

**Village of Westhampton Beach  
Board of Trustees Organizational Meeting  
Monday July 1, 2019 at 5:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING**

Special Exception Application - Outdoor Dining

LL # 4 of 2019 - Amending Chapter 174 of the Village Code

**ANNUAL APPOINTMENTS AND RESOLUTIONS:**

- 1.Appoint Village Attorney
- 2.Appoint Special District Attorney
- 3.Appoint Acting Village Justice
- 4.Appoint Deputy Mayor
- 5.Appoint Architectural Review Board Chairman
- 6.Appoint Zoning Board of Appeals Chairman
- 7.Appoint Planning Board Chairman
- 8.Appoint Architectural Review Board Members
- 9.Appoint Planning Board Member
- 10.Appoint Zoning Board of Appeals Member
- 11.Appoint Members of the Conservation Advisory Council
- 12.Appoint Members of the Ethics Board
- 13.Accept Resignation of Ethics Board Member
- 14.Appoint Mayor as Commissioner of Licenses
- 15.Appoint Safety Committee
- 16.Appoint Village Clerk as Designee
- 17.Appoint Marriage Officer
- 18.Accept minutes Board of Trustees Meetings
- 19.Accept results of Village General Election
- 20.Designate Official Depositories

21. Approve 2019-20 Board of Trustees Meeting Schedule
22. Approve 2019-2020 Meeting Schedules for Appointed Boards
23. Authorize Check Signers
24. Designate Official Newspaper
25. Approve Mileage Reimbursement for Official Business
26. Approve Village Investment Policy
27. Accept Departmental Monthly Reports
28. Approve Warrant for July 2019
29. Authorize Use of Village Property-Glovers Lane Park
30. Authorize Special Event-Joe Koziarz Annual 5K Walk/Run
31. Authorize Use of Village Property-Greater Westhampton Chamber of Commerce
32. Authorize Notice to Bidders-Salt Storage Building
33. Accept Resignation of Employee
34. Refer Special Exception Application to Planning Board
35. Authorize Purchase of nVSION Accounting Software
36. Appoint Senior Justice Court Clerk
37. Schedule Public Hearing Local Law - Chapter 197
38. Schedule Public Hearing Local Law - Chapter 70
39. Authorize Mayor to Sign Memorandum of Understanding
40. Accept Bid for Main Street Surveying
41. Authorize Bond Resolution
42. Authorize Bond Resolution
43. Authorize Bond Resolution
44. Authorize Bond Resolution
45. Authorize 2019 Renewal of Best Market Outdoor Tables, Chairs/Benches Permit
46. Authorize Renewal of 2019 Best Market Outdoor Sales and Displays Permit
47. Authorize Use of Village Property-Leslie Price, In Any Event

**PUBLIC COMMENT**

**ADJOURN**

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**ANNUAL APPOINTMENT AND RESOLUTIONS:**

**1.Appoint Village Attorney**

RESOLVED, that the firm of Esseks, Hefter, Angel, Di Talia & Pasca, LLP are hereby appointed to serve as the Village Attorneys to perform the functions and duties as legal counsel to the Board of Trustees, Planning Board and Zoning Board of Appeals for an annual retainer of \$65,000.00 to be paid in twelve equal installments; and the Architectural Review Board on an hourly basis as needed.

**2.Appoint Special District Attorney**

RESOLVED, that Anthony Rattoballi is hereby appointed to serve as a Special District Attorney to prosecute Village Justice Court cases and write appeals as necessary, at an hourly rate of \$175.00 for a term of one year.

**3.Appoint Acting Village Justice**

RESOLVED, that Martha M. Rogers, Esq. is hereby appointed as the Acting Village Justice of the Village of Westhampton Beach, to serve for a one-year term effective July 1, 2019 at an annual salary of \$5,000.00.

**4.Appoint Deputy Mayor**

RESOLVED, that Trustee Ralph Urban is hereby appointed to serve as Deputy Mayor for a term of one year to expire May 31, 2020.

**5.Appoint Architectural Review Board Chairman**

RESOLVED, that Gregory Minasian is hereby appointed to serve as Chairman of the Village Architectural Review Board for a term of one year to expire May 31, 2020.

