

**MINUTES
VILLAGE OF SOUTHAMPTON
BOARD OF TRUSTEES
Public Session I – September 13, 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 6:00 PM

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

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

EMPLOYEE OF THE MONTH

Mayor Irving acknowledged the September Employee of the Month, **Brian Doroska**, Maintenance Mechanic II Highway Department, hired August 14. Mayor Irving read a letter from his Supervisor, Paul Murphy, who recognized the work of Mr. Doroska in regard to the brick work done at the Southampton Cultural Center. Mayor Irving thanked Mr. Doroska and congratulated him.

PUBLIC COMMENT

Susan Madonia, 36 Jobs Lane, spoke regarding the redevelopment of 28-34 Jobs Lane and read a letter voicing concern about the proposed shopping structure.

Evelyn Konrad, South Rosko Drive, spoke regarding the redevelopment of 28-34 Jobs Lane and referenced the negative SEQRA declaration issued and the work of the Planning Board.

Orest Bliss, addressed the Board regarding easement of the property of 28-34 Jobs Lane.

BOARD PRESENTATIONS

WINDWARD WAY PARK -

Gary Goleski, Superintendent of Public Works, addressed the Board to request permission to renovate the Windward Way Park – equipment was last renovated approximately 11 years ago, He reviewed plan for the renovations to remove existing equipment and replace with new equipment as well as recapping the surface.

Trustee McGann spoke about the need to replace the equipment, stating that much of the equipment would be like that in Agawam Park. Jeff Larue from Kompan Playgrounds spoke regarding some of the particular equipment that would be installed noting that the

equipment is ADA compliant providing a more inclusive play for residents. He stated that this was the perfect time to replace the surface as it was starting to wear.

Trustee Allan raised questions regarding the number of children in the neighborhood that would use the equipment and questioned if there needed to be additional equipment more suitable to older children.

Trustee McGann responded that the suggested equipment would address the needs of the community and said that Derek Highsmith had been part of the committee reviewing the needs of the community.

Mr. Goleski asked Mr. Larue if a sealant could be put on the surface to prolong the use. Mr. Larue stated that the additional sealant could be applied as described. Mr. Goleski also noted that there were sufficient funds in the Parks Trust Fund to cover the cost.

Mayor Irving asked about the timeline for the work; Mr. Goleski stated that work could commence in the Fall with the intent to get everything completed within a few weeks.

Trustee McGann made a motion to move forward with the refurbishment of the Playground as outlined in the proposal. Trustee Yastrzemski seconded the motion and a unanimous vote followed.

FIRE DEPARTMENT EQUIPMENT

Alfred Callahan, Second Assistant Chief, Southampton Fire Department , addressed the Board to request replacement of the Chief's vehicle for a cost of \$65,783.80 including vehicle and conversion packages. The current vehicle would be put into rotation as part of the 2-year rotation plan that the Department tries to adhere to. Mr. Callahan provided the Board with an overview of the package, noting that the funds were currently in the Fire Department Fund and available.

Trustee Yastrzemski noted that as trucks get replaced they are either rotated for use in another area or put up for sale to the public.

Mayor Irving indicated that he gave the Fire Department full support and noted that they worked very hard for the Village.

Trustee Yastrzemski made a motion to authorize Mr. Callahan to go out to bid for a 2019 Chevy Tahoe as outlined in the proposal to replace the 2011 Chevy Tahoe currently used by the Chief.

Trustee Hattrick seconded the motion and a unanimous vote followed.

Mr. Callahan then addressed the Board regarding the fire hydrants in the Village noting that many needed to be repainted so that they are more visible and reflective. He stated that they also recommended a pendant marker that would be affixed to the hydrant so that it could be seen in the snow and a blue street marker that would indicate the location of the fire hydrants. Suffolk County Water Authority would provide the pendant marker and street marker at no charge.

