

**Village of Westhampton Beach
Board of Trustees Meeting
Thursday, March 3, 2022 at 5 p.m.**

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

LL # 2 of 2022 - Chapter 197-1, Accessory Buildings

LL # 3 of 2022 - Chapter 70, Building Demolition and Fire Prevention

Special Exception Application - Rogers Avenue Associates

RESOLUTIONS:

1. Accept minutes of Board of Trustees Meetings
2. Accept Departmental Monthly Reports
3. Schedule Public Hearing on 2022–2023 Tentative Village Budget
4. Authorize Renewals of 2022 Outdoor Sales and Displays Permits
5. Authorize Renewal of 2022 Outdoor Dining Permits
6. Authorize Renewal of 2022 Outdoor Tables, Chairs and Benches Permits
7. Authorize Renewal of 2022 Outdoor Music Permits
8. Approve Warrant for March 2022
9. Approve Use of Village Property-East End Little League
10. Approve Use of Village Property-WH Chamber Farmers Market
11. Approve Use of Village Property-Greater Westhampton Chamber of Commerce
12. Approve Use of Village Property-Greater Westhampton Chamber of Commerce
13. Approve Use of Village Property-Greater Westhampton Chamber of Commerce
14. Approve Use of Great Lawn-St. Mark's Church Art Show
15. Approve Use of Great Lawn-St. Mark's Church Art Show
16. Approve Use of Village Property-Westhampton Beach Historical Society
17. Authorize Use of Village Property-Musical Mime Co., Inc.

18. Authorize Use of Village Property-WHB Performing Arts Center

19. Authorize One Day Peddling Permit

20. Approve 2022 Shared Computer Services with Southampton Town

PUBLIC COMMENT

ADJOURN

**Village of Westhampton Beach
Board of Trustees Meeting
Thursday March 3, 2022 at 5 p.m.**

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

LL # 2 OF 2022 - CHAPTER 197-1 & 197-35

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on the 3rd day of March 2022 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 January 25, 2022, 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.

LL # 3 OF 2022 - CHAPTER 70-17, BUILDING CONSTRUCTION & FIRE PREVENTION

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on the 3rd day of March 2022 to amend Chapter 70 entitled, "Building Construction & Fire Prevention" of the Code of the Village of Westhampton Beach; and

WHEREAS, the Suffolk County Planning Commission, via correspondence dated January 25, 2022, 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)(21) (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.

SPECIAL EXCEPTION APPLICATION - ROGERS AVENUE ASSOCIATES

RESOLUTIONS:

1. Accept minutes of Board of Trustees Meeting

RESOLVED, that the minutes of the Board of Trustees Meeting of February 3, 2022 and Special Meeting of February 16, 2022 are hereby accepted.

2. Accept Departmental Monthly Reports

RESOLVED, that the Treasurer's report for January 2022, Justice Court, Police Department's and Building Inspector's reports for February 2022 are hereby accepted.

3. Schedule Public Hearing on 2022–2023 Tentative Village Budget

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on April 13, 2022 at 5:00 p.m. at the Village Hall on the 2022–2023 Tentative Village Budget.

4. Authorize Renewal of 2022 Outdoor Sales and Displays Permit

WHEREAS, the Village received an application to renew the Outdoor Sales and Displays Permit for 2022 with no changes from the 2021 application from:

John's Swimming Pools, 102 Old Riverhead Road
Hamptons Aristocrat, 87 Sunset Avenue

WHEREAS, there were no incidents or reports filed with the Police Department concerning said uses; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor sales and displays as shown on the submitted plans, subject to the same set of conditions recommended by the Village Planning Board and plans attached to the applicants' 2022 renewal applications and the following conditions:

- a) All conditions set forth in section 140-2(A), including but not limited to the 30-inch setback requirements of section 140-2(A)(4), shall be followed.
- b) No substantial deviation from the Outdoor Display Plan shall be allowed without further approval of the Board of Trustees.
- c) This permit shall be in effect from April 15 to November 15, 2022, 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.

