

MINUTES
VILLAGE OF SOUTHAMPTON
BOARD OF TRUSTEES
Public Session II – August 20, 2019

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 6:00 PM

Present were Mayor Warren Trustees Yastrzemski, Allan, Parash and Pilaro; Village Administrator Russell Kratoville and Village Attorney Wayne Bruyn.

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

Mayor Warren discussed the surfing issue and stated that the Board would be putting forth a resolution to remove the surfing restrictions and also to review the whole process and change what he feels are archaic laws. In addition he said that someone had anonymously offered to provide scholarships for anyone unable to afford a surf lesson.

The Mayor thanked the Police and Chief of Police Cummings and said that no one did anything wrong and that the Police did an excellent job and said they are here to help the community. He discussed the Public Comment portion and asked everyone to keep their comments positive and also discussed the commercial aspects of surfing.

Trustee Mark Parash stated that he wanted to clarify a few things; first that the Village didn't ever ban surfing. He outlined the history of the surfing structure in the Village and said that it has now become very mainstream. But there are also concerns and the Village wants to provide a positive beach community that gives everyone a chance to enjoy our greatest natural resource.

Russell Kratoville, Village Administrator, then read the following proposed resolution:

WHEREAS, §80-1N of the Park and Beach Regulations prohibits the use of surfboards in the water adjacent to that portion of the area lying between the westerly line of Halsey Neck Lane extended southward to the ocean and the easterly line of Old Town Road extended southward to the ocean and also for a distance of 200 feet to the east and west of Fowler Lane extended southward to the ocean, between the 15th day of June and the 15th day of September in each year from 9:00 a.m. to 6:00 p.m., prevailing time; and

WHEREAS, pursuant to §80-1N(2), the Board of Trustees may designate specific areas within the aforesaid prohibited areas wherein surfboarding may take place, provided said areas of the beach so designated remain clean and orderly; and

WHEREAS, the Board of Trustees finds that surfboarding within the aforesaid

prohibited areas, except within the boundaries of the municipal bathing facility at Cooper's Neck Beach, will not conflict with the use of the beaches for bathing and swimming by the general public, and that there are rules and regulations in place to assure the beaches remain clean and orderly; now, therefore, be it

RESOLVED, that pursuant to §80-1N(2) of the Park and Beach Regulations, the Board of Trustees of the Village of Southampton hereby designates the following additional areas in which surfboards may be used in the water adjacent to the ocean beach:

(1) that portion of the area lying between the westerly line of Halsey Neck Lane extended southward to the ocean to the line marking the westerly boundary of the municipal bathing facility at Cooper's Neck Beach (which may be adjusted by Village Lifeguards to assure the safety of bathers and swimmers);

(2) that portion of the area lying between the line marking the easterly boundary of the municipal bathing facility at Cooper's Neck Beach (which may be adjusted by Village Lifeguards to assure the safety of bathers and swimmers) to the easterly line of Old Town Road extended southward to the ocean; and

(3) that portion of the area lying between a distance of 200 feet to the east and west of Fowler Lane.

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

4. RESOLVED, that the Board of Trustees of the Village of Southampton hereby directs that a public hearing shall be held at 6:00 p.m. prevailing time on Tuesday, September 24, 2019 on "A Local Law repealing §80-1N of the Park and Beach Regulations related to surfboarding."

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

5. WHEREAS, the Village Board has the authority to create various advisory committees, by resolution of a majority vote of the Village Board, as it deems appropriate and adopt parameters around those committees; now therefore be it

RESOLVED, that the Board of Trustees hereby creates the following committees that shall be advisory to the Board of Trustees pursuant to the attached parameters:

Lake Agawam/Water Quality Committee

Infrastructure Committee

Budget and Finance Committee

Sports and Recreation Committee

Surf and Surf Instruction Committee

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

PUBLIC COMMENTS

Evelyn Konrad, Rosko Drive, spoke regarding the property at 38-42 Jobs Lane and the current condition of the brick courtyard. Mayor Warren noted that the courtyard was intentionally destroyed by the landlord and encouraged everyone to be equally as passionate about the Village and stated unfortunately the landlord is buying additional property and said that those who were outraged by the events of the weeknd should be more outraged by the actions of this landlord.

