

**MINUTES**  
**VILLAGE OF SOUTHAMPTON**  
**BOARD OF TRUSTEES**  
**Public Session II – May 22, 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, Allan, McGann and Hattrick; Village Administrator Stephen Funsch and Village Attorney, Wayne Bruyn.

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

**PUBLIC COMMENT – NONE**

**BOARD PRESENTATIONS**

**1. Gary Goleski - DPW equipment**

Mr. Goleski, Superintendent of Public Works made a request of the Board to replace 2 pieces of equipment:

Backhoe – request to replace the current 1998 New Holland with a CAT 420F2; cost of \$125,855. Mr. Goleski noted that they have dealt with H.O. Penn a lot in the past and that they had looked other backhoes but that this unit fits the needs of the department and would be used for tree planting, trenching, grading, etc. and included a snow chute. The approximate value of a trade in for the New Holland machine would be \$6,000.

Following a discussion, Mayor Irving stated that he would like to hold off on the purchase of the backhoe and requested additional information and to check into options for trade-in of the New Holland machine.

14' Lawn Mower from Malvese: Mr. Goleski requested that the Board consider the purchase of a Jacobson HR700, 14' cut mower to replace a 2003 mower with an 11' cut mower. The Jacobson mower has a cost of \$70,000.

A discussion followed, and Mr. Goleski informed the Board that the new unit would be used mostly at Flying Point. Trustee Allan asked about electric mowers; Mr. Goleski stated that they had looked at the Green Machine that the Town has and noted that Grodski Mowers carries a green machine, but they are smaller mowers. He further noted that both are NJPA contracts. A discussion followed.

Mayor Irving then made a motion to approve the purchase of the Jacobson HR700 mower; Trustee McGann seconded it, and a unanimous vote followed.

## **2. Southampton Arts Center**

Tom Dunn, Executive Director of Southampton Arts Center (SAC) presented to the Board of Directors. Mayor Irving welcomed Tom Dunn to the Village of Southampton. Mr. Dunn reviewed the mission of SAC and provided statistics on the Center. Amy Kirwin, Artistic Director of SCA spoke regarding the 2018 program including the art exhibitions, Summer outdoor film program, concerts, children's programs and wellness programs.

Mr. Dunn thanked the Village for their partnership and support, including in-kind contributions; capital purchases, building and grounds maintenance. He thanked the Village for the services provided by Julie Fitzgerald in many capacities to the Center. Mayor Irving acknowledged that Southampton Arts Center is an important part of the community, thanked them for their programs and stated that the Village would continue to support them. Several supporters of the Arts Center spoke on their behalf including: Paton Miller, Dorothy Reilly and Fairley Pilaro. Mayor Irving thanked Mr. Dunn for their presentation.

## **3. Araiys Design – 137 Pond Lane**

Tim Rumph of Araiys Design spoke regarding the proposed landscape project at 137 Pond Lane. He noted that his firm had been before the ZBA to do some improvements which included some work in the Village right-of-way. They worked with Nelson, Pope and Voorhies and Gary Goleski and are requesting permission to do that work in the right of way. A discussion followed with Mayor Irving stating that as with all projects of this type, the Village needed to protect their rights. Gil Flanagan, attorney for the homeowner, stated that whatever was offered by the client to the Village would have to be outlined to safeguard Village rights and be transferrable to a new owner. Mr. Flanagan also stated that the homeowner would provide a certificate of insurance naming Village as additional insured and also would indemnify the Village.

Village Attorney Wayne Bruyn stated that this request is essentially similar to other agreements (eg. Lake Agawam) and needed to protect the rights of the Village.

Mr. Rumph stated that they would need to get permits but it had been recommended by the Zoning Board of Appeals to present to the Village Board first. He also stated that the intent was to create a view of the lake so they would use all smaller plant material and vegetation. Trustee Allan asked Mr. Rumph if there were any concerns or if a SEQRA study had been done at the time of the subdivision, approved in 2008. Mr. Rumph replied that the SEQRA study had been done and expressed that the concern might be the other side of the road at the edge of Lake Agawam. Ms. Allan also asked if there were any additional concerns; mitigating storm water on the Lake Agawam side of the road was raised by Mr. Rumph.

