

MINUTES
VILLAGE OF SOUTHAMPTON - BOARD OF TRUSTEES
Public Session I – December 12, 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 6:00PM

Present were Mayor Warren, Trustees Allan, Parash, Pilaro and Yastrzemski; Village Administrator Russell Kratoville and Assistant Village Attorney Alexandra Halsey Storch

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

EMPLOYEE OF THE MONTH

Mayor Warren acknowledged the December Employee of the Month, Stephen Elliston, Heavy Equipment Operator, Highway Department, hired March 14, 2016. Mayor Warren read a letter from co-worker Ken Booth who commended Mr. Elliston for his work in the department, most notably helping with the recent removal of a hump back whale that had washed up on Halsey Neck beach.

Mayor Warren then stated that he wanted to make a Mayoral appointment and put forward Mimi Michel-Guerra to assume the role of Village Administrator. The Mayor made the motion, Trustee Yastrzemski seconded the motion and the Mayor then requested that a vote take place. Trustee Pilaro asked to be heard and addressed Assistant Village Attorney Alexandra Halsey Storch asking if the Board had the right to separate the positions of Village Administrator/Clerk/Treasurer at this point as they had previously been combined by the Board of Trustees. Ms. Storch said that she was in the process of researching the matter and would prepare a legal brief for the Board's review. Mr. Pilaro made a motion to table the matter until Ms. Storch could review the legal issues regarding the currently held positions; Trustee Parash seconded the motion. Prior to going to a vote on the motion, Mayor Warren then reviewed prior years resolutions and clarified that the position he was looking to appoint was for Village Administrator only and Mr. Kratoville would retain his title as Village Clerk/Treasurer. Mr. Pilaro withdrew the motion to table the resolution in order to entertain a motion to move to executive session.

Trustee Allan said she felt as a Village they need to have a comprehensive plan for the whole organization. She said the Board needs to communicate better and that sufficient notice should be given to the entire Board on any recommended personnel appointments as they have a responsibility to evaluate the need for promotions and role changes based on Village needs and objectives. Ms. Allan suggested they review the entire organizational structure, and discuss what other positions are planned and what the cost would be so that they can understand the "Village house" collectively.

Following further discussion, Trustee Pilaro made a motion to move into Executive Session, Trustee Yastrzemski seconded the motion and a unanimous vote followed.

The Board returned from Executive Session at 6:43pm. Mayor Warren made a motion to reopen the Public Session at 6:45pm, Trustee Allan seconded the motion and a unanimous vote followed. Mayor Warren tabled the underlying resolution appointing a Village Administrator to another date.

Mayor Warren said that the Board had reached out to labor counsel and then made the decision to table the appointment for another date and get a written decision from Counsel.

The Mayor said that they discovered that was inconsistent work regarding the positions and that some of the Village Code would need to be rewritten as many of the resolutions were inconsistent. Because of that, Mayor Warren made a resolution to retain special counsel, Scott Middleton, to review all Village resolutions made over the prior 10 years. Trustee Yastrzemeski seconded the motion. Trustee Parash asked Ms. Storch her opinion in retaining special counsel to look over the resolutions for the past 10 years. Ms. Storch said that it is the Board's prerogative to do so.

Trustee Pilaro asked what the costs might be to the Village Tax Payer to do this. Mayor said that the municipal rate for Counsel would charge approximately \$225/hour. Trustee Pilaro asked if they could get an estimate from Counsel for what the project would cost, stating that it was about the process so that the Board can better understand what the impact would be to taxpayers. A discussion followed and the Mayor made a motion to pass a resolution to hire special Counsel Scott Middleton to review all resolutions for the past 10 years without an hourly rate; Trustee Allan asked if there would be an hourly rate or a cap for the legal counsel and then suggested that as they have a fiduciary role, they table the issue and review the project, the number of years to be reviewed and either have a specific rate or a cap for legal counsel and bring it forward at another meeting. Trustees Parash and Pilaro concurred and Mayor Warren then withdrew the motion.