Trustee McGann asked if the FD had a map of the fire hydrants; Mr. Callahan noted that they had a map. Trustee Allan commented that Chief Brenner stated there were 316 fire hydrants. Mr. Callahan noted that whatever was decided with the Village they would like to be the standard for the District.

Trustee Yastrzemeski stated that the painting of the fire hydrants would have to be priced out as the cost would need to be split with the Fire District. The hydrants in the district are painted yellow with silver reflective tops. Mayor Irving stated that he felt everything should be universal so if the rest of the Fire District uses yellow then the Village should stay with yellow.

Trustee Yastrzemeski and Mayor Irving agreed that the street markings were important as well as the pendants. The Jr. Fireman would take care of the pendants and the Water Authority would take care of the road markings.

PUBLIC HEARINGS

1. CSC ACQUISITION (CABLEVISION) FRANCHISE AGREEMENT RENEWAL

Mayor Irving made a motion to open the Public Hearing to authorize the Village of Southampton to renew a Cable Franchise Agreement with CSC Acquisition, NY, Inc. to operate a cable system in the Village of Southampton. Trustee Hattrick seconded the motion and a unanimous vote followed.

Frank Aleeva, Director of Government Affairs for Altice, reviewed the proposed contract which would be a 10-year agreement; with provisions including free cable service for 14 specified locations, schools, library, police department, etc.

Mr. Aleeva noted that the contract would also increase the Village's franchise fee by 5% (from 4%) of gross cable service revenues.

Joseph Prokopf, 267 Carleton Avenue, Central Islip, Attorney for the Village on the renewal of the franchise with Altice (formerly Cablevision), recommended that the Board approve the agreement in its present form.

Trustee Yastrzemeski asked for clarification of the agreement and Mr. Prokopf reviewed some of the changes, including the requirement of advance notice for work to be done by Altice in the Village. There was a significant issue in regard to technical issue with regards to the aspect ratio of the picture, which has been rectified. He noted that the renewal went to 10 years from the previous 5-year term. He noted that Joan Gilroy who had previously been with Cablevision came back to work on the contract.

Evelyn Konrad, South Rosko Drive, asked for clarification of the point regarding the PEG aspect ratio.

Mr. Aleeva responded that Altice makes sure that the aspect ratio is the same as the other channels but are currently unable to get the HD on the PEG channel.

Charles Styler, Videographer, spoke regarding the aspect ratio and explained that while they send a high definition video to Riverhead, it then gets transferred to a standard channel, thereby losing the high definition image.

He suggested that they remove that point on page 28 from the contract before approval.

Mr. Prokopf addressed that it was confirmed by Altice that given the present bandwidth there is no availability for a high definition channel for PEG channels. But in the future as plans to increase the bandwidth by Altice there could be the opportunity to change those channels to high definition. He noted there had been an issue of distortion of images on the screen and that it had been corrected. Mr. Styler noted that it hadn't been corrected and it did not solve the issue of that if the current issue hadn't been resolved then the recommendation was to keep the hearing open until it can be.

Mr. Aleeva noted that the item referenced is federally mandated and can't be controlled or removed from the agreement.

Mr. Prokopf suggested that the hearing be kept open until the next meeting and he would research the possibility of clarifying such paragraph on page 28.

Mayor Irving made a motion to adjourn the hearing until October 11, 2018 for all intents and purposes; Trustee McGann seconded the motion and a unanimous vote followed.

2. BOARD OF ARCHITECTURAL REVIEW: TRAINING AND APPOINTMENT OF ALTERNATE MEMBERS.

Mayor Irving made a motion to open the Public Hearing to approve Local Law No. 9 of 2018, amending §116-31 with respect to the organization of the Board of Architectural Review and Historic Preservation, training and appointment of alternate members; Trustee Allan seconded the motion and a unanimous vote followed.

Mr. Bruyn reviewed the proposed law and noted that that a letter was received from Suffolk County Planning Commission on September 12, 2018 noting that the Local Law was a matter for local determination.

Evelyn Konrad, South Rosko Drive, addressed the Board regarding the proposed law.

