

MINUTES
VILLAGE OF SOUTHAMPTON
BOARD OF TRUSTEES
Public Session II – October 22, 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 Allan, Parash, Pilaro and Yastrzemski; Village Administrator Russell Kratoville and Attorney Richard Fernan.

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

PUBLIC COMMENTS

Cindy McNamara, 75 Lewis Road, addressed the Board regarding the Landscaper Registration law, stating that she felt the law targets a specific industry which is wrong. She asked that the Village enter into an IMA with the Town to accept the Southampton Town license, which is \$200 for 2 years, rather than require a separate Suffolk County license and Village license.

BOARD PRESENTATIONS - NONE

DISCUSSION ITEMS

1. Capital Purchase: Additional Items for Fire Department Dishwasher Install

Village Administrator Kratoville reviewed the items that are being requested to purchase for the Fire Department so that they can have a commercial kitchen in the fire house.

Trustee Yastrzemski made a motion to expend \$2,120 out of Capital Reserve subject to permissive referendum; Mayor Warren seconded and a roll call to place with the following results:

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

2. Pyrrhus Concer Bid

Village Administrator Kratoville said that there was no bid put forth and the Village can't extend the submission date so it will need to go out to bid again with a submission due date in mid-November. Trustee Allan said that the last time there had been 3 people that had come forth. Trustee Pilaro said that there are also 2 contractors

who've offered in-kind services, but they aren't ready to bring their names forth. The Mayor asked if there was anything that could be done to make the process smoother. Mr. Kratoville said that both potential bidders have gone to site visits and are very actively looking at this but needed more time to prepare their bids. The Mayor asked about where the bids are published; Mr. Kratoville said it was through a national group. Trustee Parash asked about timing once the bids have been received. Mr. Kratoville said that they would have to get the bids, then review them and interview the individuals before they award the bid. The hope would be to have bids in for the November 14th meeting and award the bid at the November 26th meeting so that work could begin by December 1st. Trustee Parash asked when the second phase could begin and Mr. Kratoville said that the recommendation would be to start the bid process on Phase 2 as soon as the bid is accepted for Phase 1.

3. USA Endurance Events – Women's Half Marathon

Mr. Kratoville reviewed the request by USA Endurance Events to hold a half marathon in the Village on May 30, 2020 stating that they had reached out to the Police Department and would be willing to pay some of the Village expenses up front and had provided financials from a previous event.

Mayor Warren said that as an avid runner, he gets very excited about these types of event and that it would be great as far as bringing in business to the Village hotels, and other businesses. The Mayor said that he would be open to giving them permission to hold the event but would like to do more research before making a final decision.

Trustee Pilaro said that more information is needed as it's very taxing on the Village with respect to Police, TCO's, Fire Department and Ambulance as well as the impact on traffic. In addition, Mr. Pilaro commented that the Village also has the Hamptons Marathon in the Fall. Trustee Yastrzemski asked the Chief for his thoughts on the event. Chief Cummings said that he felt it would be easier than the Hamptons Marathon and have less impact as this is a half marathon and therefore would be less expensive and less taxing on the residents and the Village's services. Trustee Allan said that the Board had discussed moving it up to May 2nd but Chief Cummings said that the Village can't hire seasonal help prior to May 15th so staffing would be an issue. Trustee Yastrzemski said that he didn't have an issue with trying it; Trustee Allan said that she would like it to be earlier in May; Trustee Parash said that after hearing the Chief's thoughts he was more amenable to it but wanted to be sure that it wouldn't have a negative impact on the Village residents.

Trustee Pilaro said it could be wonderful for the business district but is concerned that it doesn't tax residents; with 2000 runners that could be a significant impact on the business district. Mayor Warren said that he likes the date of May 30th and asked Mr. Kratoville to speak with Ms. Yarbour and to check a couple of references.

PUBLIC HEARINGS

Local Law: Repealing Regulations - Surfing

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

Mr. Kratoville reviewed the matter and said that the issue was whether to abolish the long-standing local law regarding prohibiting surfing at particular times of the year at particular beaches. Mr. Kratoville said that some felt that it would be better to abolish the law completely and make restrictions in the future if they needed to, as opposed to amending the current law. The Mayor reiterated that he would love to have the language removed from the Village Code Book and while it isn't relevant at this time because of the time of year he would like to vote to repeal it.

