

**Village of Westhampton Beach  
Board of Trustees Meeting  
Thursday, June 1, 2023 at 5 p.m.**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING:**

Special Exception Application- Justin's Chop Shop, Outdoor Tables/Chairs

**RESOLUTIONS :**

1. Accept minutes of Board of Trustees Meetings
2. Accept Departmental Monthly Reports
3. Schedule Public Hearing Special Exception Application
4. Schedule Public Hearing Special Exception Application
5. Schedule Public Hearing Special Exception Application
6. Schedule Public Hearing Special Exception Application
7. Schedule Public Hearing Special Exception Application
8. Refer Special Exception Application for Flora for Outdoor Tables/chairs to Planning Board
9. Schedule Public Hearing Special Exception Application
10. Appoint AEO Position in the Public Works Department
11. Approve Warrant for May and June 2023
12. Authorize Use of Village Property-Beaver Lake Condominium
13. Authorize Special Event-Bike to Beach
14. Authorize Use of Village Sidewalks-Lillian Schon
15. Authorize Renewal of 2023 Outdoor Tables, Chairs and Benches Permits
16. Authorize Renewal 2023 Outdoor Sales and Displays Permit – Mixology
17. Authorize Purchase of Gazebos – Park Fund
18. Authorize Purchase of Gazebos – Park Fund
19. Schedule Public Hearing Local Law Amendment
20. Schedule Public Hearing Local Law Amendment
21. Authorize Village Attorneys for Article 78

**PUBLIC COMMENT**

**ADJOURN**

**Village of Westhampton Beach  
Board of Trustees Meeting  
Thursday, June 1, 2023 at 5 p.m.**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING:**

**Special Exception Application- Justin's Chop Shop, Outdoor Tables/Chairs**

**Authorize 2023 Special Exception for Outdoor Tables & Chairs-Justin's Chop Shop**

WHEREAS, Justin DeMarco as applicant for Justin's Chop Shop has applied for a Special Exception Permit for (4) four tables and (16) sixteen chairs to be placed on the front patio pursuant to the provisions of Chapter 196 of the Zoning Code of the Village of Westhampton Beach located at 71 Sunset Avenue, Westhampton Beach, SCTM # 905-12-1-51.1. The application was referred to the Planning Board, and the Planning Board issued a report dated April 27, 2023 in which they indicated they have no objection to the approval of the (4) four tables and (16) sixteen chairs and;

WHEREAS, a public hearing was held before the Board of Trustees on June 1, 2023, 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 outdoor tables and chairs as shown on the submitted plan, subject to all conditions and limitations set forth by the Planning Board report dated April 27, 2023.

**RESOLUTIONS:**

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

RESOLVED, that the minutes of the Board of Trustees Meeting of May 4, 2023 and Special Meeting of May 26, 2023 are hereby accepted.

**2. Accept Departmental Monthly Reports**

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

**3. Schedule Public Hearing Special Exception Application**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 3, 2023 at 5:00 p.m. at the Village Hall for a Special Exception Application filed by Brunetti Pizza for additional Tables and chairs for outdoor dining.

**4. Schedule Public Hearing Special Exception Application**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 3, 2023 at 5:00 p.m. at the Village Hall for a Special Exception Application filed by Goldbergs for additional Tables and chairs for outdoor dining.

## **5. Schedule Public Hearing Special Exception Application**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 3, 2023 at 5:00 p.m. at the Village Hall for a Special Exception Application filed by Haskell's Seafood for additional Tables and chairs for outdoor dining.

## **6. Schedule Public Hearing Special Exception Application**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 3, 2023 at 5:00 p.m. at the Village Hall for a Special Exception Application filed by Mi Pubelito Restaurant for Outdoor Tables and chairs.

## **7. Schedule Public Hearing Special Exception Application**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 3, 2023 at 5:00 p.m. at the Village Hall for a Special Exception Application filed by One Trick Pony for Outdoor Tables and chairs.

## **8. Refer Special Exception Application for Flora for Outdoor Tables and Seats to Planning Board**

RESOLVED, that the Special Exception Application submitted by David Hersh for Flora Restaurant for additional Outdoor Tables and Chairs, located at 149 Main Street is hereby referred to the Village Planning Board for review.

## **9. Schedule Public Hearing Special Exception Application**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 3, 2023 at 5:00 p.m. at the Village Hall for a Special Exception Application filed by Flora Restaurant for Additional Outdoor Tables and chairs.

## **10. Appoint AEO Position in the Public Works Department**

RESOLVED, that the Board of Trustees hereby appoints Paul Bugge to the position of Automotive Equipment Operator effective June 1, 2023 at an annual salary of \$72,203.62.

