

146 The Board of Trustees of the Village of Westhampton Beach held their Organizational Meeting on Tuesday, July 5, 2022 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
Trustee Rob Rubio
Trustee Brian Tymann

Clerk-Treasurer Elizabeth Lindtvit
Village Attorney – Stephen Angel

PUBLIC HEARINGS

Special Exception Application-Eckert's Luncheonette (Holdover)

LL # 5 of 2022 Creating Chapter 141 Entitled "Sewers"
LL # 6 of 2022 Amending Chapter 197-63 Entitled "Zoning" (Procedure for Public Sewer Connection)

Mayor Moore asked for a motion to open this combined public hearing, motion made by Trustee Tymann, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays. The mayor asked Village Attorney Steve Angel to introduce these laws. Mr. Angel stated these laws were put in place to require the businesses to connect to the sewer and adopts the regulations and requirements imposed by the County of Suffolk pursuant to the village code. Mr. Angel explained further about the requirement for the hook up to the sewer system. Mayor Moore told the audience there were copies of the sewer code available on the table. The Mayor asked if anyone in the audience had any questions or comments, there being no response she asked for a motion to close the combined hearings. Motion made by Deputy Mayor Urban, seconded by trustee Rubio and unanimously approved 4 Ayes, 0 nays.

LL # 7 of 2022 Amending Chapter A201 Entitled "Yacht Basin, Municipal"

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. Mayor Moore asked Brad Hammond, Building and Zoning Administrator to introduce the law change. Mr. Hammond stated the purpose of this code amendment was to remove older code sections which describe outdated rules and regulations, including fees, for use of the Village Marina or Yacht Basin as it's called in the Code. This Board adopts new rules and regulations from time to time, and usually at the organizational meetings, so the code would be changed to point people to the village website which would contain the most up-to-date information. This code amendment does not change any rules or fees, just a bit of housekeeping. Mayor Moore asked if anyone in the audience had any questions or comments, there being no response she asked for a motion to close this hearing. Motion made by Deputy Mayor Urban, seconded by trustee Rubio and unanimously approved 4 Ayes, 0 Nays.

LL # 8 of 2022 Amending Chapter 149 Entitled "Stormwater Management & Erosion & Sediment Control"

Mayor Moore asked for a motion to open this public hearing, motion made by Trustee Frano, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays. Mayor Moore asked Brad Hammond, Building and Zoning Administrator to introduce the law change. Mr. Hammond explained that the SWPPP fees were in the Code twice; once in the fee schedule A200 which is accurate (and what we currently charge for SWPPP review) and once in the site plan chapter which is not accurate. So again, housekeeping, but not changing anything. Mayor Moore asked if anyone in the audience had any questions or comments, there being no response she asked for a motion to close this hearing. Motion made by Trustee Tymann, seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays.

LL # 9 of 2022 Amending Chapter 197 Section 36.1 Entitled "Zoning" (Projections into Village Owned Right of Ways in the B-1 Business District)

Mayor Moore asked for a motion to open this public hearing, motion made by Trustee Frano, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays. Mayor Moore asked Brad Hammond, Building and Zoning Administrator to introduce the

law change. Mr. Hammond explained that this amendment would legalize some existing encroachments into the right of way, only within the B-1 downtown zoning district, and also allow for property owners to add articulation to the facades where the building is right at the property line. There would be a license agreement involved, and all such proposed encroachments would come back to this Board for approval. Mayor Moore asked if anyone in the audience had any questions or comments, there being no response she asked for a motion to close this hearing. Motion made by Trustee Tymann, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays.

RESOLUTIONS

[**Appoint Village Attorney**

Motion made by Trustee Tymann:

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 \$78,000.00 to be paid in twelve equal installments; and the Architectural Review Board on an hourly basis as needed.

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

Appoint Special District Attorney

Motion made by Trustee Frano:

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 Rubio and unanimously approved 3 Ayes, 0 Nays; Deputy Mayor Urban Abstained from vote.

