

**MINUTES**  
**VILLAGE OF SOUTHAMPTON - BOARD OF TRUSTEES**  
**PUBLIC SESSION I – February 13, 2020**

Due notice having been given, the Public Meeting of the Board of Trustees was held at the Southampton Village Hall, 23 Main Street, Southampton, New York at 6:00PM.

Present were Mayor Warren, Trustees Allan, Parash, Pilaro and Yastrzemski; Village Administrator Russell Kratoville and Assistant Village Attorney Alexandra Halsey Storch

Mayor Warren opened the meeting by leading the Pledge of Allegiance.

**EMPLOYEE OF THE MONTH**

Mayor Warren acknowledged the February Employee of the Month F. Carl Davis, Public Safety Dispatcher I, Police Department, Date of Hire 5/28/10. The Mayor read a letter of recommendation from Sgt. Dave Dorchak who acknowledged Mr. Davis' hard work in helping to bring Santa back to Windward Way Park.

**PUBLIC COMMENT:**

Kevin McCallister, Defend H2O, addressed the Board regarding Lake Agawam and the efforts to bring forth remediation. Mr. McCallister reviewed his background, stating that he's an expert in coastal processes and his understanding of water quality and restoration is vast. He asked the Board to consider open water discharge which is permitted by DEC guidelines and that is worth exploring as short term impacts are well worth the long-term gain. He asked to be invited to participate in the Lake Agawam remediation dialog.

Bill Fox, 574 County Road 39, asked what the status of the landscaper registration was. Trustee Yastrzemski said that the Board extended the registration for it until March 1<sup>st</sup> and would be discussing the matter further.

Sheila Pfeifer, Hildreth Street, raised the subject of light pollution and asked how the Village can adopt the guidelines that the Town has and adapt or adopt their plan. She asked what the process is as it's the third time she has raised the issue and is a member of the Town Dark Skies Committee.

Michael Tessitore, Hunters for Deer and Suffolk County Deer Management, addressed the Board as a follow-up to Frances Genovese's comments at the January 21<sup>st</sup> meeting in regards to his tree stands being removed from Village property. He said that unless it is posted otherwise, public property is able to be hunted on.

Mackie Finnerty, Wooley Street, asked about the Tree legislation that had been proposed by the SAVE Committee saying it was first introduced 5 years ago and it was discussed at a meeting several months ago.

Phil Matthews, 45 Hampton Road, spoke in support of the STAR Aquatic Center, saying a pool is past due and would help many people in the area learn to swim.

Jim Arnold, spoke in support of STAR Aquatic Center, saying that the pool would be very beneficial to the community and would have a positive impact for kids in the community and could work with the school to offer swimming programs.

Frances Genovese, 209 Bishops Lane, asked if the Village had reached out to the Town Board regarding the planned development at the Full Gospel Church and if they had stated that they wanted to be apprised of any meetings. Ms. Genovese said she wanted to acknowledge Dawn McDougall who wrote a letter to the Press regarding the FOIL request. She stated that she had filed a request for additional information that was missing from the original FOIL request and was told it would take 20 days to receive it.

Father Patrick Edward, 100 South Main Street, spoke representing Rogers Memorial Library, Southampton History Museum, Southampton Town Senior Committee, Judy Johnson and Kimberly Allan who are going to offer a Senior Luncheon Club the third Thursday of each month to get together and share information.

Father Patrick said that meals would be provided by, delivered and served by the Southampton Town Hampton Bays Senior Center. The first event is February 20<sup>th</sup> from 11am -1pm and registration is required; transportation can be provided as well. Presentations will also be done by the Library and History Museum. St. Johns' will also provide additional entertainment and activities for those who would like to linger. Father Patrick asked for the Village's blessing and support – the Board was very receptive, and Trustee Allan thanked Father Patrick and all those involved for their collaboration.

## **BOARD PRESENTATIONS:**

### **1. Apparatus Purchase – Southampton Village Fire Department**

First Assistant Chief Alfie Callahan spoke regarding the needs for apparatus and reviewed the equipment they were asking for permission to purchase, noting it is part of their replacement plan and the money has been earmarked for quite some time. He said there would be no need for a bond or financing and therefore no financial impact on Village taxpayers.

