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**BOARD OF TRUSTEES
MAY 17, 2024
REGULAR MEETING
LTV STUDIOS, 75 INDUSTRIAL ROAD,
WAINSCOTT, NY 11975**

Those Present Were:

Jerry Larsen, Mayor
Chris Minardi, Deputy Mayor
Carrie Doyle, Trustee
Sarah Amaden, Trustee
Marcos Baladrón, Village Administrator
Lisa Perillo, Esq., Village Attorney
Lorraine McKay, Executive Assistant
Hugh King, Village Historian
Bill Hajek, Village Planner
Ernie Vorpahl, Senior Wealth Advisor at East End Financial Group
Annmarie Zilnicki, President of East End Financial Group
Sara Davison, Executive Director of the Friends of Georgica Pond
Joan McGivern, Twomey, Latham, Shea, Kelley, Dubin and Quartararo representing The Hedges
Inn and St. Luke's Church
Martha Reichert, Twomey, Latham, Shea, Kelley, Dubin and Quartararo representing The
Hunting Inn
Jaine Mehring, Vice-Chair of The Landmarks Committee of the LVIS
Kenneth Lipper, Village Resident
Juan Ocampo, Village Resident
Robert Burch, Village Resident
Mark Butler, Esq., Town Resident
Amy Kirwin, Chief Creative Officer at Guild Hall
Pat Handel, Village Resident
Cynthia Crawford, Village Resident
Leland Kenyon, Village Resident
Steve Lutzen, Town Resident
Jenna Van Asco, Town Resident
Alex Magruder, Village Shopkeeper of The Little

Those Absent Were:

Sandra Melendez, Esq. Trustee

Mayor Jerry Larsen: Good morning, everyone. Sorry for the delay. Today is May 17th, 2024. Welcome to East Hampton Village Board Meeting. If we could just stand for a pledge and then we'll get right into this.

Board & Audience : Pledge allegiance to the flag of the United States of America. And to the Republic for which it stands. One nation under God. Indivisible, with liberty and justice for all.

Mayor Jerry Larsen: All right. Thank you. So, first up will be Hugh King.

PRESENTATIONS – HUGH KING

Hugh King: Thank you. The listings of amuse the dramatic writing career of John Howard Payne. There's going to be a performance right in this building in studio three on June 9th. And it will be. There'll be a stage reading where the Executive Assistant to the Mayor and the Village Attorney are seated right over there. Barbara Borsak will be singing Home Sweet Home, accompanied by her daughter, Amanda Jones, where the Mayor is sitting. Joe Brondo, a librarian at the East Hampton Library. Martha Lee, an actress who married into the McKee family and the Village's own Marissa Cangioli, will be reading the love letters that passed between John Howard Payne and Mary Shelley, the author of Frankenstein, where the Village Administrator finally showed up, is going to be...

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Marcos Baladrón: The Village Administrator was stuck in terrific traffic. So, my apologies.

Hugh King: Where he is sitting, the two caregivers who helped take care of my wife, Loretta, Lenore Thomas and Colleen Curtin, will be reading the poetry of John Howard Payne. And at the end of the show, all you in the audience will end the show by singing Home Sweet Home. That's June 9th at 4:00, right here. And now, since John Howard Payne wrote the words to Home Sweet Home. And there's no place like Home Sweet Home Museum, I'm going there now.

PRESENTATIONS – ANNMARIE ZILNICKI & ERNIE VORPAHL
EEFG FIRE DISTRICT SCHOLARSHIP

Mayor Jerry Larsen: Thank you. Next up is Ernie Vorpahl to talk about the Fire District Scholarship Program.

Ernie Vorpahl: Originally, I was on the Agneda, but my president made a surprise visit, so I'll let her speak.

Mayor Jerry Larsen: Oh, great. Thank you. Welcome.

Annmarie Zilnicki: I'm Annmarie Zilnicki and Ernie Vorpahl of the East End Financial Group.

Mayor Jerry Larsen: It's hard to hear you.

Annmarie Zilnicki: We are here to present...

Mayor Jerry Larsen: Can you raise that, Ernie? (Referring to the microphone) Thanks.

Annmarie Zilnicki: I am Annmarie Zilnicki, Ernie Vorpahl, of the East End Financial Group, and we work with a lot of LOSAP's on the island, which are fire department type of retirement plans. Currently we're working with 24 LOSAP's, and we have a college scholarship program. And 17 of those fire departments have submitted applications to us, and we issue scholarships to districts all over the island. I'm happy to report, they're kind of ranked in order by our Advisory Board, at the top, two scholarships were given to two Town of East Hampton students, one from the Montauk Fire District and one from the East Hampton Fire District. Nicholas, who I'd like to bring up with his father, Peter. (Then presented Nicholas with his scholarship) Nicholas Bernini, on behalf of the East End Financial Group, we are very honored to present this scholarship to you. Your academics, your accomplishments are amazing. I know you're going to do great things at rice, so congratulations. We're very happy to give this to you. Thank you very much.

PRESENTATIONS – SARA DAVISON
FRIENDS OF GEORGICA POND UPDATE

Mayor Jerry Larsen: Thank you very much. Sarah, from the Friends of Georgica, welcome. How are you?

Sara Davison: I'm very well, Mayor. Good to see you and members of the Village Board. Thanks so much for having me here today. I thought it'd be an opportunity to review some of the work at Friends of Georgica Pond Foundation and update you on some of our new initiatives. Can you see the slideshow?

Mayor Jerry Larsen: Sure.

Sara Davison: Is there a way to lower the lights a little bit? Alright, Georgica Pond is part of an area in East Hampton Village, which is known of statewide scenic significance. As such, it is a critical natural feature in the Village which is so important to protect. And that's what the Friends of Georgica Pond is all about. It's a 290-acre brackish pond. And next slide, please. It is part of a very large watershed, that's a 4000-acre watershed, the green boundary. And the pond is only about 290 acres. So, all of that watershed drains into Georgica Pond. And you can see, the airport to the north and the abandoned sand pit just south of the airport, and then all those orange dots are houses which are contributing to nitrogen in the groundwater, which is flowing into Georgica Pond. Now, the Village only has about 16% of the watershed, but most importantly, 68% of the shoreline of the pond is within the Village. And so, that is a very sensitive and critical area where land meets water. And so, the Village has a very steep responsibility to be protecting that