Orson Cummings, 7 Walnut Street, thanked the Trustees for the quiet summer due to the leafblower bans. With respect to the process can the Village consider a year-round ban of gas leaf blowers. With respect to the Surf Committee he asked that there be a broad spectrum of individuals to be on the committee.

Jay Fitzpatrick, 243 Elm Street, spoke regarding the night clubs and said that according to NYSLA they have to have a cabaret license to have a night club. The Village Code says that no night club can operate within 1000 feet of a school or a church or a park or within 500 feet of a residential property. They need to stop having music after 11pm at night.

Laurie Anderson, 29 Red Cedar Point Road, Hampton Bays, wanted to clarify there wasn't a ban on surfing and stated it should be fluid as the sandbar moves each year.

Peter Magyr, 116 Boyeson Road, 10 years old and learned to surf from Flying Point Surf Camp but feels that it should be able to be moved due to the sandbar shifting.

Megan Magyr, 116 Boyeson Road, thanked the Board for the resolution and for the work their doing to clean the water.

Steven Mahoney, 161 Lane, EH, Chair of the East End Surfrider Foundation and read a statement from the Surfrider Foundation.

Dr. Conrad Miller, 451 Route 114, East Hampton, surfing since 1964 and was involved with setting up the surf laws and worked with Jake Buckheit. He said that now there's a different circumstance because of surf schools – it's great to have them but they clog the water. The surf school problem is that they act with impunity – the water up to the high tide mark is Federal jurisdiction. He said the surfers have always respected everyone and he also spoke with Lt. Wetter and he and his family surf and would like to help so that everyone can surf. He concluded that in the past the surfers resolved the issues among themselves and he would like to be on the Surf Committee.

Francis Adamczeski, 40 West Prospect Street, spoke as a Village resident and taxpayer

and said he believes in kids surfing and enjoying the water but commercialization of the sport has gotten out of control and needs to be regulated. The Village needs to control safety issues and regulate the commercial use of the Village beaches.

Amy Plum, 131 Bailey Road, thanked the BOT for making the resolutions, and said that some children in the Village are creating a bumper sticker to promote surfing and will donate funds to the scholarship fund.

April Gonzalez, 71 Millstone Brook Road, stated that she is for surfing and would also like to see Lake Agawam cleaned up and made the number 1 priority. She suggested that everyone send suggestions to the Village and referenced Montauk who has a list of regulations and posts a sign for everyone to be aware of.

Kathy Thomas, 2150 Meadow Lane, stated that she's had a positive experience with surfing schools but part of the problem is that they have to be taught the rules. She also suggested that a sign be put up that outlines surf etiquette.

Orson Cummings, spoke regarding selection of the Committee and felt that the committee list should be reviewed and suggested Dr. Miller be included.

Mayor Warren commented that they wanted 9 members on the committee. Mr. Kratoville stated that as the committee progressed there will be reports given by the committee so more input can be garnered.

Trustee Yastrzemski suggested that anyone interested send their name to Mr. Kratoville for consideration.

Amy Plumb also discussed the 911 law and said that it should be used for life threatening emergencies and not surf issues.

Steve Brown, 130 Duryea Street, Riverhead, thanked the Board of Trustees for stepping up and changing the law. Regarding surf school things that happen in the water are best worked out in the water among the surfers.

BOARD PRESENTATIONS - NONE

PUBLIC HEARINGS

1. §110-43 Schedule L Parking Restrictions – Jagger Lane

Mayor Warren made a motion to open the Public Hearing, Trustee Yastrzemski seconded the motion and a unanimous vote followed. Village Attorney Bruyn reviewed the proposed law. Mr. Kratoville commented that this was initiated by a letter from the owner of Southampton Soap Company.

Trustee Allan made a motion to close the hearing and Mayor Warren seconded the motion and a unanimous vote followed.

Trustee Yastrzemeski made a motion to adopt Local Law #10 of 2019 to amend §110-43 Schedule L Parking Restrictions. Trustee Pilaro seconded the motion and a roll call took place with the following results:

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

COMMUNICATIONS TO THE BOARD

1. Hope for Depression – Thank You Letter

Mr. Kratoville read the letter from Luisa Benton of Hope for Depression for the support and participation in the event.

2. Town of Southampton CPF – Request for Village Comments on a property located at 29 North Sea Road.

Mr. Kratoville read the letter; Trustee Yastrzemeski asked if housing had been discussed as part of this property and asked the Board if that was still a possibility. Mr. Kratoville said that to his knowledge it hadn't been discussed.

