

The Board of Trustees of the Village of Westhampton Beach held their Regular Meeting on Monday, January 12, 2004 at 10 a.m. in the Municipal Building, Sunset Avenue, Westhampton Beach

**PRESENT: Mayor Robert Strebel
Trustee Ora Belle "Ridgie" Barnett
Trustee Chester Morris
Trustee Mark Raynor
Trustee Harold Williams**

**Clerk-Treasurer Kathleen McGinnis
Village Attorney Richard T. Haefeli**

Mayor Strebel opened the meeting at 10 a.m. with the Pledge of Allegiance.

Presentation – Christmas Decorations Awards

Mayor Strebel wanted to personally thank the Beautification Committee, especially Joan Levan, Kathy McVann, Lee Miller and June Sellin, for putting this together and the Chamber of Commerce for supplying the prizes. He said the Village looked beautiful over the holidays.

Joan Levan said she and the other members of the Beautification Committee wanted to commend Ridgie Barnett and June Sellin for all of their hard work. She said they went out two nights in a row from 5 pm to 10 pm and the next night for three hours and did not miss a single house or business in the entire Village.

Mayor Strebel and Trustee Ridgie Barnett presented plaques to the attached list of residences and businesses and thanked them for their efforts.

Public Hearings:

Local Law 1/2004 amend Zoning Code-Chap. 150

Village Attorney, Richard Haefeli, explained that this local law is part of the Village's continued effort to upgrade and revise the Zoning Code. He said there are a number of lots in the Village that could potentially be divided into two, three or four lots. From the date these regulations were adopted in the 1960's until now, this Village took the approach that this was considered a waiver of subdivision - no public hearing was required, the maps did not have to be recorded in the Suffolk County Clerk's Office and none of the formal procedures required of a subdivision had to be complied with. What the Village is doing with this law is imposing minor subdivision regulations on any of these small lot subdivisions so the final map will have to have Health Department approval and be filed in the Suffolk County Clerk's Office. There will also be a public hearing on it so that all of the neighbors affected can participate in the discussion as to the final outcome in the design of the lots. These regulations are comparable to what the Town of Southampton and the other Villages in this area have.

Mayor Strebel asked if anyone in the audience would like to address the Board regarding this issue. There being no response, a motion was made by Trustee Raynor to close the public hearing. Seconded by Trustee Williams and unanimously approved.
4 Aye, 0 Nay

Motion by Trustee Williams:

WHEREAS, this Board has advertised a local law adding Chapter 150 of the Village Code, entitled "ZONING" and

WHEREAS, a public hearing was held on Monday, January 12, 2004, and

WHEREAS, this Board has adopted 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 Local Law 1/2004 as advertised and attached.

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

Local Law 2/2004 amend Zoning Code-Chap. 197

Mr. Haefeli explained that there is a provision in the code that has been there since 1953 which says that if you have a vacant lot and the lots on either side are developed and the front yard setbacks of the houses on those two lots are less than what is required in the district, you can construct your home at that same setback. He said this was probably an adequate provision when the law was first adopted. However, in certain parts of the Village, specifically Dune Road there is a substantial amount of development occurring where a number of small cottages are being removed and larger two story homes are being built in place of them. If these homes can be built at a setback from the road of 25, 30 or 45 feet, without any requirement to go before the Zoning Board, it can impact the character of these neighborhoods. By eliminating these provisions, anyone that takes down a home and rebuilds it must comply with the front yard setbacks or they will be required to go to the Zoning Board for a variance. If they can comply with the homes on either side, they wouldn't have to get the variance. This gives control to the Village over some of the development that is taking place. The second part of the local law deals with the requirement we now have that if someone is making an application to the Zoning Board, a notice of public hearing has to be sent to all property owners within 200 feet of the subject property. This proposed change requires the Zoning Board application and survey to be submitted to the property owners along with the notice that is already required. This allows the surrounding property owners to have a full and complete understanding of what is to take place at the Zoning Board hearing. Occasionally we have someone who will say they didn't realize what the applicant was doing, even though they had received the notice. With this requirement all of the affected owners within that 200' radius will have a copy of the survey and application and will know exactly what the applicant is requesting.

Mayor Strelbel asked if anyone in the audience would like to address the Board regarding this issue. There being no response, a motion was made by Trustee Raynor to close the public hearing. Seconded by Trustee Williams and unanimously approved. 4 Aye, 0 Nay

Motion by Trustee Raynor:

WHEREAS, this Board has advertised a local law adding Chapter 197 of the Village Code, entitled "ZONING" and

WHEREAS, a public hearing was held on Monday, January 12, 2004, and

WHEREAS, this Board has adopted 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 Local Law 2/2004 as advertised and attached.

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

A motion was made by Trustee Raynor to close the Public Hearing portion of the meeting. Seconded by Trustee Williams and unanimously approved. 4 Aye, 0 Nay

Regular Meeting:

Accept minutes of Board of Trustees Meetings

Motion by Trustee Barnett:

RESOLVED, that the minutes of the Board of Trustees regular meeting of December 8, 2003 are hereby accepted.

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

Accept departmental reports

Motion by Trustee Morris:

RESOLVED, that the Treasurer's reports for November & December 2003 and the Police Department and Building Inspector's reports for December 2003 are hereby accepted.

