

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, May 4, 2023 at 5 p.m. at Village Hall, 165 Mill Road, Westhampton Beach.**

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

Clerk-Treasurer Elizabeth Lindtvit  
Village Attorney – Anthony Pasca

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**PUBLIC HEARINGS**

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**Special Exception Application-115 Main Street, Daphne’s**

Mayor Moore asked for a motion to open the public hearing, motion made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays. The application is for outdoor tables and seats on the rear patio with white non flashing string lights. There being no comments or questions motion was made by Trustee Tymann to close the public hearing, Seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays.

Motion made by Trustee Tymann:

WHEREAS, LT Burger West, LLC d/b/a Daphne’s, 115 Main Street has applied for an Outdoor Tables and Chairs permit pursuant to Section 196-2 of the Code of the Village of Westhampton Beach, to allow the placement of four (4) outdoor picnic style tables and (26) seats with white non flashing string lights, a sun shade and a Sonos speaker for outdoor music on the rear patio of the building; and

WHEREAS, the applicant submitted a sketch plan of the location, and photographs of the design, of the proposed tables and seats (hereinafter, the “Outdoor Tables and Chairs Plan”); and

WHEREAS, the application was before the Village Planning Board and by memorandum dated April 14, 2023, stated that it has no objection to the application provided that certain conditions are met; and

WHEREAS, a public hearing was held on the application on May 4, 2023, pursuant to section 196-3(D) of the Village Code; and

WHEREAS, it appears from the sketch plan and Planning Board report that the application satisfies the conditions of section 196-2(B) of the Village Code; now therefore,

BE IT RESOLVED that the application for an Outdoor Tables and Chairs permit pursuant to Section 196-2 of the Village Code is granted and subject to the conditions set forth in section 196-2(B) of the Village Code and the following:

- a. No substantial deviation from the Outdoor Tables and Chairs Plan shall be allowed without further approval of the Board of Trustees;
- b. This permit shall be in effect until November 15, 2023 pursuant to section 196-2(B) (10) of the Village Code, unless previously revoked, and the applicant shall be required to follow the renewal provisions set forth in section 196-4 of the Village Code for future outdoor tables and chairs in subsequent seasons.

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

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**Special Exception Application-115 Main Street, Caffeine**

Motion made by Trustee Frano to open the public hearing, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays. Mayor explained this application for (9) nine tables and (18) eighteen seats plus (8) eight barstools for a total of 26 with a Sonos speaker for outdoor music on the front patio of the building.

There were no comments from the Board, motion made by Trustee Rubio to close the public hearing seconded by Trustee Tymann and unanimously approved 4 Ayes, 0 Nays.

Motion made by Deputy Mayor Urban:

WHEREAS, 8 Grams Cafe, LLC d/b/a Caffeine, 115 Main Street has applied for an Outdoor Tables and Chairs permit pursuant to Section 196-2 of the Code of the Village of Westhampton Beach, to allow the placement of nine (9) tables and eighteen (18) seats plus eight (8) bar stools for a total of twenty-six (26) and a Sonos speaker for outdoor music on the front patio of the building; and

WHEREAS, the applicant submitted a sketch plan of the location, and photographs of the design, of the proposed tables and seats (hereinafter, the "Outdoor Tables and Chairs Plan"); and

WHEREAS, the application was before the Village Planning Board and by memorandum dated April 14, 2023, stated that it has no objection to the application provided that certain conditions are met; and

WHEREAS, a public hearing was held on the application on May 4, 2023, pursuant to section 196-3(D) of the Village Code; and

WHEREAS, it appears from the sketch plan and Planning Board report that the application satisfies the conditions of section 196-2(B) of the Village Code; now therefore,

BE IT RESOLVED that the application for an Outdoor Tables and Chairs permit pursuant to Section 196-2 of the Village Code is granted and subject to the conditions set forth in section 196-2(B) of the Village Code and the following:

No substantial deviation from the Outdoor Tables and Chairs Plan shall be allowed without further approval of the Board of Trustees;

This permit shall be in effect until November 15, 2023 pursuant to section 196-2(B) (10) of the Village Code, unless previously revoked, and the applicant shall be required to follow the renewal provisions set forth in section 196-4 of the Village Code for future outdoor tables and chairs in subsequent seasons.