shoreline with their setbacks that you have on the books, which are excellent, and educating landowners about the use of fertilizer and pesticide, and of course, buying any vacant land that's left, which is very, very scarce. The future of Georgica Pond lies in its watershed. Next slide. So, here's a close up of what landowners can do to restore the shoreline, an example of where Phragmites was removed in 2016 on the left and the very next year planted with native grasses and sedges and rushes. And this has just continued to improve over the years. So, we'd like to thank the Village for having such a good setback law and for encouraging property owners to continue to do this. Next slide. So, as we all know, there have been some major impairments to the water at Georgica Pond. It was in 2012, when a Jack Russell Terrier died from ingesting pond water from the blue green algae toxin called microcystin. Today, the water quality is much improved thanks to the founding of Friends of Georgica Pond and the cooperation of the Village and the Town and the Town Trustees. So, in 2015, we launched the telemetry buoy, which monitors water quality parameters that you see on the right. So, we're able to know if there's a change in the conditions and to take action to address them. But some of the most key issues, as you know, temperature is becoming very important with climate change, the pond water is getting hotter and hotter every season. Salinity changes at the pond because of the opening and closing of the gut. Dissolved oxygen is key to life. Blue green algae are really... These harmful algal blooms are what we're after. But fecal bacteria you'll hear about a little more. And of course, nitrogen and phosphorus. And now we have new threats from PFAS Contamination. Next slide. This is the USGS, United States Geological Survey, Pond Gauge, which the Village is sponsoring with the Friends of Georgica Pond Foundation sponsoring, meaning paying for, and it's a very important tool to know how high the pond level is because it's always changing. And this reading, again, it's a solar powered, it runs 24 hours, 24/7. And I can tell you right now the pond levels are very high thanks to all this rain we've had. But thank you, Village, for helping keep this gauge going. Next slide. During the winter, the East Hampton Town Trustees dredged the mouth of the pond to remove a lot of the sand that is over washed during the year, and that sand is redeployed on Village and Town beaches within the littoral drift zone. And that's a ten-year permit that will expire in 2028. So, we'll need the Village's support again to renew that permit at that time. Thank you. Next slide. There's also a management plan that we have that summarizes the status of the pond and what needs to be done. It was approved back in 2021 by the Trustees. And it's important for compliance with the dredging. And we'll need to update that very soon, also, with input from the Village. Next slide. This is the Aquatic Weed Harvester that has been used as a management tool to address the symptom of high nitrogen in the water. The nitrogen that's entering the pond is also not only triggering microorganisms, such as the blue green algae, but it's triggering macroalgae and pondweed, immense growth in the pond. And by removing that biomass and taking it to the dump for composting, we're removing nitrogen. And you can see the total harvested to date since it's been in the works, it's 330,000 pounds, which is a lot of biomasses. Now, I know you want to put this on Town Pond, but I think it's a little too big. But it's very effective and it's helping to keep the nitrogen levels lower at the pond. And I thank the Board again for allowing us to unload at the end of Cove Hollow. And that's where this is, right at this moment. Next slide. As part of the harvesting permit, the DEC requires us to monitor the impacts of that harvesting before and after the season. And so, these are students from Stony Brook University who do point samples all around the pond to measure the pondweed, that's the slide on the left, a student is withdrawing pondweed from the bottom to measure its density. And then on the right, the pondweed has to be spread out every two weeks in the summer, and every fish and crustacean and crab that's found in it is counted and that's what's called bycatch. That's the inadvertent catch in the pondweed. And so, we can tell if there's, over the years, if there's been any impact of this harvesting. And I'm pleased to say that all the trends are very positive, that the pondweed unfortunately grows right back, and the organisms recolonize. Next slide. So, I talked about nitrogen at the beginning and I'm going to keep talking about it now. On the right, you see Dr. Gobblers hybrid nitrogen model, which shows about 50% of the nitrogen entering the pond is coming from septic systems. And that model has been tweaked and the Village has done their own work. And that number, it's either 51% or 50%, but it bears out through various testing. And it just shows you how important our wastewater is to be addressed to combat so much nitrogen entering our water bodies. And on the slide on the left, you see what's called the Water Protection District for Georgica Pond, which really correlates to the ten-year travel time. That is, anything that happens in that blue zone is within Georgica Pond within ten years. So, you see, it's a lot more than just pond front homeowners, there's a broad region. Many people live in that ten-year travel time, and all of those septic systems are contributing to deterioration of the water quality. And anyone who lives in that ten-year travel time, is eligible for up to \$40,000 in funding incentives to upgrade their septic systems. And, of course, with the Village working on its sewer program, that will help a lot with reducing nitrogen

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in the groundwater. Next slide. So, this is so important to get more homeowners to upgrade their septic systems that the Peconic Land Trust and the Center for Clean Water Technology at Stony Brook has hired this fellow, Tom Varley, who is the Watershed Manager for Georgica Pond and Sagaponack Pond, and he is available free of charge to help homeowners upgrade their septic systems, help them with the applications, the grants and the engineering and the permits. And on the right you can see, once it's all done, you've seen these all over the Village now, people are putting them in these, green discs which cover the tank, and they can be removed, and the water can be sampled and verified that they're working, and nitrogen is being reduced. So, please, if you live in that blue zone, avail yourself of Tom Varley and upgrade your septic system. Next slide. Another big area where we've been collaborating with the Village, and the Village's role has been so important is on stormwater runoff remediation. And these are the two key areas. The picture on the left is the Cove Hollow pipe, which I know you're very familiar with, you've just approved and declared a negative declaration of the project, and I want to thank my colleague Billy Hajek for working so hard on this project. But that pipe travels all the way from 114 down to Georgica Pond, carrying with it that sediment laden water. And in that water are solvents and gasoline, but lots of bacteria. And this is one of the few public accesses to Georgica Pond. And you don't want to have high bacteria counts where people are using and recreating. And I want to give a shout out to the Surfrider Foundation, who's been measuring the bacteria here. And at the next site that I'll talk about for many, many years now, and we know that this is a problem. And now, thanks to planning grants from the CPF Program, we have an engineered solution which will involve Bioswales, which you're all very familiar with now, to slow this water down, intercept the sediments and the contaminants, and you have a much-reduced source of bacteria. On the right is the rest stop on Route 27, very near the Village, which is also a public access to Georgica Pond, also monitored by Surfrider and also very high in bacteria. And like the Cove Hollow site, there is an engineered plan now funded by friends and the county and the Town and the CPF Program to do some engineering and bioswales here to address the same problem. And I'm very pleased to say, after working on these for many years, we're ready to start getting permits. We're getting permits and hopefully start bidding this year. So, thank you, Village, for your help on this. Next. Another thing we're doing at Georgica Pond is just an experiment. We all know about the filtering capacity of oysters. They're referred to as nature's engineer, and a team from the Gobler Lab at Stony Brook have first establishing that oysters can thrive in Georgica Pond, which they can, and monitoring them and measuring them. Measuring their growth, which is very positive. And on the right is a picture of a micro experimental oyster reef. You can see the Village in the background and the question now for this year is once the larvae are released in the pond, can they survive? And can the micro reefs be scaled up enough to really have an impact on water quality in the pond? So, that's an ongoing project that we're very interested in. Next slide. And the last new project for this year, which I wanted to bring you up to date on, is a lab experiment in the Gobler lab, which will be sampling some of the sediment in Georgica Cove and treating it in the laboratory with a photocatalytic process, which is a way to decompose the organic matter in the sediment in the lab. And if you look at Georgica Cove, the dark browns are the finest muds, and the depths are in the letters in white. And you can see in Georgia, and those are in meters, so, in Georgica Cove you've got 1.4m of mud there. That's a lot of mud. And dredging is not really feasible there. So, we're hopeful in a few years if the lab experiments are positive, which they have been in other ponds, that this could be approved by the DEC as a way to use bacteria and this chemical titanium dioxide, which is a normal, non-toxic chemical, it's all in your sunblock and whatnot to decompose some of that organic sediments to reduce some of that mud. Um, so on balance, I just want to, that's the last slide, I want to just thank you for your cooperation and implore you to protect our incredible natural resources. It's a small Village, but you have this wonderful pond, you have Hook Pond, and you have the ocean. And these are what give people a sense of awe and joy. And this is why we come here. And it's very, very important to protect them. Thank you. And I'm happy to answer any questions if you have them.

Marcos Baladrón: Thank you, Sara.

Mayor Jerry Larsen: Anybody have questions? I don't have a question. I just have to say, you know, thank you for all your hard work. And the Friends of Georgia have been a terrific partner with the Village, and I can't thank you enough for all your hard work, Sarah, because I know you worked so hard on this and, you know, thanks to Friends of Georgica, our community is so far ahead of other communities on Long Island who suffer through the same pond issues. So, thank you for all that.

