

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, September 1, 2022 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 Rob Rubio

ABSENT: Trustee Stephen Frano

Clerk-Treasurer Elizabeth Lindtvit  
Village Attorney – Stephen Angel

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**RESOLUTIONS:**

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**Accept minutes of Board of Trustees Meeting**

Motion made by Trustee Tymann:

RESOLVED, that the minutes of the Board of Trustees Meeting of August 4, 2022 are hereby accepted.

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

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**Accept Departmental Reports**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Treasurer's Report for June 2022 are hereby accepted.

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

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**Approve Warrant for September 2022**

Motion made by Trustee Rubio:

RESOLVED, that the warrant for September 2022 in the amount of \$459,391.99 for the General Fund and \$601,024.65 for the Capital Fund is hereby approved.

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

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**Appoint 2022 Seasonal Beach Personnel**

Motion made by Trustee Tymann:

RESOLVED, that Liam Berkhout, Margaret Koltzan, and Sawyer Weiss are hereby appointed to the positions of Beach Attendants at an hourly rate of \$12.50 effective August 7, 2022 and Sam Cannell and Andrew Moran are hereby appointed to the positions of Lifeguard at an hourly rate of \$15.00 effective September 1, 2022.

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

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**Approve Use of Village Property-Live Your Cor Event**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees approved this application at the August 4, 2022 meeting for the rain date of October 9, 2022; whereas the event is planned for Monday October 10, 2022; now therefore be it resolved the Board of Trustees hereby authorizes this event for Monday October 10, 2022 subject to all conditions set forth in August 4, 2022 approval.

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

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**Approve Use of Village Property-Westhampton Library**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby authorizes the Westhampton Free Library to use the Village Green on Sunday September 18, 2022 from 11:00 am to 3:00 pm which includes set-up and break down for a free concert by Mambo Loco.

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

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**Approve Use of Village Property-Local Spokes Bike Rental**

Motion made by Trustee Tymann:

WHEREAS, Brian Stanley of Local Spokes requested to have a bike share operation throughout the village with various locations from August 6, 2022 to October 31, 2023; whereas this application was approved by the Board of Trustees on August 4, 2022, and whereas Local Spokes has asked the Board for a two (2) year approval, the Board has no objections to the request. Now therefore the Board of Trustees approves a 2-year permit and reserves the right to amend approval of the locations if it determines that adjustments are needed.

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

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**Authorize Mayor to Sign SRO Agreement**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby authorize the mayor to sign the School Resource Officer Agreement for the 2022-2023 school year with the Westhampton Beach School District.

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

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**Authorize Mayor to Sign Agreement**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby accepts the proposal submitted by Jack L. Jones, Building Conservation and authorizes the mayor to sign the proposal for professional consulting services associated with the relocation, final siting and restoration of the Gov. John Dix Windmill on the Village Great Lawn in an amount not to exceed \$35,000.00 for Logistics, Planning and Construction Bid Document Development, and in an amount not to exceed \$40,250.00 for Construction Observation Services to be taken from G/L Capital Fund account code H7400 Windmill Restoration Project

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

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**Authorize Budget Transfer**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorizes a budget transfer in the amount of \$127.82 from G/L Revenue Account Code A2021 Jr. Lifeguard Program to G/L Expenditure Account Code A7180.400 Kitchen Materials for the cost of ice cream for the junior lifeguards ending day.

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

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**Authorize Budget Transfer**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby authorize a budget transfer in the amount of \$13,000.00 from G/L Account Code A1990 Contingent to G/L Account Code A1420.1 Legal Personal Service for Village Attorneys Contractual Agreement.

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

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**Accept Resignation of Employee**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Joseph E. Loria as Police Officer effective July 5, 2022.

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

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**Accept Resignation of Employee**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Maxwell Lopes as Police Officer effective September 5, 2022.

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

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**Authorize Unreserved Fund Balance Transfer**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees received an additional donation in 2022 from the Estate of Genevive Lanyon in the amount of \$25,000.00 with conditions that this money be used for a capital improvement. The Board of Trustees hereby approves the transfer of \$25,000.00 from the 2021-2022 unreserved fund balance to increase the 2022-2023 A9950.0 Transfer to Capital Fund.

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

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**Authorize Mayor to Sign Agreement**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby authorizes the mayor to sign an agreement with the Suffolk County Association of Municipal Employees to issue a one-time \$2,000.00 payment, less applicable taxes and withholdings to employee # 6U7000121, and to issue payment in the same amount to employee # 6U7000056, an employee outside of AME Union, as both employees assumed additional responsibilities for in excess of 2 months, to be paid from G/L account code A1990 Contingent.

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

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**Authorize Purchase of PlanIt Software for the Police Department**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approve the subscription purchase of Power Time Software (PowerDMS Digital Management Software) for staff scheduling for the police department for a one-time set-up fee of \$2,000.00 including installation and training and an annual recurring subscription fee of \$2,500.00 from account code A3120.406, Office Expense.

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

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**Authorize Appraisal Services**

Motion made by Deputy Mayor Urban:

WHEREAS, the Village previously authorized the Village attorneys to retain Brunswick Appraisal Corp. and Michael Haberman Associates, Inc., as appraisers, for the acquisition of easements for the sewer project, by Resolution dated 9/16/2020; and

WHEREAS, Brunswick and Haberman prepared several pre-condemnation appraisal reports; and

WHEREAS, out of thirteen (13) properties over which easements were necessary, only one property owner, The Patio Building Condominium Corporation, has filed a claim for damages with the Supreme Court; and

WHEREAS, at the request of the Village attorneys, Brunswick expanded the appraisal report prepared for the claim of The Patio Building Condominium Corporation easement taking, which was filed with the Supreme Court; and

WHEREAS, Brunswick has requested the following:

- 1) payment of \$8,500.00 for the report delivered to the Village attorneys; and
- 2) \$275.00 per hour for work on a rebuttal report (to be capped at 30 hours), trial preparation and trial testimony; and

WHEREAS, the Village attorneys suggest that the Board agree to Brunswick’s request.

NOW, THEREFORE, the Village Board of Trustees hereby authorizes:

- 1) the payment to Brunswick of \$8,500.00 for the report filed with the Supreme Court;
- 2) \$275.00 per hour for work on a rebuttal report (to be capped at 30 hours), trial preparation and trial testimony.

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

**PUBLIC COMMENT:**

Mrs. Joan Levan asked where the lighthouse is going to be located, the Mayor responded that the board hasn’t decided, Deputy Mayor Urban explained there are architects who have volunteered their time to help with the project, there is a new Village planner and Trustee Tymann stated that he felt the Town CPF board would have some input as to the location also. Mayor Moore asked in there was anyone in the audience who would like to speak, there being no response Mayor Moore explained the board would be going into executive session to discuss property usage of Village owner property and asked for a motion to go into executive session and close the meeting, motion made by Trustee Rubio, seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays.

Meeting adjourned at 5:31 p.m.

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Elizabeth Lindtvit  
Village Clerk