Gary Goleski, Superintendent of Public Works, stated that he had reviewed the plan and felt it was an attractive one.

Attorney Bruyn noted that this is already village property, so it becomes more of a licensing agreement with the landowners. He stated that there's nothing in the long term that would preclude the Village from doing work in the future. Trustee Allan asked about the maintenance budget; Mr. Rumph stated that the intent is that over time it will take care of itself as it is all native plants, but anticipates that the project will cost about \$250,000, which the client is willing to undertake. Trustee Yastrzemski asked when the project would begin; Mr. Rumph stated that the client would like it done as quickly as possible and didn't foresee any road closures.

Attorney Bruyn stated that if the Board is in favor, they could go to the next step; draft agreements, and they would then need to come back to the Board with licensing documents which would need to be submitted prior to work starting.

## **PUBLIC HEARINGS - NONE**

## **COMMUNICATIONS TO THE BOARD**

### **1. Agawam Park Field Day -**

Village Administrator Funsch read a letter from Southampton School requesting the use of Agawam Park for Field Day – concern had been if the playground would be redone in time.

Mayor Irving made a motion to approve the request; Trustee McGann seconded the motion and a unanimous vote followed.

### **2. Rogers Memorial Library – pop-up at Coopers.**

Village Administrator Funsch read a letter from Liz Burns, Executive Director at Rogers Memorial Library, requesting that Rogers Memorial Library be allowed to have a “pop-up” library at Coopers Beach on June 29, July 20 and August 24.

Mayor Irving made a motion to approve the request; Trustee Allan seconded the motion and a unanimous vote followed.

## **RESOLUTIONS**

***RESOLVED, that the reading of the minutes for the Public Session of May 10, 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.***

Trustee Hattrick made a motion to approve; Trustee Allan seconded, and unanimous vote followed.

***RESOLVED, that the claims for the warrants dated May 22, 2018 totaling \$830,104.26 (Warrant #18 - General Fund:), \$1,710.66 (Warrant #12 – Expense Trust Fund and \$334,019.54 (Warrant #12 – Capital Reserve Fund) be audited and approved.***

Trustee McGann made a motion to approve; Mayor Irving seconded, and unanimous vote followed.

***RESOLVED, that the Board of Trustees hereby approves the attached schedule of budget transfers to eliminate overages for the period May 11, 2018 through May 22, 2018.***

Trustee McGann made a motion to approve; Trustee Yastrzemeski seconded, and unanimous vote followed.

***RESOLVED, that the Board of Trustees approve the hiring of the following as employees at Coopers Beach for the 2018 season:***

***Lifeguards:***

<i>Dave A. Nichols (Head Lifeguard)</i>	<i>\$21.00/hr</i>
<i>Mike Purcell</i>	<i>20.00/hr</i>
<i>Maggie Purcell</i>	<i>14.00/hr</i>
<i>Caroline Oakland</i>	<i>14.00/hr</i>
<i>David Q. Nichols</i>	<i>15.50/hr</i>
<i>Aindriu Farrington</i>	<i>16.50/hr</i>
<i>Patrick Maloney</i>	<i>15.50/hr</i>
<i>Jordan Nichols</i>	<i>14.00/hr</i>
<i>Kieran Marscivoteri</i>	<i>16.00/hr</i>
<i>Parker West</i>	<i>9.50/hr</i>
<i>Jayden Wilson-Pepitone</i>	<i>9.50/hr</i>
<i>Bailey Sullivan</i>	<i>16.00/hr</i>
<i>Evelyn Purcell</i>	<i>9.50/hr</i>
<i>Caroline Polumbo</i>	<i>13.50/hr</i>

***Ticket Booth:***

<i>Emmet Wetter</i>	<i>9.00/hr</i>
<i>Danielle Plunkett</i>	<i>9.00/hr</i>
<i>Amira Nation</i>	<i>9.00/hr</i>
<i>Madison West</i>	<i>9.00/hr</i>
<i>Kyla Seymore</i>	<i>9.00/hr</i>
<i>Griffin Schwartz</i>	<i>9.00/hr</i>
<i>Pat Medio</i>	<i>9.00/hr</i>
<i>Reilly Zorko</i>	<i>9.00/hr</i>