5. Authorize Renewal of 2022 Outdoor Dining Permits

WHEREAS, the Village received applications to renew the Outdoor Dining Permit for 2022 with no changes from the 2021 application from:

Joe's American Grill, 240 Montauk Highway (6 Tables/20 Chairs, 3 Barstools)
Brunetti Pizza, 61 Main Street (2 Tables/8 Chairs)
Flora Restaurant, 149 Main Street (8 Tables/16 Chairs)
Salt & Loft, 145 Main Street (7 Tables/28 Chairs)
Tonino's Pizza, 88 Old Riverhead Road (3 Tables/12 Chairs)

WHEREAS, there were no incidents or reports filed with the Police Department concerning said uses; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the submitted plans, subject to the same set of conditions recommended by the Village Planning Board, and the plans attached to the applicants' 2022 renewal applications.

6. Authorize Renewal of 2022 Outdoor Tables, Chairs and Benches Permit

WHEREAS, the Village received applications to renew the Outdoor Tables, Chairs and Benches Permit for 2022 with no changes from the 2021 application from:

Hamptons Aristocrat, 87 Sunset Avenue (6 Tables/12 Chairs, 5 Market Umbrellas)
Hampton Coffee, 194 Mill Road (4 Tables/16 Chairs)
Whitney's Deli, 98 Old Riverhead Road (2 Tables/4 Chairs)
Boom Burger, 85 Montauk Highway (3 Pic-nic Tables/Attached Benches)
Sydney's Taylor Made Cuisine, 32 Mill Road (8 Tables/25 Chairs), extended season from March 1 through December 31.

WHEREAS, there were no incidents or reports filed with the Police Department concerning said uses; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the submitted plans, subject to the same set of conditions recommended by the Village Planning Board and plans attached to the applicants' 2022 renewal applications.

7. Authorize Renewal of 2022 Outdoor Music Permits

WHEREAS, the Village received applications to renew the Outdoor Music Permits for 2022 with no changes from the 2021 application from:

Salt & Loft, 145 Main Street
Tonino's Pizza, 88 Old Riverhead Road

WHEREAS, it appears from the Outdoor Music Plans and Planning Board reports that the applications satisfy the conditions of section 196-3(B) of the Village Code; now therefore,

BE IT RESOLVED that the renewal of the Outdoor Music permits is granted subject to the recommendations of The Village Planning Board and the following conditions:

- a) The requirement that the volume of the amplification shall not be so excessive as to annoy or disturb a reasonable person of normal auditory sensitivity.

- b) It shall be the obligation of the applicant that the public sidewalk is not obstructed and that no structures shall be placed in the parking lot preventing the use of any parking spaces.
- c) No substantial deviation from the Outdoor Music Plan shall be allowed without further approval of the Board of Trustees.
- d) This permit shall be in effect from April 15, 2022 to November 15, 2022, unless previously revoked, and the applicant shall be required to follow the renewal provisions set forth in section 196-4(A) of the Village Code for future outdoor music beyond such expiration date.

8. Approve Warrant for March 2022

RESOLVED, that the warrant for March 2022 in the amount of \$xxx,xxx.xx for the General Fund and \$xxx,xxx.xx for the Capital Fund is hereby approved.

9. Approve Use of Village Property-East End Little League

RESOLVED, that East End Little League is hereby authorized to use the Great Lawn from March 15, 2022 through July 1, 2022, Monday through Friday from 4:00 p.m. to 7:00 p.m. for games and practices, and organizer will temporarily remove the fencing for May 27th and June 24th (if necessary).

10. Approve Use of Village Property-Greater Westhampton Chamber of Commerce

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Village Green on Saturdays starting May 7, 2022 and ending December 17, 2022 from 9:00 a.m. to 1:00 p.m. for the seasonal Farmers Market, subject to compliance with any COVID related restrictions issued by NY State and signage limited to 1 on-site location sign only.

11. Approve Use of Village Property-Greater Westhampton Chamber of Commerce

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Great Lawn on Saturday May 28, 2022 and Sunday May 29, 2022 from 10:00 a.m. to 6:00 p.m. with set-up date on Friday May 27, 2022 from 9:00 a.m. to 9:00 p.m. for the Maggie Burbank Fine Arts and Crafts Show with signage per the village sign guidelines and subject to compliance with any COVID related restrictions issued by NY State.