Sara Davison: Thank you.

Trustee Sarah Amaden: I have one question. Thank you so much for doing all this work. You gave the area of the people that have the incentive to switch their septic over.

Sara Davison: The highest incentive.

Trustee Sarah Amaden: Right, so out of the number of people that are there, how many people have switched over?

Sara Davison: Well, that area has about 280 homes and we're about 50. So, we're making headway. But it's slow and it's home by home and each site is different.

Trustee Sarah Amaden: Is there a reason why people don't want to do it?

Sara Davison: I think it's inertia and I think it's a little... You have to fill out paperwork. That's why Tom is so important to help people. I think people have other things on their minds.

Trustee Sarah Amaden: But if everybody did it, it would reduce 50% of the waste in the pond?

Sara Davison: Could you repeat that?

Trustee Sarah Amaden: The water from people's septic systems is 50% of the...

Sara Davison: Nitrogen.

Trustee Sarah Amaden: Nitrogen. So, if everybody did it would help.

Sara Davison: It would be a very... I think the calculation is in that ten-year travel time, if those were all upgraded, there'd be 60 some percent remediation of nitrogen. So, it's very important.

Trustee Sarah Amaden: Yeah. Thank you.

Sara Davison: Thank you.

PRESENTATION – MARCOS BALADRON
FY2025 TENTATIVE BUDGET

Mayor Jerry Larsen: Thank you. Our next up is our Village Administrator about the 2025 Budget.

Marcos Baladrón: So, as you can see... I'm not going to bore anybody. We're lowering taxes again for the third year in a row. We've been working incredibly hard over the last few months. I appreciate the Board's help on this as the respective liaisons to your departments and I appreciate, of course, all of the department heads that helped me and Dominique, every February and March and April, really putting it together. So, thank you very much. A special mention goes to, I have to say, David Collins, who arguably has the toughest budget in all the village. If you can see it, it's part of his budget. So, I thank Dave for all of his help. But if I can go through some of the highlights, if you want to call them that. Police retirements going up 17%, employee retirements going up another 20%, medical insurance is going up 12%, and despite kind of a conservative outlook that we always, you know, put forth, we're raising revenues by an estimated 1.4 million, which is very good and keeping taxes low again. So, that's my show.

Mayor Jerry Larsen: All right. Great. Any questions Board?

Trustee Sarah Amaden: Thank you.

Trustee Carrie Doyle: Thank you.

Mayor Jerry Larsen: All right. Thanks, Marcos and congratulations to Dominique and your team for doing a great job.

Marcos Baladrón: Dominique is fantastic. And I have to tell you, I've got no better partner than her in all of this. And she always seems to book her vacations during this presentation, so it's

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usually myself. But I know she's hopping on a flight right now, but I want to thank her right now, wherever she is. So.

ROLL CALL

Mayor Jerry Larsen: All right. Thanks. So let's do roll call.

Lorraine McKay: Okay. Mayor Jerry Larsen.

Mayor Jerry Larsen: Here.

Lorraine McKay: Deputy Mayor Chris Minardi.

Deputy Mayor Chris Minardi: Here.

Lorraine McKay: Trustee Sandra Melendez has an excused absence. Trustee Carey Doyle.

Trustee Carrie Doyle: Here.

Lorraine McKay: Trustee Sarah Amaden.

Trustee Sarah Amaden: Here.

Lorraine McKay: Administrator Marcos Baladrón.

Marcos Baladrón: Present.

Lorraine McKay: Village Attorney Lisa Perillo.

Lisa Perillo, Esq.: Here.

Mayor Jerry Larsen: All right. Thanks. So, we're going to get right into the public hearing that most of you are probably here for. So, if we could read that and then we'll open it up to public comment.

PUBLIC HEARING – INTRODUCTORY #13-2024
CONTINUED FROM APRIL 19, 2024

Lorraine McKay: Introductory #13-2024, a proposed local law amending Ch. 176 Historic Areas, Preservation of.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Village of East Hampton will hold a public hearing on the 19th day of April at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, New York, at which time all persons interested will be heard with respect to Introductory #13-2024, a proposed "Local Law amending Village of East Hampton Code Chapter 176. Historic Areas, Preservation of.

INTRODUCTORY NO. 13-2024
LOCAL LAW NO. __ - 2024

A Local Law amending Village of East Hampton Code Chapter 176. Historic Areas, Preservation of.

BE IT ENACTED by the Board of Trustees of the Villag of East Hampton as follows:

SECTION I. Legislative Purpose and Intent.

§ 176-1. Purpose.

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational and general welfare of the public. Since the identity of a people is founded on its past and since the Incorporated Village of East Hampton, hereafter referred to as the "Village," has many significant historic, architectural and cultural resources which constitute its heritage, this chapter is intended to:

- A. Protect and enhance the landmarks and historic districts which represent distinctive elements of the Village's historic, architectural and cultural heritage.
- B. Foster civic pride in the accomplishments of the past.
- C. Protect and enhance the Village's attractiveness to visitors.
- D. Ensure the harmonious, orderly and efficient growth and development of the Village.

§ 176-2. Design Review Board.

- A. Except as provided in §§ 176-3 and 176-7, the Design Review Board shall administer this chapter.
- B. The powers of the Design Review Board shall include:

- (1) Employment of staff and professional consultants as necessary to carry out its duties under this chapter.
- (2) Adoption of criteria for the identification and protection of significant historic, architectural and cultural landmarks.
- (3) The making of recommendations to the Village Board of Trustees concerning the acquisition of facade easements or other interests in real property as necessary to carry out the purposes of this chapter.
- (4) Increasing public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs.
- (5) Making recommendations to the Village Board of Trustees concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the Village.
- (6) Recommending acquisition of a landmark structure by the Village Board of Trustees where its preservation is essential to the purposes of this chapter and where private preservation is not feasible.
- (7) The approval or disapproval of applications for certificates of appropriateness pursuant to this chapter.
- (8) The making of recommendations to the Board of Trustees of changes in Chapter 278, Zoning, of the Code of the Village of East Hampton to support landmark and historic district preservation.
- (9) The conduct of surveys of significant historic landmarks and historic districts and recommendation thereafter to the Village Board of Trustees for designation as an historic landmark or historic district or removal therefrom.
- (10) Adoption of guidelines for applying the criteria for approval of a certificate of appropriateness provided in § 176-4 and for implementing procedures for certificate of appropriateness application and review provided in § 176-5.

§ 176-3. Designation of historic landmarks or districts.

The Village Board of Trustees shall designate historic landmarks and historic districts based on the following criteria after a public hearing:

A. The Village Board of Trustees may designate an individual property as a landmark if it:

(1) Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation;

(2) Is identified with historic personages;

(3) Embodies the distinguishing characteristics of an architectural style;

(4) Is the work of an architect, designer or builder of local or regional importance; or

(5) Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.

B. Historic districts.

(1) The Village Board of Trustees may designate a group of properties as an historic district if it:

(a) Contains properties which meet one or more of the criteria for designation of a landmark.

(b) By reason of possessing such qualities, constitutes a distinct geographic section or area of the Village.

(2) The properties in each historic district shall be shown on Historic District Maps[1] and shall be described by Suffolk County Real Property Tax Map numbers, both of which shall be filed in the Village Clerk's office.