Ken Rothwell, head of the SVFD purchasing committee, spoke regarding the specifics of the 4x4 Class A Pumper truck being purchased, saying that it is a multi-use truck and referred to it as the “Swiss Army Knife” of vehicles. Trustee Parash asked what the price was for the truck and Mr. Callahan said that it is \$505,506.00. Trustee Yastrzemski said the price is within line for the type of equipment and commended them for doing their homework in researching the truck. Trustee Yastrzemski reminded the public that this had been discussed and approved with previous administrations and the funding comes from many sources including the Southampton Fire District Commissioners who are on board with the purchase. Mayor Warren asked what year budget this had been included in – Mr. Callahan said it was in the 2019/2020 budget. Mr. Kratoville said that he would like to set a capital budget for this purchase and include any accessories or additional apparatus that may be needed.

Mr. Rothwell thanked the Board for their support and Mayor Warren thanked the Fire Department as well.

### **Capital Purchases - Spot Lights, Nozzles and Hose Valves for New Ladder Truck: \$6,036.38**

### **2. STAR AquaCenter – Josephine DeVincenzi**

Ms. DeVincenzi addressed the Board stating that she had served as an educator for Southampton Schools for 25 years and is serving as the President of the Southampton Town Aquatic Recreation Center. She reviewed the plans for the Aquatic Center, saying that they could be operating in the black after 3 years. The Town had offered acres in Red Creek Park and in December had suggested that they look at additional property further east. She introduced Kim Folks, the Center's newly appointed Executive Director saying that they have been working with a number of consultants. With a population of 70,000 people an indoor/outdoor pool, would meet the needs of the community and increase the overall physical health of the residents and would bring approximately 44 full time equivalent job positions to the area. She said property values would go up and would serve as a magnet for families with young children to settle in this area. Ms. DeVincenzi asked the Board to dedicate 2 acres of land somewhere in the Village for this use.

Mayor Warren thanked her and said it would be a dream to have an aquatic center in the Village.

Trustee Yastrzemski asked about the ongoing maintenance costs and who would cover them and what they were asking for the Village to do regarding upkeep or was it just asking for the Village to donate the property. Ms. DeVincenzi said that Southampton Town has assured them that they would give a comparable donation to the Aquatic Center that they give to SYS.

Trustee Pilaro asked if the building costs would be covered by the fundraising; Ms. DeVincenzi said that they would raise the funds to build and to build an endowment fund to support operating costs.

Ms. DeVincenzi said the overall cost had been reduced as they have removed the therapy pool from the current plan but would hope that perhaps Stony Brook Southampton might consider building a therapy pool on their new campus. Ms. DeVincenzi said that Mr. Kratoville and Mr. Goleski had been very helpful at looking at potential sites.

Trustee Parash said that he thought the idea was fantastic and would love to see a footprint so that they can look at possibilities in Southampton Village. Ms. DeVincenzi reiterated that they are looking of 2 acres that would include a 2 story, 160'x165' building, walkways, parking and landscaping.

## **DISCUSSION ITEMS:**

### **1. Real-Aid Relay Walk – EJ Autism Foundation**

Julie Fitzgerald reviewed the event and said that it was a very small number of participants with no impact on the Village and that the Flying Point Autism Foundation was the beneficiary of the team.

### **2. Firecracker 8K – Southampton Rotary: Firecracker 8K, July 5, 2020**

Julie Fitzgerald reviewed the event, saying that it was an annual fundraiser, very well organized and well received and funds raised supported the efforts of the Southampton Rotary.

### **3. Property Tax Cap Over Ride (Local Law)**

- Mr. Kratoville explained that each year the governing body has the right to create a local law to have a tax cap override. The practice has been to schedule a public hearing to discuss adding the Local Law for the budget process, [after which the Board may approve the Local Law](#). Once the budget is adopted and it's below the tax cap the Board [would then rescind the Local Law](#) and does not need to go back through the public hearing process. Trustee Yastrzemski said that this has always been a perfunctory matter and that it has always been recommended to put in place in case there is a catastrophic situation that would warrant the need to pierce the tax cap. Mayor Warren stated that he didn't want to pierce the tax cap and that the Village needed an Attorney and a Treasurer immediately; a discussion followed.

### **5. Tax Sale Certificates**

Mr. Kratoville explained the process of the tax sales certificates and said that the Village has the ability to hold the tax certificates, therefore the Village would receive the penalties garnered. Trustee Yastrzemski said that former Village Administrator, Steve Funsch, had started this process several years ago and that it was a benefit for the village.

