

MINUTES
VILLAGE OF SOUTHAMPTON
BOARD OF TRUSTEES
Public Session II – July 23, 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.

PUBLIC COMMENTS

Peter Topping, Peconic Bay Keeper – spoke regarding the drainage pipe from Lake Agawam to the ocean. Mr. Topping stated that the bodies of water are under the jurisdiction of New York State and questioned the regulatory review process for the opening of the drain pipe, especially during the summer season when bathers and recreational users are active. He questioned the process and testing of the waters by the Village.

Mayor Warren stated that the Village doesn't want to solve one problem by creating another.

Nick Goodman, age 10, 89 South Main Street – stated that there should be a sign at the beach stating when the drainage pipe is open.

Steven Mahoney – Chairman of Eastern LI Surfrider Foundation – spoke of their mission and the work that they do regarding prevention and education and stated that they look forward to working with the Village to help clean Lake Agawam.

Megan Nadosy, 116 Boyeson Road, spoke regarding the Agawam drain pipe and asked that if the drains are open this Summer that there be more transparency and perhaps a Lake Agawam Drainage Committee. She also asked that there be larger signs if the drain is opened.

Mayor Warren said that one easy thing that the Village can do is to post the information on the Village website, Facebook page and Twitter. He then showed a video of the drain pipe going out to the ocean from Lake Agawam. He credited Gary Goleski, Superintendent of Public Works for the work his department has done with the installation of additional storm drains.

Peter Magyar, 116 Boyeson Road, also spoke regarding the drain pipe from Lake Agawam to the ocean and said he was concerned.

Pat Nadosy, 116 Boyeson Road, voiced concern regarding the drain pipe issue – and stated that she had learned there was a road map for when the drain was open.

Tom Loughlin, 45 Hunting Street, a Southampton voter and ocean swimmer, spoke regarding the drain pipe. He noted that much has been done to help the Lake, drainage and catch basins and asked if there was any way to speed up the process for the Gin Lane drainage and catch basins which has been approved by a Suffolk County grant.

He also asked what the priorities were for the next five years, what does it cost and how does the Village pay for it; he said most importantly the Village needed to create a timeline.

Sharon Stern, 135 Coopers Farm Road, wanted to address the overall water treatment facilities for the Village and voiced her concern about those.

Josh Belury, Hillcrest Avenue, spoke of things that had been done in North Sea Harbor about five years ago and was used to remediate North Sea Harbor and the money needed was given through private donations. He referred to road endings and suggested that the road endings be changed to allow for better drainage. He said there was a great opportunity for the Village to work with the Town Trustees and have high school and college students help test the water in the Lake.

Tony Piazza, 27 Henry Street, was part of the design team to build the bioswale in East Hampton which was done as a public – private partnership and supports the efforts of the Village to work on water quality issues.

Trustee Allan commented that Tony Piazza had been a part of the Village's Career Day in December and was very knowledgeable on environmental issues.

Susan Stevenson, Village resident, stated that one of the real issues seems to be who decides when the pipe is open and why? People want to know how the Village will control issues like today's 2 inches of rain. The public has a right to know when the drain is open and who is monitoring it.

Gary Goleski, Superintendent DPW said that the need to open the drain pipe is monitored by the Highway Department based on when the Lake rises quickly and floods Village businesses. They have made arrangements with the Southampton Bathing Corporation to open the drain pipe at 6pm and close it at 8am. DPW tries to get the lake as low as possible in the Spring so that when the summer rains come, they don't need to open it. However, this year with the Spring rains it made it more difficult. The DPW gets calls from the business district when flooding occurs and the business' cesspools will overflow.

Mayor Warren noted that it was clearly articulated that there is a problem and that there is good news in that there is a group that will set up a 501c3, the Lake Agawam Conservancy, that will address the issues of the Lake and will be a public/private partnership. Mr. Warren said they hope to raise private funds to help the efforts to clean up the Lake.

