Village of Westhampton Beach
Board of Trustees Organizational Meeting
Tuesday July 5, 2016 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

OATH OF OFFICE – STEPHEN FRANO, RALPH URBAN & MARIA Z. MOORE

ANNUAL APPOINTMENTS AND RESOLUTIONS:

1. Appoint Village Attorney
2. Appoint Special District Attorney
3. Appoint Acting Village Justice
4. Appoint Deputy Mayor
5. Appoint Village Clerk-Treasurer
6. Appoint Village Deputy Treasurer
7. Appoint Marriage Officer
8. Appoint Architectural Review Board Chairman
9. Appoint Zoning Board of Appeals Chairman
10. Appoint Planning Board Chairman
11. Appoint Architectural Review Board Member
12. Appoint Architectural Review Board Member
13. Appoint Planning Board Member
14. Accept Resignation of Planning Board Member
15. Appoint Planning Board Member
16. Appoint Planning Board Member
17. Appoint Zoning Board of Appeals Member
18. Appoint Members of the Conservation Advisory Board
19. Accept Resignation of Conservation Advisory Board Member
20. Appoint Member of the Ethics Board
21. Appoint Village Clerk as Designee

22. Appoint Mayor as Commissioner of Licenses

23. Appoint Safety Committee

24. Accept minutes Board of Trustees Meetings

25. Accept results of Village General Election

26. Approve 2016-17 Board of Trustees Meeting Schedule

27. Approve Meeting Schedules for Appointed Boards

28. Designate Official Depositories

29. Authorize Check Signers

30. Designate Official Newspaper

31. Approve Mileage Reimbursement for Official Business

32. Approve Village Investment Policy

33. Authorize Mayor to Sign Retainer Agreement with Lamb & Barnosky

34. Authorize Mayor to Sign Employee Contracts

35. Accept Departmental Monthly Reports

36. Approve Use of Village Property-Thomas Poole

37. Approve Use of Village Property-Westhampton Free Library

38. Approve Use of Village Property-Westhampton Free Library

39. Approve Use of Village Property-Westhampton Free Library

40. Authorize Use of Village Property-Greater Westhampton Chamber of Commerce

41. Authorize Use of Village Property-Peconic Bay Medical Center

42. Authorize 2016 Renewal of Wetter or Not Outdoor Music Permit

43. Refer Special Exception Application for Outdoor Sales-Mystique/Hampton House to Planning Board

44. Accept Proposal for Topographic Survey of Main Street

45. Amend Local Law Chapter 171 "Towing" of the Village Code

46. Amend Local Law Chapter 197 "Zoning" of the Village Code

47. pprove Warrant for June 2016

PUBLIC HEARINGS:

Special Exception – Outdoor Tables, Chairs & Benches–Best Market

Special Exception – Outdoor Display/Sales – Best Market

Special Exception – WHB Fire District – 100' Monopole

PUBLIC COMMENT

ADJOURN

Village of Westhampton Beach
Board of Trustees Organizational Meeting
Tuesday, July 5, 2016 at 7:00 p.m.

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 $150.00 for a term of one year.

3.Appoint Acting Village Justice

RESOLVED, that Frances Fineo is hereby appointed as the Acting Village Justice of the Village of Westhampton Beach, to serve for a one-year term 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, 2017.

5.Appoint Village Clerk-Treasurer

RESOLVED, that Elizabeth Lindtvit is hereby appointed as the Village Clerk-Treasurer for a term expiring on June 30, 2018.

6.Appoint Village Deputy Treasurer

RESOLVED, that Jeannine Conte is hereby appointed as the Village Deputy Treasurer for a term expiring on June 30, 2018.

7.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.

8.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, 2017.

9.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, 2017.

10.Appoint Planning Board Chairman

RESOLVED, that Victor Levy is hereby appointed to serve as Chairman of the Village Planning Board for a term of one year to expire May 31, 2017.

11.Appoint Architectural Review Board Member

RESOLVED, that Gregory Minasian is hereby appointed to serve a five year term as a member of the Village Architectural Review Board to commence June 1, 2016 through to May 31, 2021.

12.Appoint Architectural Review Board Member

RESOLVED, that Allegra Dioguardi is hereby appointed to serve as a member of the Village Architectural Review Board to commence July 1, 2016 through to May 31, 2017.

