

**MINUTES**  
**VILLAGE OF SOUTHAMPTON**  
**BOARD OF TRUSTEES**  
**Public Session I – July 12, 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 and McGann; Administrator Stephen Funsch and Village Attorney, Wayne Bruyn. Trustee Hattrick was absent.

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

**EMPLOYEE OF THE MONTH**

Mayor Irving acknowledged the July Employee of the Month, Tim Hedges, Groundskeeper II in the Parks Department, hired May 23, 2006. Mayor Irving read a letter from Ken Booth applauding Mr. Hedges' work and Mayor Irving then thanked him and congratulated him.

**PUBLIC COMMENT**

Harold Steudte, 56 Tuckahoe Lane, questioned the annual Village Audit and asked what had happened to the \$50,000 owed by Bonnie Cannon to the Village for insurance reimbursement.

Mayor Irving stated that Ms. Cannon had settled her account and worked out an arrangement with former Mayor Epley.

Eric Ruttenberg, 82 Captains Neck Lane addressed the Board regarding the issue with the Planning Board and Zuhusky property at 554 Hill Street and read a letter into the record.

**BOARD PRESENTATIONS**

**FIRE DEPARTMENT**

Ed Corrigan, Chairman of the Southampton Fire Department Hook & Ladder Purchasing Committee asked the Board if there were any follow-up questions to their request for approval to purchase a new hook and ladder truck and how do they move forward. Trustee McGann said she had never seen a proposal so well presented and was very impressed with the research and work that was done. Mr. Corrigan noted there were 2 ways to purchase the truck, either go out to bid or use the NJPA co-op - and the price that was given was the total price with all the modifications that had been made.

Trustee McGann asked if they can increase the budget once it has been approved. Trustee Yastrzemeski stated that the budget that was presented is for what the Department needed and requested. He stated that the Fire Department was asking for approval of a budget of \$1,587,850 to purchase the truck.

Trustee Yastrzemeski then made a motion to purchase the truck through the NJPA contract, Mayor Irving seconded the motion and a unanimous vote followed.

Trustee Yastrzemeski thanked the Mayor and the Board for their support. He then said that Chief Callahan wanted to discuss better marking of the hydrants, make them all a uniform color, and have the Suffolk County Water Authority put markers on the street to identify the fire hydrants and asked Mr. Corrigan to have that information prepared for the next Board Meeting on July 24, 2018.

## **PUBLIC HEARINGS**

### **DEER FENCE LAW**

Mayor Irving made a motion to re-open the Public Hearing to establish Local Law No. \_\_\_\_ of 2018 to amend §116-18 (Permitted Fences and Walls) to add a new subsection D with respect to Deer Fences. Trustee McGann seconded the motion and a unanimous vote followed.

Mayor Irving stated that he and Trustee McGann had met with Michael Tessitore, President of Hunters for Deer, a deer management firm, to discuss the deer issue. Mayor Irving went on to say that he believes that fencing in the community only shifts the deer to other areas and noted that deer fences are non-selective and will keep out everything that wants to migrate to an area. He commented that there are many issues with deer fence - and often the fences need to be at least 8-10'.

Trustee McGann commented that prior to the meeting with Mr. Tessitore, she was in favor of deer fences but after speaking with him she has changed her thoughts. She noted that the deer management firm has been very successful throughout Long Island and stated that the Village needed to thin the herd which is an ongoing situation. She commented that Mr. Tessitore would be invited to speak at the Board Meeting on July 24, 2018 and requested that the public be open to hearing the presentation.

Mayor Irving commented that one of the difficulties is that when moving the deer population they are forced to areas that don't have proper food sources and they will then starve. Trustee McGann commented that not everyone can afford deer fencing and screening, so those that can afford it will install it and push the deer to those that can't.