Michael Irving, Prospect Street, and former Village Mayor, said that surfing is a terrific sport and the difficulty is that surfing has inherent safety issues. The purpose of the previous law was that the Board could designate particular areas for surfing – there was never a total moratorium on surfing. He said the second issue is having surf camps which brings with it huge parking issues as they take up numerous parking spots; the idea is to control where the surfers are, the need for restrooms, etc. If the Village wants to promote surfing and the surf camps, they will have chaos between parking and safety issues.

Mayor Warren said that this particular appeal doesn't address surf camps or the commercialization of the beaches and that this law is removing the language so that the average person who wants to surf can do it without going outside of the law.

Mr. Kratoville said that similarly to the current law, the Village could pass a resolution to enforce no surfing at certain times; Attorney Richard Fernan said that he would have to check into the matter.

Mark Epley, 158 Harvest Lane, asked what the current status was the driving on the beach lawsuits. Mr. Epley said that if the Board is considering making modifications to Chapter 80 of the Village Code, they should be aware that Chapter 80 is part of the lawsuits currently pending against the Village and therefore recommended that the Board not make any changes until those lawsuits are settled.

Trustee Parash, Yastrzemski, Allan and Pilaro all stated that they were not in favor of repealing the law at this time and all said that they would like to see what recommendations the newly formed Surf Committee came back with after they had a chance to meet. Trustee Pilaro asked for input from Village Counsel; Attorney Richard Fernan suggested that the Board check with the litigation counsel who is handling the lawsuit to get their opinion.

Mayor said that he would like the record to show that he supports the repeal and would vote for it that evening but said he did not believe he had Board support to pass the law.

Mayor Warren suggested that the Village invite representatives from the Surf Committee to attend the November 14th meeting and adjourn the Public Hearing indefinitely.

Mr. Kratoville recommended that the Board adjourn the hearing until the November 26th meeting and if at that time they had no action to take, they close the hearing and re-notice it in the Spring. Trustee Allan asked if there was a broad representation on the Surf committee including bathers; Mr. Kratoville said that there is at least one member of the committee who represents bathers.

Trustee Yastrzemski said that he appreciated the Mayor's position and that they have all received a lot of input from people regarding the matter and had hoped that more people would have attended the meeting to share their views. Trustee Pilaro agreed that he would like to see what the Committee came back with and would also like to hear the opinions of the lawyers with regard to the pending lawsuits and how a modification to the law could impact it. Mr. Pilaro also said that the current law protects residents who are not surfers and that he feels the Board will have good resolution on the matter by the time that Summer comes.

Trustee Parash asked for clarification on the current resolution; Mr. Kratoville said that his understanding is that the current resolution by the Board said that surfing is now allowed on all beaches except Coopers Beach but that he's not sure if that has to be renewed each year but that he would need the advice of legal counsel.

Michael Irving, Prospect Street, said that it was mentioned that the lawsuit wasn't made by Village residents; but that in fact they are all residents and the Village needed to review the matter carefully.

Mayor Warren made a motion to adjourn the Public Hearing to the November 26th meeting; Trustee Yastrzemski seconded the motion and a unanimous vote followed.

Local Law: Vacant Buildings and Storefronts

Mayor Warren made a motion to open the Public Hearing; Trustee Yastrzemski seconded the motion and a unanimous vote followed. Mr. Kratoville said that there had been an error on his part the hearing had been adjourned

Mayor Warren asked if there was any Public Comment and said that if not they would like to adjourn the Hearing but that he would like the Board to dig into the legislation and be ready at the next Board meeting to make a decision on the legislation. The Mayor said the he would like to reach out to the Chamber of Commerce and also

suggested that the Board speak with some of the business owners and get their input on their proposed legislation.

Trustee Allan said that the Southampton Artists Association is working on a pilot program with Tim Maran to put artwork in some of the storefronts.

Trustee Parash said that there a number of property owners who have already stepped up and changes are being made to the storefronts. He said that he and Trustee Allan as part of the Village Beautification Committee would like to start a Holiday window decorating contest to kick off on the weekend of November 30th with the winners being announced on or about December 18th.