**6.Appoint Zoning Board of Appeals Chairman**

RESOLVED, that Gerard Piering is hereby appointed to serve as Chairman of the Village Zoning Board of Appeals for a term of one year to expire May 31, 2020.

**7.Appoint Planning Board Chairman**

RESOLVED, that David Reilly is hereby appointed to serve as Chairman of the Village Planning Board for a term of one year to expire May 31, 2020.

## **8.Appoint Architectural Review Board Members**

RESOLVED, that Andrea Kaloustian is hereby appointed to serve a five-year term as a member of the Village Architectural Review Board to commence June 1, 2019 through to May 31, 2024.

## **9.Appoint Planning Board Member**

RESOLVED, that Ralph Neubauer is hereby appointed to serve a five-year term as a member of the Village Planning Board to commence June 1, 2019 through to May 31, 2024.

## **10.Appoint Zoning Board of Appeals Member**

RESOLVED, that Joseph Musnicki is hereby appointed to serve a five-year term as a member of the Village Zoning Board of Appeals to commence June 1, 2019 through to May 31, 2024.

## **11.Appoint Members of the Conservation Advisory Council**

RESOLVED, that Christopher Clapp, Raymond Dowd and Daniel Sullivan are appointed for a two-year term to end May 31, 2021 and Patricia Schaefer is appointed as Chairperson to serve a one-year term to end May 31, 2020 to the Conservation Advisory Council.

## **12.Appoint Members of the Ethics Board**

RESOLVED, that Robert Lilley and Carol Matthews are hereby appointed to the Ethics Board to serve a two-year term to expire May 31, 2021.

## **13.Accept Resignation of Ethics Board Member**

RESOLVED, that the Board of Trustees hereby accepts the resignation of Barbara Rasmussen from the Ethics Board effective May 31, 2019.

## **14.Appoint Mayor as Commissioner of Licenses**

RESOLVED, that Mayor Maria Z. Moore is hereby appointed Commissioner of Licenses for a term of one year.

## **15.Appoint Safety Committee**

RESOLVED, that the Board of Trustees hereby appoints the following individuals to the Safety Committee which will meet quarterly as recommended by the NYS Municipal Workers Compensation Alliance: Maria Moore Mayor, Stephen Frano Trustee, Elizabeth Lindtvit Village Clerk, Trevor Gonce Chief of Police, Brad Hammond Building & Zoning Administrator, Matthew Smith Superintendent of Public Works, Brian Prescott PBA President, Paul Bugge AME Shop Steward and Bridget Napoli.

## **16.Appoint Village Clerk as Designee to accept Notice of Claims**

WHEREAS the New York State Legislature on June 15, 2013 amended the New York General Municipal Law to allow a notice of claim against the Village to be served upon the New York State Secretary of State and the law further provided that the Village is required to adopt a resolution approving the designation of the individual to be served the notice of claim by the Secretary of State and that all such notices of claim and any other legal papers received shall be immediately provided to the Mayor and each Trustee for review.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The Board of Trustees hereby appoints the Village Clerk as the individual to whom the Secretary of State must serve any notice of claim against the Village.

## **17.Appoint Marriage Officer**

RESOLVED, that Ralph Urban is hereby appointed to serve as Marriage Officer for a term of one-year pursuant to the provisions of NYS Domestic Relations Law §11-c.

## **18.Accept Minutes of Board of Trustees Meetings**

RESOLVED, that the minutes of the Board of Trustees Meeting of June 6, 2019 and Special Meeting of June 19, 2019 are hereby accepted.

## **19.Accept Results of General Village Election**

RESOLVED, that the results of the General Village Election of June 21, 2019 are hereby accepted as set forth in the attached Official Return of Votes.

## **20.Designate Official Depositories**

RESOLVED, that Capital One Bank, TD Bank, Peoples Bank f/k/a Suffolk County National Bank, MBIA Municipal Investors Service Corporation (CLASS Program), and Signature Bank are hereby designated the official depositories of the Village of Westhampton Beach during the ensuing year and that the Village Clerk-Treasurer is hereby ordered to deposit all funds therein.