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

Mayor Irving made a motion to authorize a notice of Adoption of Local Law No. 9 of 2018 – see Local Law attached.

Trustee Hattrick seconded the motion. A roll call vote followed: Trustee Yastrzemski, Aye; Trustee Allan: Aye; Trustee McGann: Aye; Trustee Hattrick: Aye; Mayor Irving: Aye.

3. BOARD OF APPEALS: TRAINING AND APPOINTMENT OF ALTERNATE MEMBERS.

Mayor Irving made a motion to open the Public Hearing on Local Law No. 10 of 2018 to amend §116-24 with respect to the organization of the Board of Appeals; Training and Appointment of Alternate Members. Trustee Allan seconded the motion and a unanimous vote followed.

Village Attorney Bruyn reviewed the law and noted that there had been a public hearing on August 9th and that a letter was received from Suffolk County Planning Commission on September 12, 2018 noting that the Local Law was a matter for local determination.

Mayor Irving made a motion to close the Public Hearing; Trustee McGann seconded the motion. Mayor Irving made a motion to adopt Local Law No. 10 of 2018 – see Local Law attached. Trustee Allan seconded the motion. A roll call vote followed: Trustee Yastrzemski, Aye; Trustee Allan: Aye; Trustee McGann: Aye; Trustee Hatrick: Aye; Mayor Irving: Aye.

4. PLANNING BOARD: TRAINING AND APPOINTMENT OF ALTERNATE MEMBERS.

Mayor Irving made a motion to open the Public Hearing on Local Law No. 11 of 2018 to amend Chapter 19 (Planning Board) of the Village Code to add a new Article II with respect to the organization of the Planning Board; Training and Appointment of Alternate Members Trustee Hatrick seconded the motion and a unanimous vote followed.

Village Attorney Bruyn reviewed the proposed Local Law and noted that there had been a public hearing on August 9th and that a letter was received from Suffolk County Planning Commission on September 12, 2018 noting that the Local Law was a matter for local determination. Mr. Bruyn noted that proposed amendment would include that the Planning Board was established by the Village Board on June 3, 1927.

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

Mayor Irving made a motion to adopt Local Law No. 11 of 2018 – see Local Law attached. Trustee Hatrick seconded the motion and a Roll Call vote followed: Trustee Yastrzemski, Aye; Trustee Allan: Aye; Trustee McGann: Aye; Trustee Hatrick: Aye; Mayor Irving: Aye.

5. TRAINING REQUIREMENTS FOR ADMINISTRATIVE BOARDS

Mayor Irving made a motion to open Public Hearing on Local Law No. 12 of 2018 amending Chapter 16 (Zoning) to add a new Article VIII with respect to training requirements for administrative boards. Trustee Allan seconded the motion and a unanimous vote followed.

Village Attorney Bruyn reviewed the proposed Local Law and noted that there had been a public hearing on August 9th and that a letter was received from Suffolk County Planning Commission on September 12, 2018 noting that the Local Law was a matter for local determination.

Susan Stevenson, chairman of the Village ARB, stated that she has done the training but that what is currently available does not particularly apply to the Architectural Review Board but more with Zoning and Planning. Ms. Stevenson stated that nothing is offered that currently applies to Historic Preservation and Architectural Review.

Mr. Bruyn noted that a section of the Law §116-43 takes into consideration that some of the courses offered at certain sources are not applicable to all the boards but that there are other sources available which can be identified and discussed with the Chairpersons of the Board and then approved by the Village.

Ms. Stevenson noted that the Ethics training would be very valuable for all of the boards, especially in light of the Village's new Ethics code.

Trustee Allan noted that the Village Administrator had already begun setting up ethics training sessions that would be offered October 24 and 25.

Evelyn Konrad, South Rosko Drive, suggested that the Board ask members of law schools to hold training sessions.