PUBLIC COMMENT

Francis Genovese, 209 Bishops Lane, came to speak on something completely different, but said that if the Village is looking for a historical record of resolutions then they're looking for clarity and precedent. They could save the Village a lot of money by giving the issue to a law school or law classes and have them analyze it. Ms. Genovese said that there is no good faith on the Board, and they appear to be enacting a ritual of opposition. The Mayor responded that this is the same thing as what is happening in Washington, DC.

BOARD PRESENTATIONS

MOSES LANE PARK – ARAIYS DESIGN

Grant Welhman, presented the plan for the Moses Lane Park stating that the plan calls for 3 tennis courts and 4 bocce courts. The entire driveway, except ADA accessible parking and apron as well as the lanes between the bocce courts will be permeable material. They will also use bioswales instead of traditional drainage structures, to assist with stormwater runoff and they would use native seed mix for the grounds. Gary Goleski, Superintendent of DPW said that the walking trail material is millings from the surrounding roads, and is 75% complete. Mr. Goleski, said that the plan shows 3 tennis courts, but the bid specs will reflect 2 tennis courts with the option for a third. He added that as requested Araiys Design adjusted the plan so instead of sunken tennis courts, they've been brought up to grade to save money and be better for the environment. They have added a 4' berm to help handle some of the noise that would go to the street.

DISCUSSION ITEMS

1. ROSENBAUER T-REX AERIAL & ADD'L CAPITAL EQUIPMENT – CHIEF STEVENS

2nd Assistant Fire Chief Manny Escobar, spoke about the new ladder truck coming to the Fire Department, saying it will be a very diverse truck, well-equipped and a great asset to the Fire Department.

Ed Corrigan gave a presentation regarding the new truck and showed photos of the progress that has been made. Mr. Corrigan wanted to let the Board know that the truck is finally complete and it will be delivered in 10 days. The new truck replaces a Pierce ladder truck that is 24-25 years old and was approved to be put surplus, noting that they have a potential buyer for that truck.

Mr. Kratoville reviewed the resolutions regarding payments that need to be made upon delivery and reminded the Board that no money was laid out prior to this time. The total they are asking to be paid out from Fire Truck Capital Reserves for the additional features and ancillary equipment is \$78,089. He also noted that over the past few years the Village had put additional money aside in Fire Truck Reserves knowing that this truck was coming, and funding is present. He stated that the Village receives approximately \$1million a year from the Southampton Fire District which is the area that the Fire Dept. covers outside of the Village.

The Trustees congratulated the Fire Dept. and said that it's great that they have kitted this truck out for future needs and wanted to ensure that Central Garage was aware of the specifics of the new truck. Mr. Kratoville noted that Mark Maddock of Central Garage went out to the site to view the truck, as a fireman, rather than as a Village employee. Trustee Allan asked about the warranty on the truck; Mr. Corrigan reviewed the warranties for the vehicles, noting that there are a couple of different warranties in place; and said that the company would be flying out members of Central Garage to be trained in how to work on the truck. Mr. Corrigan stated that the truck has a dedicated cell phone so that it goes to an engineering station which monitors the equipment directly.

Trustee Yastrzemski made a motion to establish a Capital Reserve Budget in Capital Reserve Fire Truck not to exceed \$80,000 for the purpose of supplying finishing work and the equipment needed for the aerial ladder; Trustee Pilaro seconded the motion and a roll call vote took place as follows: Trustee Yastrzemski: Aye; Trustee Allan: Aye; Mayor Warren: Aye; Trustee Parash: Aye; Trustee Pilaro: Aye.

2. BID RESULTS – Pyrrhus Concer Phase 1: Lumber Contract & Windows Contract

Mr. Kratoville said that on December 10, 2019 there was a bid opening for Pyrrhus Concer House, Phase I: and reviewed the Bids received:

Lumber Contract: Boro Sawmill & Timber Co., Inc.: \$10,411.50 and Carter-Melence, Inc.: \$43,266.00. Contract is for additional lumber that was calculated to be needed in addition to the existing lumber for Pyrrhus Concer House.

