

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Thursday, June 7, 2012 at 7 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach

**PRESENT: Mayor Conrad Teller
Deputy Mayor Toni Jo Birk
Trustee Patricia DiBenedetto
Trustee Leola "Sue" Farrell
Trustee Hank Tucker**

**Clerk-Treasurer Rebecca Molinaro
Village Attorney Richard Haefeli**

Mayor Teller made a presentation to Trustee Sue Farrell for her hard work and dedication to the village for her years of service.

PUBLIC HEARINGS

Local Law to Amend Chapter 197-17 of Village Code-Table of Uses Regulations

Mayor Teller made a motion to open the public hearing. Seconded by Deputy Mayor Birk and unanimously approved.

Mayor Teller asked members of the Board if they had any questions, there was no response.

Mayor Teller asked if anyone else would like to speak. He said it is a standardization of our Code, it is adding numbers to our code.

Mayor Teller made a motion to close the public hearing and was unanimously approved.

Motion by Trustee Tucker:

WHEREAS, Board of Trustees of the Village of Westhampton Beach has considered the amendments to section 17 of Chapter 197 of the Village Code to reference the 2007 North American Industry Classification System (NAICS) to further clarify what uses are contemplated within the Business Districts Table of Use Regulations; and

WHEREAS, on June 7, 2012, a public hearing was held to consider any testimony related to the proposed changes, at which time all persons either for or against the enactment were heard; and

WHEREAS, the proposed amendments were referred to the Suffolk County Planning Commission and found the subject code amendments to be a matter for local determination; and

WHEREAS, the project meets the criteria for classification as a Type II Action pursuant to 6 NYCRR Part 617.5 of the State Environmental Quality Review Act and therefore no further environmental review is required; now therefore be it

RESOLVED, that after due deliberation the Board of Trustees of the Village of Westhampton Beach finds that it is in the best interest of the Village to adopt the Local law as advertised and attached.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay.

RESOLUTIONS

Accept Minutes of Board of Trustees Meeting

Motion by Trustee Tucker:

RESOLVED, that the minutes of the Board of Trustees Meetings of April 5, 2012 and May 3, 2012 and Special Meeting of May 16, 2012 are hereby accepted.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Accept Departmental Reports

Motion by Deputy Mayor Birk:

RESOLVED, that the Treasurer’s report for April 2012, Justice Court, Police Department’s and Building Inspector’s reports for May 2012, are hereby accepted.

Seconded by Trustee Farrell and unanimously approved. 4 Aye, 0 Nay

Schedule Public Hearing-Big City Burger Outdoor Dining Application

Motion by Trustee Farrell:

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Monday, June 18, 2012 at 3:00 p.m. at the Village Hall on the Outdoor Dining Permit Application submitted by Big City Burger located at 85 Montauk Highway.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Authorize Payment of 2010-11 Assessment Roll Small Claims Property Tax Reduction

Motion by Trustee DiBenedetto:

RESOLVED, that the Board of Trustees hereby authorize the payment of 2011-12 tax year property tax reduction in the amount of \$1,790.05 to Helene and Fredric Gould having a property address of 316 Dune Road (SCTM # 905-18-1-22) as a settlement of Small Claims ordered by the NYS Supreme Court.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

Appoint Satty, Levine and Ciacco to Audit 2011-12 Financial Statements

Motion by Trustee Tucker:

RESOLVED, that the firm of Satty, Levine and Ciacco is appointed to audit the Village of Westhampton Beach’s financial statements for the 2011-12 fiscal year at a cost of \$19,500.00 and an audit of the Village Justice Court at a cost of \$3,750.00.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Appoint Special Counsel

Motion by Deputy Mayor Birk:

WHEREAS, J.R.C. Land Company, LLC has commenced an Article 78 proceeding against the Planning Board of the Village of Westhampton Beach with regard to site plan approval; and now therefore be it

RESOLVED, that Richard Haefeli is appointed Special Counsel to represent the Planning Board of the Village of Westhampton Beach in the aforementioned proceeding.

Seconded by Trustee Farrell and unanimously approved. 4 Aye, 0 Nay

Approve Standard Work Days for Elected and Appointed Officials

Motion by Trustee Farrell:

RESOLVED, that the Board of Trustees of the Village of Westhampton Beach hereby establishes the attached schedule as standard work days for elected and appointed

officials and will report the following days worked to the New York State and Local Employees Retirement System based on the time keeping system records or the record of activities maintained and submitted by the officials to the Clerk of this Body.

