

MINUTES
VILLAGE OF SOUTHAMPTON - BOARD OF TRUSTEES
PUBLIC SESSION II – April 21, 2020

Due notice having been given, the Public Meeting of the Board of Trustees was held remotely via Zoom Meeting at 6:00PM.

Present online were Mayor Warren, Trustees Allan, Parash, Pilaro and Yastrzemski; Village Administrator Russell Kratoville, Village Attorney Brian Egan, Assistant Village Attorney Alexandra Halsey Storch, Police Chief Thomas Cummings, Julie Fitzgerald, Mayor's Assistant.

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

PUBLIC COMMENT:

No public comments were submitted

BOARD PRESENTATIONS: None

DISCUSSION ITEMS:

1. Lung Cancer Research Assoc. – Strides for Life: August 9, 2020
Julie Fitzgerald explained that this was an annual Walk/Run event which had been approved in the past but raised the question if the organization should be asked for a back-up date to Covid19. Village Attorney Egan recommended that the Board approve it unconditionally and if it became a necessity could move the date.
2. 2019 Audited Financial Statements
Mr. Kratoville stated that the Village had received the audited financial statements and that everything was in good order. Village Attorney Egan offered congratulations to Mr. Kratoville on the March 31, 2020 Management letter received from the auditors. Mr. Kratoville acknowledged the work of Patricia Ledermann, Deputy Treasurer, in assisting with the audit process and for her work overseeing much of the day to day running of the financial operations for the Village; Mayor Warren thanked Mrs. Ledermann as well.
3. 2020/21 Village Budget
Mr. Kratoville said that a lot of hard work was put in from the ground up working on the budget. He noted that it was the first time in working with a budget that he was able to put in everything requested without having to trim anything to come in under the tax cap. Everyone submitted realistic budgets and they came in under the tax cap which is good news. Mr. Kratoville noted that if there is a dip in the economy or things don't turn around there is room in the budget to make adjustments and if faced with unfortunate circumstances, the Village could continue in its practices without having to go into the fund balance or take from the "rainy day fund".
Mayor Warren stated that that there was a lot of hard work from Mr. Kratoville and Pat Ledermann as well as Cathy Sweeney who input some of the numbers.
Trustee Allan said that her view was that the budget is very good and provides a lot of meaningful changes and investments for the future.
Mayor Warren said he felt they'd done an excellent job on the budget and had highlighted transparency with guidelines from NY State Comptroller and there would be a resolution made later in the meeting that

was not submitted by him but by other Board members who would have the opportunity to explain the suggested amendments.

COMMUNICATIONS TO THE BOARD:

1. NYCOM – Federal Aid to Local Municipalities
Mr. Kratoville stated a letter had been received from Peter Baynes, President of NYCOM asking municipalities to write to their legislators to say that smaller municipalities need to have more aid. Mayor Warren said that agreed with writing the letter so that we get our fair share. Mr. Kratoville said that he would draft a letter on behalf of the Board for the Mayor to sign.

2. SCVOA – Northeast Supply Enhancement (NESE) Pipeline Project
Mr. Kratoville reviewed letter from Suffolk County Village Officials Association (SCVOA) regarding the natural gas capacity issue and they are trying to get more financial aid for the Villages to support a NESE pipeline which is a more cost-efficient product and would adequately supply the Village with what it needs. Mr. Kratoville said if the Board were amenable a letter could be sent to the Public Service Commission in support of this.

3. East End Financial – FD LOSAP Quarterly Report
Mr. Kratoville said they’re reporting to the Village on a weekly basis at this point and we are continuing with the same practice we’ve had and feel confident that we’re on track to get full funding for the LOSAP program again this year.

4. S.C. Community Development Office – CDBG Funding re: COVID19
Mr. Kratoville stated he had filled out a questionnaire and it looks like the government will be making additional funds available. Included in items that would be supported were business revitalization and accessibility issues. Trustee Allan asked if this was what Nicole Christianson, grant writer, had brought to the Village’s attention or something separate. Mr. Kratoville said this is a very straight forward process of identifying needs and seeing what funds are available per Village.

5. NYS Workers’ Comp. Alliance – Safety Letter/ Mask Donation
Mr. Kratoville RK letter received to all supervisors regarding safety during the Covid19 pandemic.

6. Mr. Kratoville said that Rob Coburn, on behalf of the Clean Water Committee, had submitted the Old Towne & Wickapogue Ponds 2020 Water Management Plan.