Windows Contract: Speonk Lumber - \$29,440.00; Nathan Tuttle Woodworking: \$32,500.00; Germano Builders Inc.: \$37,650.00; Carter Melence: \$68,400.00

Mr. Kratoville said they are reviewing the contracts for completeness – and once that is finished they will report back to the Board.

Trustee Allan asked if Brenda Simmons was at the bid opening; Ms. Simmons said that she was.

Mayor Warren told Ms. Simmons they are committed to the project and it is the Board's goal to get the job done; he thanked Ms. Simmons for her hard work.

PUBLIC HEARINGS

1. LOCAL LAW: VACANT BUILDINGS AND STOREFRONTS

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

Assistant Village Attorney Alexandra Halsey Storch reviewed the proposed law and said that the Mayor had expressed to simplify the legislation and have it similar to East Hampton Village's law which is less complicated and has less definitions than Southampton's proposed law. She stated that she would have office hours the following week and would be available to review the legislation and get direction from the Board as to what they would like the revised legislation to be.

The Mayor asked the Board if they felt they would be ready to go to a vote at the next Board meeting (January 9, 2020); Trustee Pilaro said that as long as they have enough time to review the proposed legislation he would be comfortable voting. Mayor Warren noted that Southampton Arts Center volunteered to make an interactive art exhibit and wanted to make sure that the Board was ready to go with the legislation at the next meeting. Trustee Allan said that she and Ms. Halsey Storch were meeting with Southampton Arts Center representatives and members of the Southampton Artists Association who had been working on a pilot program with one of the landlords on their building. Trustee Yastrzemski asked for clarification on whether they would be voting on the current proposed legislation or a new proposal. Ms. Halsey Storch said if there were to make changes more in line with East Hampton Village, they would need to re-notice the Public Hearing as the legislation would be significantly different from what was currently under consideration. Mayor Warren said he'd be happy with the EH law and would just like to get it resolved so that a business owner could go to SAC and get artwork. Trustee Pilaro said he would like to expand and have a "pre-approved" list including SAC, Southampton Artists Association, Southampton History Museum, etc. so that no one was excluded.

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

COMMUNICATIONS TO THE BOARD:

1. 30 BELLOWS LANE & 134 EEL POT ALLEY -

Chris Talbot, Senior Building Inspector reviewed 2 properties that have generated a lot of complaints.

The first property is at **30 Bellows Lane** where a house had burned down several years ago and has now revegetated on its own with the vegetation going out to the street.

Mr. Talbot said the Village Board has the ability to clean the properties at the Village's expense and then pass that cost on to the owner – attaching a lien to the property. The Building Dept. has sent a notice to the property owner to clean up the property but at this time they have not responded or done that. Mayor Warren said that the matter was brought to his attention by Phyllis Griesemer, a neighbor, and the goal of the administration is to preserve the nice quality of the Village. The Mayor thanked Ms. Halsey Storch and Mr. Talbot for their hard work on this matter. Mr. Talbot said Fire Marshal Dean McNamara followed up on the Bellows Lane property.

Mr. Talbot discussed the second property - **134 Eel Pot Alley** – and gave a pictorial review of the property which is in disrepair. He noted that it is a private road, not maintained by the Village, however the growth has grown out approximately 10' into the Village right of way.

The Building Department gave notice to the property owner in October 2019 and followed up in November but have had no response. He said that the structure has several holes and the current intent is to clean up the property. Mayor Warren asked if the Village can demolish the house and said that the complaint had come from Sister Kathy at Our Lady of the Hamptons who called the Village about the house and its effect on the safety of the children. Mr. Talbot said it may be difficult to demolish it as the taxes are still being paid and referred the matter to Ms. Halsey Storch to review. Mr. Kratoville said that Suffolk County had zombie money available which the Village may be able to apply for to help with demolition of the house should it come to that.

Mayor Warren said there is also a home on North Main Street and would like to work on that as well and said that as properties are identified by residents and stakeholders he would like to address them as quickly as possible. Mr. Talbot said the homeowner has just arrived from Europe and they are hoping to meet with him the following day.

