

12 The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Wednesday, February 20, 2019 at 5 p.m. in the Municipal Building, 165 Mill Road, Westhampton Beach.

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

ABSENT: Trustee Rob Rubio

Clerk-Treasurer Elizabeth Lindtvit
Village Attorney – Stephen Angel

RESOLUTIONS

Adopting Local Law # 2 of 2019

Motion made by Trustee Tymann:

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 196 of the Village Code entitled "Outdoor Dining, Outdoor Tables, Chairs and Benches and Music" to give the Board of Trustees the authority to extend the period of time for outdoor dining and the placement of tables, chairs, benches, and equipment used outside for dining purposes to a ten-month period, under certain conditions; 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 action is classified as Type II under the State Environmental Quality Review Act ("SEQRA") under 6 NYCRR §617.5(c) (12) & (33) and, therefore, no further SEQRA review is required; and

WHEREAS, due notice has been heretofore given of a public hearing to be held on the 7th day of February, 2019, 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 February 7, 2019, 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 that the Board of Trustees of the Village of Westhampton Beach hereby enacts and adopts Local Law # 2 of 2019, a local law amending Chapter 196-1(B)(10) and 196-2(B)(10) of the Village Code giving the Board of Trustees the authority to extend the period of time for outdoor dining and the placement of tables, chairs, benches, and equipment used outside for dining purposes to a ten-month period, under certain conditions, and

The Board of Trustees of the Village of Westhampton Beach authorizes the Mayor to sign the local law annexed; and 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.

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

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3. The applicant shall apply for and obtain an approved Fire Prevention permit from the Village of Westhampton Beach Fire Marshal.
4. Application period is from March 1 through December 31, 2019.

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

Schedule Public Hearing Amending Chapter 128 of the Village Code

Motion made by Trustee Frano:

RESOLVED, that the Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday, March 7, 2019 at 5:00 p.m. at the Village Hall for Amending Chapter 128 "Peddling and Soliciting" of the Village Code".

Seconded by Trustee Tymann and unanimously approved, 3 Ayes, 0 Nays

Meeting adjourned at 6:46 PM.

Respectfully submitted,



Elizabeth Lindtvit
Clerk-Treasurer