12. Approve Use of Village Property-Greater Westhampton Chamber of Commerce

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Great Lawn on Saturday August 6, 2022 and Sunday August 7, 2022 from 10:00 a.m. to 6:00 p.m. with set-up date on Friday August 5, 2022 from 9:00 a.m. to 9:00 p.m. for the Mary O. Fritchie Fine Arts and Crafts Show with signage per the village sign guidelines and subject to compliance with any COVID related restrictions issued by NY State.

13. Approve Use of Village Property-Greater Westhampton Chamber of Commerce

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Great Lawn on Sunday October 9, 2022 and Monday October 10 from 10:00 a.m. to 6:00 p.m. with set-up date on Saturday October 9, 2022 from 2:00 p.m. to 8:00 p.m. for the Gordon Werner Fine Arts and Crafts Show with signage per the village sign guidelines and subject to compliance with any COVID related restrictions issued by NY State.

14. Approve Use of Great Lawn-St. Mark's Church Art Show

RESOLVED, that St. Mark's Church is hereby authorized to use the Great Lawn from Saturday May 28 2022 to Sunday, May 29, 2022 from 10 a.m. to 6 p.m. with the set-up day of Friday May 27, 2022 from 8:30 a.m. to 12:00 pm and breakdown on Sunday May 29, 2022 at 6:00 p.m. with signage per the village sign guidelines and subject to compliance with any COVID related restrictions issued by NY State.

15. Approve Use of Great Lawn-St. Mark's Church Art Show

RESOLVED, that St. Mark's Church is hereby authorized to use the Great Lawn from Saturday September 3, 2022 to Sunday, September 4, 2022 from 10 a.m. to 6 p.m. with the set-up day of Friday September 2, 2022 from 8:30 a.m. to 12:00 pm and breakdown on Sunday September 4, 2022 at 6:00 p.m. and with signage per the village sign guidelines and subject to compliance with any COVID related restrictions issued by NY State.

16. Approve Use of Village Property-Westhampton Beach Historical Society

RESOLVED, that the Westhampton Beach Historical Society is hereby authorized to use the Great Lawn on Saturday June 25, 2022 and Sunday June 26, 2022 for an Antique and Classic Car Show from 10:00 a.m. to 5:00 p.m. and with signage per the village sign guidelines and subject to compliance with any COVID related restrictions issued by NY State.

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

RESOLVED, that the Musical Mime Co., Inc. is hereby authorized to use the Great Lawn on Friday July 29, 2022 and Saturday July 30, 2022 from 8:00 p.m. to 10:30 p.m. for an "Evening of Music, Ballet, Opera and Theatre" performance with set-up starting on July 27, 2022 and take down starting on Sunday July 31, 2022. and with signage per the village sign guidelines and subject to compliance with any COVID related restrictions issued by NY State.

18. Authorize Use of Village Property-WHB Performing Arts Center

RESOLVED, that the Westhampton Beach PAC is hereby authorized to use the Great Lawn on Friday July 23, 2022 from 9:00 a.m. to 6:00 p.m. with set-up on Friday July 22, 2022 from 7:00 a.m. to 7:00 p.m. for a Car Show and Fundraiser to Benefit the WHB Performing Arts Center and with signage per the village sign guidelines and subject to compliance with any COVID related restrictions issued by NY State.

19. Authorize One Day Peddling Permit

WHEREAS, Leonard Goldberg has applied for a one-day Peddling Permit to sell novelties during the St. Patrick's Day Parade on Saturday March 12, 2022 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; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes a One-day Peddling Permit to Leonard Goldberg effective March 12, 2022 and is subject to the requested documentation being supplied and all other conditions in Chapter 128-10 and 128-11 of the Village code.

20. Approve 2022 Shared Computer Services with Southampton Town

RESOLVED, that the Mayor is hereby authorized to execute the renewal of the 2022 Shared Computer Services Agreement with the Town of Southampton at a cost of \$21,338.97; which may vary according to the addition or deletion of services during the calendar year from G/L account code A1355.4.

DATED: March 3, 2022

Elizabeth Lindtvit
Village Clerk-Treasurer