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

Mayor Irving made a motion to adopt Local No. 12 of 2018 – see local law attached. Trustee Allan seconded the motion and a Roll Call vote followed: Trustee Yastrzemski, Aye; Trustee Allan: Aye; Trustee McGann: Aye; Trustee Hattrick: Aye; Mayor Irving: Aye.

6. DEER FENCE LAW

Mayor Irving made a motion to 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 Yastrzemski seconded the motion and a unanimous vote followed.

Mayor Irving noted that the Board had taken a close look at the deer issue and deer fencing and looked at other municipalities and what they had done. He noted that the Board is looking very closely at deer management and deer fencing and felt that neither can be done without the other.

Mayor Irving stated that the recommendation is to keep the Public Hearing for the proposed deer fence law open until the current regulations concerning discharge of firearms is addressed.

Katerina Grinkov, Esq., of Twomey Latham, on behalf of Whitefield Condominiums, asked what the time frame for deer management would be.

Mayor Irving noted that the proposal would be to re-open the Public Hearing on October 11, 2018 and if approved, deer management could begin in October and the Board would then continue to review the deer fence law after that took place.

Robert Mullaney, 570 Hampton Road, Hampton Meadows Complex, stated that residents of that complex have formed a Deer Committee. He urged the Board to take action and pass the deer fence law and not wait for the culling or other deer management to take place.

Trustee McGann commented that the proposed deer fencing protects the property owner only but that it pushes the deer to other properties.

Mayor Irving made a motion to keep the Public Hearing on Deer Fence law open for all intents and purposes until October 11, 2018. Trustee Hattrick seconded the motion and a unanimous vote followed.

COMMUNICATIONS TO THE BOARD

SOUTHAMPTON SOCCER CLUB

Village Administrator Funsch read a letter from Timothy Rumph, President of Southampton Soccer Club to use Downs Family Park soccer fields from August 30 – November 30, 2018.

Mayor Irving made a motion to approve the request as outlined in letter dated August 20, Trustee Hattrick seconded the motion and a unanimous vote followed.

SUGGESTED RESOLUTIONS

RESOLVED, that the reading of the minutes for the Public Session of August 21, 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 Allan made a motion to approve; Mayor Irving seconded the motion and a unanimous vote followed.

RESOLVED, that the claims for the warrants dated September 13, 2018 totaling \$283,110.45 (Warrant #7 - General Fund) and \$6,405.00 (Warrant #4 - Capital Reserve Fund) and \$432,307.44 (Warrant #5 – Capital Reserve Fund) and the Village payrolls for the period from August 17, 2018 to September 13, 2018 be audited and approved.

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

RESOLVED, that the Board of Trustees hereby approves waiving the building application fee in the amount of \$7,861.12 for the Southampton African American Museum of the East End.

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

RESOLVED, that the Board of Trustees hereby accepts the bid in the amount of \$386,269 from Lipsky Enterprises, Bayport, NY for the restoration of the Nugent Carriage House as recommended by Chaleff & Rogers Architects, P.C.

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

RESOLVED, that the Board of Trustees hereby approves Kevin Mawn as a probationary member of Hook & Ladder Co. 1 effective September 13, 2018.

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

RESOLVED, that the Board of Trustees hereby approves Dominick Abbate as a probationary member of Agawam Hose Co.1, effective September 13, 2018.

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

RESOLVED, that the Board of Trustees hereby the attached schedule of Budget transfers to eliminate line item overages for the period ending September 13, 2018.

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

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

All Island Blower & Sheet Metal \$13,250.00

Fire Facilities Reserve

<i>Alliance System Integrators</i>	<i>\$65,492.75</i>	<i>Major Equipment Reserve</i>
<i>Eagle Chevrolet</i>	<i>\$111,958.95</i>	<i>Major Equipment Reserve</i>
<i>Motorola Solutions</i>	<i>\$231,605.74</i>	<i>Major Equipment Reserve</i>

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

RESOLVED, that the Board of Trustees hereby approves the hiring of Nicholas Cogan as a part time laborer for the Highway Department at an hourly rate of \$15, effective September 13, 2018.

