

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

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING:**

Special Exception Application – WH Equity Group LLC, (formerly Patio Gardens III)

**RESOLUTIONS:**

1. Accept Minutes of Board of Trustees Meetings
2. Accept Departmental Monthly Reports
3. Approve Warrant for November 2022
4. Authorize Snow Removal Agreement with Village of Westhampton Dunes
5. Authorize Use of Village Property-East End Hospice
6. Authorize Use of Village Property-Chamber of Commerce
7. Authorize Use of Village Property-HUGS, Inc.
8. Authorize Employees to Attend Training Course
9. Authorize Survey and Title Report
10. Appoint Village Deputy Treasurer
11. Authorize Building Department Reserve Fund
12. Appoint Consultants-H2M
13. Authorize Change Order # 5
14. Authorize Change Order # 6
15. Authorize Change Order # 7
16. Authorize Change Order # 8
17. Authorize Change Order # 9
18. Approve Standard Work Days for Elected and Appointed Officials
19. Authorize Purchase of Equipment – Police Department
20. Authorize Property Appraisal For Park Fee Determination

**EXECUTIVE SESSION**

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

**PLEDGE OF ALLEGIANCE**

**RESOLUTIONS:**

**1. Accept minutes of Board of Trustees Meeting**

RESOLVED, that the minutes of the Board of Trustees Meeting of October 6, 2022 are hereby accepted.

**2. Accept Departmental Monthly Reports**

RESOLVED, that the Justice Court, Police Department and Building Department reports for September 2022 and Treasurer's Report for August and September 2022 are hereby accepted.

**3. Approve Warrant for November 2022**

RESOLVED, that the warrant for November 2022 in the amount of \$300,706.97 for the General Fund and \$125,138.95 for the Capital Fund is hereby approved.

**4. Authorize Snow Removal Agreement with Village of Westhampton Dunes**

RESOLVED, that the Mayor is hereby authorized to execute an agreement with the Village of Westhampton Dunes for the removal of snow by the Village of Westhampton Beach Department of Public Works employees for an annual fee of \$18,000.00 plus reimbursement of any certified expenses that may exceed said fee, for the time period November 1, 2022 through October 31, 2023.

**5. Authorize Use of Village Property-East End Hospice**

RESOLVED, that East End Hospice is hereby authorized to use the Village Green on Sunday, December 4, 2022 for the annual Tree of Lights Memorial Service from 2:00 p.m. until 4:00 p.m.

**6. Authorize Use of Village Property- Chamber of Commerce – Winter Fest**

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Village Green for a themed winter fest with the annual Christmas tree and Menorah lighting, on Saturday December 10, 2022 from 2:30 p.m. to 6:30 p.m.

**7. Authorize Use of Village Property-HUGS, Inc.**

RESOLVED, that HUGS, Inc. is hereby authorized to use Rogers Beach from November 21, 2022 to January 6, 2023, to set up a community holiday tree to serve as a backdrop for Westhampton Beach patrons to visit and take pictures.

## **8. Authorize Employees to Attend Training Course**

RESOLVED, that Sgt. Andrew Kirwin, and Police Officers Joseph Loria, Mackenzie Buckley and Nicholas Tyson are hereby authorized to attend a Street Cop Training Seminar "NY Case Law That All Cops Need to Know" in Harrison New York on December 5, 2022. Registration fee of \$199.00 per person and travel expenses not to exceed \$100.00 to include gas and tolls to be taken from G/L account code A3120.415 Training.

## **9. Authorize Survey and Title Report**

WHEREAS, the Village is the owner of a parcel of real property on Percy Street in Westhampton (900-354-4-119); and

WHEREAS, an adjoining owner may assert a claim concerning the parcel; and

WHEREAS, the Village has consulted with the Village attorney regarding this potential claim, and the Village attorney has requested a survey and title report for the parcel.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby accepts the proposal from Fox Land Surveying in the amount of \$2,400.00 for an Existing Conditions Survey, and the Village attorney is authorized to obtain a title report for the property from New York Title at the Village's expense to be funded from G/L account code A1440.4 Engineering and Surveying.

## **10. Appoint Village Deputy Treasurer**

RESOLVED, that Jeannine Conte is hereby appointed as the Village Deputy Treasurer for a term expiring on June 30, 2024.

## **11. Authorize Building Department Reserve Fund**

RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, the Board of Trustees does hereby establish a Capital Reserve Fund to finance the cost of the acquisition of equipment for the Village Building Department. The fund is to be known as the "Building Department Equipment Reserve Fund of the Village of Westhampton Beach." That out of the surplus moneys of the Village now on hand for the year 2021/2022 and not otherwise appropriated, the sum of \$50,000.00 be and the same hereby is appropriated for the "Building Department Equipment Reserve Fund of the Village of Westhampton Beach."