Mr. Kratoville invited the public to email him directly with suggestions and that the Village would also post information on the Village website should the drain pipe need to be opened.

BOARD PRESENTATIONS

1. The Perfect Earth Project – Edwina von Gal

Ms. Von Gal spoke of the history and mission of the Perfect Earth Project. She reviewed some of the issues including maintaining and protecting soil; mulch less and plant more and stated that people should be having organic landscaping and avoid using anything with pesticides. She stated that the Perfect Earth Project talks with the landscapers and works with Peconic Land Trust to educate the public. She noted that they also offer consulting and suggested that the first thing homeowners do is speak to their landscapers to find out exactly what they use on their property. She noted that there is a lot of misinformation and said that everyone plays a role. She asked the Village to lead by example and ban the use of pesticides (including herbicides and insecticides) and asked that 50% of plantings on Village properties be native plants.

Trustee Allan thanked her for her presentation and commented that she heard that Ms. Von Gal had met with Dr. Chris Gobler. Ms. Von Gal said that Dr. Gobler noted that he had been working on Lake Agawam

Trustee Allan said that Dr. Gobler had stated that 8% of the contamination in the Lake came from lawn fertilizers. She also stated that there is a notification law required by the DEC that requires people using pesticides to post a sign 24 hours in advance to alert neighbors, etc.

Fernanda Niven, resident of Southampton Village addressed Ms. Von Gal regarding spraying for ticks and asked if there was anything more natural that could be used to address the tick issues. Ms. Von Gal said that the Kerry Institute is doing the primary research on tick borne diseases and stated that the study is showing that spraying the property is not necessarily effective, but that individuals need to spray themselves and not the property and need to check themselves carefully for ticks. Tony Piazza asked what you can use to spray yourself for ticks. Ms. Von Gal said that you can purchase clothes that are sprayed with Permethion. She reiterated that the most important thing to do is to check yourself.

Chiani Von Mueffling, Ox Pasture Road, said that no one, especially those with children, is going to stop spraying for ticks unless there is a very compelling argument. She also asked regarding the drain pipe and asked if the pipe could be open for less hours but perhaps for 2 days to help lessen the flow.

2. Lake Agawam Buoys – Ryan Wallace, Assistant to Dr. Gobler

Mayor Warren thanked Trustees Allan and Yastrzemski for their part in helping to start the Lake Agawam Buoy project.

Mr. Wallace said that the buoy was installed about a month ago and that it is providing data every 15 minutes. The buoys show temperature, nitrates, chlorophyll, etc. and have been sampling consistently within the Lake for many years.

Trustee Allan stated that former Mayor Michael Irving and the Board of Trustees at that time wanted to get a better handle on the matter and supported this program.

3. Nitrogen Reduction – Charles McGuckin, Roux Environmental Engineering.

Mayor Warren noted that Roux Environmental Engineering specializes in Natural treatments. Mr. McGuckin gave a brief history of his company and said they got into natural treatments about 20 years ago. He reviewed the issues with Lake Agawam and shared a 2017 study from Dr. Gobler regarding nitrogen loading in Lake Agawam and shared 9 possible solutions which could be combined in different ways. He felt that biological treatment might make the most sense. He reviewed one possible treatment concept and suggested Contaminant Removal Mechanisms with multiple natural processes at work to manage the waste water.

Mayor Warren asked how expensive dredging would be and if it improve the quality of the lake. Mr. McGuckin said that generally material has to be disposed of in a landfill.

Trustee Yastrzemski stated that in the past the Village has been told dredging is a good alternative and asked if a grant of \$750,000 would cover how much of Lake Agawam. Mr. McGuckin said that they would have to do

Paul Bollow, Southampton, asked about dredging and toxicity of the sludge and asked if the Lake would drain down naturally if the toxins were removed.

Trustee Yastrzemski asked how much land they would need to treat Lake Agawam. Mr McGuckin said that the system needs to run all the time.

