

**MINUTES
VILLAGE OF SOUTHAMPTON
BOARD OF TRUSTEES
Public Session II – March 20, 2018**

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 5:00 PM

Present were Mayor Irving, Trustees Yastrzemski, McGann, Hattrick and Allan; Village Administrator Stephen Funsch and Village Attorney, Wayne Bruyn.

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

Mayor Irving announced a special commendation was being given to Joseph R. McLoughlin – the Southampton Village Intrepid Citizen Award – for his dedication and commitment to the Village and his work as a member of the Planning Commission. A plaque was presented by Mayor Irving and the members of the Board of Trustees.

PUBLIC COMMENT

John Bennett, 40 Hildreth Street, presented a letter to the Board requesting that they consider adding a code that would prohibit parking on both Hildreth and Jennings Streets from 12am - 6am; stating that cars were parking on the street rather than in the driveways.

Diane Deutschman, 200 Lewis Street, addressed the Board stating that she felt there was a deterioration of the Village that was forcing out local people. She stated that anything that could be done to reduce the size of homes being built would be positive and asked the board to look at zoning issues.

BOARD PRESENTATIONS - NONE

PUBLIC HEARINGS

1. MAXIMUM GROSS FLOOR AREA OF A DWELLING

Mayor Irving made a motion to open the Public Hearing; Trustee Yastrzemski seconded the motion and a unanimous vote followed.

The Mayor noted that the Board had been reviewing comments made during the previous hearings and addressing some of the concerns. Village Attorney Wayne Bruyn summarized the proposed changes to the code regarding maximum GFA,

noting that this proposal was recommended by the Planning Commission after having done numerous studies and work for over two years. He further noted that at the last Board meeting (March 8, 2018) residents had voiced concerns over the proposed changes in R7.5 lots and following that the Board was proposing an amendment that would allow for a reduction from 12% to 10% plus 1650 sf rather than 10% plus 1500 sf that had originally been proposed. Mr. Bruyn noted that as this was a significant change to the proposal presented at prior meetings, it would be necessary to Notice and set a new Public Hearing for April 12, 2018.

Trustee McGann stated that she would like to look at the R7.5 lot issue more closely, review tax maps and assess how many homes would conform to that lot size. In addition, she questioned how side yard setbacks would affect residents in that zone.

A discussion followed with comments made by the following:

- Fred Weinfurt, 45 Rosko Drive, who questioned whether if homeowners were not allowed to build out their property perhaps that would positively affect affordable housing.
- Rob Coburn – 345 Hill Street, asked if there had been or would be consideration given to the bedrooms and bathrooms being allowed in basements as it seems to be happening more frequently. Mayor Irving replied that the proposed GFA changes does not address basement apartments.
- Jay Diesing – 108 Old Town Crossing, commented that the Planning Commission had been studying these issues for over 2 ½ years and urged the Board to move forward with the proposed code changes, noting that the level of development taking place in the Village is environmentally unsustainable. He complimented the Planning Commission on their work.
- Deborah Bates – 49 Walnut Street, asked if there was a guaranteed minimum house size that corresponded to lot size. Mr. Bruyn reviewed the code and stated that the current code stipulates a minimum house size of 800sf on the first and second floors.

Village Administrator Funsch also read into the record a letter from Martin Gilmartin Jr. stating his opposition to the proposed changes.

Village Attorney Bruyn noted that the issues raised were all part of what the Planning Commission looked at in their studies.

Joe A. McLoughlin, addressed the Board regarding the parking lot at the railroad station, stating that it has been very full with vehicles that park for a long period of time. He suggested that the parking lot could be better utilized and asked that the Board consider installing 1-hour parking signs in certain areas of the lot.

Mayor Irving made a motion to keep the Public Hearing open until the April 12, 2018 Board meeting; Trustee Hattrick seconded the motion and a unanimous vote followed.

2. AMENDING RESIDENCY REQUIREMENTS FOR APPOINTED OFFICERS

Mayor Irving made a motion to open the Public Hearing; Trustee Yastrzemski seconded the motion and a unanimous vote followed.