Appoint Acting Village Justice

Motion made by Trustee Rubio:

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 effective July 1, 2022 at an annual salary of \$6,000.00.

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

Appoint Deputy Mayor

Motion made by Trustee Tymann:

RESOLVED, that Trustee Ralph Urban is hereby appointed to serve as Deputy Mayor for a term of one-year effective July 1, 2022.

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

Appoint Village Clerk-Treasurer

[Motion made by Deputy Mayor Urban:

RESOLVED, that Elizabeth Lindvit is hereby appointed as the Village Clerk-Treasurer for a term expiring on June 30, 2024.

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

Appoint Deputy Village Clerk-Treasurer – HOLDOVER

Appoint Architectural Review Board Member

Motion made by Trustee Frano:

RESOLVED, that Michael Stoehr is hereby appointed to serve a five-year term as a member of the Village Architectural Review Board to commence June 1, 2022 through to May 31, 2027.

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

Appoint Architectural Review Board Chairman

Motion made by Trustee Rubio:

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, 2023.

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

Accept Resignation of Board Member

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Ellen Cea as a member of the Zoning Board of Appeals effective June 30, 2022.

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

Appoint Zoning Board of Appeals Member

Motion made by Deputy Mayor Urban:

RESOLVED, that Dan Martinsen is hereby appointed to serve the remaining term of Ellen Cea as a member of the Village Zoning Board of Appeals to commence July 1, 2022 through to May 31, 2025.

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

Appoint Zoning Board of Appeals Member

Motion made by Trustee Frano:

RESOLVED, that Jim Badzik is hereby appointed to serve a five-year term as a member of the Village Zoning Board of Appeals to commence June 1, 2022 through to May 31, 2027.

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

Appoint Zoning Board of Appeals Chairman

Motion made by Trustee Rubio:

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, 2023.

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

Appoint Planning Board Member

Motion made by Trustee Tymann:

RESOLVED, that Jack L. Jones is hereby appointed to serve a five-year term as a member of the Village Planning Board to commence June 1, 2022 through to May 31, 2027.

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

Appoint Planning Board Chairman

Motion made by Deputy Mayor Urban:

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, 2023.

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

Appoint Conservation Advisory Council Members

Motion made by Trustee Frano:

RESOLVED, that Patricia Schaefer and Dawn LaDu are appointed to the Conservation Advisory Council for a two-year term to end May 31, 2024.

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

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, 2023.

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

Appoint Ethics Board Members

Motion made by Trustee Tymann:

RESOLVED, that Ralph Hubbard is hereby appointed to the Ethics Board to serve a two-year term to expire May 31, 2024.

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

Appoint Mayor as Commissioner of Licenses

Motion made by Deputy Mayor Urban:

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

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

Appoint Safety Committee

Motion made by Trustee Frano:

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 Vice-President, Paul Bugge AME Shop Steward and Nicholas VanVliet Code Enforcement Officer.

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

Appoint Village Clerk as Designee to accept Notice of Claims

Motion made by Trustee Rubio:

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 Tymann and unanimously approved 4 Ayes, 0 Nays

Appoint Marriage Officer

Motion made by Trustee Tymann:

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 Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

Accept Minutes of Board of Trustees Meetings

Motion made by Deputy Mayor Urban:

RESOLVED, that the minutes of the Board of Trustees Meeting of June 2, 2022 and Special Meeting of June 17, 2022 are hereby accepted.

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

Accept Monthly Reports from Departments

Motion made by Trustee Frano:

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

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

Accept Results of General Village Election

Motion made by Trustee Rubio:

RESOLVED, that the results of the General Village Election of June 17, 2022 are hereby accepted as set forth in the attached Official Return of Votes.