Village Attorney Wayne Bruyn stated for the record that as required on any zoning amendment, the Village Planning Commission is asked to make comments and those comments were submitted to the Village Board on July 11, 2018. Mr. Bruyn also noted that a letter supporting the deer fence legislation was submitted by Jon Foster, Building

Inspector. Mr. Bruyn suggested that there could be a coordinated effort with the Town of Southampton who has adopted a Deer management program.

Several residents addressed the Board regarding the proposed legislation:

Franklin Tretter, Whitefields resident, asked why the revised proposed law is in red and is surprised that there is a 20,000 square foot restriction. He also noted that the landscaping on the Whitefields property which was historic at one time, has been eaten by the deer. Mr. Tretter commented that he felt the proposed resolution is an elective law that would give the homeowner the right to protect their property. He also said that there are many health concerns caused by the deer, most notably Lyme disease.

Frances Genovese, Parish Pond resident, stated that the deer situation is out of control and a health and safety issue throughout the country. She commented that the discussion of fences is pointless and ill-timed and the concern should be to be a systemic control of which culling is the very beginning of it.

Katerina Grinko, Esq. of Twomey Latham, spoke on behalf of her clients, the Whitefields Condominium owners, commenting that the concern of the residents is that the culling will not be enacted, as it has been discussed in the past and not approved. She asked the Board to consider passing the proposed resolution in the meantime while the issue of culling is being discussed.

Evelyn Konrad, 18 South Rosko Drive, offered the Board congratulations for looking at something beyond fencing to address the deer situation and suggested that it is not just a Village problem. Ms. Konrad encouraged the Board to consider a way to involve the other Townships, stating that environment and health are government responsibilities.

Mayor Irving stated that the Board is considering a two-prong approach, culling and fencing. Trustee McGann stated that her concern is that people won't take down their fences once they put them up.

Trustee Allan commented that she had also met with Hunters for Deer Management and that the concern with the fencing is that it could create more harm than good in the short term. She commented that she has great appreciation for the gardens at Whitefields and questioned whether the Village could explore landmarking those gardens and make an exception.

Mayor Irving then made a motion to keep the Public Hearing on Deer Fences opened for all purposes until July 24, 2018; Trustee Yastrzemski seconded the motion and a unanimous vote followed.

### **PARKING RESTRICTIONS: NORTH SEA ROAD**

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

Village Attorney Bruyn stated that currently there are no parking restrictions in front of Tate's Bake Shop on North Sea Road and that he had provided the Board with the list of current parking restrictions in the Village. He noted that the proposal calls for two 15-minute spots in front of Tate's Bake Shop. Trustee McGann commented that there are currently two 15-minute spots in front of the furniture store next to Tate's and that she would rather see those spots in front of Tate's.

Susan Hovdesven, Post Crossing, stated that she felt there should be 15-minute restrictions at that location but that the law would then have to be enforced.

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

Mayor Irving then made a motion to adopt Local Law #6 of 2018. Trustee Yastrzemski seconded the motion. A roll call vote took place with the following results:

Mayor Irving: Aye; Trustee Yastrzemski: Aye, Trustee Allan: Aye, Trustee McGann: Aye; Trustee Hattrick was absent.

### **PARKING RESTRICTIONS: BREESE LANE**

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

Village Attorney Bruyn reviewed the proposed law which would add No Parking restrictions to the west side of Breese Lane within 50 feet of the intersection with Cooper Street, north and south and within 50 feet of the intersection with Fordham Road, north and south.

Trustee McGann questioned the need for restrictions on other side streets and stated that the issue is that smaller lots have narrow driveways and therefore residents park on the street in front of the houses because it provides an easier access. She commented that residents would need to widen driveways and add spots.

Trustee Allan commented that what has created the problems at Breese Lane is that there are a number of renters who park on the street. She also noted that residents don't always want a No Parking sign in front of their homes.

Trustee Yastrzemski commented that historically the Village has responded to "hot spots" when parking becomes an issue at which time the Village Board reviews the situation and makes recommendations based on consultation with the Police Dept.