## **21.Approve 2019-2020 Board of Trustees Meeting Schedule**

RESOLVED, that the Board of Trustees shall hold its regular meetings on the first Thursday of the month at 5:00 p.m. in the Municipal Building located at 165 Mill Road, Westhampton Beach unless the first Thursday is a holiday in which event the regular meeting shall be held on the first Friday thereafter which is not a holiday or as specifically noted on the attached schedule; and be it further

RESOLVED, that the work sessions will be held at the Municipal Building at 5 p.m. as indicated on the attached schedule. The Annual Organizational Meeting will be held on Monday July 5, 2020 at 5:00 p.m. at the Municipal Building.

## **22. Approve Meeting Schedules for Appointed Boards**

RESOLVED, that the Planning Board shall hold its regular meetings at 5:00 p.m. on the second and fourth Thursday of each month as necessary, the Zoning Board of Appeals shall hold its regular meeting on the third Thursday of each month at 5:00 p.m. as necessary and the Architectural Review Board shall hold meetings on the first and third Tuesdays of each month at 7:00 p.m. as necessary according to the schedules attached.

## **23. Authorize Check Signers**

RESOLVED, that all Village of Westhampton Beach checks shall be signed by Maria Z. Moore, Mayor, or Ralph Urban the Deputy Mayor, and Elizabeth Lindtvit, Village Clerk-Treasurer or Jeannine Conte, Deputy Village Treasurer, except for Trust and Agency checks which shall be signed by either Elizabeth Lindtvit or Jeannine Conte upon written approval by the appropriate Department Head to release such funds.

## **24. Designate Official Newspaper**

RESOLVED, that *The Southampton Press* is hereby designated as the official newspaper of the Village of Westhampton Beach during the ensuing year.

## **25. Approve Mileage Reimbursement for Official Business**

RESOLVED, that all employees and officials of the Village who use their vehicles or other private vehicles for official Village business shall be reimbursed mileage at the rate allowed by the Internal Revenue Service in effect at the time the request is made.

## **26. Approve Village Investment Policy**

RESOLVED, that the attached investment policy is hereby approved.

## **27. Accept Monthly Reports from Departments**

RESOLVED, that the Police Department, Justice Court and Building Inspector's reports for June 2019 are hereby accepted.

## **28. Approve Warrant for July 2019**

RESOLVED, that the warrant for July 2019 in the amount of \$188,396.83 for the General Fund and \$251,404.90 for the Capital Fund is hereby approved.

## **29. Authorize Use of Village Property-Glovers Lane Park**

RESOLVED, that Mariana Nunes is hereby authorized to use Glovers Lane Park on Sunday July 21, 2019 from 4:00 p.m. to 7:00 p.m. for a baby shower with a 10 x 10' tent, some tables and chairs to serve and eat finger foods.

## **30. Authorize Special Event-Joe Koziarz Annual 5K Walk/Run**

RESOLVED, that the Board of Trustees hereby authorize the Joe Koziarz Annual 5K Walk/Run event on Saturday July 20, 2019 from 6:00 a.m. to 11:00 a.m. as per route on file with application and approval is subject to the receipt of all fees required.

### **31. Approve Use of Village Property-Greater Westhampton Chamber of Commerce**

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Great Lawn on Saturday August 3, 2019 and Sunday August 4, 2019 from 10:00 a.m. to 6:00 p.m. with set-up date on Friday August 2, 2019 from 12:00 p.m. to 8:00 p.m. for the Mary O. Fritchie Art Show with approved signage limited to 1 on-site location sign and no more than 10 18' x 24' lawn signs placed as on application and an added feature of no more than 5 food trucks.

### **32. Authorize Notice to Bidders-Salt Storage Building**

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to post a Notice to Bidders for the construction of a Salt Storage building.

### **33. Accept Resignation of Employee**

RESOLVED, that the Board of Trustees hereby accepts the resignation of Mark Weiss as a part time police officer effective June 20, 2019.

### **34. Refer Special Exception Application for Outdoor Tables, Chairs & Benches to Planning Board**

RESOLVED, that the Special Exception application received from Aji Authentic Mexican Food for Outdoor Tables, Chairs and Benches for property located at 77 Main Street is hereby referred to the Village Planning Board for review.

