

PLEDGE OF ALLEGIANCE

RESOLUTIONS:

Accept minutes of Board of Trustees Meetings

Accept Departmental Monthly Reports

Schedule Public Hearing – 2015 Community Development Block Grant Funding

Authorize Employees to Attend NYS Building Officials Conference

Approve Use of Village Property-Westhampton Beach Elementary School

Approve Use of Village Property-Westhampton Beach High School

Approve Use of Village Property – Alzheimer’s disease Resource Center

Approve Use of Village Property – Parkinson’s Walk for Research

Accept Resignation from Part Time Police Officer

Authorize Notice to Bidders-Above Ground Fuel Tank/DPW Property

Designate Official Newspapers

Authorize Mayor to Sign Inter-Municipal Agreement

Authorize Employee Benefit Accrued Liability Reserve Account

Authorize Unreserved Fund Balance Transfer

Authorize SEQRA-Sunset West LLC Special Exception Application

Authorize Renewal of HVAC Annual Service Contract

Authorize Mayor to Sign Agreement of Transfer of Flow Credits

Approve Warrant for October 2014

PUBLIC COMMENT

ADJOURN

**Village of Westhampton Beach
Board of Trustees Meeting
Thursday October 2, 2014 at 7 p.m.**

EXECUTIVE SESSION:

Sunset West LLC, Special Exception

Police Personnel

Legal

**Village of Westhampton Beach
Board of Trustees Meeting
Thursday, October 2, 2014 at 7 p.m.**

PLEDGE OF ALLEGIANCE

RESOLUTIONS:

Accept minutes of Board of Trustees Meeting

RESOLVED, that the minutes of the Board of Trustees Special Meeting of September 3, 2014, Regular Meeting of September 4, 2014 and Special Meeting of September 8, 2014 are hereby accepted.

Accept Departmental reports

RESOLVED, that the Justice Court, Building Department and Police Department reports for September 2014 and Treasurer's Reports for August 2014 are hereby accepted.

Schedule Public Hearing-2015 Community Development Block Grant Funding

RESOLVED, that the Clerk-Treasurer is hereby directed to publish and post a Notice of Public Hearing to be held on Thursday, November 6, 2014 at 7:00 p.m. at the Village Hall on 2015 Community Development Block Grant funding.

Authorize Employees to Attend Capital District Building Officials Conference

RESOLVED, that Paul Houlihan and William Hart are hereby authorized to attend the 2014 Annual Capital District Building Officials Annual Educational Conference to receive state mandated training in Albany from October 20 to October 22, 2014 at a cost of \$384.00 per person for lodging and \$310.00 per person for conference registration plus travel expenses.

Approve Use of Village Property-Westhampton Beach Elementary School

RESOLVED, that the Westhampton Beach Elementary School is hereby authorized to hold the Annual Halloween Parade on Friday, October 31, 2013 from 3:30 p.m. to 5 p.m. per the route on file.

Approve Use of Village Property-Westhampton Beach High School

RESOLVED, that the Westhampton Beach High School Student Government is hereby authorized to hold the Annual Homecoming Parade on Friday, October 10, 2014 from 3:30 p.m. to 5:30 p.m. per the route on file.

Approve Use of Village Property – Alzheimer’s disease Resource Center

RESOLVED, that the Alzheimer’s Disease Resource Center is hereby authorized to use the Village Green and conduct a 5k Walk per route on file on Saturday, October 18, 2014 from 9 a.m. to 3 p.m. for lunch and festivities.

Approve Use of Village Property – Parkinson’s Walk for Research

RESOLVED, that Bridget Napoli is hereby authorized to use the Rogers and Lashley Beach bathrooms and parking lots for the 1st annual Walk along Dune Road for Parkinson’s Research on Saturday, October 11, 2014 from 8 a.m. to 2 p.m..

Accept Resignation from Part Time Police Officer

RESOLVED, that the Board of Trustees hereby accepts the resignation of Police Officer Jason Luhrs effective September 4, 2014.

Authorize Notice to Bidders-Furnish & Install Fuel Dispensing System/DPW Property

RESOLVED, that the Village Clerk-Treasurer is hereby authorized to post a Notice to Bidders to Furnish and Install a Fuel Dispensing System at the DPW property.

Designate Official Newspapers

RESOLVED, that *The Southampton Press-Western Edition*, and *Newsday* are hereby designated as the official newspapers of the Village of Westhampton Beach during the ensuing year.

Authorize Mayor to Sign Inter-Municipal Agreement

RESOLVED, that the Mayor is hereby authorized to sign an Inter-Municipal agreement with the Town of Southampton for the Purchase of Fuel.

Authorize Employee Benefit Accrued Liability Reserve Account

RESOLVED, that, pursuant to section 6-p of the N.Y. General Municipal Law, the Board of Trustees does hereby establish an Employee Benefit Accrued Liability Reserve Account, to be used to make expenditures for any accrued employee benefit payment due an employee of the Village of Westhampton Beach upon termination or retirement of the employee’s service. The account shall be known as the “Westhampton Beach Employee Benefit Reserve Account.”

The Mayor is hereby directed to transfer from A687 Compensated Absences Account the account balance as of May 31, 2014 to A867 Reserve for Employee Benefits Account.

The Mayor shall be authorized to invest the monies in said account in the manner provided by section 11 of the N.Y. General Municipal Law. Any interest earned or capital gain realized on the monies in said account shall accrue to and become part of the account.

No expenditure shall be made from said account except upon authorization of the Board of Trustees pursuant to section 6-p of the N.Y. General Municipal Law.