The Mayor is hereby directed to transfer from the surplus funds of the Village the sum of \$50,000.00 to the capital reserve fund and to deposit the moneys of this reserve fund in a separate bank account to be known as the "Building Department Equipment Reserve Fund of the Village of Westhampton Beach."

Additional sums may hereafter be appropriated and shall become part of the fund. The Mayor is authorized to invest, from time to time, the moneys of this fund pursuant to Section 11 of the General Municipal Law. No expenditure shall be made except upon authorization of this Board pursuant to Section 6-c of the General Municipal Law.

## **12. Appoint Consultants**

WHEREAS, as part of the Sewer System Project, 13 easements over private properties had to be acquired, and one property owner, The Patio Building Condominium Corporation, filed a claim for damages with the Supreme Court; and

WHEREAS, as part of the defense of this claim for damages, the Village attorneys have engaged H2M Architects + Engineers as consultants.

NOW, THEREFORE, BE IT RESOLVED, that the Village attorney is authorized to retain H2M Architects + Engineers pursuant to the hourly rates set forth in the proposal, at the Village's expense to be charged to the H9900 Sewer Capital Fund.

## **13. Authorize Change Order for Sewer System Construction**

RESOLVED, that the Board of Trustees hereby approves change order # 5 for Thomas Novelli Contracting Corporation in the amount of \$13,295.24 for the removal of curb, sidewalk, asphalt, excavation and backfill of a trench for PSEG to relocate an underground electric line on Glovers Lane, to be charged to the Capital Fund account H9900 Sewer District.

## **14. Authorize Change Order for Sewer System Construction**

RESOLVED, that the Board of Trustees hereby approves change order # 6 for Thomas Novelli Contracting Corporation in the amount of \$1,700.00 for the installation of an additional gravity sewer house connection at 54 Main Street, to be charged to the Capital Fund account H9900 Sewer District.

## **15. Authorize Change Order for Sewer System Construction**

RESOLVED, that the Board of Trustees hereby approves change order # 7 for Thomas Novelli Contracting Corporation in the amount of \$210,198.55 for the installation ADA ramps, sidewalks and curbs on Moniebogue Lane, Hulse Court and Glovers Lane, to be charged to the Capital Fund account H9900 Sewer District.

## **16. Authorize Change Order for Sewer System Construction**

RESOLVED, that the Board of Trustees hereby approves change order # 8 for Thomas Novelli Contracting Corporation in the amount of \$21,614.15 for the modifications to the Drainage System F in the Mill Road parking lot and additional depth added to Drainage System C in the Chamber of Commerce parking lot, to be charged to the Capital Fund account H9900 Sewer District.

## **17. Authorize Change Order for Sewer System Construction**

RESOLVED, that the Board of Trustees hereby approves change order # 9 for Thomas Novelli Contracting Corporation in the amount of \$55,062.03 for the replacement of a cesspool at 8 Mitchell Road, and demobilization and remobilization of the gravity sewer installation in the Parlato Drive parking lot, to be charged to the Capital Fund account H9900 Sewer District.

### **18. Approve Standard Work Days for Elected and Appointed Officials**

RESOLVED, that the Board of Trustees of the Village of Westhampton Beach, Location code 40268, hereby establishes the attached list as standard work days for its employees and will report days worked to the NY State & Local Retirement System based on the time keeping system or the record of activities maintained and submitted by these members. The standard work day will be a minimum of 6 hours for all classes of employees including elected and appointed officials.

### **19. Authorize Purchase of Equipment – Police Department**

RESOLVED, that the Board of Trustees hereby authorizes the purchase of 2 Raptor RP-1 Dual Directional K-Band Antennas in the amount of \$3,217.82 to be taken from G/L account A3120.2 Equipment.

### **20. Authorize Property Appraisal For Park Fee Determination**

Resolved that the Board of Trustees approves the Planning Board's retention of Patricia Parsons to appraise the Nikolaides Property (36 Hazelwood Avenue, SCTM 905-6-1-11.4) in connection with the Planning Board's determination of the applicable park fee, as required by 150-11.B of the Village Code, at a cost of \$1,500 as set forth in Ms. Parsons' November 1, 2022 proposal, said fee to be paid from A1440.4 Engineering and Surveys, the cost of which is to be reimbursed by the applicant prior to the finalization of the subdivision.

### **PUBLIC COMMENT**

**DATED: November 3, 2022**

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**Elizabeth Lindtvit**  
**Village Clerk-Treasurer**