Mayor Irving stated that in this particular situation it would be protecting the corners.

Trustee Allan commented that she was told that there is a current parking restriction of 20' from the corner; Village Attorney Bruyn replied that there isn't anything in the Village code stipulating this.

Mr. Bruyn noted that a "No Parking Here to the Corner" sign would be installed at the 50 foot mark.

Trustee Yastrzemski said that some will want it and others won't and Trustee McGann suggested the public hearing be kept open for another session.

Mayor Irving made motion to keep the Public Hearing open until the Board meeting on July 24, 2018; Trustee McGann seconded the motion and a unanimous vote followed.

**PARKING RESTRICTIONS: HILDRETH ST, LAYTON & JENNINGS AVE.**

Mayor Irving made motion to open Public Hearing on Hildreth Street and Jennings Avenue, Trustee Yastrzemski seconded the motion and a unanimous vote followed.

Village Attorney Bruyn reviewed the proposed legislation that would restrict parking on Hildreth Street, Jennings Avenue and Layton Avenue.

Trustee McGann stated that she had received a number of calls from residents in the area and in particular from those of the Layton House condos which were developed with 30 units and 20 parking spots allotted. Ms. McGann stated that there were clearly not enough parking to accommodate the number of condos and residents are being forced to park on the street. She further commented that the problem is that currently people are parking on the North side of Layton Avenue and are trying to fit into spots and then block driveways. A suggestion would be to stripe the street in front of the condos and switch parking to the South side.

Trustee Allan stated that she had spoken with Code Enforcement Officer Angel Perez and members of first responders units who indicated that it was very difficult to get through Layton Avenue.

Several individuals spoke during the public hearing:

Speaking in support of the proposed legislation:

John Bennett, resident of Hildreth Street who stated that Hildreth Street residents Susanne and John Davis and Jamieson Weiner also supported the proposed legislation.

Speaking in opposition to the proposed legislation:

Jessica Diesing, resident Layton Avenue Condos

Penelope Wright, 26 Layton Avenue, read a letter into record, signed by herself and Maureen Flanagan and signed by many of the residents.

Mary Crowe, 26 Layton Avenue, Unit 7

Denis Warchola, 37 Jennings Avenue.

Maureen Flanagan, 26 Layton Avenue

Jennifer Presby, 26 Layton Avenue

Peter Sacripanti, 59 Hildreth Street

Heidi Brown, 36 Jennings Avenue

Maureen Scanlon, 82 Hildreth Street

Mrs. Poremba, Layton Avenue

A lengthy discussion followed with residents voicing concern over the lack of adequate parking and options to be considered including the possibility of the condo parking lot being reconfigured to diagonal parking spots; parking lines being striped on Layton Avenue and parking being allowed on the south side only.

Following the discussion Mayor Irving made a motion to keep the Public Hearing open until the July 24 meeting, Trustee Yastrzemski seconded the motion and a unanimous vote followed.

### **ETHICS CODE REVISION**

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

Mayor Irving introduced Steven Leventhal, Esq. who has been working on the revisions to the Village's current ethics code. Mr. Leventhal stated that ethics codes are the rules of the road for the government and serve 2 main purposes: to inspire public confidence in government and to guide and protect the honest officers and employees of the municipality. He further commented that logic and experience show that the overwhelming majority can and will do the right thing if they know what the rules are. He then reviewed the draft of the Ethics Code revision noting that it was a modern code of ethics and stated that the proposed code is a collaboration between the Mayor, the Board, the Village Attorney and the Ethics Board.

He outlined the steps as stating that the first step is to adopt the code, the second step is to take the legal language and create a simpler form that is published with the code of ethics for the officers, employees, etc. and the final step would be to institute a training program for the village workforce.

Mayor Irving thanked Mr. Leventhal for his persistence and his efforts. Mr. Leventhal stated that it had been a pleasure to work with the current Board as there is a sincere desire to modernize the code.