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

Designate Official Depositories

Motion made by Trustee Tymann:

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 Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays

Approve 2022-2023 Board of Trustees Meeting Schedule

Motion made by Deputy Mayor Urban:

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 Monday July 3, 2023 at 5:00 p.m. at the Municipal Building.

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

Approve Meeting Schedules for Appointed Boards

Motion made by Trustee Frano:

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 6:00 p.m. as necessary according to the schedules attached.

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

Authorize Check Signers

Motion made by Trustee Rubio:

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 the Deputy Village Treasurer, except for Trust and Agency checks which shall be signed by either Elizabeth Lindtvit or the Deputy Village Treasurer upon written approval by the appropriate Department Head to release such funds.

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

Designate Official Newspaper

Motion made by Trustee Tymann:

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

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

Approve Mileage Reimbursement for Official Business

Motion made by Deputy Mayor Urban:

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 Trustee Frano and unanimously approved 4 Ayes, 0 Nays

Approve Village Investment Policy

Motion made by Trustee Frano:

RESOLVED, that the attached investment policy is hereby approved.

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

Approve Warrant for July 2022

Motion made by Trustee Rubio:

RESOLVED, that the warrant for July 2022 in the amount of \$774,203.93 for the General Fund and \$823,586.14 for the Capital Fund is hereby approved.

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

Authorize 2022 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 2022 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

Authorize 2022 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 2022 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 2022 application.

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

Appoint 2022 Seasonal Beach Personnel

Motion made by Trustee Frano:

RESOLVED, that Luke Hefter and Olivia Demasco are appointed as Beach Attendants to be compensated at a rate of \$12.50 per hour effective June 26, 2022 and Jake Combs and Jillian Watson as Lifeguards at a rate of \$15.00 per hour effective July 6, 2022.

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

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, 2022 to May 31, 2023 in the amount of \$16,999.92 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

Accept Proposal for Services

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby accepts a proposal from H2M to provide Engineering Services During Construction for the SCSD # 24 Gabreski STP Upgrade, not to exceed \$950,000.00 to be taken from G/L code A1440.4 Engineering and hereby authorizes the mayor to sign the Agreement between the Village of Westhampton Beach and H2M for these services.

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

Authorize Execution of Sewer District Upgrade Contracts

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby ratifies Contract G and Contract P with WHM Plumbing and Heating Contractors, Inc. and Contract E with Eldor Contracting Corporation for the SCSD #24 STP Gabreski Upgrade project and authorizes the mayor to sign.

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

Authorize Purchase of Equipment for Building Department

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby approves the purchase of 1 Fire Marshal vehicle and 1 Code Enforcement vehicle for the Building Department in the total amount of \$81,964.00 be taken from G/L account A688, the 2021 Village's share of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) established by the American Rescue Plan Act of 2021.

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

Authorize Additional Expenditure

Motion made by Trustee Rubio:

RESOLVED, that the price quote submitted by Rosemar Contracting, Inc. for paving of Sunset to Mill Road, Stevens Lanes-East of Bridge and Stevens Lane-West of Bridge in the amount not to exceed \$248,000.00 has been exceeded by \$5,229.76, and be it;

RESOLVED, that the Board of Trustees hereby authorizes the overage of the project to be paid from additional funds from account code A5112.408 Permanent Improvements.

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

LL # 5 of 2022 – Creating Chapter 141 Entitled "Sewers"

Motion made by Trustee Tymann:

WHEREAS, the Board of Trustees has advertised a local law enacting the addition of Chapter 141 (Sewers) to the Village Code; and

WHEREAS, Chapter 141 (Sewers) is part of the establishment of the Incorporated Village of Westhampton Beach Sewer System ("Sewer System Project"); and

WHEREAS, a public hearing on Chapter 141 (Sewers) was held on July 5, 2022; and

WHEREAS, all persons present at the meeting had an opportunity to speak on behalf of or in opposition to the proposed local law, or any part thereof; and