On a motion made by Mayor Warren and seconded by Trustee Allan, be it resolved that pursuant to notification by Christopher Talbot, Senior Building Department, the Board hereby deems the property at 134 Eel Pot Alley is in default as defined in Chapter 41.3 and has been given proper notice as per the Village Code. Further, upon 10 day notice from the Board of Trustees, the Village's Department of Public Works will be asked to clean the property and remove the rubbish and that those charges be imposed upon the property owner as a lien to the next year's taxes.

On a motion made by Trustee Yastrzemski and seconded by Trustee Parash be it resolved that pursuant to notification by Christopher Talbot, Senior Building Department, the Board hereby deems the property at 30 Bellows Lane to be in default as defined in Chapter 41.3 and hereby instructs the Southampton Village Department of Public Work to clean the property and that such expense will be imposed on the property owner via a lien on their upcoming tax bill.

2. SIGNATURE SIGNS – AUTHORIZATION TO INSTALL SIGNS ON TRESTLE

Mr. Kratoville reviewed a request from Signature Signs to have permission to hang banners on the south side of the North Sea Road railroad trestle. Mr. Kratoville noted that currently Hampton Signs and Fishers Signs and Shirts are the only two companies allowed to put up the banners and would like to look into it from a liability standpoint and asked Assistant Village Attorney Halsey Storch to review it.

Mayor Warren made a motion to approve Signature Signs as an authorized installer; Trustee Pilaro seconded the motion and a unanimous vote followed.

SUGGESTED RESOLUTIONS

RESOLVED, that the reading of the minutes for the Special Meeting of December 3, 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 December 12, 2019 totaling \$184,539.01 (Warrant # 10 - General Fund), \$2,066,767.61 (Warrant #7 - Capital Reserve Fund), \$492.87 (Warrant # 2 CS Trust), \$328.57 (Warrant #12 Trust and Agency) and the Village payroll for the period from November 22, 2019 to December 12, 2019 be audited and approved.

Trustee Pilaro made a motion to approve; Mayor Warren seconded the motion and all were unanimous.

RESOLVED, that the Board of Trustees ratifies the expenditures associated with hosting the East End Supervisors and Mayors Conference on Wednesday December 11, 2019.

Mayor Warren made a motion to approve; Trustee Yastrzemeski seconded the motion and all were unanimous.

RESOLVED, that the Board of Trustees hereby approves Kenneth Lockard Sr. as a probationary member of Southampton Hose Co. 1 effective December 12, 2019.

Trustee Yastrzemeski made a motion to approve; Trustee Allan seconded the motion and all were unanimous.

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to sign an agreement with Eagle Fire Emergency Vehicles.

Trustee Yastrzemeski made a motion to approve; Mayor Warren seconded the motion and all were unanimous.

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to sign a contract with Motorola Solutions for the purchase of a Computer Aided Dispatch and Records Management System programs at a cost of \$371,607.00

Trustee Yastrzemeski made a motion to approve; Trustee Pilaro seconded the motion and all were unanimous.

RESOLVED, that the Village Board of Trustees hereby proclaims certain Coopers Beach equipment be deemed surplus and authorizes the DPW Superintendent to auction through Auctions International.

Trustee Allan made a motion to approve; Trustee Pilaro seconded the motion and all were unanimous.

WHEREAS, the Village received a donation of a commercial exhaust hood and ansul system for use at the Ambulance Facility on Windmill Lane, and;

WHEREAS, after consultation with the project engineer the cost of fabrication of the donated hood would exceed the cost of a new installation, therefore be it;

RESOLVED, that the Village Board of Trustees hereby proclaims Model # 4824ND-2-PSP-F Exhaust Hood and Ansul System be deemed surplus and authorizes the DPW Superintendent to auction through Auctions International.

Trustee Yastrzemeski made a motion to approve; Mayor Warren seconded the motion and all were unanimous.

