

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday February 1, 2024 at 5 p.m. at Village Hall, 165 Mill Road, Westhampton Beach.

PRESENT: Mayor Ralph Urban
Deputy Mayor Stephen Frano
Trustee Brian Tymann
Trustee Kimberly Monsour
Clerk-Treasurer Elizabeth Lindtvit
Village Attorney – Steven Angel

ABSENT: Trustee Rob Rubio

LWRP Presentation – MJ Engineering

Jackie Hakes and Nora Culhane Friedel presented a power point display of the completed steps creating the Local Waterfront Revitalization Program with the Department of State. Jackie started by explaining the LWRP as a land and water program, it addresses waterfront access, development, erosion and flooding. A key benefit of establishing a LWRP program is being eligible for grants to assist in funding projects. She then explained the planning process, there is a 60-day public review process, the Department of State does a legal review. She then went on to explain the implementation of the LWRP program, and explained there are some requirements in the document, which are required in the program. The revitalization area is the whole Village which will make it available for funding. During the process there was public engagement, a website, survey and meetings. Information may be found here <https://www.whbwaterfrontplan.com/get-involved>

PUBLIC HEARING: LL # 1 of 2024

Motion made by Trustee Tyman to open the public hearing, seconded by Trustee Monsour and approved 4 Ayes, 0 Nays. Mayor Urban asked the Village Attorney to briefly explain this law, he explained this is an addition to this chapter giving the Village the right to bid on tax sale properties. The Village would like to be the purchaser of these tax parcels, Mayor Urban stated this would be an option for the Village. Trustee Tymann asked where the money would come from to purchase, Mayor Urban explained the Village would just hold the lien and earn the interest. Mayor Urban asked if there were any questions from the public, there being no response he asked for a motion to close the public hearing, motion made by Deputy Mayor Frano, seconded by Trustee Tymann unanimously approved 4 Ayes, 0 Nays.

RESOLUTIONS:

Accept minutes of Board of Trustees Meeting

Motion made by Trustee Tymann:

RESOLVED, that the minutes of the Board of Trustees Meeting of January 4, 2024 are hereby accepted.

Seconded by Trustee Monsour and unanimously approved 4 Ayes, 0 Nays.

Accept Departmental Reports

Motion made by Trustee Monsour:

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

Seconded Deputy Mayor Frano and unanimously approved 4 Ayes, 0 Nays.

Approve Warrant for February 2024

Motion made by Deputy Mayor Frano:

RESOLVED, that the warrant for February 2024 in the amount of \$402,545.55 for the General Fund and \$4,396.30 for the Capital Fund is hereby approved.

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

Authorize 2023–2024 Budget Amendments

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby authorize the following 2023–2024 Budget Amendments:

GTSC-Highway Safety Grant

Increase Revenue Code	A4320	\$6,000.00
Increase Expense Code	A3120103 Police Overtime	\$6,000.00

Stop DWI Grant

Increase Revenue Code	A30891	\$7,500.00
Increase Expense Code	A3120103.1	\$7,500.00

Insurance Recoveries

Increase Revenue Code	A2680	\$8,001.61
Increase Expense Code	A3120.402 Equipment Repair	\$8,001.61

Seconded by Trustee Monsour and unanimously approved 4 Ayes, 0 Nays.

Authorize Budget Transfer

Motion made by Trustee Monsour:

RESOLVED, that the Board of Trustees hereby authorizes a budget transfer in the amount of \$9,013.81 from G/L Revenue Account Code A1589 Other Public Safety Income to G/L Expenditure Account Code A3120.103 Police Department Overtime Personal Services received from the WHB School District for the SRO reimbursement for the 2023-2024 school year.

Seconded Deputy Mayor Frano and unanimously approved 4 Ayes, 0 Nays.

Authorize Renewal - Cyber Security Insurance Policy

Motion made by Deputy Mayor Frano:

RESOLVED, that the Board of Trustees hereby approves the renewal of the Cyber Security Insurance Policy in the amount of \$11,805.88, with no increase from previous year, to protect the Village against a Cyber incident, to be funded from A1990 Insurance Account.

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

Approve Use of Village Marina - Power Squadron

Motion made by Trustee Tymann:

RESOLVED, that the U.S. Power Squadron applied for the use of the Village Marina for the 2024 District 3 Annual District Rendezvous from Friday July 26, 2024 starting at 5:00 pm through Sunday July 28, 2024, subject to tent permit, fees and SLA compliance, with music and activities is hereby authorized.

