patricia Schaefer Village CAC Chairperson and Chairperson of Waterfront Advisory Committee, Raymond Dowd CAC member, Christopher Clapp CAC member, Dawn LaDu CAC member, Jim Badzik CAC/ZBA member, Kyle Collins Village Planner, Michael Schermeyer Planning Board member, Brad Hammond Building & Zoning Administrator, and Laura Fabrizio Moriches Bay Project Co-founder.

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

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**Appoint Mayor as Commissioner of Licenses**

Motion made by Trustee Rubio:

RESOLVED, that Mayor Maria Z. Moore is hereby appointed Commissioner of Licenses for a term of one year.

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

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**Appoint Safety Committee**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby appoints the following individuals to the Safety Committee which will meet quarterly as recommended by the NYS Municipal Workers Compensation Alliance: Maria Moore Mayor, Stephen Frano Trustee, Elizabeth Lindtvit Village Clerk, Steven McManus Chief of Police, Brad Hammond Building & Zoning Administrator, Matthew Smith Superintendent of Public Works, Andrew Kirwin PBA President, Paul Bugge AME Shop Steward and Nicholas VanVliet Code Enforcement Officer.

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

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**Appoint Village Clerk as Designee to accept Notice of Claims**

Motion made by Deputy Mayor Urban:

WHEREAS the New York State Legislature on June 15, 2013 amended the New York General Municipal Law to allow a notice of claim against the Village to be served upon the New York State Secretary of State and the law further provided that the Village is required to adopt a resolution approving the designation of the individual to be served the notice of claim by the Secretary of State and that all such notices of claim and any other legal papers received shall be immediately provided to the Mayor and each Trustee for review.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The Board of Trustees hereby appoints the Village Clerk as the individual to whom the Secretary of State must serve any notice of claim against the Village.

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

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**Appoint Marriage Officer**

Motion made by Trustee Frano:

RESOLVED, that Ralph Urban is hereby appointed to serve as Marriage Officer for a term of one-year pursuant to the provisions of NYS Domestic Relations Law §11-c.

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

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**Accept minutes of Board of Trustees Meeting**

Motion made by Trustee Rubio:

RESOLVED, that the minutes of the Board of Trustees Meeting of June 3, 2021 and Special Meeting of June 15, 2021 are hereby accepted.

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

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**Accept Departmental reports**

Motion made by Trustee Tymann:

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

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

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**Accept Results of General Village Election**

Motion made by Deputy Mayor Urban:

RESOLVED, that the results of the General Village Election of June 18, 2021 are hereby accepted as set forth in the attached Official Return of Votes.

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

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**Authorize Mayor to Sign Retainer Agreement with Lamb & Barnosky**

Motion made by Trustee Frano:

RESOLVED, that the mayor is hereby authorized to sign the Labor Counsel Retainer agreement dated June 22, 2021 between the Village of Westhampton Beach and Lamb and Barnosky, LLP.

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

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**Designate Official Depositories**

Motion made by trustee Rubio:

RESOLVED, that TD Bank, MBIA Municipal Investors Service Corporation (CLASS Program), and Signature Bank are hereby designated the official depositories of the Village of Westhampton Beach during the ensuing year and that the Village Clerk-Treasurer is hereby ordered to deposit all funds therein.

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

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**Approve 2021-2022 Board of Trustees Meeting Schedule**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees shall hold its regular meetings on the first Thursday of the month at 5:00 p.m. in the Municipal Building located at 165 Mill Road, Westhampton Beach unless the first Thursday is a holiday in which event the regular meeting shall be held on the first Friday thereafter which is not a holiday or as specifically noted on the attached schedule; and be it further

RESOLVED, that the work sessions will be held on the third Wednesday of the month at the Municipal Building at 5 p.m. as indicated on the attached schedule. The Annual Organizational Meeting will be held on Tuesday July 5, 2022 at 5:00 p.m. at the Municipal Building.

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

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**Approve Meeting Schedules for Appointed Boards**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Planning Board shall hold its regular meetings at 5:00 p.m. on the second and fourth Thursday of each month as necessary, the Zoning Board of Appeals shall hold its regular meeting on the third Thursday of each month at 5:00 p.m. as necessary and the Architectural Review Board shall hold meetings on the first and third Tuesdays of each month at 7:00 p.m. as necessary according to the schedules attached.

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

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**Authorize Check Signers**

Motion made by Trustee Frano:

RESOLVED, that all Village of Westhampton Beach checks shall be signed by Maria Z. Moore, Mayor, or Ralph Urban the Deputy Mayor, and Elizabeth Lindtvit, Village Clerk-Treasurer or Jeannine Conte, Deputy Village Treasurer, except for Trust and Agency checks which shall be signed by either Elizabeth Lindtvit or Jeannine Conte upon written approval by the appropriate Department Head to release such funds.