[1] *Editor's Note: Copies of the Historic District and Landmarks Maps are included at the end of this chapter.*

C. Notice of a proposed designation of property as either an historic landmark or of its inclusion in an historic district shall be sent by mail to the owners of such property. The notice shall describe the property so proposed and shall announce a public hearing by the Village Board of Trustees to consider the designation. The Village Board of Trustees shall hold such a public hearing within 45 days of the adoption of a resolution of proposed designation.

§ 176-4. Certificate of appropriateness.

No person, including any officer, department, authority or board of the Village of East Hampton, shall carry out any exterior alteration, restoration, removal of a member of a pre-1880 timber frame, reconstruction, demolition, new construction, or moving of either a designated landmark or of property within designated historic districts, nor shall any person, including any officer, department, authority or board of the Village of East Hampton, make any change, except normal maintenance as provided in § 176-9, in the appearance of any of the exterior elements of such a property without first obtaining a certificate of appropriateness from the Design Review Board.

A. Consideration of applications; compatibility.

(1) The Design Review Board's consideration of applications for certificates of appropriateness shall be based upon the following criteria:

(a) Properties designated as landmarks or properties located within a designated historic district which contribute to the character of that historic district shall be retained, with their historic features, including the timber frames of pre-1880 buildings, altered as little as possible.

(b) Alterations of properties designated as landmarks or located within a designated historic district shall be compatible with the historic character of the property as well as the designated historic district.

(c) All new construction within a designated historic district shall be compatible with the existing improvement within said district.

(d) In reviewing an application for an accessory dwelling unit to be located on a property designated as a timber-frame landmark, the Design Review Board shall consider:

[1] The extent to which the proposal achieves the goal of maintaining or enhancing the integrity of the landmark building and its setting, particularly its setting when viewed from the street.

[2] The extent to which the proposal keeps the landmark building intact with no additions; or, when this option is not possible, keeps additions subordinate in size and scale to the landmark building. Wherever possible, the Board shall encourage applicants to maintain the integrity of the landmark building by avoiding additions, if a detached building is possible. However, when a landmark building is of a size or has significant additions that make it impractical for use as an accessory dwelling, further expansion of the landmark building and construction of a new accessory dwelling is consistent with these criteria.

(2) In applying the principle of compatibility, the Design Review Board shall consider the following criteria:

(a) The general design, character and appropriateness to the property of the proposed alteration or new construction.

(b) The scale of proposed alteration or new construction in relation to the property itself and the historic district in which the property is located.

(c) Texture, materials and color and their relation to similar features of other properties in the historic district.

(d) Visual compatibility with other properties in the historic district and neighboring properties, including proportions of the property's front facade, proportion and arrangement of windows and other openings within the facade, slope of the roof and the rhythm of spacing of properties on streets, including setbacks.

(e) The importance of historic, architectural or other features to the significance of the property.

§ 176-5. Application procedure for certificate of appropriateness.

A. Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such a certificate with the Design Review Board. The application shall contain:

(1) The name, address and telephone number of the applicant.

(2) A survey of the property.

(3) Elevation drawings of proposed changes.

(4) Perspective drawings, including relationship to adjacent properties.

(5) Samples of color or materials to be used.

(6) Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, the method of illumination and a plan showing the sign's location on the property.

(7) Any other information which the Design Review Board may deem necessary in order to visualize the proposed work and consider the application.

B. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Design Review Board. The certificate of appropriateness required by this chapter shall be in addition to and not in lieu of any building permit that may be required by any other ordinance or local law of the Village of East Hampton.

C. The Design Review Board shall approve, deny or approve the permit with modifications within 60 days of receipt of a completed application. The Design Review Board may, in its sole discretion, hold a public hearing on any application.

D. All decisions of the Design Review Board shall be in writing. A copy shall be sent to the applicant and a copy filed with the Village Clerk's Office. The Design Review Board's decision shall state the reasons for denying or modifying any application.

E. Expedited review.

(1) Whenever the Chairman or, in the Chairman's absence, the Vice Chairman of the Board finds that a proposal meets the criteria of § 176-4 and also the conditions set forth below, he is hereby authorized to grant a certificate of appropriateness.

(a) The proposed work is specifically listed as eligible for expedited review by the Design Review Board or is an improvement that relates solely to improving access for persons with disabilities; and

(b) The proposed work will have no effect on an historic feature of a contributing property; or

(c) The proposed work will have no effect on the setting of a contributing property; or

(d) The proposed work conforms to all relevant design guidelines adopted by the Design Review Board.

(2) All certificates of appropriateness granted by expedited review will be reported at the following regular meeting of the Design Review Board.

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§ 176-6. Hardship exemption.

A property owner may apply to the Village Board of Trustees for relief from landmark designation or inclusion in an historic district on the grounds that the designation or inclusion imposes a hardship upon him. To support such an application, the applicant shall establish that:

- A. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible.
- B. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return.
- C. Bona fide efforts to find a purchaser interested in acquiring the property and preserving it have failed.

§ 176-7. Hardship application procedure.

- A. After receiving written notification from the Design Review Board of the denial of a certificate of appropriateness, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the Village Board of Trustees makes a finding that a hardship exists.
- B. The Village Board of Trustees shall hold a public hearing on the hardship application at which an opportunity will be provided for proponents and opponents of the application to present their views.
- C. All decisions of the Village Board of Trustees shall be in writing and shall state the reasons for granting or denying the hardship application.

§ 176-8. Enforcement; inspection; stop-work order.

All work performed pursuant to a certificate of appropriateness issued under this chapter shall conform to the requirements included therein. The Building Inspector shall periodically inspect such work to assure compliance. In the event that work is found that is not being performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Design Review Board, the Building Inspector shall issue a stop-work order and all work shall immediately cease. No further work, except such work as is necessary to bring the project into compliance with the certificate of appropriateness, shall be undertaken on the project while the stop-work order is in effect.

§ 176-9. Maintenance and repair required.

Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any exterior architectural features of a designated landmark or property within a designated historic district which does not involve a change in design, material, color or exterior.

§ 176-10 Food and beverage service; hours permitted

- A. Legislative Intent. The Board of Trustees finds that regulation of the hours of operation of eating and drinking establishment, as defined in this section, located within a Historic District will be in the public interest, in furtherance of the purpose of this Chapter as set forth in §176-1, and will serve to protect public health, safety and the welfare, good order and quality of life in the Village by reducing traffic and noise levels at night.
- B. Eating and Drinking Establishment. Eating and Drinking Establishment as defined in this Chapter shall mean a facility in a fixed location where food and/or beverages are stored, served, prepared, and offered for sale for immediate consumption, either on or off the premises. Eating and Drinking Establishment includes any restaurant, bistro, brasserie, buffet, cafe, coffee shop, cafeteria, sandwich shop, tavern, cocktail lounge, pub, snack bar, juice bars, bed and breakfast, cafeteria or eating establishment, and any other eating or drinking establishment, organization or club, including those dining, restaurant or counter areas of any boarding house, inn, hotel or guest house, which gives, sells or offers for sale, food or drink to the public, guests, or patrons, expressly excluding room service for overnight guests. Houses of worship shall not be considered Eating and Drinking Establishments.
- C. It shall be a violation of this chapter for the owner, lessee or operator of any Eating and Drinking Establishment located in a Historic District to remain open for business after 11:30 pm or take orders of food and/or beverages, after 11:00 pm. This section shall in no way be construed to restrict the hours of operation which may be permitted by any federal or state agency or federal or state statute that exceeds the hours of operation that are permitted as forth herein.

§ 176-101 Penalties for offenses.