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

DISCUSSION ITEMS

1. Little Lucy’s Pet Parade – Saturday, October 27, 2018

Village Administrator Funsch reviewed a request from Patricia Hurley, owner of Little Lucy’s to hold their annual Pet Parade on October 27, 2018. Trustee McGann made a motion to approve the request, Trustee Hattrick seconded the motion and a unanimous vote followed.

2. Layton Avenue Parking – Public Hearing

Village Attorney Bruyn reviewed the proposed Local Law amending §110-43, Schedule L: Stopping, Standing and Parking Restrictions of the Vehicles and Traffic Code to Modify the Parking Restrictions on Layton Avenue. Mr. Bruyn noted that based on suggestions from the public, the parking would be prohibited on the North Side of Layton at all times and parking would now be allowed on the South Side of Layton Avenue with certain restrictions.

Mayor Irving made a motion to schedule a Public Hearing on October 11, 2018. Trustee McGann seconded the motion and a unanimous vote followed.

3. Hildreth Street Parking – Public Hearing.

Village Attorney Bruyn reviewed the proposed Local Law amending §110-43, Schedule L: Stopping, Standing and Parking Restrictions of the Vehicles and Traffic Code to Add Parking Restrictions on Hildreth Street.

Mayor Irving made a motion to schedule a Public Hearing on October 11, 2018. Trustee Allan seconded the motion and a unanimous vote followed.

COMMENTS FROM THE BOARD:

Trustee Yastrzemski – None

Trustee Allan – None

Trustee McGann – None

Trustee Hattrick – None

Mayor Irving – noted that Hurricane Florence would potentially bring high surf and riptides to the ocean waters and encouraged residents and visitors to exercise caution and stay out of the water. He thanked the First Responders for all that they do for the Village and stated that the Board was very grateful for their efforts.

Trustee Yastrzemski also thanked the First Responders and urged the public to heed warnings and be mindful of the storm surges.

SECOND PUBLIC COMMENT

Charles Styler, addressed the Board regarding New York State Standards for Public Education Channel and noted that in 2002 the Town of Southampton established a Community Access Channel Committee and stated that he felt that the Village of Southampton should have representation on that Committee.

The Board agreed to look into the matter.

Mayor Irving made a Motion to adjourn to Executive Session at 8:37PM for the purpose of discussing personnel matters involving Village employees. Trustee Yastrzemski seconded and a unanimous vote followed.

The Board returned to Public Session at 9:35PM and Mayor Irving suggested the following resolutions:

RESOLVED, that the Board of Trustees hereby approves the following promotions in the Highway Department effective September 14, 2018:

Nicholas Albino from Maintenance Mechanic II to MMIII at an annual salary of \$65,298.02.

Brian Doroska from Maintenance Mechanic II to MMIII at an annual salary of \$57,056.52.

Pedro Cuervo from Laborer to Auto Equipment Operator at an annual salary of \$49,791.10.

Andrew Distefano from Laborer to Auto Equipment Operator at an annual salary of \$49,791.10.

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

RESOLVED, that the Board of Trustees hereby approves the Request for Qualifications for the Southampton Hospital Adaptive Reuse.

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

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 9:45PM.

Stephen Funsch, Village Administrator

9/13/18

LOCAL LAW NO. 9 OF 2018

A LOCAL LAW amending §116-31 with respect to the organization of the Board of Architectural Review and Historic Preservation; training and appointment of alternate members.”