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

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**Designate Official Newspaper**

Motion made by Trustee Rubio:

RESOLVED, that *The Southampton Press* is hereby designated as the official newspaper of the Village of Westhampton Beach during the ensuing year.

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

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**Approve Mileage Reimbursement for Official Business**

Motion made by Trustee Tymann:

RESOLVED, that all employees and officials of the Village who use their vehicles or other private vehicles for official Village business shall be reimbursed mileage at the rate allowed by the Internal Revenue Service in effect at the time the request is made.

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

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**Approve Village Investment Policy**

Motion made by Deputy Mayor Urban:

RESOLVED, that the attached investment policy is hereby approved.

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

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**Approve Warrant for July 2021**

Motion made by Trustee Frano:

RESOLVED, that the warrant for July 2021 in the amount of \$371,863.69 for the General Fund and \$12,579.07 for the Capital Fund is hereby approved.

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

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**Accept Proposal for Services-GASB 43 & 45**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby accept a proposal from Aquarius Capital to prepare an actuarial evaluation of post-employment benefits as required under GASB 43 and 45 at a cost of \$4,000.00.

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

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**Authorize 2021 Renewal of Funcho’s Fajita Grill Outdoor Music Permit**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approves the renewal of the Funcho’s Fajita Grill Outdoor Music Permit for 2021 subject to the same conditions as set forth in the Determination dated January 6, 2011, the provisions of Chapter 196-3 of the Village Code and the requirement that the volume of the amplification shall not be as excessive as to annoy or disturb a reasonable person of normal auditory sensitivity.

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

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**Authorize 2021 Renewal of Funcho’s Fajita Grill Outdoor Tables, Chairs & Benches**

Motion made by Deputy Mayor Urban:

WHEREAS, Funcho’s Fajita Grill has applied to renew the Outdoor Tables, Chairs and Benches Permit for 2021 to place four (4) outdoor tables and sixteen (16) standard chairs pursuant to §196-2 of the Village Code; and

WHEREAS, there were no substantiated 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 2006 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

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**Authorize 2021 Renewal for Outdoor Sales and Displays Permit - Collect**

Motion made by Trustee Frano:

WHEREAS, Leif Neubauer, tenant of the premises known as Collect, located at 83D Main Street, Westhampton Beach (SCTM 0905-11-2-10), has applied for a 2021 renewal permit for Outdoor Sales and Displays pursuant to Chapter 140 of the Code of the Village of Westhampton Beach, and

WHEREAS, there were no substantiated incidents or reports filed concerning said use; now therefore be it,

RESOLVED that the application for an Outdoor Sales and Displays permit for 2021 is granted subject to the following conditions set forth in section 140-2(A):

1. Pursuant to the Planning Board’s report, there can be no placement of signs or any items which reflect signage, and all items must be placed a minimum of 30” from the Village right of way.
2. No substantial deviation from the Outdoor Display Plan shall be allowed without further approval of the Board of Trustees; and
3. This permit shall be in effect to November 15, 2021, 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.

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

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**Refer Special Exception Application for Hamptons Aristocrat, Inc. Outdoor Displays to Planning Board**

Motion made by Trustee Rubio:

RESOLVED, that the Special Exception Application submitted by Alexis Ritsch of Hamptons Aristocrat, Inc. for Outdoor Sales and Displays, located at 87 Sunset Avenue, Unit A and identified by Suffolk County Tax Map # 905-12-1-49 is hereby referred to the Village Planning Board for review.



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

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**Refer Special Exception Application for Hamptons Aristocrat, Inc. Outdoor Tables & Seats to Planning Board**

Motion made by Trustee Tymann:

RESOLVED, that the Special Exception Application submitted by Alexis Ritsch of Hamptons Aristocrat, Inc. for Outdoor Tables and Seats, located at 87 Sunset Avenue, Unit A and identified by Suffolk County Tax Map # 905-12-1-49 is hereby referred to the Village Planning Board for review.

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

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**Refer Special Exception Application for Mixology Westhampton LLC Outdoor Displays to Planning Board**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Special Exception Application submitted by Jordan Edwards of Mixology Westhampton LLC for Outdoor Sales and Displays, located at 148 Main Street and identified by Suffolk County Tax Map # 905-12-4-41.1 is hereby referred to the Village Planning Board for review.

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

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**Appoint 2021 Seasonal Beach Personnel**

Motion made by Trustee Frano:

RESOLVED, that Gabrielle Mae Johnson and Emilee Mogan are appointed as Lifeguards to be compensated at a rate of \$15.50 per hour effective June 26, 2021, Sean Buonomo as Attendant at a rate of \$12.75 per hour, Isabella Beck, Haley Waszkelewicz, and Drew Calloway as Attendants at a rate of \$12.50 per hour, also transfer Luke Farnan to Lifeguard position at a rate of \$15.50 per hour and James Orłowski to Senior Beach Attendant at a rate of \$13.25 per hour effective July 6, 2021.