RESOLVED, that the Board of Trustees approves the following Holiday Schedule for 2020:

<i>Martin Luther King's Birthday</i>	<i>Monday, January 20</i>
<i>President's Day</i>	<i>Monday, February 17</i>
<i>Memorial Day</i>	<i>Monday, May 25</i>
<i>Independence Day</i>	<i>Monday, July 6</i>
<i>Labor Day</i>	<i>Monday, September 7</i>
<i>Columbus Day</i>	<i>Monday, October 12</i>
<i>Veteran's Day</i>	<i>Wednesday, November 11</i>
<i>Thanksgiving Day</i>	<i>Thursday, November 26</i>
<i>Day after Thanksgiving Day</i>	<i>Friday, November 27</i>
<i>½ day for Christmas Eve</i>	<i>Thursday, December 24</i>
<i>Christmas Day</i>	<i>Friday, December 25</i>
<i>½ day for New Year's Eve</i>	<i>Thursday, December 31</i>
<i>New Year's Day</i>	<i>Friday, January 1, 2021</i>
<i>Floating Holiday (2)</i>	<i>to be used during calendar year</i>

Trustee Pilaro made a motion to approve; Trustee Yastrzemski seconded the motion.

Discussion: Mayor Warren asked if it was the same calendar as the prior year; Mr. Kratoville said the listing of the dates are prescribed in the Collective Bargaining Agreement; if the holiday falls on a weekend it is the Village's prerogative to make the holiday either the Friday before or Monday after the holiday. He noted that because the Fourth of July falls on a Saturday, it was determined that for the benefit of the residents and visitors who purchase beach passes it would be prudent to have Village Hall closed on Monday following rather than the Friday before. Trustee Allan said that the Village should notice that Village Hall would be closed for the July 4th holiday on Monday, July 6th.

COMMENTS FROM THE BOARD:

Trustee Yastrzemski – wished everyone a Merry Christmas and happy holidays and thanked the DPW for all their work in making the Village look so beautiful. He thanked everyone who attended the meeting and said that what may have appeared as discord was a healthy thing and the discussion that ensued from it was good and that collectively it is a new Board and that it is healthy to have disagreements as long as they are remedied in a good way. There are a lot of different views and it is healthy.

Trustee Allan – applauded Chief Cummings for putting in the Code Red alert system – Ms. Fitzgerald said that details will be forthcoming on the Village website and there will be a number of ways to access that information. Ms. Allan commented on an article from 2006 that discussed the problem of retail stores closing, etc. and then discussed the Business Revitalization Committee and the work that they have been doing and the potential new Visit Southampton Village website. She also said that a small group would be meeting with representatives from Discover Long Island to discuss how the Village could be better represented for tourism.

Trustee Allan thanked Gary Goleski and the DPW for their work in decorating the Village and also for their work in cleaning the streets at a recent snow storm. Ms. Allan also thanked all those who helped to host the Senior Holiday Luncheon at Southampton History and concluded by wishing everyone peace and joy during the holiday season.

Trustee Parash – addressed comments that he has heard from the public regarding the state of the Board and said that the Board needs to do a better job of communication and challenged the board to stay away from isolation and tactics that undermine the Board’s collective efforts. Mr. Parash said the Board needed to work together and can’t jeopardize the moral integrity of change just for the sake of change. Trustee Parash wished everyone a Merry Christmas and happy holidays to all.

Trustee Pilaro –thanked everyone for coming out for the Parade of Lights and Tree lighting and reminded the public that Saturday is the Polar Bear Plunge for the benefit of the Heart of the Hamptons. Mr. Pilaro said he looked forward to hearing the results of the Holiday Window Decorating Contest and concluded by wishing everyone a very merry Christmas and happy holidays.

Mayor Warren – provided updates on a number of items including:
He said he had a successful meeting with Lee Mindel, architect and planner along with Siamak Samii and looked at short term, long term and a dream for the Village; including providing affordable housing opportunities on Nugent Street and looking at creating a circular node centering out from the Arts Center which would create a vibrant hub and referenced Vienna Ringstrasse as an example. He would like to work further with Mr. Mindel and his team to present a plan to the Village at another time.