***Beach Attendants:***

<b><i>William Hattrick</i></b>	<b><i>9.00/hr</i></b>
<b><i>Teddy Raffel</i></b>	<b><i>10.50/hr</i></b>
<b><i>Michael Finalborgo</i></b>	<b><i>9.00/hr</i></b>
<b><i>Nicholas Marano</i></b>	<b><i>9.00/hr</i></b>
<b><i>Will Raffel</i></b>	<b><i>9.00/hr</i></b>
<b><i>Matthew Medio</i></b>	<b><i>9.00/hr</i></b>
<b><i>James Malone</i></b>	<b><i>9.00/hr</i></b>
<b><i>Ray Sweeney</i></b>	<b><i>9.00/hr</i></b>
<b><i>Daniel Aliakseyeu</i></b>	<b><i>9.00/hr</i></b>
<b><i>Sean Godfrey</i></b>	<b><i>9.00/hr</i></b>
<b><i>Ben Luss</i></b>	<b><i>9.00/hr</i></b>

Trustee McGann made a motion to approve; Mayor Irving seconded, and unanimous vote followed. Village Administrator Funsch noted that there would be 2 shifts this year and the lifeguard hours will increase.

***RESOLVED, that the Board of Trustees hereby approves the following budget adjustment for the 2018/2019 fiscal year:***

<b><i>In: A4540.13 Ambulance – part time</i></b>	<b><i>\$130,025.00</i></b>
<b><i>Out: A4540.1 Ambulance Salaries</i></b>	<b><i>\$130,025.00</i></b>

Trustee Yastrzemeski made a motion to approve; Mayor Irving seconded, and unanimous vote followed.

***RESOLVED, that the Board of Trustees hereby approves the hiring of Matthew E. Stetler as a seasonal/part-time Police Officer for the 2018 season at an hourly rate of \$26.***

Trustee Yastrzemeski made a motion to approve; Trustee Allan seconded, and unanimous vote followed.

***RESOLVED, that the Board of Trustees hereby approves the hiring of Ted Sklar of the law firm of Devitt Spellman Barrett, LLP. To represent the Village Ethics Board in the Hill Street/Zuhusky matter at an hourly rate of \$225.***

Trustee Hattrick made a motion to approve; Mayor Irving seconded, and unanimous vote followed.

## **DISCUSSION ITEMS**

### **GENERAL ELECTION**

Village Administrator stated that as the Village election is uncontested, the recommendation is to, as has been done in the past, to change the hours of election from 9am to 9PM to 12PM to 9PM

Trustee Allan made a motion to accept the change in time; Trustee Yastrzemski seconded the motion and a unanimous vote followed.

### **DEER FENCE LAW**

Village Attorney Wayne Bruyn discussed the proposed law that would authorize the Building Inspector to issue permits under limited conditions, allowing for fencing up to 8' that would have to be screened by hedge or trees and would only be for homes in the residential zone. Deer fencing on commercial properties would need to obtain a site plan approval. Mr. Bruyn noted that there are many elements to the plan and has been discussed with the Building Dept., Mayor and Board. He stated that a public hearing would need to be scheduled and also go to the Suffolk County Planning Commission for their comments.

A discussion followed with concerns raised by the Board regarding the potential unsightliness of the deer fencing, in certain situations including smaller lots. Trustee Allan asked if there had ever been a study ever been done to address the number of deer in the Village. Trustee McGann stated that there have been a lot of meetings regarding "thinning the herds".

Mayor Irving made a motion to schedule a public hearing on June 14, 2018; Trustee McGann seconded the motion and a unanimous vote followed.

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

**Trustee Yastrzemski** – reminder that this weekend is Memorial Day weekend and to remind public that it is to commemorate all those in service.

**Trustee Allan** – wishing all a Happy Memorial Day weekend and congratulations to families of graduates

**Trustee McGann** – wished all a Happy Memorial Day weekend and reminded the public that if it rained on Monday the Memorial Day Ceremony would move to Vets Memorial Hall.

**Trustee Hattrick** – raised two issues: Wooley Street eviction of property.

Attorney Bruyn stated that the property is now owned by Deutsche Bank – they had tenants and started an eviction process which began in Town Court. The eviction notice was served upon the Sheriff’s Office who then evicted and removed all furniture to the street and provided notice to Gary Goleski that it had taken place. All property owners have been advised that the property needed to be removed.