Ms. Nadosy asked if the Village could look at this project as a way to buy time to solve part of the problems of the Lake.

Mr. McGuckin stated that this could be part of the solution but wouldn't solve all the issues. He stated that design is a few months but permitting can take several months.

Trustee Parash asked about the use of existing sumps.

Mayor Warren asked if they had identified a property that might be a good fit in the Village. Mr. McGucking stated that he had read about the Pond Lane property that had been purchased by the Town with CPF funds for the Village.

Village Attorney Bruyn said that the property was purchased by Southampton Town with CPF funds for park, recreation and open space. Mr. McGucking said it would be a functional system and while it would have a chain link fence around it but could use it for educational purposes. Trustee Yastrzemski asked if it would qualify for CPF uses and Mr. McGucking stated he wasn't certain. Mayor Warren stated that if the Village wanted to do this and CPF wouldn't allow it, the Village would have an issue with CPF.

PUBLIC HEARINGS

Proposed Local Law: Requiring Landscaping and Screening of Tennis Courts and Flag Lots

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

Village Attorney Bruyn reviewed the plan and said this proposed law would allow the building inspector to make the determination to allow for the plan providing the specifications are met.

Suffolk County Planning Commission and Village Planning Commission both recommended approval of the proposal.

Christopher Talbot, Senior Building Inspector for Southampton Village, said that the Village requires the tennis courts to be sunk 3 feet down and must also be screened. This law would streamline the process for the residents and the Village would get to keep the fees that the Village normally passes on to consultants.

Trustee Allan said that the Village gets about 10 of these applications a year.

Mr. Talbot then referred to the flag lot plan which traditionally has to go before the Planning Board and then often the ARB. He felt that instead of the Planning Board having to review them, it was better for the Building Dept and ARB to review it and once approved it will become part of the building permit and would save time and alleviate the need to go before the Planning Board.

Mayor Warren thanked Mr. Talbot for taking the initiative in suggesting this.

Village Attorney Bruyn stated that they had the option to keep the Public Hearing open or close it this evening.

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

Trustee Allan made a motion to approve Local Law #8 of 2019; Mayor Warren seconded the motion and a roll call vote took place with the following results: Trustee Yastrzemski: Aye; Trustee Allan: Aye; Trustee Parash: Aye; Trustee Pilaro: Aye; Mayor Warren: Aye.

COMMUNICATIONS TO THE BOARD - NONE

SUGGESTED RESOLUTIONS

RESOLVED, that the reading of the minutes for the Public Session of July 11, 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 Parash seconded the motion and a unanimous vote followed.

RESOLVED, that the claims for the warrants dated July 23, 2019 totaling \$313.73 (Warrant #5 – General Fund: Payables), \$515,333.48 (Warrant #4-General Fund), \$347,754.15 (Warrant #2-Capital Reserve Fund) \$300.00 (Warrant #4 – Trust Fund), and the Village payrolls for the period ended July 18, 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 approves the following purchases from Capital Reserve subject to permissive referendum:

Maltese Cross Sign for Fire Department from Fire Facility Capital Reserve \$3,895.00

Chairs for Safety Dispatchers from Office Equipment Capital Reserve \$5,242.00

800 MHZ Portable Radios for Police Department from Major Equipment Capital Reserve \$7,000.00

Cameras for Cell Block at Police Station from Major Equipment Reserve \$6,718.66

Training Equipment for Fire Department Indoor Training Facility from Fire Equipment Capital Reserve \$8,523.60

Mayor Warren made a motion to approve; Trustee Parash seconded the motion and a roll call vote took place with the following results: Trustee Yastrzemski: Aye; Trustee Allan: Aye; Trustee Parash: Aye; Trustee Pilaro: Aye; Mayor Warren: Aye.