A. The Building Inspector shall not issue a building permit to a designated landmark or to a property within a designated historic district without the approval, in writing, of the Chairman or, in his absence, the Vice Chairman of the Design Review Board.

B. The penalties for the construction, alteration of site or structure or demolition in violation of the provisions of this chapter shall be a fine not exceeding \$500 or imprisonment for not more than six months, or both, for any violation or offense, and each day that such violation or offense continues shall be deemed to constitute a separate offense.

C. The penalties for violation of § 176-10 above shall be a fine of not less than \$500 per day of violation or by imprisonment for a period not to exceed 15 days, or both. A separate violation shall be deemed to have occurred for each day during or on which a violation continues. Any owner, lessor, lessee, operator, or management agent of any restaurant, venue or establishment operating in violation of § 176-10, who at the time of any violation, was present or otherwise knew or should have known that said violation or violations were being committed on the premises shall be deemed to have committed a violation of this chapter. In the event of any violation the Village may seek enforcement by any legal or equitable remedy.

D. In addition to the fine or penalty provided for in § 176-11(C) above, any condition caused or permitted to exist in violation of any of the provisions § 176-10 shall be deemed a public nuisance and may be abated by the Village as provided by law, and each day that such condition continues shall be regarded as a new and separate violation. The Village shall have the right to enjoin any person or establishment in the event violations occur on a continuing basis (that is, where more than one violation has occurred). The imposition of a penalty for a violation of this Code shall not excuse the violation or permit it to continue, and the remedies herein provided for penalties and civil action to enjoin or abate a violation shall be cumulative.

SECTION III. 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 IV. EFFECTIVE DATE

A. Effective Date

(1) This Local Law shall take effect 180 days after it becomes law.

Dated: April 1, 2024

By Order of the
BOARD OF TRUSTEES
Inc. Village of East Hampton
GABRIELLE MCKAY
Deputy Village Clerk

Mayor Jerry Larsen: All right. So, just to give a little background so everybody is on the same page. We introduced a law last month to try to get a closing time for restaurants in the Historic District. And this came about because we realized that right now there is no law on the books at all that regulate the closing times for anything in the Historic District. So right now, a restaurant, if they chose to, could just stay open 24/7. So, realizing that is not in the best interest of the quality of life for the residents who live in most of the Historic District where most of these non-conforming uses are. We decided to put a law into place. So, at the last hearing it was a 10:00 p.m. closing, which means that the last call would be somewhere around nine. So, we got... We heard a lot of input from residents and Guild Hall and nonprofits, and we took all that into consideration. And we now are presenting a new law, which would be an 11:00 p.m. closing out of the building by 11:30 p.m. So, that's what we're here to talk about today. I would love to hear people's input. If we need to tweak it more, we certainly will. But um, so if... Who would like to speak?

Trustee Carrie Doyle: Can I just add one thing about the law? Just make it clear that we still have a noise ordinance in our Village that's 11:00 p.m. So, it's not to encourage, you know, we hope that the business owners will respect that. It doesn't mean everybody comes flooding out

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for a half hour between 11 and 11:30, make a lot of noise. We still have and we will be vigilant about enforcing that. So, that's part of this.

Thank you. First speaker, anybody? Just raise your hand if you would like to speak. Come on up. Thank you. And we're going to limit it to three minutes and just state your name for the record.

Joan McGivern: Mr. Mayor, members of the Board, I'm Joan McGivern from Twomey, Latham, Shea, Kelley, Dubin and Quartararo representing The Hedges Inn and Saint Luke's. First and foremost, we wish to underscore our prior critique that it is well established that New York State's Alcohol Beverage Control Act preempts all regulations of operating hours for businesses that sell alcohol. As such, any attempt to regulate those hours is illegal by the Village. With respect to attempting to regulate late night restaurant clubs, the proposal is defectively drafted. Perhaps most importantly, it is unclear that regulating such clubs has any nexus to the four elements or goals of the stated purposes of Chapter 176 regarding Historic Preservation. The Historic Preservation Ordinance wasn't intended to regulate uses in historic inns and is not a legitimate vehicle, legislatively or practically, for such a regulation. As for the revised version of Local Law 13-2024, we thank the Board for excluding houses of worship from the definition of eating and drinking establishments, however, by leaving in any organization or club, not for profits such as the East Hampton Historical Society and Guild Hall are still at risk, and so too are traditional New Year's Eve parties, which by definition extend past 11:30 and there are no exceptions for that presently. We also thank the Board for excluding room service for overnight guests at inns, but legislatively speaking it remains problematic. For example, inns such as The Hedges, are deemed eating and drinking establishments, yet they are prohibited from remaining open for business after 11:30, but irreconcilably may remain open for room service. Another point that is also unclear is when an inn can resume business after 11:30 p.m. finally, with respect to the proposed penalties for offenses which include imprisonment for up to 15 days, there are no due process provisions whatsoever. And unlike elsewhere in the Code, which requires that one be convicted first before imposing penalties, someone has more due process rights when facing a noise violation or for planting bamboo than staying open late, the way the law is presently drafted. In conclusion, these laws are clearly not well written and unconstitutionally vague. In sum, as drafted, we urge that both sets of amendments to Chapter 176 be rejected and not be enacted. Thank you.

Mayor Jerry Larsen: Thank you.

Trustee Carrie Doyle: Can I just clarify something already? Um, as I understood it, the law is not addressing the alcohol sale, it's addressing the sale of food and soft drink beverages.

Lisa Perillo, Esq.: That's correct. Alcohol is preempted by State Law.

Trustee Carrie Doyle: Right. And then it's also in a restaurant setting?

Lisa Perillo, Esq.: It's only in restaurant settings and as defined in the Code.

Trustee Carrie Doyle: So that would not include room service?

Lisa Perillo, Esq.: Room service was never included, but now it's specifically excluded.

Trustee Carrie Doyle: Okay, thank you.

Martha Reichert: Hello, my name is Martha Reichert. I am also from the law firm of Twomey, Latham, Shea, Kelley, Dubin and Quartararo, 333 West Second Street, Riverhead, New York. I'm here on behalf of our client, The Hunting Inn, and I want to thank the Board specifically for some of the revisions that were made in response to our comments. The last public hearing to Local Law 13. Um, I share in Ms. McGivern's comments with respect to the there are certain issues with the way the law is still drafted that I think could be remedied through the use of more consistent terms, definitions for certain aspects. And I'll give a couple of examples. One of the things is that, um, in the definition of an eating establishment, it includes parts of a restaurant that are commonly thought of as the back of the house, where food is stored, where food is prepared, and because open for business, covers those elements of an establishment, it's unclear to me whether or not, um, the kitchen staff can clean. Can they throw out their garbage? Can they bake early? And so, I'd like to see perhaps better parameters so that it can be understood in

terms of when service is no longer supposed to be taking place at 11:30, does that also preclude restaurant staff from cleaning up and handling everything? I think that sort of creates a logistical impossibility or impracticality for, um, inn staff and hotel staff or restaurant staff to comply with the law without fear of perhaps, um, being subject to the penalties. And in the case of the penalties here, they are quite harsh, and so that I would recommend that the penalty section be revised to include that important language of upon conviction, and to provide a certain amount of due process, such as what you see in Chapter 255 with regards to you know, nuisance abatement and, and property management, right? Um, and so again, I think that it comes back to the idea that if this law is going to go forward, that the best crafted and drafted legislation is the one that can be easily understood by those who are complying with it and also those who are enforcing it. Um, finally, I would request that if the Board deems it to go back to making certain revisions, that there be an exception for New Year's Eve and a process where, um, an eating establishment in the Historic District can apply for, you know, perhaps an exception to this in the event of, you know, a certain special event or some other holiday where festivities may need to carry on a little bit later. So, I think that that's important in any law to create the flexibility so that certain events can be viewed on a case-by-case basis. And let me just quickly review my notes.