WHEREAS, the Village Board undertook a review of the Sewer System Project under the State Environmental Quality Review Act (SEQRA – Article 8 of the Environmental Conservation Law (ECL)); and

WHEREAS, the Village Board, as part of its review of the Sewer System Project under SEQRA:

1. undertook a coordinated review pursuant to the regulations of the New York State Department of Environmental Conservation (6 NYCRR Part 617);
2. preliminarily classified the Sewer System Project as a Type I action; and
3. found, after consideration of an EAF Parts 1, 2 and 3 and an expanded environmental assessment, that the establishment of the Incorporated Village of Westhampton Beach Sewer System will have no moderate or significant negative environmental consequence or impacts, and issued a negative declaration; and

WHEREAS, as part of the Sewer System Project, the substance of Chapter 141 (Sewers) was considered in the aforesaid SEQRA review, and, therefore, no further SEQRA review is required; and

WHEREAS, Phase I of the Sewer System Project is near completion and, upon completion, the collection and conveyance system will be transferred to the County of Suffolk who will operate and maintain the system; and

WHEREAS, Chapter 141 establishes necessary regulations for the installation and use of sewers within the Incorporated Village of Westhampton Beach Sewer System, consistent with existing Suffolk County regulations; and

WHEREAS, this Local Law, Chapter 141 (Sewer) has been on the desks of the members in its final form for seven (7) calendar days, exclusive of Sunday.

NOW, THEREFORE, be it

RESOLVED, after due deliberation, the Board of Trustees of the Incorporated Village of Westhampton Beach hereby adopts said Local Law as Local Law No. 5 of 2022 as advertised and attached; and be it further

RESOLVED that the Village Clerk is directed to enter said local law in the records of the Village; and be it further

RESOLVED that the Village Clerk is directed to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this Local Law shall be effective on filing with the New York Secretary of State.

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

LL # 6 of 2022 - Amending Chapter 197-63 Entitled "Zoning" (Procedure for Public Sewer Connection)

Motion made by Deputy Mayor Urban:

WHEREAS, the Board of Trustees has advertised a local law amending Chapter 197 (Zoning), Article VI of the Village Code entitled "Administration" (the "Local Law"); and

WHEREAS, the Local Law is part of the establishment of the Incorporated Village of Westhampton Beach Sewer System ("Sewer System Project"); and

WHEREAS, a public hearing on the Local Law was held on July 5, 2022; and

WHEREAS, all persons present at the meeting had an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof; and

WHEREAS, the Village Board undertook a review of the Sewer System Project under the State Environmental Quality Review Act (SEQRA – Article 8 of the Environmental Conservation Law (ECL)); and

WHEREAS, the Village Board, as part of its review of the Sewer System Project under SEQRA, 1) undertook a coordinated review pursuant to the regulations of the New York State Department of Environmental Conservation (6 NYCRR Part 617), 2) preliminarily classified the Sewer System Project as a Type I action and 3) found, after consideration of an EAF Parts 1, 2 and 3 and an expanded environmental assessment, that the establishment of the Incorporated Village of Westhampton Beach Sewer System will have no moderate or significant negative environmental consequence or impacts, and issued a negative declaration; and

WHEREAS, as part of the Sewer System Project, the substance of the Local Law was considered in the aforesaid SEQRA review, and, therefore, no further SEQRA review is required; and

WHEREAS, Phase I of the Sewer System Project is near completion and, upon completion, the collection and conveyance system will be transferred to the County of Suffolk who will operate and maintain the system; and

WHEREAS, the Local Law, along with a new Chapter 141 (Sewers), which was also the subject of a public hearing on July 5, 2022, establishes necessary regulations for the installation and use of sewers within the Incorporated Village of Westhampton Beach Sewer System, consistent with existing Suffolk County regulations; and

WHEREAS, the Local Law is consistent with the Village's obligation under its Intra-Municipal Agreement with the County of Suffolk pertaining to the Sewer System Project; and

WHEREAS, the Local Law has been on the desks of the members in its final form for seven (7) calendar days, exclusive of Sunday. NOW, THEREFORE, be it

RESOLVED, after due deliberation, the Board of Trustees of the Incorporated Village of Westhampton Beach hereby adopts the Local Law as Local Law No. 6 of 2022 as advertised and attached; and be it further

RESOLVED that the Village Clerk is directed to enter said Local Law in the records of the Village; and be it further

RESOLVED that the Village Clerk is directed to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this Local Law shall be effective on filing with the New York Secretary of State.