### **35. Authorize Purchase of nVision Accounting Software**

RESOLVED, that the Board of Trustees hereby approve the purchase of nVision Accounting Software by Finance Manager including installation and training in the amount \$ 7,000.00 from account code A1325.406, Village Clerk Office Expense.

### **36. Appoint Senior Justice Court Clerk**

RESOLVED, that Janet Jurgielwicz is appointed to the position of Provisional Senior Justice Court Clerk, effective July 1, 2019 at a semi-monthly salary of \$2,090.89 in accordance with Suffolk County Department of Civil Service rules and procedures.

### **37. Schedule Public Hearing Local Law - Chapter 197**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday August 1, 2019 at 5:00 p.m. at the Village Hall to consider a Local Law to amend Chapter 197 of the Village Code Entitled "Zoning", regarding the location of accessory buildings and structures.

### **38. Schedule Public Hearing Local Law - Chapter 70**

RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday August 1, 2019 at 5:00 p.m. at the Village Hall to consider a Local Law to amend Chapter 70 of the Village Code Entitled "Building Construction and Fire Prevention", regarding permit renewals.



### **39. Authorize Mayor to Sign Memorandum of Understanding**

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to execute a memorandum of understanding with the Long Island Power Authority (LIPA) with respect to the undergrounding of the electric lines on Main Street as required by LIPA's tariff as adopted by the NY State Public Service Commission.

### **40. Accept Bid for Main Street Surveying**

WHEREAS, there were 3 proposals received for the Main Street Corridor Staking for Construction phase of the Main Street Improvement project, which proposals were reviewed by Sandpebble Project Managers; and

WHEREAS, Fox Land Surveying submitted a detailed proposal dated June 27, 2019 to provide the services requested for the Main Street Improvement project,

NOW THEREFORE BE IT;

RESOLVED, that the Board of Trustees hereby accepts the proposal submitted by Fox Land Surveying in the amount of \$46,000.00 to be funded from the Capital Account H9500 Roads.

### **41. Authorize Bond Resolution**

RESOLVED, that the Board of Trustees does hereby authorize and approve the issuance of \$4,500,000 bonds (Bond Resolution attached) of the Village of Westhampton Beach, Suffolk County, NY to finance the installation of underground conduit to relocate utility lines in connection with the Main Street Improvement project, stating the estimated maximum cost thereof is \$4,500,000. appropriating said amount for such purpose, including the expenditure of \$250,000. in funds expected to be received to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of \$4,250,000. to finance the balance of said appropriation.

### **42. Authorize Bond Resolution**

RESOLVED, that the Board of Trustees does hereby authorize and approve the issuance of \$500,000 bonds (Bond Resolution attached) of the Village of Westhampton Beach, Suffolk County, NY to finance the installation of Street Lighting fixtures in connection with the Main Street Improvement project, stating the estimated maximum cost thereof is \$500,000. appropriating said amount for such purpose, including the expenditure of \$100,000. in funds expected to be received to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of \$400,000. to finance the balance of said appropriation.

### **43. Authorize Bond Resolution**

RESOLVED, that the Board of Trustees does hereby authorize and approve the issuance of \$1,000,000. bonds (Bond Resolution attached) of the Village of Westhampton Beach, Suffolk County, NY to finance the construction of drainage improvements in connection with the Main Street Improvement project, stating the estimated maximum cost thereof is \$1,000,000. appropriating said amount for such purpose, including the expenditure of \$500,000. in funds expected to be received to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of \$500,000. to finance the balance of said appropriation.

#### **44. Authorize Bond Resolution**

RESOLVED, that the Board of Trustees does hereby authorize and approve the issuance of \$8,000,000. bonds (Bond Resolution attached) of the Village of Westhampton Beach, Suffolk County, NY to finance the construction of road improvements in connection with the Main Street Improvement project, stating the estimated maximum cost thereof is \$8,000,000. appropriating said amount for such purpose, including the expenditure of \$1,243,000. in grant funds expected to be received and \$1,107,000. of available village funds to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of \$5,650,000. to finance the balance of said appropriation.