Broadcaster: That's the time right there.

Martha Reichert: Could I have about ten more seconds just to finish my final thought?

Mayor Jerry Larsen: Go ahead.

Martha Reichert: Um, I appreciate the exclusion of room service. Uh, but I also would like to, again, just have better definitions about the parts of an inn that fall under this. Because, again, you know, if you walk into the hotel and it's 11:45 and you go to the front desk and you say, may I have a bottle of water? Counters are defined currently in that section as being, uh, part of an eating establishment. So, I just want to, you know, understand that can you have a self-service water? Can you have snacks for hotel guests? So, perhaps some definitions about open for business, the difference between an inn guest and an outside patron. And to just create again something that works for everyone.

Mayor Jerry Larsen: Great. Thank you. Next.

Jaine Mehring: Good morning, Mr. Mayor. Good morning, Village Trustees. My name is Jaine Mehring. I'm a full-time resident of East Hampton. I'm here today only solely in my responsibility as the Vice-Chair of the Landmarks Committee of the Ladies Village Improvement Society. We submitted some written comments to the record this week related to the April 19th hearing continuing today, but we wanted to come and represent these comments to you directly. So, I'm going to read from the letter, if I may.

Mayor Jerry Larsen: Thank you.

Jaine Mehring: Um, on behalf of the LVIS Landmarks Committee, our standing in this matter is clear. The LVIS has led East Hampton Village in the protection and preservation of its historic houses and properties for over 100 years, and our work has been foundational to the establishment of the three Village Historic Districts, including the Main Street Historic District in 1986, of which multiple historic inns and boarding houses are prominent and integral part. In particular, the mandate and mission of the Landmarks Committee is to promote and maintain our heritage by supporting historic preservation efforts and protection of Village Landmarks and Historic Districts. These historic inns are not only very important contributing assets to the district, but they are clearly established and valued as some of the most recognizable and cherished landmarks in the heart of the Village. In the past few weeks, we, along with the public, learned that there are at least one, if not several, proposals to lease or purchase historically designated inns within the Village Historic District in order to privatize and convert them into exclusive private members only club use, thereby extinguishing the longstanding 100 plus years of use of these as inns that have been open to the public. We want to make clear we are not focusing on any entity or any particular potential application that might come before the Village, but we support the Village Board's initiative to establish lawful regulation and code amendments that will strengthen and create the protection of these important individual historic assets, preserve public access to them, and to protect the character and integrity of the overall Historic Districts, as well as the peaceful enjoyment of other properties within residential zones in which

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these inns are located. In particular, as are many residents, the Landmarks Committee is concerned about the following factors. The conversion of any historic inn into a private club use, operating with the potential intensity and extended late night hours will be an expansion, extension and intensification of historic inns, pre-existing non-conforming use in a residential zone, and that is prohibited per Section 278-B2 of the Village Code. And second, conversion of this type of use will add traffic noise, commotion that will disturb residential residents, degrade quality of life and undermine neighbors' legal rights to peaceful enjoyment of their properties. I'm just going to wrap up if I can just take 20 extra seconds. As such, we are supportive of the Village Board of Trustees potential actions, including amendments to Chapter 278, attachment One of the East Hampton Village Code: Table of Permitted Uses in Zoning Districts to make clear that private membership, late-night after-hours clubs and similar establishments could be prohibited uses in the residential zones and, where necessary, to strengthen your special permit regulations. And second, if and where possible, establish hours of operations that will adequately restrict activity that would cause disturbance and disruption to surrounding residential areas, but not create unnecessary or burdensome restrictions for existing restaurants that provide an inn providing regular services and to any cultural or community establishments or organizations. So, we thank you for your attention to this matter and will be continuing to track the developments.

Mayor Jerry Larsen: Thank you very much. Next speaker, anyone? Mr. Lipper?

Kenneth Lipper: Good morning. I want to thank you all for your efforts to preserve the Village. I'm a resident on Hook Pond Lane, directly around the corner from Hedges. And I would like to just read... There's something in the law that says *res ipsa loquitur*, the words speak for themselves. Uh, Zero Bond is described in the latest Vanity Fair article by the owner, Scott Sartiano: "It takes me back to the late 90s when people could do whatever they want", and that is what John Cummings is proposing to bring to the Village. And I applaud you for ameliorating the effects and telling them you could maybe do whatever you want, but not whenever you want. And I urge you to consider moving the closing time to 11:00 in consistent execution with our noise laws. Because if you make the last drinks at, say, 10:00 or 10:30 and they have to leave at 11:00, that is a very noisy crowd by definition, as they describe themselves in, uh, the Vanity Fair article. And I think we should make it consistent with the noise laws and not undermine the Historical District by changing it. Thank you.

Mayor Jerry Larsen: Thank you.

Marcos Baladrón: Thanks, Ken.

Juan Ocampo: Hello, Mr. Mayor, the Board of Trustees. I'm Juan Ocampo. I'm a resident of the Village of East Hampton for the past ten years, and of the Town for the prior quarter century before that. I strongly support your efforts on this legislation. Like my neighbor, Mr. Lipper, I also recommend that as you redraft, and there have been numerous good ideas here of a practical nature, in terms of redrafting suggestions that its foot so that the termination of the patron use also syncs with the Noise Ordinance at 11:00. Um, with respect to what goes on inside an establishment of the back office and so forth, that can be done in a way that works for them so that patrons can leave at 11:00, enjoy it and so forth. But 11:00 as a hard stop, I think that fits well with the rest of the ordinances that we have. And I thank you for your efforts here. I strongly support the ongoing legislation. Thank you.

Mayor Jerry Larsen: Thank you. Next, anyone?

Robert Burch: Good morning, I'm Robert Burch. This is my 50th year, I think, in the Village, and my family owns a house on Jeffreys Lane. I'm very much in favor of the legislation. Thank you for taking the initiative on this. I think we all know that the proximate cause while we're here is the stories of The Hedges Inn being leased to Zero Bond. I think the issue is broader than that. I've also heard rumors of the Soho House Club interested in the Maidstone Hotel, maybe even putting a disco in the basement there. Um, I think the owner of the Hunting Inn, I think, also owns the Golden Nugget Casinos, and they're trying to make alterations to that building or that property. Um, none of this is good and appropriate for the Village, let alone the Historic District of the Village. You can easily see how the historic inns are under threat here. Zero Bond at the Hedges, Soho House club at the Maidstone Hotel. You know, after that, the other sort of members only exclusive clubs that double as nightclubs will take over the other inns. And we won't have any historic inns anymore. We'll have a series of private members clubs slash night

clubs in the Village, in a Residential District and in the Historic District within the Residential District, which would be a disaster. It would not be open to the general public. Uh, it would be open to celebrities and everything that brings their entourages, the hangers on the fleets of black Suburbans and Escalades, the crowds of paparazzi. Um, this would be a disaster and totally inappropriate for the historic Village of the district. Um, so I think we should absolutely take action to discourage this kind of change in historic character and historic nature of the Village. In regard to the hours, I agree with the previous two speakers, I'm very concerned that any time that's later than 11:30, is going to create confusion and conflict with the existing Noise Ordinances. East Hampton Village's Noise Ordinances are already more permissive than the Town's when it comes to hours. The Village's stricter noise ordinance kicks in at 11 p.m., so I think that's a logical and well-established precedent to end all commercial operations within the Residential District. 11:30 seems quite late to me for a Residential District where people are trying to enjoy their right to the quiet and peaceable enjoyment of their property, which is, I believe, guaranteed under New York State Law. Um, so I would encourage an earlier time, whether it's the 10:00 pm time, which is already precedent from the 1981 Zoning Board of Appeals. If I could just have ten more seconds. Um, 10 p.m. is a precedent under the 1981 ZBA Determination about the Hedges Inn um, or maybe it's 10:30 to give people 30 minutes to vacate. But I think under no circumstance should we go beyond 11 p.m. thank you.

