

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, December 2, 2021 at 5 p.m. at Village Hall, 165 Mill Road, Westhampton Beach, NY.

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

PUBLIC HEARINGS:

Altice Cable Franchise Renewal Agreement

Motion 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 is the 10-year renewal for the Cable Franchise agreement. The mayor asked Mr. Frank Alleva from Altice to give a brief synopsis about this agreement with the Village. The Mayor asked in anyone in the audience would like to be heard, there being no response the mayor asked for a motion to close the public hearing, motion made by Trustee Frano seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays.

Motion made by Trustee Frano:

WHEREAS, the Village of Westhampton Beach (the “Village”) is a “franchising authority” in accordance with Title VI of the Communications Act of 1934, (the “Communications Act”), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the “Cable Laws”);

WHEREAS, the Village, executed a franchise agreement with CSC Acquisition-NY, Inc. (the “Franchisee”) on March 11, 2010, which was thereafter confirmed and made effective by the New York State Public Service Commission (“Commission”) on February 28, 2011 for a term of ten (10) years (Case No. 10-V--0145), and

WHEREAS, said franchise agreement expired on February 28, 2021; and

WHEREAS, Franchisee has submitted a proposed franchise renewal agreement (the “Franchise Renewal Agreement”) to continue operating its system within the Village; and

WHEREAS, The Village and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

WHEREAS, the Village has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

WHEREAS, the Village has determined that Franchisee has the requisite legal, technical and financial capabilities to operate a Cable Systems within the Village and that Franchisee’s proposals for renewal of the franchises meet the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Village to be heard on the proposed Franchise Renewal Agreement was held before the Village on December 2, 2021.

NOW, THEREFORE, be it RESOLVED, that the Village Board of Trustees determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and be it

FURTHER RESOLVED that the Village Board hereby authorizes the Village Mayor to enter into the Franchise Renewal Agreement with CSC Acquisition-NY, Inc., and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Village of Westhampton Beach.

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

Local Law # 8 of 2021 - Chapter 131 Smoking Restrictions - HELD OVER

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 November 4, 2021 and Special meeting of November 17, 2021 are hereby accepted.

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

Accept Departmental Reports

Motion made by Trustee Frano:

RESOLVED, that the Justice Court, Police Department and Building Department reports for November 2021 and Treasurer’s Report for October 2021 are hereby accepted.

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

Appoint 2022 Registrar, Deputy Registrar and Sub-Registrars

Motion made by Deputy Mayor Urban:

RESOLVED, that Clerk-Treasurer Elizabeth Lindtvit is hereby appointed as Registrar of Vital Statistics for 2022 with an annual stipend of \$350.00, and Deputy Treasurer Jeannine Conte is appointed as Deputy Registrar for 2022 with an annual stipend of \$300.00, and Maureen Jones as Sub-Registrar for 2022 with annual stipend of \$200.00.

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

Approve Warrant for December 2021

Motion made by Trustee Frano:

RESOLVED, that the warrant for December 2021 in the amount of \$1,149,394.76 for the General Fund is hereby approved.

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

Accept Proposal - Upgrade Decorative Lighting

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby accepts the proposal from Best LED Group in the amount of \$3,990.00 for the upgrade of the older HPS post top mount lights throughout the Village to be taken from G/L account code A5182.421 Street Lighting Materials.

Seconded by Trustee Frano unanimously approved 3 Ayes, 0 Nays

Authorize Unreserved Fund Balance Transfer

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees received in 2019 a donation from Genevive Lanyon in the amount of \$100,000.00 with conditions that this money be used for a capital improvement. The Board of Trustees hereby approves the transfer of \$100,000.00 from the 2020-2021 unreserved fund balance to increase the 2021-2022 A9950.0 Transfer to Capital Repair Account.

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

Authorize License Fee Increase

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees has determined that certain fees for licenses and permits must be increased to be more closely related to the Village’s administrative expenses associated with such permits;

NOW THEREFOR BE IT RESOLVED, that the Board of Trustees hereby authorizes the increase from \$100.00 to \$150.00 for the Licensing of Collectors License, Chapter 96-6 of the Village Code effective January 1, 2022.

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

Authorize Payment of 2020/21 Assessment Roll Correction

Motion made by Deputy Mayor Urban:

RESOLVED, the Board of Trustees hereby authorize payment of 2021/22 tax year property tax reduction in the amount of \$12,657.49 to the property owner specified below as a settlement of Small Claims as ordered by the NYS Supreme Court.

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

Authorize Notice to Bidders-Relocation of Historic Windmill

Motion made by Trustee Frano:

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to post a Notice to Bidders for the Village of Westhampton Beach Relocation of Historic Windmill Project.

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

Authorize Repairs to Rogers Beach

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby authorizes the Department of Public Works to replace and repair approximately 7,000 sq. feet of decking and 280 linear feet of railings at the Rogers Beach pavilion at a cost not to exceed \$70,000.00 to be taken from G/L account code A1620.423 Repairs-Rogers Beach.

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

PUBLIC COMMENT: NONE

Motion made by Trustee Frano to close the meeting and go into Executive Session seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays.

Meeting adjourned at 5:20 p.m.

Elizabeth Lindtvit
Village Clerk