

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, March 2, 2023 at 5 p.m. at Village Hall, 165 Mill Road, Westhampton Beach.

PRESENT: Mayor Maria Z. Moore
Deputy Mayor Ralph Urban
Trustee Stephen Frano
Trustee Brian Tymann

ABSENT: Trustee Rob Rubio

Clerk-Treasurer Elizabeth Lindtvit
Village Attorney – Stephen Angel

PUBLIC HEARINGS

LL # 4 of 2023 - Chapter 197-1, Accessory Buildings

Mayor Moore explained that the Board wanted to clarify some sections in the Village code regarding the Park fees involved in subdividing land and multiple uses. The Mayor asked for a motion to open the public hearing, motion made by Deputy Mayor Urban seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays. Mayor Moore asked if anyone in the audience had any questions or comments, there being no response she 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.

LL # 5 of 2023 – Chapter 150, Subdivision of Lane

Mayor Moore explained that the Board wanted to clarify some sections in the Village code regarding the Park fees involved in subdividing land. The Mayor asked for a motion to open the public hearing, motion made by Trustee Tymann seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays. Mayor Moore asked if anyone in the audience had any questions or comments, there being no response she asked for a motion to close the public hearing, motion made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays.

LL # 6 of 2023 – Chapter 161, Taxation

Mayor Moore explained this code change was to increase the income limits for senior citizen tax exemptions as was done by New York State and the Town of Southampton. The Mayor asked for a motion to open the public hearing, motion made by Trustee Frano seconded by Trustee Tymann and unanimously approved 3 Ayes, 0 Nays. Mayor Moore asked if anyone in the audience had any questions or comments, there being no response she 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.

RESOLUTIONS

Appoint Police Officer

Motion made by Trustee Frano:

RESOLVED, that Anthony Bruno is hereby appointed to the position of Police Officer at a semi-monthly salary of \$3,007.28, effective March 2, 2023 17:00 hours from Certified Eligibles List # 23SR023 in accordance with Suffolk County Department of Civil Service

Accept Departmental Monthly Reports

Motion made by Deputy Mayor Urban:

RESOLVED, that the Treasurer's report, Justice Court, Police Department's and Building Inspector's reports for January 2023 are hereby accepted.

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

Accept 2021–2022 Fiscal Year Annual Financial Statements

Motion made by Trustee Frano:

RESOLVED, that the 2021–2022 Fiscal Year Annual Financial Statements prepared by Satty, Levine and Ciacco for the Village of Westhampton Beach Justice Court are hereby accepted.

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

Schedule Public Hearing on 2023–2024 Tentative Village Budget

Motion made by Trustee Tymann:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on April 6, 2023 at 5:00 p.m. at the Village Hall on the 2023–2024 Tentative Village Budget.

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

Authorize Renewal of 2023 Outdoor Sales and Displays Permit

Motion made by Deputy Mayor Urban:

Displays Permit for 2023 with no changes from the 2022 applications 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' 2023 renewal applications. 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 and 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 April 15 to November 15, 2023, 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.

Hampton Coffee, 194 Mill Road (4 tables/16 chairs)
Ivy on Main, 103 Main Street (8 tables/16 chairs Maximum)
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' 2023 renewal applications.

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

Authorize Renewal of 2023 Outdoor Tables, Chairs and Benches Permit

Motion made by Trustee Tymann:

WHEREAS, the Village received applications to renew the Outdoor Tables, Chairs and Benches Permit for 2023 with no changes from the 2022 applications from:

Boom Burger, 85 Montauk Highway (3 Picnic tables/attached Benches)
Firehouse Pizza, 196 Montauk Highway (3 Picnic tables/attached benches)
Hamptons Aristocrat, 87 Sunset Avenue (6 tables/12 chairs, 5 market Umbrellas)
Haskell's Seafood, 77A Main Street (6 tables/12 chairs)
Sydney's Taylor Made Cuisine, 32 Mill Road (8 tables/25 chairs & 8 Adirondack chairs), with the extended season from March 1 through December 31.
Whitney's Deli, 98 Old Riverhead Road (2 tables/4 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 plans attached to the applicants' 2023 renewal applications.