Daniel Greenbaum, attorney representing Deutsch Bank in relation to the Code Violation matter, stated that he had met with Attorney Richard Fernan and Code Enforcement Officer Angel Perez. Has asked that his clients be given additional time to remove the material; Mr. Bruyn noted that the client had been aware of this and if it isn’t removed by the next day, then the Village will have it removed and give a notice of violation.

Mayor Irving stated that the Village wanted everything removed the following day.

Trustee Hattrick also asked if the Village had heard anything further from Melissa Dedovitch regarding the plan for the southeast corner of Agawam. It was noted that nothing further had been discussed.

**Mayor Irving** reminded the public that the Memorial Day parade begins at 10:45AM at the Presbyterian Church and goes to Agawam Park. Mr. Irving also stated that the Spur at I-Hamptons closed on the Glennon property on Hampton Road and are going to start renovations immediately. They have many activities planned and their temporary space is at the Station Building at the railroad station. Mayor Irving wished them much success.

Mayor spoke about the Ocean Rescue Department and noted that they would present a membership list to the Village; in addition, a budget would need to be determined for the group.

The Mayor then discussed the upcoming U.S. Open championship at Shinnecock Hills Golf Club and encouraged the public to attend. Mr. Bruyn noted that USGA has a presence in the Village on Main Street and public can stop by to get more information.

**2<sup>nd</sup> 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 Allan seconded the motion and the Board approved the motion unanimously. The Board convened to Executive Session at 7:24 PM.

The Board returned to Public Session at 9:50PM.

Mayor Irving suggested the following resolutions:

***RESOLVED, that the Board of Trustees hereby the promotion of Suzanne Hurteau to Lieutenant at an annual salary of \$173,164.11 effective May 25, 2018.***

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

***RESOLVED, that the Board of Trustees hereby the promotion of Kimberly Radigan to Detective at an annual salary of \$141,081.62 effective May 25, 2018.***

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

***RESOLVED, that the Board of Trustees hereby the promotion of John Rodecker to Sergeant at an annual salary of \$153,060.25 effective May 25, 2018.***

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

***RESOLVED, that the Board of Trustees hereby the promotion of Kevin Dunkirk to Sergeant at an annual salary of \$153,060.25 effective May 25, 2018.***

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

***RESOLVED, that the Board of Trustees hereby the hiring of Andrew C. Kuettner, as a Police Officer, at an annual salary of \$67,667.31 effective May 25, 2018.***

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

***RESOLVED, that the Board of Trustees hereby the hiring of Nicholas F. Acquino, as a Police Officer, at an annual salary of \$67,667.31 effective May 25, 2018.***

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

***RESOLVED, that the Board of Trustees hereby approves the hiring of William Raynor as a Laborer for the Parks Department at an annual salary of \$38,465.55 effective May 25, 2018.***

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



***RESOLVED, that the Board of Trustees approve the payment of \$23,750 to the Southampton Arts Center for 50% of the cost of retrofitting the gallery lights.***

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

***WHEREAS there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation Law (hereinafter "the Plan"); and***

***WHEREAS the Village of Southampton is eligible for membership in the Plan; and***

***WHEREAS the Village of Southampton has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the (Municipality) to participate therein; now, therefore, be it***

***RESOLVED that the Village of Southampton enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further***

***RESOLVED, that the Mayor be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the Village of Southampton; and be it further***

***RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.***

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

***RESOLVED, that the Village of Southampton hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against this Municipality; and be it further***

***RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further***

***RESOLVED, that this election shall become effective on June 1, 2018.***

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

***WHEREAS, the Board of Trustees recently adopted a local law forming an Ocean Rescue Department, and***

***WHEREAS, the Board of Trustees will be appointing members to this newly formed department, and***

***WHEREAS, the Board of Trustees would like such members to be issued seasonal beach permits as is offered to other Village volunteers, so***

***BE IT RESOLVED, that the Board of Trustees approve that all members of the Village of Southampton Ocean Beach Rescue Committee be issued seasonal beach permits.***

On the motion of Mayor Irving and seconded by Trustee McGann, the resolution was 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 9:55PM.

Stephen Funsch  
Village Administrator

5/22/18