### **6. Beach Permit Fees**

Mr. Kratoville reviewed the beach permit fees saying they remained the same as in 2019 and there is no recommendation of change. A discussion followed and Mayor Warren said that the Village should do more due diligence when selling beach passes and that he would like to limit the number of summer visitor beach passes sold to any one person so to avoid situations in which homeowners purchase tickets and give them to contractors working at their property. Trustee Allan and Parash both stated that they supported the concept.

### **7. Landscaper Registration**

Ms. Halsey Storch said at the last meeting the Board asked if the Village could amend the law to register with the Town as well as the County; what they learned was that enforcing two jurisdictions would not

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be possible so the Board has to either leave the legislation as is being under the jurisdiction of Suffolk County. Trustee Allan said for the smaller companies it is a burden to go to the County. Trustee Allan said that the idea would be to put the Home Improvement Law back on the book and tie it with the Town and have an Inter-municipal Agreement for the home improvement license.

Ms. Halsey Storch said if the Village puts its home improvement code was put back on the books they could then work within the confinements of the Town. Trustee Pilaro clarified that the Board would have to push the LL from March 1<sup>st</sup> back to allow for new legislation to be crafted and a public hearing held. Ms. Halsey Storch said they would have to adjourn the March 1<sup>st</sup> effective date of the current Landscaper Legislation and a discussion took place on what date it should be adjourned to.

### **PUBLIC HEARINGS: NONE**

### **COMMUNICATIONS TO THE BOARD:**

1. Mayor Jesse Warren – Deputy Village Clerk  
Mayor Warren explained that he sent a memo to appoint Cathy Sweeney, a Veteran, a Master Sergeant and a woman to the position of Deputy Village Clerk.
2. Cynthia McNamara, Tiana Shores Landscaping – Landscaper Registration  
Mr. Kratoville reviewed the letter from Ms. McNamara expressing her concern as a small business owner, about the landscaper requirement to have a Suffolk County license.
3. Diane Englander – Recommendations for Lake Agawam  
Mayor Warren reviewed the correspondence from Ms. Englander.
4. David Lopez, Stony Brook Southampton Hospital – Fee Waiver  
Ms. Halsey Storch said that it has been past practice to waive the fees for the Hospital but that the Board was not required to do so. Trustee Allan asked where the electric charging stations would be located and could they be used by all members of the community or just visitors to the Hospital.

### **SUGGESTED RESOLUTIONS:**

1. ***RESOLVED, that the reading of the minutes for the Public Session of January 21, 2020 be dispensed with and that those minutes be accepted as filed by the Village Administrator and that the actions taken at that meeting be and hereby are ratified and approved.***  
Trustee Yastrzemski made a motion to approve; Trustee Pilaro seconded the motion, and all were unanimous.
2. ***RESOLVED, that the claims for the warrants dated January 9, 2020 totaling \$576,842.44 (Warrant #12 - General Fund), \$451,261.97 (Warrant #9 - Capital Reserve Fund) and the Village payrolls for the period from January 3, 2020 to February 13, 2020 be audited and approved.***  
Trustee Allan made a motion to approve an amendment to reflect the warrants dated February 13, 2020; Trustee Parash seconded the motion and a unanimous vote followed.  
Trustee Pilaro then made a motion to approve the resolution; Mayor Warren seconded the motion and a unanimous vote followed.
3. ***RESOLVED, that the Board of Trustees hereby approves the attached schedule of budget transfers to eliminate line item overages for the period ending February 13, 2020.***

Mayor Warren made a motion to approve; Trustee Pilaro seconded the motion and all were unanimous.

4. ***RESOLVED, that the Board of Trustees hereby appoints Mylene Michel-Guerra as Registrar effective January 31, 2020.***

Mayor Warren made the motion to approve, Trustee Yastrzemski seconded the motion and a unanimous vote followed.

5. ***MAYOR WARREN REQUESTS A MOTION; be it RESOLVED, that the Board of Trustees hires Victor Crump, Jr. as a Custodial Worker I in the Buildings Maintenance Department effective March 6, 2020 at a rate of \$45,298.13.***

Trustee Pilaro made the motion to approve, Trustee Allan seconded the motion and a unanimous vote followed.

6. ***RESOLVED, that the Board of Trustees hereby recalls and rescinds Resolution #12 of January 21, 2020 regarding a public hearing to amend Chapter 73 Landscaper Registration.***

Mayor Warren made the motion to approve, Trustee Pilaro seconded the motion and a unanimous vote followed.