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

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**Authorize the Mayor to Sign the Preventative Maintenance Contract**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby authorizes the mayor to sign the Preventative Maintenance Contract with A+ Technology & Security Solutions, Inc. effective from June 1, 2021 to May 31, 2022 in the amount of \$17,700.00 for the Village wide video camera system to be taken from G/L account A3120.412 Equipment Rental.

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

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**Authorize the Mayor to Sign Proposal from Dynaire**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorizes the mayor to sign the Proposal from Dynaire Service Corporation for replacement of the hot water coil for air handler # 1 in the amount not to exceed \$8,000.00 from G/L account code A1620.405 Repairs to Municipal Building.

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

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**Authorize Recognition of Union**

Motion made by Deputy Mayor Urban:

WHEREAS, the Association of Municipal Employees has requested representation as collective bargaining agent on behalf of the following full-time Village titles:

- Code Enforcement Officer
  - Sr. Justice Court Clerk
  - Deputy Village Treasurer
  - Building Permits Coordinator
  - Building Permits Examiner
  - Police Operations Aide
  - Village Tax Clerk
- and excluding all other titles; and

WHEREAS, the Board has determined that a majority of these employees have designated the AME as their agent for collective bargaining; and

WHEREAS, the Board has decided to voluntarily recognize the AME as the collective bargaining agent for these employees as part of that unit.

NOW, THEREFORE, BE IT RESOLVED THAT, subject to the statutorily required posting and notice periods, and challenge by another proposed collective bargaining agent meeting all statutorily mandated criteria for recognition, the Board recognizes the AME as the collective bargaining agent for all full-time Village employees in the following titles: Code Enforcement Officer; Sr. Justice Court Clerk; Deputy Village Treasurer; Building Permits Coordinator; Building Permits Examiner; Police Operations Aide; Village Tax Clerk; and excluding all other titles.

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

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**Schedule Public Hearing**

Motion made by Trustee Frano:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to (a) publish and post a Notice of Public Hearing to be held on Thursday August 5, 2021 at 5:00 p.m. at the Village Hall to discuss the Draft of the Updated Village Business Districts Comprehensive Plan and associated Code amendments, and (b) refer the draft of the Village Business Districts Comprehensive Plan to the Village Planning Board.

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

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**Schedule Public Hearing**

Motion made by Trustee Rubio:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday August 5, 2021 at 5:00 p.m. at the Village Hall to amend Chapter 197 entitled "Zoning" (B-2, B-3 Uses) of the Code of the Village of Westhampton Beach.

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

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**Schedule Public Hearing**

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 Thursday August 5, 2021 at 5:00 p.m. at the Village Hall to amend Chapter 197 entitled "Zoning" (Zone Change) of the Code of the Village of Westhampton Beach.

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

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**Schedule Public Hearing**

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 Thursday August 5, 2021 at 5:00 p.m. at the Village Hall to discuss the NYS Cannabis Legislation and the municipal opt-out provision.

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

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

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby approves the revised application for the 2021 renewal of outdoor tables and chairs for Shock Ice Cream to include white non-flashing string lights as shown on the submitted plan included with the 2021 application.

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

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**Authorize Change Order for Curbs and Sidewalks**

Motion made Trustee Rubio:

RESOLVED, that at the recommendation of H2M Engineering Associates, the Board of Trustees hereby approves change work order # 2 for Contract G in the amount of \$95,000.00 for the curb and sidewalk restoration limits on Glovers Lane to be funded from A5110.108 Permanent Improvements and A8989.0 Community Development.

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

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**PUBLIC COMMENT**

The mayor asked if anyone in attendance would like to speak, Mrs. Susan Asalti owner of 103 Main Street raised her concern over the outdoor lighting Shock Ice Cream has up; Mrs. Asalti stated the lights are flashing colors and the method of attachment and hanging of these lights is very unsightly. She asked the board to consider having the owner take down the lights. The Mayor and Board members approved the revised application for the lights with the provision that the lights were to be white and non-flashing. The Board decided to rescind the approval in previous resolution, motion was made by Trustee Frano, seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays; and passed a revised resolution as follows:

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approves the revised application for the 2021 renewal of outdoor tables and chairs for Shock Ice Cream to include white non-flashing string lights as shown on the submitted plan included with the 2021 application and subject to a submission of an application with a revised method of attachment by the Board's work session meeting of July 21, 2021, and owner must appear at this meeting to answer any and all questions the Board might have.

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

The mayor asked for a motion to close the meeting motion made by Trustee Rubio Seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays. Meeting adjourned at 6:00 PM.

Respectfully submitted,

Elizabeth Lindtvit  
Clerk-Treasurer