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

Adopt LL # 7 of 2022 – Amending Chapter 149 Stormwater Management & Erosion & Sediment Control

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 July 5, 2022 to amend Chapter 149, Entitled "Stormwater Management & Erosion & Sediment Control" of the Code of the Village of Westhampton Beach; and

WHEREAS, the proposed action is classified as a Type II action under 6 NYCRR 617.5(c)(33) and (37) of the State Environmental Quality Review Act and its implementing regulations, and therefore no further environmental review is required; and 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

Adopt LL # 8 of 2022 Amending Chapter A201 Entitled Yacht Basin, Municipal

Motion made by Trustee Rubio:

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on July 5, 2022 to amend Chapter A201, Entitled "Yacht Basin, Municipal" of the Code of the Village of Westhampton Beach; and

WHEREAS, the proposed action is classified as a Type II action under 6 NYCRR 617.5(c)(33) and (37) of the State Environmental Quality Review Act and its implementing regulations, and therefore no further environmental review is required; and

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 Tymann and unanimously approved 4 Ayes, 0 Nays

Authorize Special Event-Joe Koziarz Annual 5K Walk/Run

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorize the Joe Koziarz Annual 5K Walk/Run event on Saturday July 16, 2022 from 6:00 a.m. to 12:00 p.m. as per route designated by the Police Chief and Board of Trustees and approval is subject to the receipt of all fees required.

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

Authorize Use of Village Property

Motion made by Deputy Mayor Urban:

RESOLVED, that Deborah Gruber is hereby authorized to use the Lashley Beach bayside parking lot on Friday July 8, 2022 from 7:00pm to 11:00pm for 30 cars to be valeted provided there is the availability and village issued parking passes.

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

Authorize Renewal of 2022 Outdoor Sales and Displays Permit

Motion made by Trustee Frano:

WHEREAS, the Village received an application to renew the Outdoor Sales and Displays Permit for 2022 with no changes from the 2021 application from Mustique, 3 Glovers Lane,

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' 2021 renewal applications and the following conditions:

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.

No substantial deviation from the Outdoor Display Plan shall be allowed without further approval of the Board of Trustees.

This permit shall be in effect from July 1 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.

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

Authorize Mayor to Sign Consent Agreement

Motion made by Trustee Rubio:

RESOLVED, that the Mayor is hereby authorized to sign the Consent Agreement with the Town of Southampton and St. Mark's Church with respect to the relocation of the

"NYS Gov. John Adam Dix - Windmill" and administering the provisions of Town Code Article XXVIII as they relate to the Windmill.

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

Authorize Use of Village Property-Knights of Columbus

Motion made by Trustee Tymann:

RESOLVED, that the Knights of Columbus, Father Slominski Council 7423 are hereby authorized to hold a memorial 5K run/walk in honor of Vinnie Zorbo on Saturday, September 24, 2022 from 7:00 a.m. to 12:00 p.m. on the designated route approved by the Police Chief and Board of Trustees.

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

PUBLIC COMMENT

Mayor Moore asked if anyone had questions or comments for the board, no response from the audience, she then explained the board would be going into executive session and asked for a motion to go into executive session and then close the meeting. Motion made by Deputy Mayor Urban seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays. Meeting adjourned at 5:43 pm.

DATED: July 5, 2022


Elizabeth Lindtvit
Village Clerk