***WHEREAS, the Village Board has adopted a capital project, Moses Lane Park; and
WHEREAS, the Village has reviewed the proposed Action pursuant to the State
Environmental Quality Review Act through the preparation of an Environmental
Assessment Form, Parts I, II and III; and***

***WHEREAS, the Village Board has a planned design inclusive of playing courts and
trails; and***

WHEREAS, no potential significant adverse impacts were identified; be it

***RESOLVED, the Southampton Village Board hereby adopts a Negative Declaration
for the application for grant funding and implementation of the proposed
improvements at Moses Lane Park.***

Mayor Warren made a motion to approve; Trustee Parash seconded the motion and a unanimous vote followed. Trustee Yastrzemeski asked if this resolution meant that the Village was moving forward with the plan. Mr. Bruyn said that the Village still had to get bid specs and go out to bid on those specs. Mr. Kratoville stated that this resolution allows the Village to go ahead with the grant funding request which has a submission deadline of July 26, 2019. He reiterated that this negative declaration is a positive thing for the proposal. Trustee Allan asked if the Village would still have the opportunity to review the project and get additional community input. Mr Kratoville stated that this was the case.

***RESOLVED, that the Board of Trustees hereby ratifies a rate of \$12.00 for Theodore
Raffel, III., beach attendant, when assigned as a shuttle driver effective June 29,
2019.***

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

***RESOLVED, that the Board of Trustees hereby approves Steven Rodriguez as a
probationary member of Hook and Ladder Co. 1 effective July 23, 2019.***

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

***RESOLVED, that the Board of Trustees hereby approves the hiring of Jason Dublin
as a part-time EMT-Paramedic at a rate of \$25 effective July 24, 2019.***

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

RESOLVED, that the Board of Trustees hereby approves the hiring of Patrick Gugliotta as a part-time EMT-Critical Care at a rate of \$25 effective July 24, 2019.

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

DISCUSSION ITEMS

Jagger Lane Parking –

Mr. Kratoville reviewed the request made by Southampton Soap Company in the Fall of 2018 to have 30-minute parking spaces on Jagger Lane to prevent employees from parking on Jagger Lane throughout the day. Village Attorney Bruyn reviewed a proposed local law to schedule a public hearing for August 20, 2019. Trustee Yastrzemeski commented that there had also been a discussion as to create a couple of 15-minute spaces – conceivably by Souththrift Drugs.

Trustee Parash made a resolution to schedule a Public Hearing on a Local Law to modify the time restrictions on Jagger Lane on Tuesday, August 20th. Mayor Warren seconded the motion and a unanimous vote followed.

COMMENTS FROM THE BOARD:

Trustee Yastrzemeski – thanked everyone for attending. He commended the Village's K-9 dog Topper who assisted Southampton Town Police in detaining and capturing a suspect.

Trustee Allan – stated that it was a good meeting with a good turnout and liked the enthusiasm of everyone in the audience and commented that many good ideas had been presented. She followed-up regarding the recent balloon legislation and asked how the Village could get the word out to everyone when such issues are passed. She asked if Mayor Warren had the opportunity to speak with online retailers about banning the sale of balloons. Mayor Warren said that he'd reached out to Southampton Town Trustee Ann Welker to obtain data on the balloons.

Trustee Parash – said that the new Board members are three weeks in and that they have gotten to know some of the personnel in the Village and looked forward to working with everyone.

He commented that Steve Phillip, Parks Department Supervisor had gotten water to the dog park and thanked him for his quick response. He also thanked Paul Murphy, Highway Supervisor for his quick work in responding to the severe storm that had passed through the Village.

Trustee Pilaro – said it had been a busy and productive 3 weeks and thanked everyone for coming out to the meeting and especially thanked the children who spoke.

Mayor Warren – discussed the Ocean Rescue Dept and thanked Trustee Parash for his help with this group. Mayor commented that he had received phone calls regarding parking issues at Old Town Road; and found that a particular home owner had purchased a block of permits for use by his staff and said that going forward they need to determine a way to avoid this situation where staff is parking at the beach all day.

