

~~202~~  
98

**The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, January 9, 2020 at 5 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach**

- PRESENT:** Mayor Maria Z. Moore  
 Deputy Mayor Ralph Urban  
 Trustee Brian Tymann
- ABSENT:** Trustee Stephen Frano  
 Trustee Rob Rubio  
 Clerk-Treasurer Elizabeth Lindvit  
 Village Attorney – Stephen Angel

**PUBLIC HEARING:**

**LL # 1 of 2020 - Excavations**

Motion was made by Deputy Mayor Urban to open the public hearing, seconded by Trustee Tymann and unanimously approved 3 Ayes, 0 Nays. Mayor Moore asked Village Attorney Steve Angel to give a brief explanation of this law; Mr. Angel explained that this amendment would allow the Village to prevent road openings on roads that have recently paved by the Village. The Mayor opened the discussion on the penalties commenting she felt the penalty was to low and wouldn't deter the process of utility companies doing the work without a permit. Mr. Angel stated that the law could be change to a civil penalty as much as \$1,000, \$2,000 etc.; which would mean the Village would have to start an action in court against the company. Mr. Angel advised that it could be a code violation or civil penalty. Deputy Mayor Urban asked if the penalty could be related to amount of feet the road opening would be. Mr. Angel asked what the sense of the Board was towards the penalty, Mayor Moore asked if anyone in the audience would like to be heard, Mr. Angel recommended that penalty to be \$2,500.00 Trustee Tymann suggested no less than \$1,000.00 to a max of \$2,500.00. The public hearing was held open. Mr. Nobiletti asked if work done by the Village would be repaired by the Village. Mayor Moore stated that would be discussed at the public portion of the meeting.

**RESOLUTIONS**

**Accept minutes of Board of Trustees Meeting**

Motion made by Deputy Mayor Urban:  
**RESOLVED**, that the minutes of the Board of Trustees Meeting of December 5, 2019 are hereby accepted.  
 Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

**Accept Departmental reports**

Motion made by Trustee Tymann:  
**RESOLVED**, that the Treasurer's report for November 2019, and the Police Department's, Building Inspector's reports and Justice Court reports for December 2019 are hereby accepted.  
 Seconded by Deputy Mayor urban and unanimously approved 3 Ayes, 0 Nays

**Schedule 2020 General Village Election**

Motion made by Deputy Mayor Urban:  
**RESOLVED**, that the General Election of the Village of Westhampton Beach, New York shall be held on Friday, June 19, 2020 at the Village Hall, 165 Mill Road, Westhampton Beach, New York between the hours of 12 p.m. noon to 9 p.m. prevailing time, and the offices to be filled are:  
 Mayor                      One (1) for a term of two (2) years  
 Trustees                    Two (2) for a term of two (2) years  
 Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

**Approve 2019 Traffic Signal Maintenance Agreement**

Motion made by Trustee Tymann:

RESOLVED, that the proposal submitted by Johnson Electrical Construction Corporation for the 2020 traffic signal maintenance at a cost of \$725.00 per month is hereby accepted.

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

---

**Approve 2020–2021 Real Property Tax Exemption**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby approve the list of taxpayers to receive aged exemptions, disability exemptions, veteran's exemptions, clergy exemptions, and volunteer ambulance/firefighter's exemptions as indicated for the 2020/2021 tax year.

Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

---

**Approve Warrant for January 2020**

Motion made by Trustee Tymann:

RESOLVED, that the warrant for January 2020 in the amount of \$278,614.43 for the General Fund and \$1,211,471.20 for the Capital Fund is hereby approved.

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

---

**Schedule Village Tax Lien Sale – March 17, 2020**

Motion made by Deputy Mayor Urban:

WHEREAS, from the accounts of unpaid taxes heretofore returned by the Treasurer of the Village of Westhampton Beach, New York, to this Board for the tax year 2019-2020, the taxes still remain due and unpaid after due notice and demand on each of the property owners for the payment of said taxes,

WHEREAS, no action has been commenced to recover said unpaid taxes and no sale, on account of said taxes, has heretofore been held pursuant to law, and therefore let it be:

RESOLVED, that such unpaid taxes shall be collected by the sale for taxes as provided in Title 3 of Article 14 of the Real Property Tax Law of the State of New York, as it was in effect on December 31, 1994 pursuant to Article IV of Chapter 161 (Taxation) of the Code of the Village of Westhampton Beach, Chapter 602 of the Laws of 1993, Chapter 154 of the Laws of 2012 and Chapter 512 of the Laws of 2015, and

RESOLVED, that a copy of this resolution, duly certified by the Clerk, shall be transmitted forthwith to the Treasurer of this Village with the account, affidavit and certificate of such unpaid taxes, and that the Village Treasurer, upon receiving such an account of unpaid taxes and a certified copy of this resolution is authorized and directed to cause to be published in the official newspaper of the Village once each week for three successive weeks a list of statement of the real estate upon which such taxes are unpaid, as shown in the tax list, with the amount of the tax, a twenty-five dollar (\$25) advertising fee, interest and charges thereon and also a notice that the tax lien for such unpaid taxes will, on a day subsequent to the expiration of said three weeks, to be determined by said Village Treasurer and specified in said notice, be sold at public auction at a place in said Village to be designated by said Village Treasurer, to discharge, the tax, twenty-five dollar (\$25) advertising fee, interest and charges aforesaid, which may be due thereon at the time of such sale, and that said Village Treasurer, at the time and place specified in said notice, proceed with the sale of the tax lien for such unpaid taxes, as above set forth, and continue at the same from day to day until the sale is completed.