Authorize Unreserved Fund Balance Transfer

RESOLVED, that the Board of Trustees hereby approved the transfer of \$400,000 from the 2013–14 unreserved fund balance to the A867 Reserve for Employee Benefits Account.

Authorize SEQRA-Sunset West LLC Special Exception Application

WHEREAS, an application has been submitted by Sunset West LLC and Tessera LLC for a 10,000 square foot drugstore in an existing building located on Sunset Avenue; and

WHEREAS, said application is subject to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the applicant submitted a short EAF; and

WHEREAS, more than one agency is involved in the application to wit: the Suffolk County Department of Health Services, the Village’s Planning Board and the Village’s Architectural Review Board; and

WHEREAS, this action is unlisted under SEQRA; and

WHEREAS, the Board of Trustees has opted for coordinated review under SEQRA; and

WHEREAS, the Board of Trustees is interested in being designated lead agency under SEQRA for this application; and

WHEREAS, coordinated review pursuant to NYCRR Section 617.6 requires that Part I of the EAF be submitted to the other involved agencies along with a notice that a lead agency must be agreed upon within 30 days.

NOW, THEREFORE, it is hereby

RESOLVED that the Clerk is authorized and directed to transmit notice of coordinated review of the Sunset West LLC application pursuant to NYCCR Section 617.6(b)(3) to all involved agencies and the regional office of the DEC.

Authorize Renewal of HVAC Annual Service Contract

RESOLVED, that the annual service and maintenance contract for October 1, 2014 to September 15, 2015 with Dynaire Service Corp. for the Village Hall HVAC system at a cost of \$7,900.00 is hereby renewed.

Authorize Mayor to Sign Agreement of Transfer of Flow Credits

WHEREAS, the Westhampton Beach Fire District (Fire District), is the owner of a parcel of property known as SCTM # 905-12-4-4, on which the Fire District is in the process of constructing a new firehouse, and

WHEREAS, the Fire District is required to secure a transfer of sanitary flow, in the amount of 352 gallons per day, to its property in order to satisfy the standards of the Suffolk County Sanitary Code, which is administered by the Suffolk County Department of Health Services (SCDHS); and

WHEREAS, the Village of Westhampton Beach is the owner of a parcel of property known as SCTM # 905-12-4-20.4, which has been allocated with a 564 gallon per day sanitary flow, and is currently used as a parking lot (a use that requires no sanitary flow), and

WHEREAS, the Fire District may be eligible for a credit, at no cost, from the County of Suffolk to enable sanitary flow transfer rights, but the process for procuring the credit may take many months and cannot be procured prior to the projected date for the start of construction, and

WHEREAS, the Village's property is eligible to be used as a "donor" parcel in order to transfer 352 gallons per day of its total available sanitary flow, leaving said parcel with 212 gallons per day of sanitary flow for possible future uses of the property, and

WHEREAS, the Fire District is offering, as consideration for the transfer of sanitary flow to its property, to (1) provide the Village with a formal recorded easement upon the Fire District's parking area, which easement will allow for parking to the Village, its residents, and its guests, and (2) apply for an obtain the credit from the County of Suffolk, to be transferred back to the Village when obtained, and

WHEREAS, the Village has considered the Fire District's request and has determined that the provision of a parking easement constitutes valuable consideration for the transfer of sanitary flow to the Fire District, subject to the conditions herein,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Mayor to execute (1) the declaration of covenants and restrictions required to be filed by the Suffolk County Department of Health Services in order to transfer 352 gallons per day of sanitary flow from the Village's property (SCTM # 905-12-4-20.4) to the Fire District's property (SCTM # 905-12-4-4) and (2) the documents necessary to record a parking easement over the Fire District's property (SCTM # 905-12-4-4), subject to the following conditions:

1. The Declaration of Covenants and Restrictions shall be in a form as required by the Suffolk County Department of Health Services, shall authorize the transfer of 352 gallons per day of sanitary flow, and shall leave 212 gallons per day of sanitary flow available to the Village's property.
2. The parking easement shall be a perpetual easement, in a form approved by the Village Attorneys, suitable for recording with the Suffolk County Clerk, and enforceable by the Village in a court of law.
3. The parking easement shall run with the land and shall provide, at a minimum, that:

- a. Except for ____ parking spaces to be reserved for exclusive use by the Fire District, all other parking spaces on the Fire District's property shall be shared spaces, over which the Village, its residents, and its guests, shall be authorized to utilize the spaces.
- b. Except for temporary blocking (through cones or other temporary signage) of parking spaces needed by the Fire District for special events or emergencies, the Fire District shall not fence its property or otherwise block the Village, its residents, and its guests from use of the shared parking spaces.
- c. Signage to be installed on the Fire District's property with respect to the shared parking area, shall require the mutual consent of the Village and
- d. Fire District as to terminology and location and shall at all times be consistent with the rights reflected in the parking easement.
- e. The Fire District shall be responsible, at its sole cost and expense, for constructing, maintaining, cleaning, and clearing of snow, ice or debris, all parking areas on its property, including the shared spaces.
4. The Fire District shall be responsible for the cost of recording the parking easement and the Declaration of Covenants and Restrictions.
5. The Fire District shall undertake to apply to the County of Suffolk for the credit for which it is available and, upon receipt of said credit, transfer same to the Village
6. Nothing herein shall be construed as a waiver of any Village code or regulation applicable to the construction of the firehouse, parking lot, and other accessory structures on the Fire District's property.

Approve Warrant for October 2014

RESOLVED, that the warrant for October 2014 in the amount of \$195,463.89 for the General Fund is hereby approved.

PUBLIC COMMENT

ADJOURN

DATED: October 2, 2014

**Elizabeth Lindvit
Village Clerk-Treasurer**