PUBLIC HEARINGS:

1. Proposed Local Law: Amending Chapter 80-1(N) Surfboarding. Mr. Kratoville noted that no comments or communication regarding the hearing had been received to date. Mayor Warren made a motion to open the Public Hearing; Trustee Parash seconded the motion and a unanimous vote followed. Assistant Village Attorney Halsey Storch reviewed the proposed Local Law stating that it allows surfing for recreational purposes between June 15 and September 15 at any Village beaches with the exception of Coopers Beach.

Mr. Kratoville said that the Board is taking a law that was amended in August 2019 and now reverses that as it says that surfing is permitted with the exception of Coopers Beach. He noted that if need be, the Village by resolution, can restrict or prohibit surfing at particular beaches.

Mayor Warren stated that he was happy to get this back on the agenda and that it was an issue last summer. He said that the Board is committed to the surfing community and also to the residents who like to swim and go to the beaches. He thanked the Surf Committee who worked together and built consensus and delivered a plan to the Board which they felt would be very good and bring much needed structure to surfing. The Mayor said that there is a complete buy-in from the Surf Committee and surf schools will regulate themselves and surfers are back on the beaches and not worried as to what the restrictions are.

Mr. Kratoville said the Board could close the Public Hearing and that there is a suggested resolution to adopt during the meeting. Trustee Allan made a motion to close the Public Hearing and Trustee Yastrzemski seconded and a unanimous vote followed.

Brian Egan thanked Alexandra for her work. Trustee Pilaro asked if the Board felt the public had sufficient notice to submit comments; Ms. Halsey Storch said that the Board had followed the legal requirements for the hearing; Mr. Kratoville said that there was a lot of discussion with the Surf Committee and all sides weighed in.

Trustee Parash commented that the collaboration with the Surf Committee was fantastic and a lot of good conversations took place and everyone on the Committee did a very good job. Mr. Kratoville concluded by saying that the Committee worked out very well and that it included the participation and acceptance of law enforcement.

2. Proposed Local Law: Amending Chapter 80-1(A) Surf Schools Comments will be accepted up to 5:45PM on the date of this hearing at villageadmin@southamptonvillage.org

Mr. Kratoville said that no comments had been received.

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

Ms. Halsey Storch reviewed the proposed local law stating that it assigns the Village Administrator to approve Surf Schools and to grant licenses with numerous restrictions and guidelines. She noted that these recommendations came from the Surf Committee who worked very diligently and came to consensus.

Mr. Kratoville said that this legislation takes away the cumbersomeness of the process especially in light of the fact that the Board of Trustees only meets twice a month which in the past made it difficult to make changes. This process allows there to be fluidity if there needs to be changes throughout the year and to work with law enforcement. It also gives the Board the opportunity, by resolution, to look at the regulations and governance. He noted that there had been a lot of fiery but respectful discussions with the Surf Committee.

Trustee Pilaro said he wanted to be sure that the public had sufficient time to review these laws. If we close the hearing tonight does the Public have the opportunity to comment on it prior to approving the resolutions.

Trustee Parash reviewed the timing of the matter and said that once the Surf Committee was formed the thought was that they would bring their recommendations and hash out the issues.

Brian Egan said the appointment of the Committee gave them the authority hash the issues out and represent their conclusions to the public. He stated that the Board of Trustees could hold the Hearing open for comments for the next meeting or adopt the legislation at the meeting this evening and, if they received a lot of comments, reopen the Public Hearing.

Trustee Yastrzemeski asked if the Chief had any concerns and the Chief stated that he and Lt. Wetter had been a part of the Committee and thought that it was well thought out.

Trustee Pilaro said this discussion was very important and showed the public how much thought and work went into this process.

Mayor Warren made a motion to close the Public Hearing; Trustee Yastrzemeski seconded the motion and a unanimous vote followed. Mr. Kratoville commented that Julie Fitzgerald and Alexandra Halsey Storch were the point persons and had helped to steer the Committee and the Committee had chosen a Chair and that it was a team effort. Mayor Warren thanked Ms. Halsey Storch for working behind the scenes to make sure the surf legislation was done well and that the Chapter was amended correctly and the Surf schools had rules and regulations.

SUGGESTED RESOLUTIONS:

1. RESOLVED, that the reading of the minutes for the Public Session of April 9, 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.

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

2. RESOLVED, that the claims for the warrants dated April 21, 2020 totaling \$477,695.39 (Warrant # 14 - General Fund) and \$1,800.00 (Warrant # 11 - Capital Reserve Fund be audited and approved.