The Mayor stated that he was very excited about the Lake Agawam Conservancy and that he has reached out to the DEC and would like to collaborate with them on how to enable the Village to ban the use of pesticides.

Mayor Warren further commented that he was continuing the discussions regarding surf schools and would like to have something in place by July 31st - he also said that the Village needed to enforce the regulations for those that aren't following the rules. Trustee Yastrzemski asked for some of the particulars and Village Administrator Kratoville said that as these were contractual issues they needed to be reviewed.

2nd PUBLIC COMMENT:

Frances Genovese, 209 Bishops Lane, stated that she had been at the Town Board meeting and that 3 resolution items were removed from the agenda due to Village Attorney Bruyn raising questions for which she was grateful.

Ms. Genovese stated that she was not in favor of additional affordable housing in Tuckahoe; and she requested that the Town, in conjunction with the Village, conduct an adequate survey of all property that would be appropriate for affordable housing. She thanked Mr. Bruyn and asked why the Village was so late in objecting to the proposed project. Mr. Bruyn said that the Village isn't objecting to affordable housing with the Town but that there was an issue with the boundary lines of the project which were on Village property.

Ms. Genovese stated this was notice that they would fight the affordable housing tooth and nail.

Ann Welker, Southampton Town Trustee, welcomed the new members of the Board and the new Mayor and commented that the presentations were great and it was exciting to see the number of people in attendance. She commented that one thing the Village might want to address with Lake Agawam drain pipe was to make sure that there is also notification given for the Old Town pipe is opened. She noted that according to the scientists, when the blue green algal hits the saltwater it is quickly degraded due to the high level of salinity.

Ms. Welker thanked the former administration and present administration for the partnership to enable the installation of the buoys in the Lake. She suggested that in

regard to the bubblers, a few more could be installed in the middle of the Lake – currently they are on the outer edges of the Lake. She also mentioned Mill Pond in Water Mill which is also impacted by runoff and algal bloom. She stated that they are suggesting the removal of carp and she suggested that the Village look into that for the Lake. She said that the Town Trustees received permits from the DEC for the removal of carp in Lake Agawam and Old Town Pond so it is something that can be done. There is a company on LI, Fabco, that has made a presentation to the Town for the installation of filters that can be used in drains to help. She thanked the Board for their support.

Trustee Yastrzemski asked about the carp removal plan and said the goal wasn't to eradicate the species but to reduce the number; he and how successful it was at Mill Pond. Ms. Welker said that she would get more information to share with the board and suggested that the Board might speak with people that worked on the carp reduction plan for the Town.

MOTION TO ADJOURN:

Mayor Warren made a motion to adjourn to Executive Session at 8:57PM for the purpose of discussing contractual and personnel matters. Trustee Parash 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 12:45AM

WHEREAS, Chapter 80, §80-1 of the Southampton Village Code permits a license agreement authorizing ocean surfing lessons by a surf school, and

WHEREAS, the Village Board believes that surf instruction is a benefit to the community, and

WHEREAS, Southampton Surf Club has proposed a program in conformance with the community needs, now therefore be it

RESOLVED, that the Village Board authorizes the Mayor to enter into a license agreement with Southampton Surf Club for the months of August and September at a fee of \$1,000.00

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

WHEREAS, Chapter 80, §80-1 of the Southampton Village Code permits a license agreement authorizing ocean surfing lessons by a surf school, and

WHEREAS, the Village Board believes that surf instruction is a benefit to the community, and

WHEREAS, Hamptons Surf Corp has proposed a program in conformance with the community needs, now therefore be it

RESOLVED, that the Village Board authorizes the Mayor to enter into a license agreement with Hamptons Surf Corp for the months of August and September at a fee of \$1,000.00

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

Trustee Yastrzemeski made a motion to adjourn the Public Meeting; Trustee Parash seconded the motion and a unanimous vote followed. The meeting adjourned at 12:53AM

Russell Kratoville, Village Administrator

7/23/19