

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

Clerk-Treasurer Elizabeth Lindtvit
Village Attorney – Stephen Angel

PUBLIC HEARING:

LL # 1 of 2020 - Excavations

Motion to continue public hearing from January 9, 2020 was made by Deputy Mayor Urban, seconded by Trustee Frano and unanimously approved 4 Ayes, 0 Nays. Mayor Moore gave a brief explanation as to why the public hearing was held open, discussion to increase the penalty, the Mayor asked if anyone in the audience would like to speak, there being no response, the Mayor asked the Board for any comments there being none she asked for a motion to close the public hearing, motion made by Trustee Frano, seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays

Motion made by Deputy Mayor Urban:

WHEREAS, the Board of Trustees, as the legislative body of the Village of Westhampton Beach, is empowered to enact local laws pursuant to the provisions of Article 9 of the New York State Constitution, the Village Law, and the Municipal Home Rule Law; and

WHEREAS, a proposed Local Law has been prepared to amend Chapter 146 of the Village Code entitled "Excavations:" (a) to prohibit the issuance of road opening permits on roads that have been repaved within the previous three (3) years or constructed or reconstructed within the past five (5) years, subject to certain exceptions; and (b) increasing the penalty that can be imposed for violating Chapter 146; and

WHEREAS, the proposed Local Law, in final form, has been on the desks or tables of all the members of the Board of Trustees for seven calendar days, exclusive of Sunday; and

WHEREAS, the proposed local law is exempt as Type II under the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR 617.5(c)(6) and (33), as it involves the enactment of legislation in connection with road openings; and

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 9th day of January 2020, and the 6th day of February 2020 concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public during regular business hours in the Office of the Village Clerk; and

WHEREAS, the Board of Trustees has carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on January 9, 2020, and February 6, 2020 with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, this Board deems it in the public interest to adopt the proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the "Secretary of State").

NOW, THEREFORE, be it RESOLVED that the Board of Trustees of the Village of Westhampton Beach hereby enacts and adopts Local Law # 1 of 2020, a local law amending Chapter 146 of the Village Code limiting the issuance of road opening permits for newly constructed or reconstructed roads, the Board of Trustees of the Village of Westhampton Beach authorizes the Mayor to sign the local law annexed; and that the Board of Trustees of the Village of Westhampton Beach hereby authorizes the Village Clerk to certify the local law annexed as a true and correct enactment adopted by this Board and to forward it in proper form to the Secretary of State for filing.

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

Order to Repair or Demolish Un-safe Building Located at 72 South Road, Westhampton Beach

Mayor Moore asked for a motion to open this public hearing, motion made by Trustee Tymann, seconded by Deputy Mayor Urban and unanimously approved 4 Ayes, 0 Nays. Building and Zoning Administrator Brad Hammond described the situation with the property located at 72 South Road, dwelling in disrepair, fire in 2017 premises boarded up, the structural integrity in risk. Building department issued a notice in 2019, property sold new owner, Mr. Hammond advised the Board to move forward with demolition of property, Mayor explained the Building department has sent numerous notices to bank which owns property. Village attorney advised to post a notice on the property, this public hearing will be held open. Mayor Moore asked the audience if anyone would like to comment; motion made by Trustee Frano to hold open this public hearing, seconded by Trustee Rubio and 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 9, 2020 are hereby accepted.

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

Accept Departmental Reports

Motion made by Deputy Mayor Urban:

RESOLVED, that the Treasurer's report for December 2019, and the Police Department's, Building Inspector's reports and Justice Court reports for January 2020 are hereby accepted.

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

Accept 2018–2019 Fiscal Year Annual Financial Statements

Motion made by Trustee Frano:

RESOLVED, that the 2018–2019 Fiscal Year Annual Financial Statements prepared by Satty, Levine and Ciacco for the Village of Westhampton Beach are hereby accepted.

Seconded by Trustee Rubio and unanimously approved 4 Ayes 0 Nays

Authorize Payment of 2017/18 and 2018/19 Certiorari Assessment Reduction

Motion made by Trustee Rubio:

RESOLVED, The Board of Trustees hereby authorize the payment of a 2017/18 through 2018/19 property tax reduction in the amount of \$3,337.81 to Herman Katz, Cangemi & Clyne, LLP for SCTM#0905-12-3-8 for Sunset 828, LLC as ordered by the NYS Supreme Court.