Mayor Warren said that he had spoken with Mr. Futterman earlier in the day and he agreed to remove the sign that says “Pop Up Welcome Here” and would put up a decal with the Village logo that said “Dine – Shop – Local”.

Mayor Warren made a motion to adjourn the public hearing to the November 14th meeting; Trustee Allan seconded the motion and a unanimous vote followed.

COMMUNICATIONS TO THE BOARD

Kathleen Harrington – Moses Lane Park

Ms. Harrington reviewed the letter that she had written and voiced concern about the addition of tennis courts to the Moses Lane Park regarding noise and flooding; and said that she and many of her neighbors would like to have it be kept as an open space with natural vegetation and native animals to live such as raccoons, deer and birds.

Mayor Warren said that the good news is that at a prior presentation Edwina von Gal from Perfect Earth Project and Tony Piazza had discussed a plan to make the area a butterfly sanctuary, bird sanctuary and wildlife sanctuary with natural plantings, and that Gary Goleski, Superintendent of Public Works was working to make sure that the drainage was as good as it could be.

Mr. Kratoville asked if the Board would consider a resolution to approve the Veterans Day Parade on November 11th. Trustee Yastrzemski made a motion; Mayor Warren seconded the motion and a unanimous vote followed.

Mr. Kratoville said that a member of the Lake Agawam/Clean Water Committee came forward and submitted an update and asked that the committee be renamed to the Clean Water Committee with proposed changes to mission statement. The Mayor said that he'd be happy to rename the Committee; Mr. Kratoville suggested that the Board wait until the November 14th meeting.

SUGGESTED RESOLUTIONS

RESOLVED, that the reading of the minutes for the Special Meeting and Public Session of October 10, 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.

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

RESOLVED, that the claims for the warrants dated October 22, 2019 totaling \$935,908.91(Warrant # 8 - General Fund) and \$203,693.67(Warrant # 5- Capital Reserve Fund) be audited and approved.

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

RESOLVED, that a public hearing be held at 6:00 pm on Thursday, November 14, 2019 in the Board Room, Village Hall, 23 Main St., Southampton, NY 11968 to hear citizens views on local needs with respect to the Community Development Program for the Year 2020.

Trustee Yastrzemeski asked if there was indication on the amount of the grant, Mr. Kratoville said that it should be about the same as in the past, \$13,000. Mayor Warren made a motion to approve, Trustee Yastrzemeski seconded the motion and a unanimous vote followed.

RESOLVED, that the Board of Trustees hereby authorizes the closing of Elm Street on Thursday, October 31, 2019 by the Village Police Department for Halloween festivities.

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

RESOLVED, that the Board of Trustees directs the Village Administrator to publish a Notice to Bidders for the Pyrrhus Concer House Historic Restoration Phase One: Building Reconstruction, Exterior Completion General Construction Contract.

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

RESOLVED, that the Board of Trustees appoints Rose Dios to the Budget and Finance Committee.

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

RESOLVED, that the Board of Trustees appoints the following individuals to the Southampton Village Business Task Force:

Gloria Dios

Danielle Candela

Shannon Wiley

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

Trustee Allan then made a motion to amend the motion to add Robert Ross to the Committee; Mayor Warren seconded the motion and a unanimous vote followed.

RESOLVED, that the Board of Trustees ratifies the rate for Alice Cooley and David Kirst at \$185 per hour effective October 10, 2019.

Mayor Warren made a motion to approve; Trustee Yastrzemeski seconded the motion; Trustee Pilaro asked for discussion and asked counsel if by the Board appointing them at the last meeting and not knowing the rate and approving a rate this evening does it have any effect on the resolution made on October 10, 2019.

Trustee Pilaro made a motion to table the resolution to executive session to discuss contractual issues; Trustee Yastrzemeski seconded the motion. Mayor Warren said that the discussion to Executive Session to discuss contractual issues. AIF

A discussion followed regarding the ability to add a resolution to the agenda. Trustee Parash stated that he had sent an email asking to have a resolution added to the agenda and it wasn't on this agenda. Mayor Warren responded that the Board will follow the rules as recommended according to NYCOM. The Mayor also made a statement about the need to be recognized by the chair of the meeting.