Mayor Jerry Larsen: Thank you. Anyone else?

Marcos Baladrón: For the record, that's my uncle.

Mark Butler : Hello, everyone. I'm Mark Butler and I have been a resident in East Hampton for many years. Uh, my family started coming out in the 30s, so I've seen a lot of change. Um, all change, as you know, is not particularly welcome or good. But I really... I'm very supportive of the legislation, but I don't want to talk about the legislation just now. As a former member of the Village Planning Board for five years, and as Chairman for two, I spent a lot of time when we were considering the character and the integrity of this character in the Village and this Historic District. You know, I hear... The Board then heard a lot from was Bob Hefner about the history. So, what I'd like to do is just give you an idea of what the history, and most of this is from Bob Hefner, who knows a lot more about history than I do about this Village. There were Indians in wigwams as late as 1740 on the west side of Hook Pond. In back of them were Indian cornfields. So, what we're talking... And then we're talking about a Village that started right around the pond and then was moved down to where it is now. There's a lot of history here about how wonderful a place this is. And Bob Hefner certainly educated us as to what it really means to live here and why we think this Village is so special. And so, while we're here debating whether or not it's constitutional, and I'm a lawyer, so I appreciate intellectually the challenge of crafting legislation that's constitutionally appropriate. But I'd also like to have people thinking at the same time that, you know, just what makes this place special, what makes this Historic District historic and what that means to all of us. So, um, I would like to commend you, Mr. Mayor, and Mr. Baladrón, and all of the Board for their efforts. And I totally support those efforts. Thank you.

Mayor Jerry Larsen: Thank you.

Marcos Baladrón: Thanks, Mark.

Amy Kirwin : Hi, I'm Amy Kirwin, the Chief Creative Officer at Guild Hall. I just have a question regarding special permits for events that I think may have been discussed with you previously. For us, we have our once-a-year gala, which will go potentially a little later this year indoors. Um, and I think that applies with a permit, but is there... What is the max amount of permits you can get per year for a special event, like a New Year's Eve fundraiser? Is there... There must be a max. I'm just curious what that is.

Mayor Jerry Larsen: I'm going to defer to our lawyer.

Lisa Perillo, Esq.: I don't know that the code has any maximum amount.

Marcos Baladrón: We don't.

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Mayor Jerry Larsen: I was going to say that I want to misspeak, but I don't think we have any maximum number of special event permits. Tent permit max, we have yard sale Max, but not special events.

Amy Kirwin : And the special event permit would be an exception to this?

Marcos Baladrón: Administratively, we have a, like, a ten-event max, let's say, for businesses of the downtown and things like that. But for 501(C)(3)'s as of right now, we don't have any.

Amy Kirwin : We won't go crazy. But so and then for those special event permits this time is... There's an exception for the end time.

Mayor Jerry Larsen: Yes.

Amy Kirwin : Okay. I just wanted to clarify. Thank you.

Mayor Jerry Larsen: Thank you very much.

Pat Handel: Good morning. My name is Pat Handel. I live at 66 James Lane. I am the next-door neighbor to The Hedges Inn. For the past 20 plus years, Essex and Angel has represented us to keep back the stealth expansion that we've seen not only at The Hedges Inn but also in the Village. I just am here standing before you today to thank you, the Village, for finally taking up this issue. But we live in a wonderful Village. We live in a residential historic area, and we hope that you keep us in that frame. So, thank you.

Mayor Jerry Larsen: Thank you very much. Is there anyone else who would like to speak?

Cynthia Crawford: Hi, Mr. Mayor and Board, and I want to thank you for your efforts. I preferred the idea of the 10 p.m. cut off, but I just hope that you will go forward with this legislation and protect the residents. I've been here 64 years.

Mayor Jerry Larsen: Can we just get your name for the record.

Cynthia Crawford: Cynthia Crawford and I wrote a letter, too, and I liked very much the remarks. Rob Burch and LVIS and thank you.

Mayor Jerry Larsen: Thank you very much.

Leland Kenyon: My name is Leland Kenyon and I'm a resident of East Hampton. I have been a resident for 60 years. I'm a third generation owner of my property and I do live on Maidstone Lane. I do want to thank Mr. Mayor and the Board of Trustees for enacting this legislation. And I am 100% in support of any type of regular closing. Our town is so special and as a case in point, I grew up in a ski resort, and we compare ourselves to Aspen, but the... My town put legislation in place very early to stop the late-night discos, nightclubs, big, big parties. And it has kept our ski resort incredibly profitable, but also a nice place for residents to live. And, um, there are always going to be exceptions to a rule, i.e. a New Year's Eve party, which I think any of the residents would be okay with on a one-off basis. But as a week by week, day by day situation, to have these late-night clubs, wherever they may be in our Historic District, I think takes away from the beauty and the tranquility of the town that we all have built and that you all are charged with keeping. So, thank you for your work and I hope that it continues.

Mayor Jerry Larsen: Thank you very much. Anyone else?

Marcos Baladrón: There seems to be a lot of New Year's Eve parties that are going on.

Steve Lutzen: Good morning. My name is Steve Lutzen. I'm a lawyer. Don't hold that against me. And I guess I live in the Springs, so in effect, I have a half a stake in this, if you will. But it seems to me I guess there's something called the smell test. But I guess this is sort of a sight test, and it seems to me, and I'm using the word sight, "sit" and "sight". In other words, the sight of people partying. We all know what's going to happen. And having I mean, I guess I'm feeling old, I remember the good old days of what that place was next to the fireplace and we could disco all was fun, but it's ratcheted up. And the idea that you have a bunch of people coming in

who are of means, which there's nothing wrong with that, but you're taking it to another level. And as an analogy, I remember the days, I've been coming out here for over 50 years, and I've owned my house since '86, and I remember the days when there was that lovely couple that had that place where Ralph Lauren Store is today, and you get your newspaper. You know, I know times change, but we have a kind of branding that's going on in East Hampton, which is understandable because there's a profit motive, and I understand that. But I think there has to reach a point where you, in effect, have to put your foot down and in a sense, that's what you're doing. But this is an onerous the fact that someone has to go home early, you know, that's not... This doesn't kill the deal. It may harm the deal. So, all in all, I guess I'm saying I support what you're doing. I'd like it to be constitutional. Um, but other than that, I think it's just unfortunate that people will, I think, be abusive. And I think that's dangerous. So, thank you.

Mayor Jerry Larsen: Thank you. And again, they don't have to go home. They just can't stay there. All right. Anyone else?

Jenna Van Asco: Can I talk about something else on the agenda?

Mayor Jerry Larsen: I can't hear you.

Trustee Carrie Doyle: She wants to talk about something else other than this hearing.

Mayor Jerry Larsen: Oh, no, this is just on this hearing. We'll have public comment later. Thank you. Anyone else? Anyone from the Board? All right. I just have a question. Does the Board... I agree with what was said here today. I think we make it a hard stop at 11:00. Do we all agree?