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

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**RESOLUTIONS**

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**Accept Minutes of Board of Trustees Meeting**

Motion made by Trustee Frano:

RESOLVED, that the minutes of the Board of Trustees Meeting of April 6, 2023 are hereby accepted.

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

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**Accept Departmental Monthly Reports**

Motion made by Trustee Rubio:

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

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

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**Accept 2021–2022 Fiscal Year Annual Financial Statements**

Motion made by Trustee Tymann:

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

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

**Appoint Satty, Levine and Ciacco to Audit 2022-2023 Financial Statements**

Motion made by Deputy Mayor Urban:

RESOLVED, that the firm of Satty, Levine and Ciacco is appointed to audit the Village of Westhampton Beach’s financial statements for the fiscal year 2022-2023 at a cost of \$25,000.00 from G/L code A1320.4 Auditing and an audit of the Village Justice Court at a cost of \$4,500.00 to be funded from A1110.4 Justice Court Contractual.

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

**Appoint 2023 Seasonal Marina Personnel**

Motion made by Trustee Frano:

RESOLVED, that pending the staffing of the Village Marina, Michael Rewinski is appointed as Dock Manager to be compensated at a rate of \$20.50 per hour, Evan Robinson as Dock Attendant to be compensated at a rate of \$14.25 per hour effective May 5, 2023.

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

**Appoint 2023 Seasonal Beach Personnel**

Motion made by Trustee Rubio:

RESOLVED, that pending the staffing of the Village beaches, the following personnel are hereby appointed to the positions specified below at Rogers and Lashley Beaches for the 2023 season to be funded from A7310.100 Beach Managers, A7310.101 Lifeguards and A7310.103 Beach Attendants:

Beach Attendants:

Shaun Johnson	Manager	\$30.00
Mike Polan	Assistant Manager	\$23.00
Josh Tuttle	Assistant Manager	\$23.00
Emma McAuley	Assistant Manager	\$20.00
Tom Betjemann	Fill-in Assistant	\$19.00
Korey Williams	Fill-in Assistant	\$19.00
Marc Schlecht	Fill-in Assistant	\$19.00
Zach Zaffuto	Attendant	\$13.75
Andrew Mastrole	Attendant	\$13.50
Sean Buonomo	Attendant	\$13.25
Mia Pazera	Attendant	\$13.00
Luke Hefter	Attendant	\$12.75
Olivia DeMasco	Attendant	\$12.75
Liam Berkhout	Attendant	\$12.75
Sawyer Weiss	Attendant	\$12.75
Mattias Triaca	Attendant	\$12.50
Rafael Rementta	Attendant	\$12.50

Lifeguards:

James Ridgely	Head Lieutenant	\$26.00
Timothy Fencel	Lt. Lifeguard	\$19.00
Alex Williams	Lt. Lifeguard	\$19.00
Timothy McAllister	Lifeguard	\$18.75
Greg Fothergill	Lifeguard	\$18.00
Frank Loria	Lifeguard	\$17.50
Brendan Spano	Lifeguard	\$17.00
Matthew Fencel	Lifeguard	\$17.00
Rory Paltridge	Lifeguard	\$17.00
Ryken Kutner	Lifeguard	\$17.00
Jenny Price	Lifeguard	\$17.00

**VILLAGE BOARD**

**4**

**May 4, 2023**

James Pizzitola	Lifeguard	\$16.75
Gabrielle Johnson	Lifeguard	\$16.50
Jillian Watson	Lifeguard	\$15.50
Jake Combs	Lifeguard	\$15.50
Drew Peters	Substitute Lifeguard	\$18.75
Rob Duca	Substitute Lifeguard	\$18.75

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

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**Appoint 2023 Seasonal Police Officers**

Motion made by Trustee Tymann:

RESOLVED, that John Rankin, William Krause, and Matthew Meyer are hereby appointed as Seasonal Police Officers in the Police Department at an hourly rate of \$30.00 to work as assigned by the Chief of Police effective May 5, 2023 to be funded from G/L account A3120.104 Seasonal Part Time.