BE IT ENACTED by the Board of Trustees of the Village of Southampton as follows:

Section 1. Amendment. Section §116-31D is hereby amended by deleting strikethrough words and adding underlined words as follows:

~~D. The Mayor shall designate a Chairman of the Board of Architectural Review and Historic Preservation, subject to the approval of the Board of Trustees. Such designation shall be for one official year of the Village and shall expire at the end of each official year. The Board of Architectural Review and Historic Preservation shall designate a Vice Chairman and a Secretary.~~

D. The Village Board shall designate the Chairperson and Vice-Chairperson of the Board of Architectural Review and Historic Preservation. Such designation shall be for one official year of the Village and shall expire at the end of each official year. During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall perform all the duties, exercise the powers and be subject to all of the responsibilities of the Chairperson. The designation of Chairperson and Vice-Chairperson may be withdrawn at the pleasure of the Village Board. The duties of the Chairperson shall be as follows:

- _____ (1) To preside at all meetings.
- _____ (2) To postpone meetings due to inclement weather and to call special meetings.
- _____ (3) To sign, together with the administrative support personnel of the Village Clerk or Building Department, all official documents of the Board of Architectural Review and Historic Preservation.
- _____ (4) To see that all reports, documents, and actions of the Board of Architectural Review and Historic Preservation are properly made, executed, filed or taken, as the case may be, in accordance with law and regulations of the Board of Architectural Review and Historic Preservation.
- _____ (5) To serve as liaison the Village Board and other boards of the Village.

Section 2. Amendment. Section §116-31 is hereby amended by adding underlined words as follows:

I. Training. All members of the Board of Architectural Review and Historic Preservation, including alternate members, shall be required to meet the training and continuing education requirements as established by law and the Village Board.

J. Alternate Members. For the purposes of substituting for a member of the Board of Architectural Review and Historic Preservation in the event that such member is unable to participate because of a conflict of interest or is otherwise unavailable, the Mayor may appoint one or more alternate members subject to the approval of the Village Board, with any such appointment for a term of one year from the date of appointment. Any designation of an alternate member in replacement of a member on a particular case shall be made by the Chairperson of the Board of Architectural Review and Historic

Preservation and shall be entered in the minutes.

Section 3. Authority. The proposed local law is enacted pursuant to Village Law §7-700, Section 96-a and Article 5-k of the General Municipal Law, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), and 10(2).

Section 4. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 5. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

LOCAL LAW NO. 10 OF 2018

A LOCAL LAW amending §116-24 with respect to the organization of the Board of Appeals; Training and Appointment of Alternate Members.”

BE IT ENACTED by the Board of Trustees of the Village of Southampton as follows:

Section 1. Amendment. Section §116-24 is hereby amended by adding underlined words as follows:

F. The Village Board shall designate the Chairperson and Vice-Chairperson of the Board of Appeals. Such designation shall be for one official year of the Village and shall expire at the end of each official year. During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall perform all the duties, exercise the powers and be subject to all of the responsibilities of the Chairperson. The designation of Chairperson and Vice-Chairperson may be withdrawn at the pleasure of the Village Board. The duties of the Chairperson shall be as follows:

(1) To preside at all meetings.

(2) To postpone meetings due to inclement weather and to call special meetings.

(3) To sign, together with the administrative support personnel of the Village Clerk or Building Department, all official documents of the Board of Appeals.

(4) To see that all reports, documents, and actions of the Board of Appeals are properly made, executed, filed or taken, as the case may be, in accordance with law and regulations of the Board of Appeals.

(5) To serve as liaison the Village Board of Trustees and other Village boards.

G. Training. All members of the Board of Appeals, including alternate members, shall be required to meet the training and continuing education requirements as established by law and the Village Board.

H. Alternate Members. For the purposes of substituting for a member of the Board of Appeals in the event that such member is unable to participate because of a conflict of interest or is otherwise unavailable, the Mayor may appoint one or more alternate members subject to the approval of the Board of Trustees, with any such appointment for a term of one year from the date of appointment. Any designation of an alternate member in replacement of a member on a particular case shall be made by the Chairperson of the Board of Appeals and shall be entered in the minutes.

Section 2. Authority. The proposed local law is enacted pursuant to Village Law §7-712, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), and 10(2).

Section 3. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

LOCAL LAW NO. 11 OF 2018

A LOCAL LAW amending Chapter 19 (Planning Board) of the Village Code to add a new Article II with respect to the organization of the Planning Board; training and appointment of alternate members.”