Sheila Peiffer, 56 Hildreth Street and asked the location of the property.

Nick Feldman, 17 Toylesome Lane, asked the Board to explain the significance of the property and what money would come out from the CPF fund.

Trustee Allan said that the Village had put together a list of priority properties for CPF funds gleaned from discussions with Planning Commission, John Halsey of Peconic Land Trust, etc. she suggested that they table this discussion and go back and review the property and that they look at the priority list first.

Mr. Feldman said his concern is the amount of money that flows through CPF and commented that the law had been changed for the use of CPF and that there were water quality issues that could be helped with those funds.

Trustee Yastrzemeski stated he couldn't agree more and that it has been an issue for years and ultimately the decision rests with the Town Supervisor.

Mr. Bruyn said that first of all there is a willing seller which is first and foremost; the Town then turned to the Village to gauge the interest of the Village and does it fit the purpose of the Village to be considered.

Trustee Allan recommended that the Village Board review the priority list created a few years ago with the help of Joe McLaughlin and determine if it meets the Village's criteria.

Amy Plum, 131 Bailey Road, is a neighbor of the affordable housing properties of Bailey Road and asked that the Village take on maintaining the road and repairing

that road. She said that the list of requirements for qualifying persons for affordable housing needs to be reviewed as those requirements are not being enforced.

DISCUSSION ITEMS

1. Boy Scouts – Camp-out request during SouthamptonFest weekend

Trustee Yastrzemeski reviewed the request and commented that every year the Scouts assist with SouthamptonFest and part of their activities is to hold a camp-out in Agawam Park on either Friday or Saturday or both nights.

Trustee Yastrzemeski made a motion to approve the request; Trustee Pilaro seconded the motion and a unanimous vote followed.

2. Sally Van Erk, Corcoran Group – Benefit Lemonade Stand

Mr. Kratoville reviewed the request stating that the individual would donate the proceeds from the Lemonade Stand to the Library's Café fund.

Mayor Warren made a motion to allow Lilly Panos to hold Lemonade Stand on Saturday, 8/24; Trustee Allan seconded the motion and a unanimous vote followed.

3. Traffic Data Collection Proposal

Mr. Kratoville introduced the topic and Trustee Pilaro stated that he and Trustee Parash had met to discuss the parking lot issues behind Citarella, etc. and would like to engage VHB to conduct a traffic study and also to do a traffic study on Hill Street and the possibility of adding pedestrian crosswalks to make it safer for residents.

Mr. Kratoville stated there was a proposal from VHB to do the study for \$7,900.

Trustee Yastrzemeski asked what the time frame was and Trustee Pilaro said it would begin on a summer weekend before Labor Day and include school days as well as weekends for Hill Street.

Christine Sullivan-Witker, Cameron Street, asked that they be sure to do the study on Friday and Saturday on Pine Street behind the Citarella parking lot area. She asked if it included the Wall Street Parking lot area, Trustee Yastrzemeski said that it did not specifically address it but that it would feed into that study because of its proximity to Walnut and Pine Street.

Amy Plum, 131 Bailey Road, referenced the Safe Routes to school initiatives that was done several years ago and that the parking lot area had been changed due to that study. Trustee Yastrzemeski said that they'd already checked into that and had done their due diligence regarding it.

Trustee Pilaro made a motion to authorize the Mayor to enter into agreement with VHB; Trustee Parash seconded the motion and a unanimous vote followed.

COMMENTS FROM THE BOARD:

Trustee Yastrzemski – Thanked everyone who attended to support the surfing situation and the legislation that was passed. The situation that took place over the weekend was an anomaly and credited the Board for reacting swiftly to address the situation. He said this isn't a unique or new issue and it is one that will never go away but it is how it will be addressed that matters. He also said that it was beyond fair treatment by the Police Dept. and they were doing their job. Finally he recognized that two people that deserve a lot of credit for getting to the legislation that was put forth: Village Attorney Wayne Bruyn and Village Administrator Russell Kratoville and said that he predicts there will be a full room during the public hearing process. He also said that he sent his son Cole went off to college at Binghamton and wished him the best.