Mayor Warren made a motion to approve; Trustee Yastrzemeski seconded, and a unanimous vote followed. Mr. Kratoville noted that \$350,000 of Warrant #14 is the monthly health insurance bill.

3. RESOLVED, that the Board of Trustees hereby approves the attached schedule of budget transfers to eliminate line item overages for the period ending April 21, 2020.

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

4. RESOLVED, that the Board of Trustees hereby acknowledge that the financial records of the Village Justice Court for the Fiscal Year Ended May 31, 2019 were audited in accordance with auditing standards generally accepted in the United States of America.

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

5. RESOLVED, that the Board of Trustees hereby accepts the audited financial records of the Incorporated Village of Southampton as prepared by Satty, Levine & Ciacco, CPAs for the Fiscal Year Ended May 31, 2019.

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

7. RESOLVED, that the Board of Trustees hereby approves the Lung Cancer Research Association's Stride for Life Walk/Run on August 9, 2020.

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

8. ***RESOLVED, that the Board of Trustees hires Joseph Prokop, Esq. to represent the Village at the Village General election on Friday, June 19, 2020 from 9:00 am to 9:00 pm at the Levitas Center, Pond Lane, Southampton at a rate of \$200 per hour.***

Mayor Warren made a motion to approve; Trustee Parash seconded, and a unanimous vote followed. Trustee Yastrzemski asked if there had been any update regarding the election process. Mr. Kratoville and Mr. Egan said that there had not been any changes made regarding the date at this time. Mr. Egan said he anticipated that there would be new information given by Friday, May 1st.

9. ***RESOLVED, that the Board of Trustees hereby adopts a Local Law # 2 of 2020 “Amending Section 80-1(N) of Chapter 80 of the Village Code to Regulate Surfboarding on Ocean Beach.”***

Mayor Warren made a motion to approve; Trustee Parash seconded, 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.

10. ***RESOLVED, that the Board of Trustees hereby adopts a Local Law # 3 of 2020 “mending Section 80-1(A)(1) of Chapter 80 of the Village Code to Regulate Surf Schools on Ocean Beach.”***

Mayor Warren made a motion to approve; Trustee Parash seconded, 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. * Village Attorney Egan suggested that the application date be pushed back to June 1, 2020.

1. WHEREAS, the Board of Trustees enacted a local law amending Section 80-1(A)(1) of the Village Code to require licenses for the operation of surf schools on beaches within the Village; and WHEREAS, the local law authorizes the Village Administrator to issue and suspend said licenses; and WHEREAS, the newly amended Section 80-1(A)(1) authorizes the Board to enact regulations and requirements for the issuance and maintenance of said licenses; now therefore be it RESOLVED that the Board of Trustees hereby adopts the following requirements and regulations that shall take effect immediately:

1. (a) Application. The Village Administrator shall create an application form for a surf school license. The application shall be submitted on or before June 1, 2020 and shall require the name and contact information for the person or entity applying for the license; the names of the employees or contractors of the applicant; emergency contact information; three professional references; the insurance and indemnification requirements attached hereto; the preferred location(s) sought by applicant; the days, hours, and sessions that applicant intends to operate; the size of the classes to be given; the number, days, and hours of the private lessons to be given; the names of the instructors that will give private lessons; a range of the ages of the students; the color rash guard to be worn by instructors and students; and a list of the regulations set forth by the Board of Trustees.

(b) Application Fee. The Board of Trustees may establish an application fee by resolution. If an application fee is established, such fee may be amended from time to time by further resolution of such Board.

2. License. The Administrator may issue a license only after receipt of a signed and completed application and indemnification form, accompanied by a certificate of insurance demonstrating compliance

with the insurance requirements. The license shall include the applicant's personal or entity name, the beach location of operation, days and hours of operation, and the expiration date of the license, which shall be one year from the date of issuance.

3. License Regulations.

(a) Permitted Days and Hours of Operation.

i. Surf School. Monday through Friday, 7 a.m. to 11 a.m.

ii. Private Lessons. Monday through Friday, 11:00 a.m. through sunset. Saturday and Sunday, 6 a.m. through sunset.

(b) Number of Students Per Session.

i. Surf School. Each school shall have one instructor for every three students. No more than 12 students with at least four instructors present shall be permitted at any one time.

ii. Private Lessons. 3 private lessons per school at any given time with an instructor for every student.