BE IT ENACTED by the Board of Trustees of the Village of Southampton as follows:

Section 1. Amendment. Chapter 19 (Planning Board) of the Village Code to add a new Article II by adding underlined words as follows:

ARTICLE II **ORGANIZATION**

§19-2. Creation. The Planning Board as established by the Village Board on June 3, 1927. The organization and general procedures of the Planning Board shall be in accordance with the provisions of §7-718 of the New York Village Law.

§19-3. Membership. The Planning Board shall consist of five (5) members appointed by the Mayor with the approval of the Village Board. The terms of office shall be in accordance with the provisions of §7-718 of the New York Village Law.

§19-4. Chairperson; Vice-Chairperson. The Village Board shall designate the Chairperson and Vice-Chairperson of the Planning Board. Such designation shall be for one official year of the Village and shall expire at the end of each official year. During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall perform all the duties, exercise the powers and be subject to all of the responsibilities of the Chairperson. The designation of Chairperson and Vice-Chairperson may be withdrawn at the pleasure of the Village Board. The duties of the Chairperson shall be as follows:

- (1) To preside at all meetings.
- (2) To postpone meetings due to inclement weather and to call special meetings.
- (3) To sign, together with the administrative support personnel of the Village Clerk or Building Department, all official documents of the Planning Board.
- (4) To see that all reports, documents, and actions of the Planning Board are properly made, executed, filed or taken, as the case may be, in accordance with law and regulations of the Planning Board.
- (5) To serve as liaison the Village Board and other boards of the Village.

§19-5. Training. All members of the Planning Board, including alternate members, shall be required to meet the training and continuing education requirements as established by law and the Village Board.

§19-6. Alternate Members. For the purposes of substituting for a member of the Planning Board in the event that such member is unable to participate because of a conflict of interest or is otherwise unavailable, the Mayor may appoint one or more alternate members subject to the approval of the Village Board, with any such appointment for a term of one year from the date of appointment. Any designation of an alternate member in replacement of a member on a particular case shall be made by the Chairperson of the Planning Board and shall be entered in the minutes.

Section 2. Authority. The proposed local law is enacted pursuant to Village Law §7-718, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), and 10(2).

Section 3. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

LOCAL LAW NO. 12 OF 2018

A LOCAL LAW amending Chapter 116 (Zoning) to add a new Article VIII with respect to training requirements for administrative boards.”

BE IT ENACTED by the Board of Trustees of the Village of Southampton as follows:

Section 1. Amendment. Chapter 116 (Zoning) is hereby amended by adding a new Article VIII as underlined words as follows:

ARTICLE VIII **TRAINING REQUIREMENTS**

§116-41. Purpose and intent.

A. The Village Board finds that appropriate training of the members of the Board of Appeals, Planning Board and Board of Architectural Review and Historic Preservation is essential.

B. The State of New York has recognized the importance of training of members of the Board of Appeals and Planning Board in New York Village Law §§7-718(1) and 7-712(2). The Village Board similarly recognizes the importance of training of the members of the Board of Architectural Review and Historic Preservation who also administer portions of the Zoning Law.

C. It is the purpose of this Article to assist members of the Board of Appeals, Planning Board and Board of Architectural Review and Historic Preservation in obtaining training to enhance their ability to carry out their duties under law and to pay the costs of such training as a Village charge.

D. It is also the purpose of this Article to establish minimum training and continuing education course requirements for such members.

§116-42. Minimum training requirements.

A. All members of the Board of Appeals, Planning Board and Board of Architectural Review and Historic Preservation shall be required to attend a minimum of four (4) hours in relevant training courses within each year from the date of their initial appointment to such Board and thereafter attend training sessions of not less than four hours every fiscal year (July 1 through June 30) thereafter. Training in excess of four hours may be carried over by the member into succeeding years upon the approval of the Village Board.