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

Authorize Renewal of 2023 Outdoor Music Permits

Motion made by Deputy Mayor Urban:

WHEREAS, the Village received applications to renew the Outdoor Music Permits for 2023 with no changes from the 2022 applications 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

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

Authorize Use of Village Property-Greater Westhampton Chamber of Commerce

Motion made by Trustee Frano:

RESOLVED that the Board of Trustees hereby authorizes the Greater Westhampton Chamber of Commerce to use Main Street from Library Avenue to Moniebogue Lane on Saturday October 7, 2023 with a rain date of October 8, 2023 from 11:00 a.m. to 5:00 p.m. and December 2, 2023 with a rain date of December 3, 2023 from 11:00 a.m. to 4:00 p.m. with set-up at 9:00 am and break-down from 5:00 p.m. for the Greater Westhampton Beach Fall and Winter Festivals.

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

Approve Use of Village Property-Greater Westhampton Chamber of Commerce

Motion made by Trustee Tymann:

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Village Green on Saturdays starting May 6, 2023 and ending October 28, 2023 with set-up starting at 7:00 am and breaking down no later than 2:00 pm for the seasonal Farmers Market, subject to signage limited to 1 on-site location sign only.

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

Approve Use of Village Property-Greater Westhampton Chamber of Commerce

Motion made by Deputy Mayor Urban:

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Great Lawn on Saturday May 27, 2023 and Sunday May 28, 2023 from 10:00 a.m. to 6:00 p.m. with set-up date on Friday May 26, 2023 from 12:00 p.m. and breakdown on Sunday May 28, 2023 by 10:00 p.m. for the Maggie Burbank Fine Arts and Crafts Show subject to signage per the village sign guidelines and the applicant has agreed to share the use of the Great Lawn with the St. Mark's Church Paragon Art Show.

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

Approve Use of Village Property-Greater Westhampton Chamber of Commerce

Motion made by Trustee Frano:

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Great Lawn on Saturday August 5, 2023 and Sunday August 6, 2023 from 10:00 a.m. to 6:00 p.m. with set-up date on Friday August 4, 2023 from 9:00 a.m. to 9:00 p.m. for the Mary O. Fritchie Fine Arts and Crafts Show subject to signage per the village sign guidelines.

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

Approve Use of Village Property-Greater Westhampton Chamber of Commerce

Motion made by Deputy Mayor Urban:

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to hold a "Chalk Night" on the Village's Main Street sidewalks on Mondays starting July 10, 2023 and ending August 28, 2023 from 6:00 p.m. to 8:00 p.m.; store owners will make sure participants do not block pedestrian traffic, specific locations will be designated by store owners, any materials used shall not stain the sidewalks, and the store owners are responsible for cleaning the designated areas for the next event.

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

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

Motion made by Trustee Frano:

RESOLVED, that St. Mark's Church is hereby authorized to use the Great Lawn for the Paragon Art Show from Saturday May 27 2023 to Sunday, May 28, 2023 from 10 a.m. to 6 p.m. with the set-up day of Friday May 26, 2023 at 12:00 p.m. and breakdown on Sunday May 28, 2023 by 10:00 p.m. with signage per the village sign guidelines. The applicant has agreed to share the use of the Great Lawn with the Greater Westhampton Chamber of Commerce.

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

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

Motion made by Trustee Tymann:

RESOLVED, that St. Mark's Church is hereby authorized to use the Great Lawn for the Paragon Art Show from Saturday September 2, 2023 to Sunday, September 3, 2023 from 10 a.m. to 6 p.m. with the set-up day of Friday September 1, 2023 at 12:00 p.m. and breakdown on Sunday September 4, 2023 by 10:00 p.m. with signage per the village sign guidelines.

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

Authorize Use of Village Property-WHB Performing Arts Center

Motion made by Deputy Mayor Urban:

RESOLVED, that the Westhampton Beach PAC is hereby authorized to use the Great Lawn from Friday June 30, 2023 to Sunday July 2, 2023 from 7:00 a.m. to 11:00 p.m. with set-up starting on Monday June 26, 2023 at 7:00 a.m. and breakdown on Monday July 3, 2023 by noon for a Weekend Concert and Fundraiser to Benefit the WHB Performing Arts Center, with signage per the village sign guidelines.

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

Authorize Use of Village Property-WHB Performing Arts Center

Motion made by Trustee Frano:

Authorize Use of Village Property-WHB Brewing Company

Motion made by Trustee Tymann:

RESOLVED, that the Westhampton Beach Brewing Company is hereby authorized to use the village roads for a 5K Riptide Run on a course approved by the Village Police Chief to benefit the Boomer Esiason Foundation and hospitality tent in Glover's Lane Park on Saturday April 22, 2023 from 9:00 a.m. to 5:00 p.m. with set-up on Friday April 21, 2023 and take down on Sunday April 23, 2023 by 1:00 p.m. with signage per the village sign guidelines.