Jessica Diesing, Layton Avenue, asked when the ethics code had last been revised.

Village Attorney Bruyn stated that the first Ethics Code was adopted in the 1970's and the last adoptions were in 2007.

Mayor Irving made a motion to keep the Public Hearing open until the July 24, 2018 meeting; Trustee Allan seconded the motion and a unanimous vote followed.

## **COMMUNICATIONS TO THE BOARD**

### **1. ROBIN HOOD FOUNDATION – “LEMONAID”**

Village Administrator Funsch read a letter of request from the Robin Hood Foundation to hold lemonade stands over Labor Day weekend, September 1-3 for lemonade, noting that the stands will be clearly marked and that the lemonade is not sold but donations accepted.

Mayor Irving made a motion to accept the request made by the Robin Hood Foundation; Trustee Allan seconded the motion and a unanimous vote followed.

### **2. SOUTHAMPTON ASSOCIATION - SOUTHAMPTON HOSPITAL**

Village Administrator Funsch read a letter from the Southampton Association regarding the planned move by Southampton Hospital, stating that the Association would be willing to help fund a study to determine what would best fit the needs of the community on the properties currently owned by the Hospital.

Mayor Irving noted that the Planning Commission has been studying the issue of Southampton Hospital moving to the Stony Brook Campus. The Mayor stated that he will contact the Southampton Association and suggest that they contact Paul Travis, Chairman of the Planning Commission to see if they need assistance.

Village Attorney Bruyn noted that the properties are currently zoned as a hospital zone and asked if the Village would be seeking to understand from the Hospital what ideas they have for future use.

### **3. SOUTHAMPTON FIRE DEPARTMENT - DUNE BEACH, AUGUST 5**

Village Administrator Funsch read a letter of request from the Southampton Fire Department to hold their annual party at Dune Beach on Sunday, August 5.

Trustee Yastrzemeski made a motion to approve the request for the Fire Department to use Dune Beach for their event on August 5, 2018; Trustee Allan seconded the motion and a unanimous vote followed.

Village Administrator Funsch then reviewed a request from the Southampton Fire Department to hold a fire department drill at Downs Family Park on August 20<sup>th</sup>.

Trustee Yastrzemeski made a motion to approve the request for the Fire Department to use Downs Family Park on Monday, August 20<sup>th</sup> for a drill; Trustee Allan seconded the motion and a unanimous vote followed.

## **RESOLUTIONS**

***RESOLVED, that the reading of the minutes for the Public Session of June 26, 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 Yastrzemeski made a motion to approve; Trustee Allan seconded, and a unanimous vote followed.

***RESOLVED, that the reading of the minutes for the Organizational Meeting of July 2, 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.***

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

***RESOLVED, that the claims for the warrants dated July 12, 2018 totaling \$49,147.24 (Warrant #4 - General Fund-Payables), \$646,920.53 (Warrant #5 – General Fund), \$8,086.58 (Warrant # 3- Trust Fund), \$52,066.61 (Warrant #2 – Expense Trust Fund) and \$869,155.14 (Warrant #3 – Capital Reserve Fund) and the Village payrolls for the period from June 22, 2018 to July 5, 2018 be audited and approved.***

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

***RESOLVED, that the Board of Trustees hereby approves the attached schedule of budget transfers to eliminate overages through July 12, 2018 for the Fiscal Year ending May 31, 2018.***

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

***RESOLVED, that the Board of Trustees hereby approves Oscar Bowling as a probationary member of Hook & Ladder Co. 1 effective July 12, 2018.***

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

***RESOLVED, that the Board of Trustees hereby approves Sean Conroy as a probationary member of Hook & Ladder Co. 1 effective July 12, 2018.***

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

***RESOLVED, that the Board of Trustees hereby approves John Donovan as a probationary member of Southampton Hose Co. 1 effective July 12, 2018.***