13.Appoint Planning Board Member

RESOLVED, that Victor Levy is hereby appointed to serve a five year term as a member of the Village Planning Board to commence June 1, 2016 through to May 31, 2021.

14.Accept Resignation of Planning Board Member

RESOLVED, that the Board of Trustees hereby accept the resignation of Stephen A. Frano from the Village Planning Board, effective June 30, 2016.

15.Appoint Planning Board Member

RESOLVED, that Jack L. Jones is hereby appointed to serve as a member of the Village Planning Board to commence July 1, 2016 through to May 31, 2017.

16.Appoint Planning Board Member

RESOLVED, that David Reilly is hereby appointed to serve a five year term as a member of the Village Planning Board to commence June 1, 2016 through to May 31, 2021.

17.Appoint Zoning Board of Appeals Member

RESOLVED, that Gerard Piering is hereby appointed to serve a five year term as a member of the Village Zoning Board of Appeals to commence June 1, 2016 through to May 31, 2021.

18.Appoint Members of the Conservation Advisory Board

RESOLVED, that William Bennett and Patricia Schaefer are hereby appointed to serve a two year term as members of the Conservation Advisory Board to commence July 1, 2016 through to May 31, 2018 and Patricia Schaefer is also appointed the Chairperson of the Board to serve a one year term to end May 31, 2017.

19.Accept Resignation of Conservation Advisory Board Member

RESOLVED, that the Board of Trustees hereby accepts the resignation of Conservation Advisory Board Chairperson Trustee Brian Tymann effective June 9, 2016.

20.Appoint Member of the Ethics Board

RESOLVED, that Ralph Urban is hereby appointed to serve a two year term to expire June 30, 2018.

21.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.

22.Appoint Mayor as Commissioner of Licenses

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

23.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, Paul Houlihan Building & Zoning Administrator, John Kearns Superintendent of Public Works, Brian Prescott PBA President, Albert Tudisco AME Shop Steward and Bridget Napoli.

24.Accept Minutes of Board of Trustees Meetings

RESOLVED, that the minutes of the Board of Trustees Meeting of June 2, 2016 and Special Meeting of June 22, 2016 are hereby accepted.

25.Accept Results of General Village Election

RESOLVED, that the results of the General Village Election of June 17, 2016 are hereby accepted as set forth in the attached Official Return of Votes.

26.Approve 2016-17 Board of Trustees Meeting Schedule

RESOLVED, that the Board of Trustees shall hold its regular meetings on the first Thursday of the month at 7:00 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 session 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 3, 2017 at 7:00 p.m. at the Municipal Building.

27.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 7:00 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.

28.Designate Official Depositories

RESOLVED, that Capital One Bank, TD Bank, 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.

29.Authorize Check Signers

RESOLVED, that all Village of Westhampton Beach checks shall be signed by Maria Z. Moore, Mayor, or 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.

30.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.

31.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.

32.Approve Village Investment Policy

RESOLVED, that the attached investment policy is hereby approved.

33.Authorize Mayor to Sign Retainer Agreement with Lamb & Barnosky

RESOLVED, that the Mayor is hereby authorized to sign the Labor Counsel Retainer agreement between the Village of Westhampton Beach and Lamb and Barnosky, LLP.

34.Authorize Mayor to Sign Employee Contracts

RESOLVED, that the Mayor is hereby authorized to sign the employment contracts for 2015-2016 and 2016-2017 for Public Safety Dispatchers Kathy Barosa and Jeffrey Frano.

35.Accept Monthly Reports from Departments

RESOLVED, that the Police Department, Justice Court and Building Inspector's reports for June 2016 are hereby accepted.

36.Approve Use of Village Property-Thomas Poole

RESOLVED, that Thomas Poole is hereby authorized to use part of the Great Lawn on Saturday July 23, 2016 from 6:00 pm to 8:30 pm for valet parking with the conditions from the Police Chief as attached to the application and subject to suppling his own barricades.

37.Approve Use of Village Property-Westhampton Free Library

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Village Hall Board Meeting Room on Monday July 18, 2016 from 6:00 p.m. to 8:30 p.m. for a Meeting.