7. ***RESOLVED, that the Village Board of Trustees hereby proclaims two (2) Hobart SR24H Commercial Under Counter Dishwashers be deemed surplus and authorizes the DPW Superintendent to auction through Auctions International.***

Trustee Yastrzemski made the motion to approve, Mayor Warren seconded the motion and a unanimous vote followed.

8. ***RESOLVED, that the Board of Trustees hereby approves Courtney Dombrowski as a probationary member of Southampton Village Fire Department Hook & Ladder Co. 1 effective February 13, 2020.***

Trustee Yastrzemski made the motion to approve, Mayor Warren seconded the motion and a unanimous vote followed.

9. ***RESOLVED, that the Board of Trustees hereby approves Daniel Claud as a probationary member of Southampton Village Fire Department Fire Police Co. 1 effective February 13, 2020.***

Trustee Allan made the motion to approve, Trustee Yastrzemski seconded the motion and a unanimous vote followed.

10. ***RESOLVED, that the Board of Trustees hereby approves the purchase of Spot Lights, Nozzles and Hose Valves at a cost not to exceed \$6,500.00 from Capital Reserve-Fire Equipment subject to permissive referendum.***

Mayor Warren made the motion to approve, Trustee Yastrzemski seconded the motion and a roll call vote took place with the following results:

Trustee Yastrzemski: Aye; Trustee Allan: Aye; Mayor Warren: Aye; Trustee Parash: Aye; Trustee Pilaro: Aye.

11. ***WHEREAS, the Planning Board has issued a Conditional Resolution, dated June 3, 2019 in the application of Hamptons HDA LLC for site plan approval for the redevelopment of 116 North Sea Road, Southampton (SCTM # 904-5-3-35), subject to certain terms and conditions; and***

***WHEREAS, Condition 3 provides that Hamptons HDA LLC, shall offer for dedication a certain strip of land, more particularly described in Condition 3; and***

***WHEREAS, the Board of Trustees, in accordance with their powers set forth in Village Law Section 4-412, wish to accept the offer of dedication; therefore, be it***

***RESOLVED, that the Board of Trustees hereby accepts the offer of dedication as more fully described in the Conditional Resolution, dated June 3, 2019 and authorizes the Mayor to execute any and all documents to effectuate said acceptance and the proper recording of the offer of dedication.***

Mayor Warren made the motion to approve, Trustee Yastrzemski seconded the motion and a unanimous vote followed.

12. ***RESOLVED, that the Board of Trustees approves the application of EJ Autism Foundation for the annual Real-Aid Relay Walk on May 17, 2020.***

Trustee Pilaro made the motion to approve, Mayor Warren seconded the motion and a unanimous vote followed.

13. ***RESOLVED, that the Board of Trustees approves the application of the Southampton Rotary for the annual Firecracker 8K Run on July 5, 2020.***

Trustee Pilaro made the motion to approve, Mayor Warren seconded the motion and a unanimous vote followed.

14. ***RESOLVED, that the Board of Trustees approves that the Village of Southampton hold its own tax certificates.***

Trustee Allan made the motion to approve, Mayor Warren seconded the motion and a unanimous vote followed.

15. ***RESOLVED, that the Board of Trustees sets the fees for the 2020 Beach Parking Permits as follows:***

**Resident Permit**

- Free, (3) Permits per property. (1) Permit per business owner **or** manager. Any additional permits may be purchased at the Summer Visitor Rate.

**Local Non-Village Resident**

- \$250

**Senior/Vet Local Non-Village Resident**

- \$175

The name of the individual on the registration of the vehicle must qualify as a Resident or Non-Resident. Renters must have established residency for a period of no less than (1) year prior to the date of purchase to receive either Village Resident or Non-Village Resident permits.

**Summer Visitor**

- \$450
- Hotels, Motels and BNB's must purchase a minimum of ten (10)

Mayor Warren made the motion to approve, Trustee Parash seconded the motion and a unanimous vote followed.

16. ***RESOLVED, that the Board of Trustees hereby establishes a Capital Project for the purchase of one Rosenbauer America Multi-Versatile Midi-Pumper and accoutrements at a cost not to exceed \$515,000 from Capital Reserve-Fire Truck subject to permissive referendum.***

Trustee Yastrzemski made a motion to approve; Trustee Parash seconded the motion and a roll call vote took place with the following results: Trustee Yastrzemski: Aye, Trustee Allan: Aye, Mayor Warren: Aye, Trustee Parash: Aye, Trustee Pilaro: Aye.