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

Approve Use of Village Property-Westhampton Free Library

Motion made by Deputy Mayor Urban:

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Rogers Beach Pavilion from July 5, 2023 to August 31, 2023 for various exercise and yoga classes from 8:30 am to 9:30 am and from 6:00 pm to 7:00 pm.

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

Approve Use of Village Property-Westhampton Free Library

Motion made by Trustee Frano:

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Village Green on Tuesdays from July 11, 2023 to August 29, 2023 for the "Kids on the Green" performance series from 4:30 pm to 7:00 pm which includes set-up and take down.

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

Authorize Use of Village Property-Westhampton Free Library

Motion made by Trustee Tymann:

RESOLVED, that the Westhampton Free Library is hereby authorized to conduct outdoor concerts each Thursday beginning June 29, 2023 through September 7, 2023 from 7:30 p.m. to 9:30 p.m. which includes set-up and take-down at the Village Green.

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

Approve Use of Village Property-Westhampton Free Library

Motion made by Deputy Mayor Urban:

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Great Lawn on Mondays from July 10, 2023 to August 28, 2023 for the "Monday Night Movies" from 4:00 pm to 9:00 pm which includes set-up and take down.

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

Authorize Employee to Attend Training Course

Motion made by Trustee Tymann:

RESOLVED, that Police Chief Steven McManus is hereby authorized to attend the NYSACOP Police Executive Training in Niagara Falls, New York from March 20, 2023 to March 24, 2023. Lodging fee of \$89.00 per night, travel flight of \$370.00 and travel expenses not to exceed \$1,500.00 to include car rental, gas and food to be taken from G/L account code A3120.415 Training.

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

Approve 2023 Shared Computer Services with Southampton Town

Motion made by Deputy Mayor Urban:

RESOLVED, that the Mayor is hereby authorized to execute the renewal of the 2023 Shared Computer Services Agreement with the Town of Southampton at a cost of \$21,986.09; which may vary according to the addition or deletion of services during the calendar year from G/L account code A1355.4.

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

Authorize Special Event Permit for Commercial Property

Motion made by Trustee Frano:

RESOLVED, That the Board of Trustees hereby authorizes Justin's Chop Shop to use the property located at 71 Sunset Avenue on Saturday March 11, 2023 from 12:00 p.m. to 5:00 p.m. to set up a tent, tables and chairs and have music, food and drinks; with no cooking under the tent and the alcoholic drinks limited to the property and fenced in area.

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

Authorize Notice to Bidders-Kayak Rental Concession

Motion made by Trustee Tymann:

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to post a Notice to Bidders for the Village of Westhampton Beach Kayak Rental Concession for the 2023 & 2024 summer seasons.

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

Authorize Continuance of 12 Hour Work Chart

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board, pursuant to PBA CBA Section 19(D)(II)(2), hereby agrees to continue the experimental 12-hour work chart through and including May 31, 2024.

Adopt Local Law # 4 of 2023 – Amend Chapter 197 Entitled “Zoning”

Motion made by Trustee Tymann:

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on March 2, 2023 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 February 15, 2023, 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) & (37) (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.

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

Adopt Local Law # 5 of 2023 - Amend Chapter 150 Entitled “Subdivision of Land”

Motion made by Deputy Mayor Urban:

WHEREAS, a public hearing was held before the Village Trustees at the Municipal Building, 165 Mill Road, Westhampton Beach, New York, on March 2, 2023 to amend Chapter 150, entitled "Subdivision of Land," of the Code of the Village of Westhampton Beach; and

WHEREAS, the Suffolk County Planning Commission, via correspondence dated February 15, 2023, 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) & (37) (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.

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

NOW, THEREFORE, be it resolved that after due deliberation, the Board of Trustees hereby adopts Local Law 6 of 2023 as amended, and the Village Clerk is hereby directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book 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 3 Ayes, 0 Nays

Accept Proposal-H2M Architects & Engineers

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approves the proposal from H2M Architects and Engineers in the amount of \$6,100.00 for professional services associated with the NYS DEC NY-2A application for SPDES permit modification for SCSD # 24 at Gabreski Airport from G/L account H9905 Sewer Treatment Plant Upgrade Project.