Seconded by Trustee Monsour and unanimously approved 4 Ayes, 0 Nays.

Authorize Employee to Attend Courses

Motion made by Trustee Monsour:

RESOLVED, that Jennifer Gaudiello is hereby authorized to attend two (2) courses Governmental Accounting and Accounting Principles and Procedures through the NYS Office of State Comptroller at a cost of \$85 per course from G/L account code A1325.406 Clerk Office Expense.

Seconded Deputy Mayor Frano and unanimously approved 4 Ayes, 0 Nays.

Motion made by Deputy Mayor Frano:

RESOLVED, that the Board of Trustees do hereby accept the proposal submitted by Fluid Imagery Computing in the amount not to exceed \$8,010.00 for the Microsoft 365 Migration for the Village wide computers to be taken from G/L account code A1680.400 Data Processing Contractual.

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

Accept Proposal from AC Electrical & Lighting Supplies

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees do hereby accept the proposal submitted by AC Electrical & Lighting Supplies in the amount not to exceed \$8,850.00 for the lighting of the bocce ball courts in the Maria Z. Moore Community Park to be taken from G/L account code CM7110 Parks.

Seconded by Trustee Monsour and unanimously approved 4 Ayes, 0 Nays.

Refer Special Exception Application to Planning Board-141 & 149 Montauk Highway

Motion made by Trustee Monsour:

RESOLVED, that the request to the Village Board to permit the establishment of a grocery store for property located on 141 and 149 Montauk Highway and identified by Suffolk County Tax Map # 905-5-2-6.1, 6.2 & 7 and 905-5-2-9.1 is hereby referred to the Village Planning Board for review.

Seconded Deputy Mayor Frano and unanimously approved 4 Ayes, 0 Nays.

Approve 2024–2025 Real Property Tax Exemptions

Motion made by Deputy Mayor Frano:

RESOLVED, that the Board of Trustees hereby approves the revised 2024-2025 Real Property Tax Exemptions for the 2024/2025 tax year as attached.

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

Appoint Planning Board Member

Motion made by Trustee Tymann:

RESOLVED, that Donald Steinert is hereby appointed to fill the vacancy left by Michael Schermeyer and finish the five-year term as a member of the Village Planning Board to commence February 1, 2024 through to May 31, 2028.

Seconded by Trustee Monsour and unanimously approved 4 Ayes, 0 Nays.

Appoint Community Housing Fund Advisory Board Member

Motion made by Trustee Monsour:

RESOLVED, that Cecilia Cunningham is hereby appointed to the Peconic Bay Region Community Housing Fund Advisory Board for a term to end on December 31, 2024.

Seconded Deputy Mayor Frano and unanimously approved 4 Ayes, 0 Nays.

Adopt Affordable Housing Maximum Monthly Rental Limits, Initial, Maximum Sales Price and Maximum Household Income Limits

Motion made by Deputy Mayor Frano:

WHEREAS, on December 7, 2023, the Board of Trustees of the Village of Westhampton Beach (the "Village") adopted Local Law No. 15 of 2023, which allows for the creation and administration of affordable housing units within the Village of Westhampton Beach; and

WHEREAS, in accordance with §40-5B (1), the Board of Trustees shall set by resolution the maximum monthly rental or initial maximum sales price for an affordable housing dwelling unit and the maximum household income for eligibility for occupancy of said units; and

WHEREAS, the Trustees have reviewed the attached document titled "Nassau/Suffolk County HUD Family Income Guidelines and Limits- Effective 2023-2024"; and

WHEREAS, the Trustees find that the attached document sets forth the appropriate maximum monthly rental or initial maximum sales price for an affordable housing dwelling unit and the maximum household income for eligibility for occupancy of said units in accordance with the Village's Affordable Housing Program set forth in Chapter 40 of the Village Code; and

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Trustees hereby adopts income and rental/sale price limits as set forth in the attached document titled "Nassau/Suffolk County HUD Family Income Guidelines and Limits- Effective 2023-2024 as required pursuant to §40-5B (1).