RESOLVED, that in all cases where no bid shall be made on a Tax lien so offered for sale for amount sufficient to pay the said tax, fees, interest and charges, the said tax lien shall be deemed to have been sold to and purchased by the said Village of Westhampton Beach, New York.

BE IT FURTHER RESOLVED, that all remaining unpaid taxes for the year 2019-2020 shall be collected by Public Sale to be held on Tuesday, March 17, 2020, at 10:30 a.m. in the Office of the Village Clerk-Treasurer and such unpaid taxes be advertised in the Southampton Press issues dated February 27, 2020, March 5, 2020 and March 12, 2020, in accordance with the statutory law.

Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

**Authorize Change Order for Main Street Improvement Project**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approves change order # PCO-06, (proposed change order) in the amount of \$68,400.00 to provide additional drainage at the Beach Lane intersection to be charged to the Capital Fund account H9500 Roads.

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

**Authorize Change Order for Main Street Improvement Project**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby approves change order # PCO-08, (proposed change order) in the amount of \$63,716.37 for various alternates and items to be charged to the Capital Fund account H9500 Roads.

Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

**Authorize Change Order for Main Street Improvement Project**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby approves change order # 0002C in the amount of \$212,304.89 as a final payment for excavation, loading and transporting existing unsuitable material from Main Street and replace with Recycled Concrete Aggregate (RCA), compacted for the unit price of \$8.05 per square foot to (two feet deep) subject to the recommendation of The Raynor Group and set forth in PCO # 3, (proposed change order) be charged to the Capital Fund account H9500 Roads and issue credits as appropriate.

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

**Authorize Use of Village Property- East End Disability Associates**

Motion made by Deputy Mayor Urban:

RESOLVED, that the East End Disability Associates is hereby authorized to use Rogers Beach on Saturday January 11, 2020 from 11:30 a.m. to 1:00 p.m. for a Polar Plunge fundraiser to benefit East End Disability Associates in coordination with the WHB Middle School.

Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

**Accept Resignation of CAC Member**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Robert Lilley as member of Conservation Advisory Council effective December 31, 2019.

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

**Appoint Member of the Conservation Advisory Council**

Motion made by Deputy Mayor Urban:

RESOLVED, that Dawn LaDu is hereby appointed as a member of the Conservation Advisory Council to complete the term of Robert Lilley to end May 31, 2020.

Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

**Accept Resignation of Ethics Board Member**

Motion made by Trustee Tymann:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Robert Lilley as member of Ethics Board effective December 31, 2019.

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

**Accept Retirement of Fire Marshal**

Motion made by Deputy Mayor Urban:

RESOLVED, that the Board of Trustees hereby accepts the retirement of William Hart as part time Fire Marshal effective December 31, 2019.

Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

**Refer Special Exception Application to Planning Board**

Motion made by Trustee Tymann:

RESOLVED, that the Special Exception application filed by Westhampton Inn, LLC to allow construction of an Inn/Hotel in the B-1 district for property located at 43 Main Street is hereby referred to the Village Planning Board for review.

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

**Accept Bid Proposal-Salt Shed Building Construction**

Motion made by Deputy Mayor Urban:

RESOLVED, that the bid proposal submitted by Greenway USA, LLC for the Construction of a Salt Storage Facility at the Westhampton Beach DPW property located at 124 Old Riverhead Road, in the amount of \$620,000.00 is hereby accepted.

Seconded by Trustee Tymann and unanimously approved 3 Ayes 0 Nays

**PUBLIC COMMENT**

Mayor Moore asked if anyone in the audience wanted to speak, Mike Nobiletti, Stillwaters Lane, asked the Board if road work done by the Village DPW would be repaired by the Village, the Board advised him it would be taken care of. Joan Levan stated the information about the Village getting Grants should be on the website, Mayor stated it would be taken care of.

The Mayor asked if anyone else in the audience wanted to be heard, there being no response the Mayor asked for a motion to close the meeting motion made by Trustee Tymann, seconded by Deputy Mayor Urban and unanimously approved 3 Ayes, 0 Nays.

Meeting adjourned at 5:49 PM.

Respectfully submitted,

Elizabeth Lindtvit  
Clerk-Treasurer

101