Mayor Irving stated that the intent of this local law amendment was to provide the option to go outside the Village should there not be suitable or sufficient candidates for appointed Boards. Village Attorney Bruyn stated that this would only be applicable for appointed officials, not elected. He also commented that the Village could restructure further and choose whether they wanted to allow potential members to be residents of abutting school or fire districts or beyond. Trustee Yastrzemski reiterated that the intent was simply to give options.

Mayor Irving commented some of the boards would be best with professionals in particular fields on them but that often that poses a conflict if they are Village residents. He also noted that there are long-time Village business owners who don't necessarily reside on the Village but could offer experience and insight as board members. Trustee Hattrick asked if the Village could review maps of fire and school districts to see how far the area might reach.

Jay Diesing, 109 Old Town Crossing, stating that at a minimum such an amendment should require that there be different notices posted for Board openings and that the public should have a greater degree of oversight. He commented that he felt the Village should establish a better process to identify and vet individuals for open Board positions.

Diane Deutschman, 200 Lewis Street, stated that she was against the proposal.

Debra Bates, 49 Walnut Street, also stated that she was opposed to the proposal and felt that the terms of these board members should also be reviewed as many are longer than the terms for Village Trustees.

Trustee Allan commented that as some of the Boards are quasi-judicial they hold very important roles and felt that this issue could be readdressed and revisited in the future should there not be sufficient applicants for these positions.

Trustee Yastrzemski asked if the requirements for appointment for administrative and advisory boards could be different and Village Attorney Bruyn replied that they could.

Mayor Irving then made a motion to keep the Public Hearing open; Trustee Yastrzemski seconded the motion and a unanimous vote followed.

COMMUNICATIONS TO THE BOARD

1. Southampton Chamber of Commerce – Calendar of Events

Village Administrator Funsch read a letter from Karen Connolly, Executive Director of the Southampton Chamber of Commerce, requesting support of the Chamber's 2018 calendar of events and use of the Southampton Arts Center grounds for the Sunday Farmers Market. Mayor Irving made a motion to approve the request; Trustee McGann seconded the motion and a unanimous vote followed.

2. Southampton Village PBA – Easter Egg Hunt

Village Administrator Funsch read a letter from the Southampton Village PBA requesting permission to hold their annual Easter Egg Hunt in Agawam Park on Friday, March 30th at 10AM, noting that they would be using the grounds from 9am – 12PM. Mayor Irving made a motion to approve the request, Trustee Hattrick seconded the motion and a unanimous vote followed.

RESOLUTIONS

RESOLVED, that the reading of the minutes for the Public Session of March 8, 2018 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.

On the motion of Mayor Irving and seconded by Trustee Yastrzemski the above resolution was unanimously approved. Trustees McGann and Allan abstained as they were both absent at the March 8, 2018 meeting.

RESOLVED, that the claims for the warrants dated March 20, 2018 totaling \$479,392.47 (Warrant #16 - General Fund), \$3,294.00 (Warrant #10 – Capital Fund), \$1,000.00 (Warrant #18 – Trust Fund), \$3,143.33 (Warrant #10 – Expense Trust Fund) and the Village payroll for the period ending March 15, 2018 be audited and approved.

On the motion of Trustee Hattrick and seconded by Trustee McGann, the above resolution was unanimously approved.

RESOLVED, that the Board of Trustees hereby approves the hiring of Briana Gladding as a part time EMT-Critical Care at \$25/hour.

On the motion of Trustee Yastrzemski and seconded by Mayor Irving, the above resolution was unanimously approved.

RESOLVED, that the Board of Trustees hereby approves the hiring of Elbert Robinson, Esq., to represent the Village in the Article 78 action by DPB Southampton LLC.

On the motion of Mayor Irving and seconded by Trustee Yastrzemski the above resolution was unanimously approved.

RESOLVED, that the Board of Trustees hereby approves the refund of a building permit fee in the amount of \$500 to Nancy E. McNally, Southampton, NY as recommended by Jonathan Foster, Building Inspector.

On the motion of Trustee McGann and seconded by Trustee Hattrick the above resolution was unanimously approved.

RESOLVED, that the Board of Trustees hereby approves the following payments from the Capital Reserve Fund subject to permissive referendum:

Weber & Grahn \$3,294.00 Fire Facilities Reserve

On the motion of Trustee Yastrzemski and seconded by Mayor Irving, the above resolution was unanimously approved.