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

Approve 2004/05 aged, veterans, disability, clergy, volunteer ambulance worker/firefighter property tax exemptions

Motion by Trustee Williams:

RESOLVED, that the Board of Trustees acting in the capacity as the Board of Assessors hereby approve the attached list of taxpayers to receive aged exemptions, disability exemption, veterans exemptions, clergy exemptions and volunteer ambulance workers/firefighters exemptions as indicated: (see attached list)

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

Schedule Grievance day – Tuesday, February 24, 2004, 1 p.m. – 5 p.m.

Motion by Trustee Raynor:

RESOLVED, that the Board of Assessors will meet for the hearing of the complaints on the 2004-2005 assessment roll on Grievance Day, Tuesday, February 24, 2004 between the hours of 1:00 pm and 5:00 pm at the Village Hall, 92 Sunset Avenue, Westhampton Beach.

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

Schedule Village Tax Lien Sale March 16, 2004 @ 10:30 a.m.

Motion by Trustee Barnett:

WHEREAS, from the accounts of unpaid taxes heretofore returned by the Treasurer of the Village of Westhampton Beach, New York, to this Board for the year 2004 or years 2003-04 both inclusive, the following taxes still remain due and unpaid after due notice and demand on each of the property owners for the payment of said taxes, to wit:

(see attached copy of unpaid taxes)

WHEREAS, no action has been commenced to recover said unpaid taxes and no sale, on account of said unpaid taxes, has heretofore been held pursuant to law and therefore let it be

RESOLVED, that such unpaid taxes shall be collected by the sale for taxes as provided in Section 1454 of the Real Property Tax Law of the State of New York; that a copy of this resolution, duly certified by the Clerk, shall be transmitted forthwith to the Treasurer of this Village with the account, affidavit and certificate of such unpaid taxes, and that the Village Treasurer, upon receiving such an account of unpaid taxes and a certified copy of this resolution is authorized and directed to cause to be published in the official newspaper of the Village once each week for three successive weeks a list of statement of the real estate upon which such taxes are unpaid, as shown in the tax list, with the amount of the tax, a twenty-five dollar (\$25) advertising fee, interest and charges thereon and also a notice that the said real estate will, on a day subsequent to the expiration of said three weeks, be determined by said Village Treasurer and specified in said notice, be sold at public auction at a place in said Village to be designated by said Village Treasurer, to discharge, the tax, twenty-five dollar (\$25) advertising fees, interest and charges aforesaid, which may be due thereon at the time of such sale, and that said Village Treasurer, at the time and place specified in said notice, proceed with the sale of said real estate upon which such taxes are unpaid, as above set forth, and continue at the same from day to day until the sale is completed.

BE IT FURTHER RESOLVED, that in all cases where no bid shall be made on a lot or parcel of land so offered for sale for amount sufficient to pay the said tax, fees, interest and charges, the said premise shall be deemed to have been sold to and purchased by the said Village of Westhampton Beach, New York.

RESOLVED, that all remaining unpaid taxes for the fiscal year 2003-04 shall be collected by Public Sale to be held on Tuesday, March 16, 2004, at 10:30 a.m. in the Office of the Village Clerk-Treasurer and such unpaid taxes be advertised in the Southampton Press issues dated February 19, February 26, and March 4, 2004, in accordance with the statutory law.

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

Schedule General Election – Friday, June 18, 2004, 12 noon – 9 p.m.

Motion by Trustee Morris:

RESOLVED, that the General Village Election of the Village of Westhampton Beach, New York shall be held on Friday, June 18, 2004, in the Engine Room of the Fire House, 92 Sunset Avenue, Westhampton Beach, New York, between the hours of 12 noon to 9 p.m. prevailing time, and that the offices to be filled are:

Mayor – one (1) for a term of two (2) years
Trustees - two (2) for a term of two (2) years

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

Authorize St. Patrick's Day Parade – Saturday, March 13th 12 noon

Motion by Trustee Williams:

RESOLVED, that the St. Patrick's Day Parade Committee is hereby authorized to hold the annual St. Patrick's Day Parade on Saturday, March 13, 2004, at noon starting at the corner of Mill Road and Oneck Lane, proceeding down Mill Road to Main Street, and ending at the reviewing stand in front of the WHB Performing Arts Center, subject to submission of the required liability insurance coverage.

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

Approve Yacht Basin Rules & Rates for 2004

Motion by Trustee Raynor:

RESOLVED, that the attached Yacht Basin rate schedule and rules for 2004 are hereby approved.

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

Approve warrant for the month of January 2004

Motion by Trustee Barnett:

RESOLVED, that the warrant for the month of January 2004 in the amount of \$144,245.70 for the General Fund and \$69,258.41 for the Capital Fund is hereby approved.

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

Public Discussion

Mayor Strebel announced that there had been a visitor to the Village last week - a seal. He said there are pictures on the Village website of this little guy lying on a dock sunning himself. They are very nice and were done by our Webmaster, Dean Speir, with the help of one of the local residents, Co Rentmeister.

Mr. Speir asked if any decision had been made to go forward with putting the Planning, Zoning and Architectural Review Board notices on the website.

Mayor Strebel said the Board did not have a problem with it and Mrs. McGinnis said she would have the Board secretary start e-mailing them to Mr. Speir.

Mayor Strebel asked if anyone else would like to address the Board. There being no response, a motion was made at 10:25 a.m. by Trustee Raynor to adjourn the meeting to Executive Session. Seconded by Trustee Williams and unanimously approved. 4 Aye, 0 Nay

Respectfully submitted,

Christine Owen
Deputy Clerk