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

***RESOLVED, that the Board of Trustees hereby approves the following payment from the Capital Reserve accounts subject to permissive referendum:***

<i>Mayday Communications</i>	<i>\$11,070.00</i>	<i>Major Eq Reserve</i>
<i>Chaleff &amp; Rogers</i>	<i>\$4,834.94</i>	<i>Facilities Reserve</i>
<i>Coastal Fire Systems</i>	<i>\$837,866.20</i>	<i>Fire Eq Reserve</i>
<i>Island Tech Services</i>	<i>\$12,484.00</i>	<i>Fire Eq Reserve</i>
<i>Weber &amp; Grahn</i>	<i>\$2,900.00</i>	<i>Fire Facilities Res</i>

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

**DISCUSSION ITEMS:**

**1. ALARM FEES**

Trustee McGann asked about fire alarm fees and commented that she has received feedback that people are afraid to use the alarm systems because of the fees being charged. Trustee Yastrzemeski said that the alarm fees are only issued for false alarms and there is some leeway. Ed Corrigan, member of Southampton Fire Department said that the homeowner has to be proactive if it's a false alarm and calmly call the dispatcher and let them know that it's a false alarm.

**2. TRAFFIC**

Trustee McGann stated that on Friday, July 6, the Village was in complete gridlock and the issue was caused by the parking lot behind Citarella. She noted that people can enter into the parking lot from Hampton Road and because it's a one way at Pine Street the traffic backs up. She asked that the Board consider looking into the possibility of making a right turn only from the lot by Town & Country RE onto Hampton Road.

Trustee Yastrzemeski commented that the issue was created when Pine Street became a one way and that he would suggest that the Village consider making Pine Street a two-way street again. Village Administrator Funsch commented that the change had been made as part of the "Safe Route to Schools" grant but that the grant restrictions may have expired and it could possibly be looked at again.

Village Attorney Bruyn stated that the Southampton School District had requested to divert school buses through the Town Hall parking lot exit to Little Plains and that there would be a Public Information session at the Village Planning Board meeting on Monday, August 6, 2018 at 5:30PM.

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

**Trustee Yastrzemski** commented that issues regarding zoning and parking always draw a large response from residents and he thanked the public for giving their input.

**Trustee Allan** thanked the public for their input on all the issues addressed at the public hearings. She also thanked the CVO and stated that they did a great job putting together the Fourth of July parade which was wonderful. Ms. Allan reminded the public that while we've had a stretch of beautiful weather, hurricane season is beginning and she recommended that people go to the Suffolk County website and plan properly for any weather related emergencies. Ms. Allan commented that there had been a great concert in Agawam Park presented by the Southampton Cultural Center and that the series would continue through August 29.

**Trustee McGann** commented that the parking issues are very personal and many residents had reached out to voice their concerns and feelings on the matter. She stated that she felt the evening's public hearings were very informative and that it had been a good community meeting.

**Trustee Hattrick** - absent

**Mayor Irving** commented that the Board had a long way to go in looking at the parking issues. He extended a thank you to the CVO for the July 4th parade, noting that the amount of effort put forth by the Veterans is wonderful.

Mayor Irving said that the basketball courts at Lola Prentice Park are in and already there are 6 teams organized to play at the Park and they have requested larger backboards to make it more professional.

The Mayor also made note that the Hurricane Season has begun and a low tropical depression just passed offshore. He stated that he had reached out to Jim Arnold of the Southampton Village Volunteer Ocean Rescue and they were prepared and checking the beaches – the Mayor thanked them for their volunteer service.

Mayor Irving noted that there are great events coming up and many fundraisers that support our local non-profit organizations.

**2<sup>nd</sup> PUBLIC COMMENT: NONE**

**MOTION TO ADJOURN:**

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

The meeting was adjourned at 9:23PM.

Stephen Funsch, Village Administrator

7/12/18