## **11. Approve Warrant for May and June 2023**

RESOLVED, that the warrant for May 31, 2023 in the amount of \$570,160.40 and the Warrant for June 2023 in the amount of \$205,722.26 for the General Fund and \$167,688.26 for the Capital Fund is hereby approved.

## **12. Authorize Use of Village Property-Beaver Lake Condominium**

RESOLVED, that the Beaver Lake Condominium is hereby authorized to use the Trustee meeting room on Saturday, July 1, 2023 from 11:00 a.m. to 12:00 p.m. to hold their annual election meeting.

### **13. Authorize Special Event-Bike to the Beach**

RESOLVED, that the Westhampton Beach Elementary School is hereby authorized to hold a special event bike to the beach for the 5<sup>th</sup> graders on Thursday June 15, 2023 from 9:45 a.m. to 2:30 p.m. as per route approved by the Police Department.

### **14. Authorize Special Event-Fundraiser**

RESOLVED, that Lillian Schon, 63 Main Street is hereby authorized to use the Village sidewalk in front of 63 Main Street for a Fundraiser for Making Headway Foundation in memory of Jake Greenbaum on Sunday June 11, 2023 from 11:30 a.m. to 3:30 p.m..

### **15. Authorize Renewal of 2023 Outdoor Tables, Chairs and Benches Permits**

WHEREAS, the Village received an application to renew the Outdoor Tables, Chairs and Benches Permit for 2023 with no changes from the 2022 application from The Corner Cafe Restaurant, 77 A Main Street for 2 tables and 4 chairs in front of store

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' 20223 renewal applications.

### **16. Authorize Renewal 2023 Outdoor Sales and Displays Permit - Mixology**

WHEREAS, Jennifer Sperber, tenant of the premises known as Mixology, located at 148 Main Street, Westhampton Beach (SCTM 0905-12-4-41.1), has applied to renew the 2023 Outdoor Sales and Displays permit pursuant to Chapter 140 of the Code of the Village of Westhampton Beach; and

WHEREAS, the applicant submitted a sketch plan, photographs, and description of the items that it seeks to display and sell outdoors (hereinafter, the "Outdoor Display Plan"); and

WHEREAS, it appears from the Outdoor Display Plan that the application satisfies the conditions of section 140-2(A) of the Village Code; now therefore,

BE IT RESOLVED that the application for a Renewal of the Outdoor Sales permit as recommended by the Village Planning Board for one (1) sales rack as depicted on the attached plan to the application is granted subject to the following conditions:

- a) All conditions set forth in section 140-2(A) shall be followed;
- b) No substantial deviation from the Outdoor Display Plan shall be allowed without further approval of the Board of Trustees; and
- c) This permit shall be in effect 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.

### **17. Authorize Purchase of Gazebos – Park Fund**

RESOLVED, that the Board of Trustees hereby authorizes the purchase of three (3) 10' x 10' Pergolas from Craftsman Fence Corporation for the Village Marina, not to exceed \$5,500.00 including installation pending receipt of warranty and prevailing wage certification paperwork, to be taken from G/L account Park Fund.

### **18. Authorize Purchase of Gazebo – Park Fund**

RESOLVED, that the Board of Trustees hereby authorizes the purchase of one (1) 12' x 16' Pergola from Craftsman Fence Corporation for the Green space along the Moniebogue Canal, abutting the Parlato parking lot, not to exceed \$10,560.00 including installation pending receipt of warranty and prevailing wage certification paperwork, to be taken from G/L account Park Fund.

### **19. Schedule Public Hearing Local Law Amendment**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 3, 2023 at 5:00 p.m. at the Village Hall to amend Chapter 197-29 entitled “Zoning- Non Conforming Uses” of the Code of the Village of Westhampton Beach.

### **20. Schedule Public Hearing Local Law Amendment**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday July 3, 2023 at 5:00 p.m. at the Village Hall to amend Chapter 197-63 entitled “Zoning- Site Plan Procedure” of the Code of the Village of Westhampton Beach.

### **21. Authorize Village Attorneys for Article 78**

RESOLVED that the Village Attorneys, Esseks, Hefter, Angel, Di Talia & Pasca, LLP, are hereby authorized to represent the Village’s Zoning Board of Appeals in the CPLR Article 78 proceeding entitled "Robert & Jacqueline Sprotte v. Zoning Board of Appeals of the Village of Westhampton Beach, Brad Hammond as Chief Building Inspector and Lisa Canty” brought in New York State Supreme Court under Index Number 612910/2023, at the hourly municipal rate schedule for special services set forth in the Village Attorneys’ retainer letter dated August 14, 2014.

**PUBLIC COMMENT**

**ADJOURN**

**DATED: June 1, 2023**

**Elizabeth Lindtvit  
Village Clerk-Treasurer**