Seconded by Trustee Tymann and unanimously approved 4 Ayes 0 Nays

Approve Warrant for February 2020

Motion made by Trustee Tymann:

RESOLVED, that the warrant for February 2020 in the amount of \$226,600.37 for the General Fund and \$764,417.14 for the Capital Fund is hereby approved.

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

Approve 2019–2020 Fiscal Year Budget Transfers

Motion made by Deputy Mayor Urban:

RESOLVED, that 2019–2020 fiscal year budget transfers in the amount of \$35,570.75 are hereby approved.

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

Accept Resignation of Employee

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby accepts the resignation of Felicia Williford as a part time School Crossing Guard effective January 23, 2020.

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

Authorize Employee to Attend Construction Trade Show 2020 Conference

Motion made trustee Rubio:

RESOLVED, that Superintendent of Public Works Matthew Smith is hereby authorized to attend the CONEXPO-CON/AGG 2020 in Nevada from March 10 to March 14, 2020 at a cost of not more than \$1,000.00 for travel expenses, \$589.00 for conference registration and training classes, and \$1,200.00 for lodging from G/L account code A5110.2 Equipment.

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

Refer Special Exception Application to Planning Board

Motion made by Trustee Tymann:

RESOLVED, that the Special Exception application filed by HCMC Holdings, LLC for a change of use to allow renovation and construction of a building for administrative offices in the Hotel District for property located at 51 Old Riverhead Road is hereby referred to the Village Planning Board for review.

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

Refer Special Exception Application to Planning Board

Motion made by Deputy Mayor Urban:

RESOLVED, that the Special Exception application filed by James Traynor for a change of use to construct a trade contractors office for property located at 91 Old Riverhead Road is hereby referred to the Village Planning Board for review.

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

Refer Special Exception Application to Planning Board

Motion made by Trustee Frano:

RESOLVED, that the Special Exception application filed by Anna Gerzon and Robert Elenowitz for the construction of a Senior Citizen Housing Complex in the Hotel District for property located at 55-59 Old Riverhead Road is hereby referred to the Village Planning Board for review.

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

Schedule Public Hearing Local Law Amendment

Motion made by Trustee Rubio:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday March 5, 2020 at 5:00 p.m. at the Village Hall on a Local Law Amending Chapter 178 of the Village Code entitled "Vehicles and Traffic".

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

Schedule Public Hearing Local Law Amendment

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 Thursday March 5, 2020 at 5:00 p.m. at the Village Hall on a Local Law Amending Chapter 197-Attachment 2.1 of the Village Code entitled "Zoning".

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

Appoint Member of the Conservation Advisory Council

Motion made by Deputy Mayor Urban:

RESOLVED, that Jim Badzik is hereby appointed as a member of the Conservation Advisory Council for a one (1) year term to end May 31, 2021.

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

Authorize Change Order for Main Street Improvement Project

Motion made by Trustee Frano:

RESOLVED, that the Board of Trustees hereby approves change order # PCO-07, (proposed change order) in the amount of \$55,854.70 for revisions to the traffic circles to be charged to the Capital Fund account H9500 Roads.

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

Authorize Change Order for Main Street Improvement Project

Motion made by Trustee Rubio:

RESOLVED, that the Board of Trustees hereby approves change order # PCO-09, (proposed change order) in the amount of \$22,993.00 for revisions to North East Corner of Library Avenue to be charged to the Capital Fund account H9500 Roads.

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

Authorize Mayor to Sign Agreement with WHB School District

Motion made by Trustee Tymann:

WHEREAS, The Village of Westhampton Beach and the Westhampton Beach School District desire to renew the School Resource Officer Program (the "SRO Program") to promote safety, education and establish a positive police presence for an additional one (1) year period within the school environment, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to sign the amended agreement with the Westhampton Beach School District to implement the SRO Program.

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

PUBLIC COMMENT

Updated presentation by Chris Barletta of Sandpebble Management Services of the Main Street Project. Mayor Moore asked if anyone in the audience wanted to speak, there being no response the Mayor asked for a motion to close the meeting motion made by Trustee Frano, seconded by Trustee Rubio and unanimously approved 4 Ayes, 0 Nays.

Meeting adjourned at 5:40 PM.

Respectfully submitted,

Elizabeth Lindtvit
Clerk-Treasurer