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

Accept Proposal for Tree Insecticide Services

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees accepts the proposal submitted by Accent Estates Plant Health Care Company in the amount of \$1,715.00 for 1 (one) application of insecticide/fungicide for the trees on Main Street to be taken from G/L account A8560.416 Shade Tree Maintenance.

Seconded by Trustee Monsour and unanimously approved 4 Ayes, 0 Nays.

Authorize Purchase - DPW

Motion made by Trustee Monsour:

RESOLVED, that the Board of Trustees hereby authorizes the purchase of 1 Case 590SN Backhoe in the amount of \$160,799.70 from NYS Contract PC69383 from Hoffman Equipment as per NYS Department of Transportation this is fully reimbursable from the Village's CHIPS allotment for 2024, and this expenditure to be taken from G/L account A5110.2 Equipment.

Seconded Deputy Mayor Frano and unanimously approved 4 Ayes, 0 Nays.

Appoint Temporary Fire Administration Consultant

Motion made by Deputy Mayor Frano:

RESOLVED, that Andrew Smith is hereby appointed to the position of Temporary Fire Administration Consultant, effective February 1, 2024 at a rate of \$50 per hour, up to a maximum of \$500 and for a period not to exceed 30 days, to be charged against Building & Zoning Account A3620.415: Education & Training.

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

Authorize Transfer of Joint Ownership

Motion made by Trustee Tymann:

WHEREAS, the Village of Westhampton Beach acquired ownership of an historic windmill, the "New York State Governor John Adam Dix Windmill" (the "Windmill"); and

WHEREAS, the Village has placed the Windmill on the real property located at 35 Main Street, Village of Westhampton Beach, SCTM No. 905-11-1-1, commonly known as the "Great Lawn"; and

WHEREAS, the Great Lawn is owned jointly by the Village and the Town of Southampton ("Town"); and

WHEREAS, the Windmill requires restoration at significant expense; and

WHEREAS, the Village and the Town entered into an Inter-Municipal Agreement on June 1, 2023 (the "IMA") which, among other things:

1. authorized the Town to landmark the windmill;
2. authorized the Village to act as a steward of the windmill; and
3. provided that funds from the Town's Community Preservation Fund would be used to pay for the restoration, to the extent permitted by New York State Town Law Section 64-e, Southampton Town Code Chapter 140 and the Town of Southampton's Rules and Regulations for CPF Acquisitions and Stewardship as enacted by the Southampton Town Board on January 25, 2011, by separate agreement between the Village and the Town; and

WHEREAS, the Village wishes to convey to the Town an undivided joint ownership interest in the Windmill so that the Town is authorized to pay the expenses therefore from the Town of Southampton Community Preservation Fund.

NOW, THEREFORE, BE IT RESOLVED That the Village shall transfer to the Town an undivided joint ownership interest in the Windmill so as to make the Town and the Village joint owners thereof; that the Mayor is authorized to execute all documents reasonably necessary to transfer an undivided joint ownership of the Windmill to the Town in form approved by the Village Attorney; that the IMA between the Village and the Town dated June 1, 2023 be amended to reflect joint ownership of the Windmill; and that the Mayor is authorized to execute an amendment to the aforesaid IMA to reflect joint ownership of the Windmill in form approved by the Village Attorney.

Seconded by Trustee Monsour and unanimously approved 4 Ayes, 0 Nays.

Adopt LL # 1 of 2024

Motion made by Trustee Monsour:

WHEREAS, this Board has advertised a local law enacting a new Article IX ("Village Tax Sales") to Chapter 161 (TAXATION) in order to empower the Village to bid for and purchase parcels of real property offered for sale at tax sales; and

WHEREAS, a public hearing was held on February 1, 2024; and

WHEREAS, all persons present at the meeting have had an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof; and now, therefore, be it

RESOLVED, that after due deliberation the Board of Trustees of the Village of Westhampton Beach hereby adopts said Local Law as Local Law No. 1 of 2024 as advertised and attached, and be it further

RESOLVED, that the Village Clerk is hereby directed to enter said local law in the records of the Village; and be it further

RESOLVED that the Village Clerk is directed to give due notice of the adoption of said Local Law to the Secretary of State; and be it further

RESOLVED that this Local Law shall be effective on filing with the New York Secretary of State.

Seconded Deputy Mayor Frano and unanimously approved 4 Ayes, 0 Nays.