B. Prospective members of the Board of Appeals, Planning Board and Board of Architectural Review and Historic Preservation shall be notified of the requirements of this Article prior to their appointment to such Board.

C. The costs of such seminars, workshops or continuing education courses so designated shall be a Village charge. Members shall also be reimbursed for travel and meal expenses according to Village policies. Such training sessions shall be approved in advance by the Village Board, which approval shall not be unreasonably withheld.

D. The training required by this Article may be waived or modified by resolution of the Village Board when, in the judgment of the Village Board, it is in the best interest of the Village to do so.

E. To be eligible for reappointment to the Board of Appeals, Planning Board or Board of Architectural Review and Historic Preservation, such member shall have completed the training promoted by the Village Board pursuant to this Article. Noncompliance with minimum requirements relating to training shall be deemed a proper cause for removal from office.

§116-43. Approved training courses. The Village Board, after discussion with the Chairpersons of the Board of Appeals, Planning Board and Board of Architectural Review and Historic Preservation, shall annually designate such seminars, workshops or continuing education courses which may be offered within a reasonable distance and which may be helpful to or be of assistance to the Board of Appeals, Planning Board and/or Board of Architectural Review and Historic Preservation in carrying out its functions in a timely, fair and lawful manner. Training via electronic media, video, or distance learning must be preapproved by the Village Administrator.

§116-44. Lack of training not to affect validity of members' actions. Notwithstanding the

foregoing, the failure of a member of the Board of Appeals, Planning Board or Board of Architectural Review and Historic Preservation to obtain such training shall not affect said person's appointment to serve on such Board, to entertain applications, to vote on such applications or the validity of such member's actions.

§116-45. Procedure for removal of member. The Chairperson of the Board of Appeals, Planning Board or Board of Architectural Review and Historic Preservation shall notify the Village Clerk in writing, on or about May 1 in any year of any member who fails to comply with the minimum requirements for training in any fiscal year of the Village. In the event that a member of the Board of Appeals, Planning Board or Board of Architectural Review and Historic Preservation has failed to complete the minimum training requirements set forth in this Article, then the Village Board may remove such member for cause as herein provided.

A. Notice. Such member shall be mailed a written notice, by certified mail, return receipt requested, specifying the nature of the failure of such member to meet the minimum requirements of this Article.

B. Public hearing. Such notice shall specify a date, not less than ten (10) or more than thirty (30) days from the date of mailing such notice, when the Village Board shall convene and hold a public hearing on whether or not such member should be removed from service on such Board. Such notice shall also specify the time and place of such hearing.

C. Public notice. Public notice of such hearing shall be published at least ten (10) days prior to the date of the public hearing.

D. Conduct of hearing. The public hearing on the charges shall be conducted before the Village Board. The member shall be given an opportunity to present evidence and to call witnesses to refute the charges. A record of such hearing shall be made. The decision of the Village Board shall be reduced to writing, together with specific findings of the Village Board with respect to each charge against such member. A copy of such decision and such findings shall be mailed to the member and a copy filed with the Village Clerk.

E. Action by the Village Board. Following the hearing and upon a finding that such member has not met the minimum training established by this Article, the Village Board, within thirty (30) days of such finding, may:

(1) Remove such member from the Board of Appeals, Planning Board or Board of Architectural Review and Historic Preservation;

(2) Issue a written reprimand to such member without removing such member from such Board; or

(3) If the Village Board shall find that the reasons for failing to meet the minimum training requirements are excusable because of illness, injury or other good and sufficient cause, the Village Board may elect to take no action.

§116-46. Removal for cause. Nothing contained herein shall be deemed to limit or restrict the Village Board's authority to remove a member from the Board of Appeals, Planning Board or Board of Architectural Review and Historic Preservation for cause (i.e., for other than the reasons enumerated herein). The procedural provisions of §116-45 shall govern any hearing to remove a member for cause.

Section 2. Authority. The proposed local law is enacted pursuant to Village Law §7-712, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), and 10(2).

Section 3. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 4. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.