38.Approve Use of Village Property-Westhampton Free Library

RESOLVED, that the Westhampton Free Library is hereby authorized to use space in the south Village parking lot behind the Library on Thursday August 4, 2016 from 8:00 a.m. to 3:30 p.m. for a co-sponsored event with the Town of Southampton Animal Shelter.

39.Approve Use of Village Property-Westhampton Free Library

RESOLVED, that the Westhampton Free Library is hereby authorized to use the Main Street Park on Wednesday July 13 and Sunday July 31 from 12:30 pm to 3:00 pm for Musical Drumming Lessons.

40.Authorize Use of Village Property-Greater Westhampton Chamber of Commerce

RESOLVED, that the Greater Westhampton Chamber of Commerce is hereby authorized to use the Village Green on Saturday August 6, 2016 from 10:00 a.m. to 6:00 p.m. and Sunday August 7, 2016 from 10:00 a.m. to 5:00 p.m. for the annual Gordon Werner Art Show.

41.Authorize Use of Village Property-Peconic Bay Medical Center

RESOLVED, that the Peconic Bay Medical Center is hereby authorized to use one (1) parking spot on Main Street at Moniebogue Lane and Main Street at Library Avenue to display a promotional raffle for the Peconic Bay Medical Center from June 20, 2016 until September 15, 2016.

42.Authorize 2016 Renewal of Wetter or Not Outdoor Music Permit

RESOLVED, that the Board of Trustees hereby approve the renewal of the Wetter or Not Outdoor Music Permit for 2016 subject to the same conditions as set forth in the Determination dated August 2, 2007, the provisions of Chapter 196-2 of the Village Code and the requirement that the volume of the amplification shall not be so excessive as to annoy or disturb a reasonable person of normal auditory sensitivity.

43.Refer Special Exception Application for Outdoor Sales to Planning Board

RESOLVED, that the Special Exception Application request for Outdoor Sales for Mystique and Hampton House, located at 108/110 Main Street and identified by Suffolk County Tax Map # 905-12-4-33 is hereby referred to the Village Planning Board for review.

44.Accept Proposal for Topographic Survey of Main Street

RESOLVED, that the Board of Trustees hereby accept the proposal from Fox Land Surveying in the amount of $24,000.00 for a Main Street Corridor Topographic and Boundary Survey, to be taken from G/L code A1440.4 Engineering & Surveys.

45.Amend Local Law Chapter 171 "Towing" of the Village Code

WHEREAS, This Board has advertised a local law amending Chapter 171 of the Village Code, entitled "Towing" and

WHEREAS, a public hearing was held on May 5, 2016, and

WHEREAS, this Board has resolved that it is the lead agency for purposes of SEQRA review, and

WHEREAS, this Board has determined that the proposed local law is one of general applicability.

IT IS THEREFORE RESOLVED that the proposed action will not have a significant effect on the environment and therefore this Board issues a negative declaration with respect to this proposed action, and

WHEREAS, all persons present at the meeting have had an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof, and

NOW THEREFORE, 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.

46.Amend Local Law Chapter 197 "Zoning" of the Village Code

WHEREAS, This Board has advertised a local law amending Chapter 197 of the Village Code, entitled "Zoning" and

WHEREAS, a public hearing was held on May 5, 2016, and

WHEREAS, this Board has resolved that it is the lead agency for purposes of SEQRA review, and

WHEREAS, this Board has determined that the proposed local law is one of general applicability.

IT IS THEREFORE RESOLVED that the proposed action will not have a significant effect on the environment and therefore this Board issues a negative declaration with respect to this proposed action, and

WHEREAS, all persons present at the meeting have had an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof, and

NOW THEREFORE, 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.

47.Approve Warrant for June 2016

RESOLVED, that the warrant for June 2016 in the amount of $366,214.49 for the General Fund is hereby approved.