DISCUSSION ITEMS – NONE

COMMENTS FROM THE BOARD:

Trustee Yastrzemski – thanked the Police, Fire, First Responders and Village Department of Public Works for their work during the last storm and thanked them in advance for their work on the upcoming nor'easter. He then commented on the issue of the helicopters as had been discussed at the February 8, 2018 meeting, stating that he had reached out to Congressman Zeldin for information regarding the issue and noted that the Town of Southold had petitioned to change the flight path of helicopters but that the FAA had denied the petition and the path established by the FAA could not be changed until 2020. He stated that the Village did not have to authority to change the flight path.

Village Administrator Stephen Funsch stated that he has been on the Southampton Town Airport Advisory Committee since it was founded and commented that there were a lot of mitigating factors in respect to the paths that were used.

Trustee Allan commented that she had been requested to write a letter to the Federal Government regarding the equipment that was used on helicopters in respect to their fire safety and would be comfortable in submitting such a letter.

Trustee Allan – commented that she had just returned from a family vacation overseas but had met individuals who had visited Southampton Village and spoke highly of our Main Street businesses.

Trustee McGann – commented that she had just returned from a family vacation on the West Coast and was anxious to get back to Village business.

Trustee Hatrick complimented the various Village DPW departments and commended them on their work during the several nor'easters that had taken place. He further commented that he had heard that the former Rogers Memorial Library had sold again and expressed concern over what would happen to the property.

Mayor Irving commended the Highway, Grounds and Building and Maintenance departments on their work during the past several storms, and in anticipation of the upcoming storm; noting that they have all worked together to keep the Village streets plowed and safe for residents. Trustee Yastrzemski also noted that the departments had all worked well together and that had budgetary impacts as there was not as great a need to hire additional support.

Mayor Irving then informed the public that the lawsuit against Southampton Village concerning the use of the “picnic area” and beach access had been dismissed. He noted that the Board’s intent is always to protect the rights of the residents to access the beach.

Village Attorney Bruyn provided a brief synopsis of the Court’s findings, noting that the Village was represented by the law firm of Devitt Spellman and that this ruling was a very positive step for the Village.

Mayor Irving urged the public to be respectful of all parties involved.

Trustee Yastrzemski stated that Southampton Village is the one body that allows the “picnic area” to be used as it is and all should be respectful of that right. He and Mayor Irving stated that the Village has always supported the right to access the beach.

Mayor Irving then provided an overview of events taking place at many of the cultural arts organizations over the next week, including Thaw Fest, a collaborative event.

2nd PUBLIC COMMENT:

NONE

MOTION TO ADJOURN:

Mayor Irving made a motion to adjourn to Executive Session for the purpose of discussing personnel matters and legal matters. Trustee Yastrzemski seconded the motion and the Board approved the motion unanimously.

The Board convened to Executive Session at 7:05PM.

The Board returned to Public Session at 8:10PM.

Mayor Irving suggested the following resolutions:

RESOLVED, that the Board of Trustees hereby authorizes two “15-minute parking” signs to be installed in front of Herrick Hardware for a one year trial basis.

On the motion of Trustee Hattrick and seconded by Trustee Yastrzemski, the resolution unanimously approved.

RESOLVED, that the Board of Trustees hereby authorizes the transfer of the Fire Department LOSAP plan from being administered by VFIS to Penflex, Inc and the East End Financial Group, Inc.

On the motion of Trustee Yastrzemski and seconded by Mayor Irving, the resolution unanimously approved.

RESOLVED, that the Board of Trustees hereby approves the hiring of Matthew Weeks as the manager of Coopers Beach for the 2018 summer season at a salary of \$20,000.

On the motion of Trustee Yastrzemski and seconded by Trustee Hattrick, the resolution unanimously approved.

MOTION TO ADJOURN

Trustee Hattrick made a motion to adjourn the Public Meeting; Mayor Irving seconded the motion and a unanimous vote followed.

The meeting was adjourned at 8:15PM.

Stephen Funsch
Village Administrator

3/20/18