17. ***RESOLVED, that the Board of Trustees hereby adjourns the commencement Chapter 73 Section 4, Effective Date, until December 31, 2020.***

Mayor Warren made a motion to approve; Trustee Yastrzemski seconded the motion and a unanimous vote followed.

18. ***RESOLVED, that the Board of Trustees schedules a public hearing on March 12, 2020 to establish a Local Law Authorizing A Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-c and directs the Village Administrator to publish and post a notice of public hearing.***

Mayor Warren made a motion to schedule a Public Hearing on March 12, 2020 to establish a Local Law on a Property Tax Cap Over-Ride; Trustee Parash seconded the motion.

A roll call took place with the following results: Trustee Yastrzemski: Aye; Trustee Allan: Aye; Trustee Parash: Aye, Trustee Pilaro: Aye, Mayor Warren: Nay.

19. ***RESOLVED, that the Board of Trustees hereby waives building permit fees for Stony Brook Southampton Hospital for the renovation of the USP 800 Pharmacy and the installation of Car Charging Stations in the amount of \$8008.00***

Trustee Pilaro made a motion to waive the fees for two projects for Southampton Hospital; Trustee Parash seconded the motion and a unanimous vote followed.

### **COMMENTS FROM THE BOARD:**

**Trustee Yastrzemski** – Happy Valentine’s Day to all and thank you to the Board for listening and entertaining the resolution to purchase the Fire Department vehicle. Mr. Yastrzemski also gave a shout out to his son Cole for making Dean’s List in his first semester at college.

**Trustee Allan** – made the following comments:

The Village Tax Grievance Day is Tuesday, 2/18 and she and Trustee Pilaro will be in attendance.

Quarterly Safety Meeting was held this week – Trustee Allan and Pilaro were there and the Village had no incidents in the past quarter; she congratulated the staff on their hard work to maintain a safe work environment.

Trustee Allan offered her thanks to Father Patrick for the Senior Lunch program and looking forward to the upcoming Senior lunch

**Trustee Parash** –said that the Highway Department had been alerted that there were 15 trees damaged last week with the storm and they responded very quickly. He noted that they were working on the

Village garbage cans, cleaning, repairing and replacing locks as needed. Mr. Parash said that he spoke to Gary Goleski and Paul Murphy and that the new drains that were installed functioned well during the recent heavy storms but caused some stone overflow which will be corrected.

Mr. Parash said that the Parks Department is removing benches and taking them back to DPW shop to clean them and prepare them for the season and in addition they are constructing new flower boxes.

He concluded by wishing a Happy Valentine's Day to all.

**Trustee Pilaro** – pointed out the new Village seal on the podium and wished everyone a Happy Valentine's Day.

**Mayor Warren** – spoke on the following issues:

Mayor thanked the Department of Public Works for their work installing the drainage and catch basins on Hampton Road and Main Street and noted that the drainage issues were fixed on Wooley Street and Hampton Road.

The Mayor said that the Board is adjourning to Executive Session but that tonight and going forward he would like the Trustees to come back out to the Board Room after the Executive Session to resume the Public Meeting and have it in more standardized form.

The Mayor said he had reached out to Mr. Tim Frazier, Principal of the Intermediate School and the 8<sup>th</sup> Grade students would be participating in the NYCOM Essay Contest: "What I would Do If I were Mayor"; and has asked the 8<sup>th</sup> graders at Our Lady of the Hamptons to participate as well.

The Mayor said that February is Black History Month and he is hoping to have some of the Middle School students come in to present at the February 25<sup>th</sup> Board meeting. He noted that Governor Cuomo recently dedicated a park in Brooklyn to Shirley Chisolm and that he looks up to our African American and Black leaders and appreciates what members have done in our community both locally and nationally.

## **2<sup>nd</sup> PUBLIC COMMENT - NONE**

### **MOTION TO ADJOURN TO EXECUTIVE SESSION**

Mayor Warren made the motion to adjourn to Executive Session for the purpose of discussing contractual matters; Trustee Yastrzemski seconded the motion and a unanimous vote followed. The Board adjourned at 9:06PM.

### **RETURN TO PUBLIC SESSION**

Trustee Allan made the motion to adjourn to return to Public Session at 11:28PM; Trustee Pilaro seconded and motion and a unanimous vote followed.

### **MOTION TO ADJOURN**

Trustee Yastrzemski made a motion to adjourn the Public Session at 11:29PM; Trustee Parash seconded and motion and a unanimous vote followed.