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

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**Appoint 2023 Seasonal Traffic Control Officers**

Motion made by Deputy Mayor Urban:

RESOLVED, that Louis Bancroft, Hannah King, Jared Polak, James Clark Sforza, Anthony Velasquez and Matthew Gomez are appointed as Seasonal Traffic Control Officers to be compensated at a rate of \$18.00 per hour to work as assigned by the Chief of Police effective May 15, 2023 to be funded from G/L account code A3120.109 Traffic Control Officers PS.

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

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**Appoint 2023 Seasonal DPW Laborers**

Motion made by Trustee Frano:

RESOLVED, that Steven Stettinger and Gennaro Rossano are hereby appointed as Seasonal Laborers at a rate of \$18.00 in the Department of Public Works to work as assigned by the Public Works Superintendent effective May 8, 2023 to be funded from G/L account A5110.103 Seasonal Part Time.

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

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**Appoint 2023 Election Inspectors**

Motion made by Trustee Rubio:

RESOLVED, that Bonnett Brophy is hereby appointed Chairperson of the Election Inspectors, Thomas Betjemann, Patricia Gonce and Jennie Beck are appointed as Election Inspectors and each are to perform the official duties of the Village General Election to be held on Friday June 16, 2023 and are to be compensated at a rate of \$15.00 per hour to be funded from G/L account A1450.1 Elections-Personal Service.

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

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**Appoint Part Time Leave Replacement**

Motion made by Trustee Tymann:

RESOLVED, that Karlyn Sabo is hereby appointed as a Clerk in the Village Office as a leave replacement effective April 14, 2023 at an hourly rate of \$24.00 to be funded from G/L account A1325.101 Part Time Clerical.

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

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**Authorize Renewal Kayak and Paddle Board Concession Agreement**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby authorizes the renewal of the Island Surf Kayak and Paddle Board Concession Agreement for the 2023-2024 summer seasons.

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

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**Approve Use of Village Property-Hampton Flea, Inc.**

Motion made by Trustee Frano:

RESOLVED, that Hampton Flea Inc. applied for the use of the Village Green for a Hampton Vintage Market on Sunday August 13, 2023 from 7:00 am to 7:00 pm which includes set up and break down using ten by ten small tents with no stakes, and acoustical music is hereby authorized.

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

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

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby authorize the Joe Koziarz Annual 5K Walk/Run event on Saturday July 15, 2023 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 and insurance required and subject to the bridge closure from the Coast Guard.

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

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

Motion made by Trustee Tymann:

RESOLVED, that Ralph Hubbard as applicant for Live Your Cor Foundation is hereby authorized to use the Great Lawn on Sunday September 24, 2023 from 8:00 a.m. to 6:00 p.m. with set-up and break down for a beach clean-up and fund-raising fair with signs as per the "Sign Guidelines" established by the Village Board of Trustees.

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

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**Authorize Vehicle Peddling Permit – Ice Cream**

Motion made by Deputy Mayor Urban:

WHEREAS, Fahrettin Ozdemir has applied to for a vehicle Peddling Permit to sell ice cream throughout the Village 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 and all requested documentation has been supplied; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes a vehicle Peddling Permit to Fahrettin Ozdemir effective May 5, 2023 and expiring on December 31, 2023 as all other conditions in Chapter 128-10 and 128-11 of the Village Code have been met.

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

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**Authorize Vehicle Peddling Permit – Ice Cream**

Motion made by Trustee Frano:

WHEREAS, Ilyas Livaydin has applied to for a vehicle Peddling Permit to sell ice cream

throughout the Village 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 and all requested documentation has been supplied; now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes a vehicle Peddling Permit to Ilyas Livaydin effective May 5, 2023 and expiring on December 31, 2023 as all other conditions in Chapter 128-10 and 128-11 of the Village Code have been met.

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

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**Approve Warrant for May 2023**

Motion made by Trustee Rubio:

RESOLVED, that the warrant for May 2023 in the amount of \$309,369.99 for the General Fund and \$121,424.15 for the Capital Fund is hereby approved.

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

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**Authorize Employee to Attend Training Course**

Motion made by Trustee Tymann:

RESOLVED, that Police Chief Steven McManus is hereby authorized to attend the Mid-Atlantic Law Enforcement Executive Development Seminar in Princeton, New Jersey from Sunday June 11, 2023 to Friday June 16, 2023, Lodging expense of \$882.61, Seminar registration fee of \$850.00 and travel expenses not to exceed \$500.00 to include gas and tolls from G/L account code A3120.415 Training.