#### **45. Authorize 2019 Renewal of Best Market Outdoor Tables, Chairs/Benches Permit**

WHEREAS, Best Market has applied to renew the Outdoor Tables, Chairs and Benches Permit for 2019 to place ten (10) outdoor tables and twenty (20) chairs pursuant to §196-2 of the Village Code; and

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

RESOLVED, that the Board of Trustees hereby authorizes the placement of outdoor tables and chairs as shown on the submitted plan approved in 2016 and subject to the same set of conditions and plan attached to the 2019 application.

#### **46. Authorize Renewal of 2019 Best Market Outdoor Sales and Displays Permit**

WHEREAS, Best Market has applied to renew the Outdoor Sales and Displays Permit for 2019 to allow the limited outdoor sale and display of seasonal items pursuant to §140-2(A) (11) of the Village Code; and

WHEREAS, it appears from the Outdoor Display Plan and Planning Board report that the application satisfies the conditions of section 140-2(A) of the Village Code, with the exception of subdivision (11) thereof (which limits the seasonal display to the period of April 15 to November 15 of each year), and

WHEREAS, the Board finds that, under the unique circumstances of this property, the nature of a year-round grocery store use, and the seasonal items described in the Outdoor Display Plan, a waiver of the seasonal limitation of section 140-2(A) (11) is warranted; now therefore,

BE IT RESOLVED that the application for an Outdoor Sales permit is granted subject to the following conditions:

1. All conditions set forth in section 140-2(A) shall be followed with the exception of subdivision (11), which is expressly waived so as to allow year-round sales according to the Outdoor Display Plan;
2. Outdoor items installed on moveable racks shall be on racks that are secured to the building so as to prevent the racks and items from obstructing ingress and egress to and from the building, and pedestrian walkways;

3. No substantial deviation from the Outdoor Display Plan shall be allowed without further approval of the Board of Trustees;
4. In the event site work related to the Phase II or Phase III work approved by the Planning Board as part of the approved site plan is undertaken during the period of this permit in or near the area of the outdoor displays, the Building Inspector shall have the authority to limit such outdoor displays if necessary, to avoid public safety hazards; and
5. This permit shall be in effect to April 1, 2020, unless previously revoked, and the applicant shall be required to follow the renewal provisions set forth in section 140-2(B) of the Village Code for future outdoor displays beyond such expiration date.

**47. Authorize Use of Village Property-Leslie Price, In Any Event**

RESOLVED, that Leslie Price, In Any Event, is hereby authorized to use the Lashley Beach bayside parking lot for valet parking on Saturday, July 20, 2019 from 6:30pm to 11:00pm, and to use the beach access road on Saturday, July 20, 2019 to unload materials from 6:00am to 9:00am and after 11:00pm for cleanup.

**PUBLIC COMMENT**

**ADJOURN**

**DATED: July 1, 2019**

**Elizabeth Lindtvit  
Village Clerk-Treasurer**

**VILLAGE OF WESTHAMPTON BEACH  
BOARD OF TRUSTEES MEETINGS  
2019-2020**

**WORK SESSIONS 5:00 P.M.**

**2019**

Wednesday, July 17, 2019

Wednesday, Aug. 21, 2019

Wednesday, Sept. 18, 2019

Wednesday, Oct. 16, 2019

Wednesday, Nov. 20, 2019

**2020**

**NO DECEMBER WORK SESSION**

Wednesday, Jan. 15, 2020

Wednesday, Feb. 19, 2020

Wednesday, March 25, 2020\*

Wednesday, April 15, 2020\*\*

Wednesday, May 20, 2020

**NO JUNE WORK SESSION**

**REGULAR MEETINGS 5:00 P.M.**

**2019**

Thursday, Aug. 1, 2019

Thursday, Sept. 5, 2019

Thursday, Oct. 3, 2019

Thursday, Nov. 7, 2019

Thursday, Dec. 5, 2019

**2020**

Thursday, Jan. 9, 2020

Thursday, Feb. 6, 2020

Thursday, March 5, 2020

Thursday, April 2, 2020

Thursday, May 7, 2020

Thursday, June 4, 2020

Monday, July 6, 2020  
**ORGANIZATIONAL MEETING**

\*Presentation of the tentative budget to the trustees for review and revision

\*\*Public hearing on the tentative budget, as revised