PUBLIC HEARINGS:

Special Exception – Outdoor Tables, Chairs & Benches–Best Market

WHEREAS, Best Market of Westhampton Beach Inc., as tenant of the premises known as 70 Sunset Avenue, Westhampton Beach (SCTM 0905-12-4-20.1), has applied for an Outdoor Tables and Chairs permit pursuant to Section 196-2 of the Code of the Village of Westhampton Beach, to allow the installation of ten (10) tables and twenty (20) chairs at the premises; and

WHEREAS, the applicant submitted a sketch plan of the location, and photographs of the design, of the proposed tables and chairs (hereinafter, the "Outdoor Tables and Chairs Plan"); and

WHEREAS, the application was referred to the Village Planning Board, which, by memorandum dated June 10, 2016, stated that it has no objection to the application provided that certain conditions are met; and

WHEREAS, a public hearing was held on the application on July 5, 2016, pursuant to section 196-3(D) of the Village Code; and

WHEREAS, it appears from the sketch plan and Planning Board report that the application satisfies the conditions of section 196-2(B) of the Village Code; now therefore,

BE IT RESOLVED that the application for an Outdoor Tables and Chairs permit pursuant to Section 192-2 of the Village Code is granted to allow the placement of ten tables and twenty chairs (two chairs per table) in accordance with the Outdoor Tables and Chairs Plan, subject to the following conditions:

1. All conditions set forth in section 192-2(B) shall be followed;
2. The Tables shall be secured together with a fastening system abutting the building so they cannot be moved into the right of way or the fire zone;
3. The tables and chairs will be placed a minimum of 10 feet from all of the entrances and exits, as per the Outdoor Tables and Chairs Plan;
4. Two garbage receptacles shall be placed outside with the tables and chairs and emptied regularly;
5. No substantial deviation from the Outdoor Tables and Chairs Plan shall be allowed without further approval of the Board of Trustees;
6. 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 tables and chairs, the Building Inspector shall have the authority to limit such outdoor displays if necessary to avoid public safety hazards; and
7. This permit shall be in effect until November 15, 2016 pursuant to section 196-2(B)(10) of the Village Code, unless previously revoked, and the applicant shall be required to follow the renewal provisions set forth in section 196-4 of the Village Code for future outdoor tables and chairs in subsequent seasons.

Special Exception – Outdoor Display/Sales – Best Market

WHEREAS, Best Market of Westhampton Beach Inc., as tenant of the premises known as 70 Sunset Avenue, Westhampton Beach (SCTM 0905-12-4-20.1), has applied for an Outdoor Sales permit pursuant to Chapter 140 of the Code of the Village of Westhampton Beach, to allow the limited outdoor sale and display of seasonal items; and

WHEREAS, the applicant submitted a sketch plan, photographs, and description of seasonal items that it seeks to display and sell outdoors throughout the year (hereinafter, the "Outdoor Display Plan"); and

WHEREAS, the application was referred to the Village Planning Board, which, by memorandum dated June 10, 2016, stated that it has no objection to the application subject to certain conditions; and

WHEREAS, a public hearing was held on the application on July 5, 2016, pursuant to section 140-2(B)(4) 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 14, 2017, 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.

Special Exception – WHB Fire District – 100' Monopole

PUBLIC COMMENT

ADJOURN

A LOCAL LAW AMENDING CHAPTER 171
OF THE VILLAGE CODE

Be it enacted by the Board of Trustees of the Village of Westhampton Beach as follows:

SECTION I. PURPOSE

The Board of Trustees wishes to amend Chapter 171-8 to increase the maximum amount of storage fees that can be charged after a vehicle is towed.

SECTION II. AMENDMENTS

a.) The stricken material shall be deleted as follows:
b.) The underlined material shall be added as follows:

CHAPTER 171 – TOWING

Chapter 171-8 – Towing Fees

C. Storage fees at the permit holder's place of business shall not exceed ~~$15~~ $30 per day or any part thereof.

SECTION III. EFFECTIVE DATE
This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.

DATED: July 5, 2016

A LOCAL LAW AMENDING CHAPTER 197
OF THE VILLAGE CODE

Be it enacted by the Board of Trustees of the Village of Westhampton Beach as follows:

SECTION I. PURPOSE

The Board of Trustees wishes to amend Chapter 197 of the Village Code: (1) to revise the definition of "Street" and to add "Residential Storage Shed" to Chapter 197-1; (2) to add exceptions for residential storage sheds in Chapter 197-35(C); (3) to add language concerning exterior lighting in residential districts to Chapter 197-25.1; and (4) to clarify Chapter 197-14 to address the approval process required for changes to pre-existing, nonconforming second dwellings in residence districts.