COMMENTS FROM THE BOARD:

Trustee Yastrzemeski – No Comment

Trustee Allan – said that for the first time in the upcoming General Election New Yorkers will be able to vote early starting this Saturday, October 26 through Sunday, November 3, 2019. Election Day is November 5, 2019.

Second, she wanted to inform the public that she and the Mayor had a grant meeting and

there was now a runway of about 6-8 grants to improve parks, wastewater and revitalize the business district. Submissions start in December and go through early Spring but they have a good idea of what money is out there, but there's a lot of work to be done. She said that she had a good Senior Committee meeting thanks to Judy Johnson and there will be a Senior Holiday Party on December 12th. She spoke about the Business Revitalization Committee and said that the group will also help with grants.

Trustee Parash – provided information from the Department of Public Works on the road work coming up; he thanked DPW for their quick response to the intense storm that had occurred. Mr. Parash also said that the Lake Agawam railing is completed and looks wonderful. The first meeting of the Village Beautification committee had taken place and there is a top-notch team on board and he recognized and thanked Nancy McGann who started that group off.

On November 21st there will be a United We Stand Comedy Show at the Southampton Cultural Center, co-sponsored with the Village, Southampton Town Anti-Bias Task Force and Southampton Cultural Center. He noted that it is a great opportunity to bring this program to Southampton and it is very engaging and enlightening and invited all to attend.

Trustee Pilaro – No Comment

Mayor Warren – wanted to introduce to the Board a change in format to the Board meetings, and suggested a Board meeting and a Work session for the public to listen and get the opportunity to work together as a team and discuss what the Board members have on their specific agenda and get out of the current rigid meeting format.

The Mayor said he would like to create the Mayor's Award for Excellence in Arts and Culture to recognize individuals who have done a great job, and would specifically site the group at Southampton Arts Center who have really stepped up over the last several years and candidates like that would be deserving.

Mayor Warren mentioned the East End Supervisors and Mayors meeting on the following day, October 23rd and said it is a great opportunity to meet with other local officials, network and discuss current trends.

The Mayor said that he had the signs taken down in Village Hall that said "Your Lack of Preparation is not an Emergency on my End" – he wants to start a new chapter and the Village is here to provide good customer service to the residents. He stated that there was a new hire in Village Hall: Master Sergeant Cathy Sweeney who he will appoint to Deputy Village Clerk. He thanked Eileen Musarra for her work over the last 2 decades and said that everyone should get to know Master Sergeant Sweeney who recently retired from the Air Force in Westhampton and that bringing someone in from the military background is a great fit for Southampton and that she is a hard worker.

Mayor Warren concluded by offering congratulations to Trustee Yastrzemeski on his son Cole becoming an Eagle Scout over the past weekend; Trustee Yastrzemeski said they were very proud of him for his achievement.

2nd PUBLIC COMMENT:

Rob Coburn, Hill Street, regarding Half Marathon – if there is a way to consider May 16th as the date of the event as opposed to May 30th as that is a busy weekend with Southampton History Museum House Tour and Fresh Air Home Benefit.

MOTION TO ADJOURN:

Mayor Warren made a motion to adjourn to Executive Session at 7:29PM for the purpose of discussing contractual and personnel matters. Trustee Parash seconded the motion and a unanimous vote followed.

On a motion by Trustee Pilaro and second by Trustee Yastrzemeski, the Board returned to open session at 8:45PM

On a motion by Trustee Pilaro and a second by Mayor Warren, the Board unanimously voted to accept the resignations of Meghan Magyar and Fernanda Niven from the Clean Waters Committee.

RESOLVED, that the Board of Trustees ratifies the rate for Alice Cooley and David Kirst at \$185 per hour effective October 10, 2019.

Motion by Trustee Yastrzemeski and a second by Mayor Warren. On discussion, Trustee Pilaro confirmed that the resolution appointing the attorneys at the October 10, 2019 was valid. Assistant Village Attorney Fernan confirmed. A unanimous vote followed.

On a motion by Trustee Yastrzemeski and a second by Trustee Parash, the board unanimously voted to adjourn at 8:49PM.

Russell Kratoville, Village Administrator

10/22/19