(c) Location. The surf school may only operate at the location designated by the Village Administrator, as set forth on its license, including for private lessons. Any surf school operation or private lessons are prohibited from the easterly boundary line of the beach commonly known as Gary Mac Way to the Suffolk County boundary and Coopers Neck Beach.

d) Equipment and Operation.

i. Soft top boards must be used.

ii. All students and instructors must wear rash guards of the color designated in the surf school's application, and subject to the approval of the Village Administrator.

iii. Surfboard leashes must be used.

iv. The Surf School Code of Ethics, as published by the National Surf School & Instructors Association, must be adhered to at all times and distributed to all students.

4. Parking. All motor vehicles belonging to a surf school instructor or student shall comply with Chapter 86 of the Village of Southampton Village Code. No surf school shall occupy more than three (3) parking spaces.

5. Violation. The failure to comply with any requirement or regulation set forth in this resolution may be punishable by suspension and/or revocation of the license in accordance with the provisions set forth in Section 80-1(A)(1)(h) of the Village Code or the imposition of the penalties set forth in Section 80-3 of the Village Code.; and be it further

RESOLVED, that this Resolution shall take effect immediately. Mayor Warren made a motion to approve; Trustee Yastrzemski seconded, and a unanimous vote followed with the correction of the change

to the Application date as June 1, 2020. Ms. Halsey Storch asked if the Board wanted to add an application fee for the licenses and after a brief discussion followed. A roll call vote then took place as follows: Trustee Yastrzemski: Aye; Trustee Allan: Aye; Mayor Warren: Aye, Trustee Parash: Aye; Trustee Pilaro: Aye.

11. RESOLVED, that the Board of Trustees hereby approves that a valid beach parking permit must be displayed in or on any motor vehicle parked or standing in or upon the parking facility at Coopers Beach during weekends and holidays from May 23, 2020 through June 13, 2020 and on a daily basis commencing June 20, 2020 through and including September 7, 2020.

Mayor Warren made a motion to approve; Trustee Pilaro seconded. A discussion followed regarding whether to require valid beach permits daily as of May 23, 2020, after which they concluded it was best to leave the resolution as it stood. A unanimous vote then took place.

12. WHEREAS, the Tentative Budget was presented to the Board of Trustees at a regular Village Board meeting on March 24, 2020, and WHEREAS, a public hearing was held on April 9, 2020 to which amendments were approved, now, therefore be it RESOLVED, that the Board of Trustees makes the following additional amendments to the 2020/2021 Tentative Village Budget:

<i>Rename Account A1010.47 to Board of Trustees' Special Projects</i>		
<i>Increase BOT Special Projects</i>	<i>A1010.47</i>	<i>\$505,000.00</i>
<i>Increase Highway Contr. Servs.</i>	<i>A5110.44</i>	<i>\$150,000.00</i>
<i>Increase Contingency</i>	<i>A1990.4</i>	<i>\$250,000.00</i>
<i>Decrease Mayor Contr. Servs.</i>	<i>A1210.4</i>	<i>(\$155,000.00)</i>
<i>Decrease Env. Prof. Serv.</i>	<i>A4090.4</i>	<i>(\$350,000.00)</i>
<i>Decrease Leg. Contingency</i>	<i>A1990.44</i>	<i>(\$400,000.00)</i>

A lengthy discussion on the proposed amendments and their purpose took place. Following the discussion Trustee Pilaro made a motion to approve the Resolution #12; Trustee Parash seconded, and a roll call vote took place with the following results: Trustee Yastrzemski: Nay; Trustee Allan: Aye; Mayor Warren: Nay; Trustee Parash: Aye.

13. RESOLVED, that the Board of Trustees hereby adopts the 2020/2021 operating budget as amended by Resolution # 9 of April 9, 2020 and Resolution #12 of April 21, 2020.

Trustee Pilaro made a motion to approve Resolution #13; Trustee Parash seconded. Mayor Warren then addressed the public and spoke at length regarding the amendments made in Resolution #12 with Board members responding to comments made. Following a roll call vote took place with these results: Trustee Yastrzemski: Nay; Trustee Allan: Aye; Mayor Warren: Nay; Trustee Parash: Aye; Trustee Pilaro: Aye.

14. WHEREAS, that the Board of Trustees has adopted a budget for the fiscal year beginning June 1, 2020 that does not require a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Sec 3-c, and WHEREAS, the Village had adopted Local Law #1 of 2020 authorizing a tax levy in excess of the limit established in General Municipal Law Sec 3-c, now, therefore be it RESOLVED, that the Board of Trustees hereby repeals LL #1 of 2020 as provided in section 4 of such law.