SECTION II. AMENDMENTS

a.) The stricken material shall be deleted as follows:
b.) The underlined material shall be added as follows:

CHAPTER 197-1 ("Definitions"):

STREET
A permanently established public or private thoroughfare or right-of-way used or laid out to afford the principal means of access for vehicles and having a minimum width of at least ~~49.5~~ 20 feet. Moniebogue Lane, Glover Lane and Sunset Lane and the "walks" on the south side of Dune Road as shown upon revised Map No. 308 of the Buena Vista Subdivision shall be considered "streets" under this definition.

RESIDENTIAL STORAGE SHED

A structure used to store household equipment (including garden equipment, lawn furniture and bicycles) and having a maximum gross floor area of 100 square feet and a height not greater than 10 feet. A residential storage shed shall have no illumination.

CHAPTER 197-35 (C) – LOCATION AND HEIGHT OF ACCESSORY BUILDINGS AND STRUCTURES:

Accessory buildings, structures, tennis courts and swimming pools cannot be located closer than 20 feet to any lot or boundary line in all zoning districts except in Residential District 4 where the minimum distance shall be 15 feet, and on lots lying on the south side of Dune Road in the Residence 3 District the distance shall be 75 feet from the crest of the dune and 20 feet from a side or front boundary line.

(1) Notwithstanding the aforementioned, a residential storage shed as defined by Chapter 197-1 of the Village Code, may have a setback of 10 feet from the rear and side lot line of the rear yard, except for on the south side of Dune Road where all structures shall be set back a minimum of 75 ft. from the crest of the dune. This relief shall be granted for one residential storage shed per lot.

(2) A residential storage shed, as defined in the Village Code, Chapter 197-1, shall not require a building permit but shall require an owner's affidavit attesting to compliance with the current Village Zoning Code regulations.

CHAPTER 197-25.1. – EXTERIOR LIGHTING:

A. In all residential districts, exterior lighting shall be placed and shielded in such a manner as not to illuminate beyond the property's lot lines. ~~The illumination of all exterior lighting shall be steady in nature, not flashing, moving or changing in brilliance, color or intensity, provided that such restrictions shall not apply to temporary decorative lighting during Christmas or other recognized holiday seasons. Any light, lights or lighting now in existence which violate or do not conform to this provision shall be altered, removed or replaced in conformity herewith.~~) The following standards shall apply:

(1) The illumination of all exterior lighting shall be steady in nature, not flashing, moving or changing in brilliance, color or intensity, provided that such restrictions shall not apply to temporary decorative lighting during Christmas or other recognized holiday seasons.

(2) Shielding. All outdoor lighting fixtures shall be fully shielded and aimed straight downward, with the following exceptions:

(a) Unshielded outdoor lighting fixtures operated by motion sensors are permitted, provided that;

1. The fixture is set to go on only when activated and to go off within five minutes after activation has ceases: and
2. The sensor shall not be triggered by activity off the property: and
3. The output per fixture does not exceed 1,800 lumens (100 watt incandescent).

(b) Outdoor lighting fixtures with total light output of 900 lumens or less (60 watt incandescent or less) are exempt from the shielding and aiming requirements.

(3) Mounting height

(a) The mounting height of a fixture attached to any structure shall not exceed 12 feet from the lowest light-emitting point on the fixture to the area to be lit directly below the fixture; except for fully recessed soffit lighting that otherwise complies with this article.

(b) The mounting height of any freestanding light fixture shall not exceed 10 feet and, when located in side and/or rear yards shall meet the setback requirements of section (3) below, unless otherwise authorized by the Village.

(4) Setback. The setback for freestanding light fixtures from closest side and/or rear yard property lines shall be greater than or equal to three times the mounting height.

(5) Subsequent to the effective date of this article, any addition or expansion, whether single or cumulative, that is made to a residential property, whereby lot coverage or floor area is increased by 25% or more, shall subject said residential property to the provisions of this article for the entire property, including previously installed and any new outdoor lighting, Any modifications or alterations to any such preexisting nonconforming light fixtures shall be subject to all the requirements of this article.