Seconded by Deputy Mayor Birk and voted on as follows:

Deputy Mayor Birk	Aye	Trustee Farrell	Aye
Trustee DiBenedetto	Abstain	Trustee Tucker	Aye

Authorize Grant Application to NYS Department of Environmental Conservation

Motion by Trustee DiBenedetto:

RESOLVED, that the Mayor of the Village of Westhampton Beach is hereby authorized and directed to file an application for fifty percent (50%) matching funds in an amount not to exceed \$10,000, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Village of Westhampton Beach for Hazardous Tree Removal and Tree Replacement projects.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye and 0 Nay

Authorize Use of Village Property-Westhampton Beach Elementary School

Motion by Trustee Tucker:

RESOLVED, that the Westhampton Beach Elementary School is hereby authorized to use Rogers Beach on Friday, June 15, 2012 from 9:30 a.m. to 2:30 p.m. for the annual 5th Grade Beach Day.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye and 0 Nay

Authorize Use of Village Property-SHT Trustees and Cornell Cooperative Extension

Motion by Deputy Mayor Birk:

RESOLVED, that the Southampton Town Trustees and Cornell Cooperative Extension are hereby authorized to use the Village Green on Saturday, June 16, 2012 from 1:00 p.m. to 3:00 p.m. for the Marine Meadows Program and Workshop.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

Authorize Use of Village Property-Ocean Dunes Club Condominium

Motion by Trustee Farrell:

RESOLVED, that the Ocean Dunes Club Condominium is hereby authorized to use the Village Hall Board Meeting Room on Sunday, June 24, 2012 from 9:00 a.m. to 12:00 p.m. for the Annual Condominium Meeting.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Authorize Use of Village Property-Seafield Center

Motion by Trustee DiBenedetto:

RESOLVED, that the Seafield Center is hereby authorized to use the Rogers Beach Pavilion on Friday, September 7, 2012 (rain date September 14, 2012) from 8 a.m. to 4 p.m. for the 17th Annual Wellness Day.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

Authorize Use of Village Property-Kiwanis of Greater Westhampton

Motion by Trustee Tucker:

RESOLVED, that the Kiwanis of Greater Westhampton is hereby authorized to use the Village Marina on Saturday, October 6, 2012 (rain date October 7th) from 10:00 a.m. to 4:00 p.m. for the 2012 Oyster Festival and Exhibit.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Appoint 2012 Seasonal Beach Personnel

Motion by Deputy Mayor Birk:

RESOLVED, that the attached list of Beach personnel for the 2012 season is hereby approved at the hourly rates indicated and not to exceed forty (40) hours per week.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay

Approve 2012 Fire Inspection Services Agreement with Southampton Town

Motion by Trustee Farrell:

RESOLVED, that the Mayor is hereby authorized to execute the renewal of the 2012 Fire Inspection Services Agreement with the Town of Southampton to provide the Village with fire inspection, investigation and hazardous materials response services to be billed in accordance with the contract rate schedule.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay.

Approve 2012 Electrical Services Agreement with Southampton Town

Motion by Trustee DiBenedetto:

RESOLVED, that the Mayor is hereby authorized to execute the renewal of the 2012 Electrical Inspection Services Agreement with the Town of Southampton to provide the Village with electrical inspection and investigation services to be billed in accordance with the contract rate schedule.

Seconded Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay.

Authorize Intermunicipal Agreement with Suffolk County for Fuel Purchases

Motion by Trustee Tucker:

WHEREAS, the Village wishes to purchase fuel from Suffolk County and Suffolk County is willing to provide such requested services; and

WHEREAS, the Village will be responsible to pay Suffolk County for the cost of fuel used by Village owned vehicles plus a fifteen percent (15%) administrative fee;

RESOLVED, that the Mayor is hereby authorized to execute a renewed contract with Suffolk County for the purchase of fuel for Village owned vehicles under the County's Fuel Management/Preventive Maintenance Inventory Control System subject to contract review and approval by the Village Attorney.

Seconded by Trustee Farrell and unanimously approved. 4 Aye, 0 Nay.

Authorize 2012 Renewal of Jonesey's Outdoor Dining Permit

Motion by Deputy Mayor Birk:

WHEREAS, Jonesey's Restaurant has applied to renew the Outdoor Dining Permit for 2012 to place seven (7) tables and fourteen (14) chairs pursuant to Chapter 196-1 of

the Village Code; and

WHEREAS, there were no incidents or reports filed with the Police Department concerning said use; and now therefore be it

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the original plan approved June 2, 2011 and subject to the same set of conditions.

Seconded by Trustee Tucker and unanimously approved. 4 Aye, 0 Nay.

Approve Warrant for June 2012

Motion by Trustee Farrell:

RESOLVED, that the warrant for June 2012 in the amount of \$ 276,161.87 for the General Fund is hereby approved.

Seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

PUBLIC DISCUSSION

Jim Flood, Westhampton Beach, said on busy weekends, it is difficult for motorists to find parking on the Main Street area meanwhile, the Village has other parking at Glovers Lane and Main Street A lot of people don't know these exist. Maybe a directional sign should be put up letting people know about these parking lots.

Mayor Teller asked Highway Superintendent John Kearns to install a sign and he responded he would.

Mayor Teller asked if anyone else would like to be heard. There being no further response, he made a motion to commence an Executive Session for the purposes of litigation.

Mayor Teller made a motion at 7:45 p.m. to adjourn the meeting. The motion was seconded by Deputy Mayor Birk and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Rebecca Molinaro
Clerk-Treasurer