Village Attorney Egan recommended that the Board withdraw Resolution 14 until they can be noticed as a future public law to repeal the previous Tax Override legislation.

Trustee Yastrzemski made a motion to withdraw Resolution 14 based on advice of Counsel.

COMMENTS FROM BOARD MEMBERS:

Trustee Yastrzemski – spoke in response to COVID19, saying he is proud of the first responders and all the departments in the Village and how they’ve responded. He said that currently the case level is low; next phase is enforcement issue which is always a concern. Mr. Yastrzemski recommended that people use decorum, dignity and respect for their neighbors and not spend time pointing out others’ shortcomings. He concluded by saying that leadership comes from the State down from Governor Cuomo, to County Executive Steve Bellone and that it’s been a very fluid and impressive process.

Trustee Allan wished everyone a Happy Earth Day and said that many fun things had been planned but will have to wait. She discussed the following:

- Senior Committee has created Cabin Fever Fireside Chat - Tuesday’s at 11 am.
- Rogers Memorial Library is very aware that many residents have a significant technology curve and have partnered with other libraries to offer help at techsupport@myrml.org.
- Business Revitalization Committee meeting will be on Friday and they are planning to move forward on some of the items mentioned earlier.
- Working cable and internet is a game changer and the Town is willing to partner with the Village and co-sponsor a consultant to come to the Village and map out problems and figure out a way to address issues and map out solutions.
- Thank you to the many foot soldiers, Stony Brook Southampton Hospital, senior facility, EMS, and drugstores

Trustee Allan concluded by saying God speed and God bless and a thank you to everyone for helping and the Village will continue to “love bomb” every Mon-Wed- Friday.

Trustee Parash commented that we are 5 weeks into COVID19 and a lot has been accomplished:

- Proud of how the Village is moving forward, and taking care of things in Village Hall including Julie Fitzgerald getting Zoom meetings set up.
- Proud that we have a lot of healthy Village employees and they are doing a great job.
- With the SBA loans, a lot of people are receiving commitments and proud of local banks –BNB and Peoples – who are helping so many businesses. These small community banks have pulled through.

Trustee Parash concluded by telling everyone to keep on doing what they’re doing and keep positive thoughts.

Trustee Pilaro - echo everyone’s concerns and thoughts, noting that a lot of good things have been covered by everyone. He said that a lot is different today than it was 5 weeks ago or a couple of months ago when we first heard how it affected people in Europe and Asia.

Additional comments:

- The internet isn’t working great all the time and it’s difficult, but the majority of people are working at home and overloading a system that may not be able to handle this.
- The big discussion is how do we come out of this and how do we get back to where we were? A lot of things will change and a lot will come out of it.

- Earth Day celebrations were supposed to happen today – we were going to have a big event showcasing Southampton Village business district but we’ll have that opportunity to showcase again and we’ll have our residents to thank for that.
- Many people have moved out here to their second homes because they feel safe and we want to ensure that we all continue to feel safe.
- Angel Perez is out patrolling and going to different areas.
- Thank you to all those working for the Village and all those Village Hall employees who are working from home – kudos to RK for keeping them together. The Village is in good hands with the communication that has been set up prior to COVID19 and the work will continue to be done.

Trustee Pilaro concluded by saying that we still don’t know when this will end and no one can understand what is going on with each individual – so be nice and always lead with kindness, be pleasant to your neighbors, to our Village residents and to the people around you – no one knows each individual’s back story.

Mayor Warren – echoed the thoughts of the Board ranging from our Village employees, to the Hospital staff and made the following comments:

- Special thanks to Ken Booth for making signs and to the EMS workers.
- He has distributed over 5,000 3ply surgical masks to residents, made available via social media outreach and helped by a group of volunteers and Police and EMS.
- Thank you to Dr. Michalos from Hamptons Health Society who have done big fundraisers and delivered 11 vents, 10 oxygen tents, gowns and tens of thousands of 3 ply masks all through fundraising by residents
- Thanks to the Hospital, doctors, respiratory therapists and everyone.

The Mayor concluded by saying that there is a reason why we’ve flattened the curve and again thanked the Hospital, health care workers, EMS and residents

MOTION TO ADJOURN

Mayor Warren made a motion to adjourn the Public Session at 7:13PM; Trustee Yastrzemski seconded, and a unanimous vote followed.

Russell Kratoville, Village Administrator

4/21/20