ADD 197-14: SECOND DWELLINGS IN RESIDENCE DISTRICTS PROHIBITED

A. In the Residence District 1, Residence District 2, Residence District 3, and Residence District 4, the use of any parcel of land for both a single-family residence and a separate building used or designed to be used in whole or in part for dwelling purposes in that it contains cooking and/or sleeping facilities, regardless of whether the use of the building is intended for or used by a separate family or as an accessory to the single-family residence for guests or employees or family members of the owners or occupants of the single-family residence, shall be a prohibited use, unless it is a nonconforming use as defined in §197-1, or a use variance shall have been granted therefor by the Zoning Board of Appeals.

B. With respect to a lot improved with a single-family residence which is deemed a nonconforming use solely because the lot is also improved with no more than one other building that might otherwise be characterized as an accessory building if it did not contain cooking and/or sleeping facilities, no variance relief shall be required for the proposed extension or alteration of the principal single-family residence, as long as the single-family residence and the proposed expansion conform with all dimensional requirements. This exemption also applies to the construction of new accessory buildings and structures on such a lot, as long as they are permitted in the district and conform to all dimensional requirements. This exemption does not apply to any structures on a lot improved with more than one single-family residence, each of which may be occupied lawfully by separate, independent families, nor does it apply to the extension, expansion or alteration of a building containing sleeping or cooking facilities other than the principal one-family residence on the lot. In all other cases not exempted from variance relief under this subsection, any dwelling that is deemed a nonconforming use shall be subject to the provisions governing nonconforming uses as set forth in § 197-29.

SECTION III. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.

DATED: July 5, 2016

INVESTMENT POLICY OF THE
INC. VILLAGE OF WESTHAMPTON BEACH

1. SCOPE

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

2. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- To conform with all applicable federal, state and other legal requirements (legal);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements(liquidity);
- To obtain a reasonable rate of return (yield).

3. DELEGATION OF AUTHORITY

The govern board's responsibility for administration of the investment program is delegated to the Treasurer, Deputy Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base of records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees.

4. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Westhampton Beach to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to de derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

5. DIVERSIFICATION

It is the policy of the Village of Westhampton Beach to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

6. INTERNAL CONTROLS

It is the policy of the Village of Westhampton Beach for all monies collected by any officer or employee of the government to transfer those funds to the chief fiscal officer

within one day of deposit, or within the time period specified in law, whichever is shorter.

The Board of Trustees, Treasurer or Deputy Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly and are managed in compliance with applicable laws and regulations.

7. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies are:

_____	_____
_____	_____
_____	_____

8. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law 10, all deposits of the Village of Westhampton Beach, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- By a pledge of "eligible securities" with an aggregate "market value" as provided by GML 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

- By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

- By an irrevocable letter of credit issued by a qualifying federal home loan bank with an aggregate value equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any. A qualifying federal home loan bank is one whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization.

- By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

9. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any cost or expenses arising out of collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village of Westhampton Beach or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of the custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposits or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of an s security may cause ineligibility. Such Agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

10. PERMITTED INVESTMENTS

As authorized by General Municipal Law 11, the Village of Westhampton Beach authorizes the Treasurer, Deputy Treasurer to invest monies not required for immediate expenditures for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America

All investment obligations shall be payable or redeemable at the option of the Village of Westhampton Beach within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Westhampton Beach within one year of the date of purchase.

11. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Village of Westhampton Beach shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (CALL Report) at the request of the Village of Westhampton Beach. The Board of Trustees, Treasurer or Deputy Treasurer is responsible for evaluating the financial position and

maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

12. PURCHASE OF INVESTMENTS

The Treasurer, Deputy Treasurer is authorized to contract for the purchase of investments:

- Directly, including through a repurchase agreement, from an authorized trading partner.

- By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Westhampton Beach by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General, Municipal Law 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

APPENDIX A
Schedule of Eligible Securities-NY GM Law, Art. 2-10

I. Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.

II. Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

III. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

IV. Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys.

V. Obligations issued by states (other than this state) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

VI. Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

VII. Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

VIII. Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

IX. Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.

X. Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of no longer than sixty days from the date they are pledged.

XI. Zero-coupon obligations of the United States government marketed as "Treasury STRIPS".