Carrie Gallagher of the NYS DEC will be meeting on Friday, 12/13 to further discuss ways to clean-up the Village’s water bodies.

The Mayor said he wanted to further discuss the exploration of a vacancy tax for the business district, using all monies collected to provide tax incentives for the landlords who came their tenants in place.

The Mayor said he was pleased with the work that was done by the Fire Dept. in securing the new fire truck for \$1.58million but said that the Board needs to look at the Capital budget and make budget projections for 2020 and beyond. He stated that he would like to look at new software for the Village and provide a complete budget with projections on the Village website; he noted this might mean bringing additional people in place to work with the new technology to provide a more transparent process.

Mayor Warren then thanked Trustee Yastrzemski for his guidance and experience and said that while he didn’t know if Mr. Yastrzemski had any plans to retire but that the Village needs him and that he would welcome him to join the Village in some capacity.

He shared information on 2 upcoming events: one addressing homelessness which is a growing issue and the other an event sponsored by the Southampton event sponsored by the Town for New Year’s Eve.

Mayor Warren concluded by wishing everyone a happy holiday.

2nd PUBLIC COMMENT

Valerie Harte, 218 Corrigan Street, asked the Board to move slowly with the Moses Lane park project, and to study the property and take into consideration the traffic impact.

Karina Hildebrand, has a pop-up store at 38 Jobs Lane, said she is currently in the process of trying to hold on to the store and extend her lease so that she can be open for at least 9 months of the year. She wondered if estate agents had been brought into the conversation with the landlords as well.

Lydia Bonna, 72 Windward Way, addressed the Board regarding what had transpired at the Board meeting and voiced concern about the negativity that was displayed earlier and encouraged the Board to not let their emotions to get the best of them in front of the public.

Bonnie Cannon, 54 Miller Road, suggested that the Board consider looking at ways to work with the homeowners of the zombie houses and other government agencies to see if those houses could be used for affordable housing. Ms. Cannon spoke about the Moses Lane Park and suggested that the Village newsletter include which parks are public so that people are aware of what is available and also to look at reaching out to youth groups. Ms. Cannon addressed the positions that the Mayor had referenced and asked if the Board had organizational meetings and looked at the staffing budget and suggested that it might be better to look at the entire organization and review the positions and salaries and create a structure rather than look at particular individuals.

Frances Genovese, 209 Bishops Lane, brought up the Moses Lane Park and asked how much the plan would cost, who would maintain it and what the impact would be on the surrounding neighborhoods. Regarding the budget, Ms. Genovese said the Board needed to look at the cost of running the Village and that the Board needed to look at reducing the costs of running the Village and suggested that the Board look at cutting some of the salaries; she said on a personal note that discord is not always healthy.

MOTION TO ADJOURN TO EXECUTIVE SESSION:

Mayor Warren made a motion to adjourn to Executive Session at 9:15PM for the purpose of discussing legal and personnel matters involving Village employees. Trustee Yastrzemski seconded the motion and a unanimous vote followed.

RETURN TO PUBLIC SESSION

On a motion by Trustee Allan and second by Trustee Pilaro, the Board returned to open session at 12:02AM.

On a motion by Trustee Parash and a second by Trustee Yastrzemski, the Board approved the following resolution:

RESOLVED, that the Mayor puts forth the name of Thomas Cummings Jr. for the Board's consideration to be hired as a police officer off of S.C. Civil Service List No. 19EL484, pending approval of Suffolk County Civil Service, at a salary of \$59,883.41 starting on or after December 20, 2019

On a motion by Trustee Parash and a second by Trustee Pilaro, the Board approved the following resolution:

RESOLVED, that the Mayor puts forth the name of Matthew Stetler for the Board's consideration to be hired as a police officer off of S.C. Civil Service List No. 19EL484, pending approval of Suffolk County Civil Service, at a salary of \$59,883.41 starting on or after December 20, 2019

MOTION TO ADJOURN:

On a motion by Mayor Warren and a second by Trustee Parash, the Board unanimously voted to adjourn at 12:05AM.

Russell Kratoville, Village Administrator

12/12/19