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

Authorize Notice to Bidders-Beach Concession

Motion made by Deputy Mayor Urban:

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to post a Notice to Bidders for the Village of Westhampton Beach Rogers Beach Concession for the 2023 and 2024 summer seasons.

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

Authorize Use of Village Property-Greater Westhampton Chamber of Commerce

Motion made by Trustee Frano:

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use Glovers Park and Glovers Lane on Tuesday October 31, 2023 from 3:30 p.m. to 5:30 p.m. with set-up at 2:00 p.m. and breakdown by 7:00 p.m. for a Halloween Celebration.

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

Authorize Use of Village Property-Southforker Magazine

Motion made by Trustee Tymann:

RESOLVED, that the Times Review Media Group – Southforker Magazine, is hereby authorized to use the Great Lawn on Saturday June 17, 2023 with a rain date of Friday June 16, 2023 from 6:00 p.m. to 10:00 p.m. with set-up on Thursday June 15, 2023 and breakdown June 18, 2023 for a Food and Wine Tasting Event.

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

Authorize Mayor to Sign Dockwa Agreement

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby authorizes the mayor to sign the Dockwa agreement in the amount of \$3,000.00 for the 2023 season effective July 7, 2023.

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

Authorize Purchase of Equipment – Landscape Trailer

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorizes the purchase of 1 Grizzly HD-ACG Model # GRHD8520T3 landscape trailer from Sourcewell contract # 092922-AGO in the amount of \$14,783.00 to be taken from G/L account A5110.2 Public Works Equipment.

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

PUBLIC COMMENT

There being no public at this meeting to comment, Mayor Moore asked for a motion to go into Executive Session for the purpose of PBA contract negotiations, and close the meeting, motion made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 3 Ayes, 0 Nays. The meeting adjourned at 5:39 p.m.

DATED: March 2, 2023

**Elizabeth Lindtvit
Village Clerk**

WHEREAS, 105-109 Main St LLC, as the owner of the property (the "Property") located at 109 Main Street, Westhampton Beach, NY (SCTM 905-011-02-021) has sought permission to maintain a permissible projection/encroachment extending from the Property over the adjacent Village-owned right-of-way, as allowed under §197-36.1 of the Code of the Village of Westhampton Beach; and

WHEREAS, the extent of the projections and encroachments proposed within the Village's right-of-way are more particularly depicted on the plans prepared by Gaby Tchilinguirian, RA, dated January 2023 ("Plans"), and consist of the following (which are collectively referred to as the "Encroachments"):

1. Metal awning, projecting 2 feet in depth for the width of the building, and
2. Façade trim/articulation, all projecting less than 4"; and

WHEREAS, the Village Building Inspector has reviewed the Plans and determined that the Encroachments qualify as permissible encroachments within the meaning of §197-36.1(B) of the Code of the Village of Westhampton Beach; and

WHEREAS, the Owner has prepared a proposed License, Indemnity and Hold Harmless Agreement in a form approved by the Village Attorneys; now, therefore, be it

RESOLVED that Village Board of Trustees finds that the Encroachments, as depicted on the Plans, are designed in a manner that would not adversely affect the use and enjoyment of the Village-owned right of way nor interfere with the public's right of passage within the right of way; and be it further

RESOLVED that the Board of Trustees hereby approves the granting of a license under §197-36.1 of the Code of the Village of Westhampton Beach, in the form of the proposed License, Indemnity, and Hold Harmless Agreement, and the Mayor is authorized to execute same on behalf of the Village subject to the written determination of the Planning Board to be adopted on March 9, 2023; and be it further

RESOLVED that this license is conditioned upon the Owner recording, at its expense, the fully executed License, Indemnity, and Hold Harmless Agreement, and providing proof of such recording prior to issuance of a Certificate of Occupancy for the Property and Encroachments; and be it further

RESOLVED that this license is further conditioned on the following conditions to ensure that the construction is safely performed so as to minimize any undue interference with the public's use and enjoyment of the right of way:

- a. The Owner shall not perform any construction within the Village right of way unless and until a construction safety plan has been reviewed by the Village's Building Inspector and/or Superintendent of Public Works, who shall maintain continuing jurisdiction to review safety and construction protocols for the duration of the construction of the Encroachments;
- b. No construction shall be performed from Thursday through Sunday, from May 1 to September 30 and, on any other weekdays from July 1 to September 10;
- c. The Owner shall provide a final as-built survey upon completion of the construction of the Encroachments to the Village Building Inspector; and
- d. No certificate of occupancy shall be issued for the Property unless and until