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

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**Accept Proposal for Audio/Visual Upgrade**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees accepts the proposal submitted by IVCI Audio/Visual in the amount of \$41,594.31 for a complete audio-visual system design and upgrade of the Meeting Room to include equipment and installation services to be taken from the Capital Repair Reserve account H9999 General Fund Capital Repair and;

WHEREAS, the money to pay for the upgraded audio/visual system can only be taken from the Reserve Fund upon the authorization of the Board and subject to a permissive referendum, pursuant to General Municipal Law §6-c(8); it is hereby

RESOLVED that the Board authorizes the payment of the sum of \$41,594.31 from the Reserve Fund for the payment of the upgrade, and it is further

RESOLVED that, pursuant to New York State Village Law § 9-900, within ten days after the adoption of this Resolution by the Board, the Village Clerk shall post and publish a notice, in the same manner as is provided for notice of a general village election, which shall set forth the date of the adoption of the Resolution containing an abstract of the Resolution, concisely stating the purpose and effect thereof and indicating that such Resolution is subject to a permissive referendum.

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

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**Approve 2023 Fire Inspection Services with Southampton Town**

Motion made by Trustee Frano:

RESOLVED, that the mayor is hereby authorized to execute the renewal of the 2023 Fire Inspection Services Agreement with the Town of Southampton pursuant to fees established by the Town of Southampton and the type of necessary service.

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

**Authorize Budget Transfer**

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby authorizes a budget transfer in the amount of \$8,500.00 from G/L Account Code A5110.2 Equipment to G/L Account Code A5112.408 CHIPS-Paving.

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

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**Authorize Mayor to Sign Agreement**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorizes the mayor to sign the Agreement between the Village of Westhampton Beach and Munistat Inc. for Municipal Advisor Services.

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

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**Refer Revised Special Exception Application for Justin’s Chop Shop for Outdoor Tables to Planning Board**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Special Exception Application submitted and revised by Justin DeMarco for Outdoor Tables and Chairs, located at 71 Sunset Avenue, and identified by Suffolk County Tax Map # 905-12-1-51.1 is hereby referred to the Village Planning Board for review.

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

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**Authorize Mayor to Sign Agreement**

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby authorizes the mayor to sign the June 1, 2022–May 31, 2026 Collective Bargaining Agreement with the Association of Municipal Employees, Blue Collar Unit.

Seconded by Trustee Rubio and unanimously approved 4 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 the July 6, 2021–May 31, 2026 Collective Bargaining Agreement with the Association of Municipal Employees, White Collar Unit.

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

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**Authorize Purchases of Equipment – Police Department**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorizes the purchase from Flock Safety in the amount of \$22,800.00 for 4 Flock Safety Falcon Cameras to be taken from G/L account A3120.2 Equipment.

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

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**Authorize 2023 Dropoff Bin Permit**

Motion made by Deputy Mayor Urban:

Whereas, Big Brothers Big Sisters of Long Island has applied for an annual permit to have (2) two drop-off bins for donations located at the municipal parking lot, 99 Mill Road, Westhampton Beach, NY; and

Whereas there were no 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 this drop-off bin as shown on the survey of property and subject to the requirements of Chapter 77 of the Village Code.

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

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**PUBLIC COMMENT**  
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Ms. Joan Levan asked why the Board was referring Justin’s Chop Shop Special Exception Application to the Planning Board if he had already been before the Planning Board, Mayor Moore explained the application is sent to the Planning Board as received to get on the meeting schedule, which this application was heard by the Planning Board almost immediately when received by the Planning Board Secretary. Mayor Moore asked if there was anyone else that would like to speak, there being no response, Mayor Moore explained that the Board had to go into Executive Session asked for a motion to close the meeting after the Executive Session, motion made by Deputy Mayor Urban, seconded by Trustee Frano, and unanimously approved 4 Ayes, 0 Nays. The meeting adjourned at 5:45 p.m.

**DATED: May 4, 2023**

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**Elizabeth Lindtvit**  
**Village Clerk**