Trustee Allan – echoed what Trustee Yastrzemski said and commented that the Board is very accessible and can be reached via email. She said the Mayor did a good job in quickly pulling together a small group to discuss the issue and try to come up with a solution. She reminded that the Board works for the Village. She thanked Trustees Pilaro and Parash for moving so quickly on getting the Traffic Study coordinated. She further noted that the Village got the new speed light on Moses Lane which has been an improvement; finally she said that the Village is looking at the Accessory Apartment codes and Village Attorney Bruyn, Trustee Pilaro and the Building Dept. will work on this and the current code is very complicated.

Trustee Parash – thanked everyone for coming out to the meeting and said that within the chaos of the weekend a lot of cool heads rose up to come up with solutions. He thanked the Chief of Police for his communication and also to Mr. Kratoville and Mr. Bruyn for their assistance in getting everything together so quickly. The focus is to do what's right for the Village so that people can enjoy the Village.

Trustee Pilaro – thanked everyone for coming and for the work that was done over the weekend regarding the surfing miscommunication and is glad that the Village is where they are and looking forward to working with the Public on this matter. They are looking into the parking on Cameron Street and Pine Street. He concluded by saying it's good to see so many friendly faces in the audience.

Mayor Warren – thanked everyone for their efforts including the Police, the Board, Russell Kratoville, Wayne Bruyn on getting the surf issue addressed. He said he couldn't be happier and more proud of all that has been done in the past 7 weeks and looks forward to continuing the work and getting old laws off the book and new, updated laws put on the books. Mayor noted that he attended Ellen's Run over the weekend and is very excited about the committees that have been put forth and there will be additional names added to the list of potential committee members. He provided an update on Lake Agawam and reached out to homeowners in a matter of week the

Agawam Conservancy has raised upwards of \$300,000 and an Executive Director has been named; Dr. Christopher Gobler has agreed to join the Conservancy and progress is being made. He thanked the Board for all of their hard work.

2nd PUBLIC COMMENT: None

SUGGESTED RESOLUTIONS

RESOLVED, that the reading of the minutes for the Public Session of August 8, 2019 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 the motion and a unanimous vote followed.

RESOLVED, that the claims for the warrants dated August 20, 2019 totaling \$719,223.76 (Warrant #6 - General Fund), \$166,192.77 (Warrant #3-Capital Reserve Fund) and the Village payroll through August 15, 2019 be audited and approved.

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

RESOLVED, that the Board of Trustees hereby ratifies the retroactive hourly rate for lifeguards, Caroline Oakland and Margaret Purcell at a rate of \$15.50 per hour for the 2019 season.

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

RESOLVED, that the Board of Trustees hereby ratifies the hiring of Daniel Aliakseyeu as a lifeguard at Coopers Beach effective August 19, 2019 at an hourly rate of \$13.50.

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

RESOLVED, that the Board of Trustees hereby ratifies the hiring of Yassine Boukaissi as a Student Intern in the Building/Safety Department effective August 19, 2019 at an hourly rate of \$12.00.

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

MOTION TO ADJOURN:

Trustee Yastrzemski made a motion to adjourn to Executive Session at 7:34PM for the purpose of discussing contractual and personnel matters. Trustee Pilaro seconded the motion and a unanimous vote followed.

On a motion by Trustee Yastrzemski and seconded by Mayor Warren, the Board unanimously voted to go back to open session at 10:10PM

The following Resolution was offered by Trustee Allan, seconded by Trustee Parash, and unanimously adopted.

WHEREAS, Steven Rodriguez (hereinafter “Rodriguez”) is employed by the Village as a Laborer;

WHEREAS, Rodriguez is a probationary employee;

WHEREAS, the Village believes it in its interest to terminate Rodriguez’s employment;

WHEREAS, Rodriguez’s last day of work will be August 21, 2019; and

WHEREAS, Rodriguez will be paid through and including August 29, 2019 and receive benefits through August 31, 2019;

NOW, THEREFORE, BE IT RESOLVED, that the Village Administrator is authorized to terminate Rodriguez’s employment in accordance with the terms set forth herein.

Mayor Warren made a motion to adjourn to Executive Session at 10:15PM for the purpose of discussing personnel matters. Trustee Yastrzemski seconded the motion and a unanimous vote followed.

On a motion by Trustee Yastrzemski and seconded by Trustee Pilaro, the Board unanimously voted to go back to open session at 11:57PM

On a motion by Trustee Allan and seconded by Trustee Parash, the Board unanimously voted to adjourn at 11:57PM

Russell Kratoville, Village Administrator

8/20/19