Trustee Carrie Doyle: Yes.

Trustee Sarah Amaden: Is it a hard stop at 11:00 and then 11:30 or?

Mayor Jerry Larsen: No hard stop at 11:00. The establishment will have to figure out if they're going to make it a 10:45 last call or 10:30 last call. It's up to them.

Trustee Sarah Amaden: I agree, I think it should be 11:00.

Deputy Mayor Chris Minardi: I kind of like ten, but I could live with 11:00.

Mayor Jerry Larsen: Well, we went through the ten at the last public hearing and again we want to try to make this as reasonable as we can to withstand any challenges that we may face. So, I think listening to what the public gave us, and we've adjusted the law to what everyone spoke about at the last hearing, and I think it gives us, sets us up in a better position for our attorney, should we be challenged.

Trustee Carrie Doyle: So, when are you saying... So last call would be when? When would they stop?

Mayor Jerry Larsen: It's up to them. I'm just saying establishment closed at 11:00. It's up to the establishment when they want to... I guess it depends on the establishment. You know, if you're waiting for a steak, it might take a little longer as opposed to a burger. I don't... It's not for us to make those business decisions. It's 11:00 closing.

Trustee Carrie Doyle: Doors closed.

Deputy Mayor Chris Minardi: Right.

Mayor Jerry Larsen: Lisa, is that... Can we tweak that and close the hearing?

Lisa Perillo, Esq.: You'll just take out the provision in the law that talks about 11:30.

Mayor Jerry Larsen: Take out the 11:30 and just back it to 11?

Lisa Perillo, Esq.: Yes.

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Mayor Jerry Larsen: Okay. All right. So can I get a motion to close the hearing?

Deputy Mayor Chris Minardi: I make a motion to close the hearing.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Okay. The hearing is closed. Later on in our resolutions, we will be voting on this today. And, um, you are certainly welcome to stay. Or you can leave, or you can stay for the rest of the other hearings, but I think we're in good shape. All right, that hearing is closed.

PULIC HEARING – INTRODUCTORY #14-2024

Mayor Jerry Larsen: So, can we read Introductory #14.

Lorraine McKay: Introductory #14-2024, a proposed local law amending Ch. 176 Historic Areas, §176-11. Late Night Restaurant Club Legislation.

NOTICE OF PUBLIC HEARING

NOTIC IS HEREBY GIVEN THAT the Board of Trustees of the Village of East Hampton will hold a public hearing on the 17th day of May at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, New York, at which time all persons interested will be heard with respect to Introductory #14-2024, a proposed “Local Law amending Village of East Hampton Code Chapter 176. Historic Areas. §176-11. Late-Night Restaurant Clubs.

INTRODUCTORY NO. 14-2024
LOCAL LAW NO. __ - 2024

A Local Law amending Village of East Hampton Code Chapter 176. Historic Areas. §176-11. Late-Night Restaurant Clubs.

BE IT ENACTED by the Board of Trustees of the Villag of East Hampton as follows:
SECTION I. Chapter 176 of the Code of the Village of East Hampton is hereby amended as follows (bold and underlined material is to be added; struck-thru material is to be deleted):

§ 176-11. Late-Night Restaurant Clubs are prohibited in the Historic Districts. For purposes of this section a Late-Night Restaurant Club is defined as: (a) a membership or subscription-based social, dining and beverage venue, establishment or association whose membership pays for said membership by dues, subscription, donation or a membership fee; and (b) which operates between the hours of 11:00 pm and 5:00 am. A Late-Night Restaurant Club may include any restaurant, nightclub, cabaret, tavern, bar, café, hotel, motel, inn, supper club or social club or any other facility, venue, accommodation or establishment that is owned, leased, licensed, managed, or otherwise operated, in whole or in part, as a Late-Night Restaurant Club and whose facilities, use of space, meals, beverages or services are limited or reserved, in whole or in part, to the Late-Night Restaurant Club.

SECTION II. 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 IV. EFFECTIVE DATE
This local law shall take effect upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

Dated: April 26, 2024

By Order of the
BOARD OF TRUSTEES
Inc. Village of East Hampton
GABRIELLE MCKAY
Deputy Village Clerk

Mayor Jerry Larsen: Anyone like to be heard on this? Could you give a summary?

Lorraine McKay: § 176-11. Late-Night Restaurant Clubs are prohibited in the Historic Districts. For purposes of this section a Late-Night Restaurant Club is defined as: (a) a membership or subscription-based social, dining and beverage venue, establishment or association whose membership pays for said membership by dues, subscription, donation or a membership fee; and (b) which operates between the hours of 11:00 pm and 5:00 am. A Late-Night Restaurant Club may include any restaurant, nightclub, cabaret, tavern, bar, café, hotel, motel, inn, supper club or social club or any other facility, venue, accommodation or establishment that is owned, leased, licensed, managed, or otherwise operated, in whole or in part, as a Late-Night Restaurant Club and whose facilities, use of space, meals, beverages or services are limited or reserved, in whole or in part, to the Late-Night Restaurant Club.

Mayor Jerry Larsen: Does anyone want to comment on this?

Joan McGivern: Joan McGivern for Twomey, Latham. I... My previous comments also relate to this legislation, and I won't repeat them, but I'd like to go on record that my comments apply. Thank you.

Mayor Jerry Larsen: Okay. Thank you. Anyone else? All right, we're going to leave... Robert.

Robert Burch: Yeah. So, I'm not a lawyer, but, just a basic principle, late night clubs in a residential area are a terrible idea, right? Uh, so regardless of the sort of technicalities of how the law is drafted about state law versus local ordinances and which supersedes the other and so forth, I'll leave that to the Village Attorney and legal counsel to sort out the drafting. But it seems to me that just... It's obvious that a local government should have the power to regulate nonconforming commercial properties in a residential district. Right? For the peace, safety, quiet enjoyment of the residents of that district. So, yes, I think this this legislation makes a lot of sense. I'm strongly in favor of it. Uh, and I hope that the detailed drafting gets worked out in a way where it survives any legal challenge that may happen. And thank you again for taking the initiative on this.

Mayor Jerry Larsen: Thank you very much. Thanks, Rob. Anyone else? All right. We're going to leave this hearing open for another month.

PUBLIC HEARING: INTRODUCTORY #15-2024

Mayor Jerry Larsen: So, we're going to move on to Introductory #15.

Lorraine McKay: Introductory #15-2024, a proposed local law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Village of East Hampton will hold a public hearing on the 17th day of May, 2024 at 11:00 a.m., at LTV Studios, 75 Industrial Road, Wainscott, NY, at which time all interested persons will be heard with respect to "A Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c."

INTRODUCTORY # 15-2024
LOCAL LAW NO. -2024

A Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c."

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

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

It is the intent of this local law to allow the Village of East Hampton to adopt a budget for the fiscal year commencing August 1, 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

SECTION 2. AUTHORITY.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3. TAX LEVY LIMIT OVERRIDE.

The Board of Trustees of the Village of East Hampton, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing August 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

SECTION 4. SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE

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

Dated: April 26, 2024

BY ORDER OF THE BOARD OF
TRUSTEES OF THE VILLAGE OF
EAST HAMPTON
By: GABRIELLE MCKAY
Village Deputy Clerk

Mayor Jerry Larsen: Any comments? Board? Can I get a motion to close?

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: Okay, that hearing is closed.

PUBLIC HEARING – INTRODUCTRY #16-2024

Lorraine McKay: Introductory #16-2024, a proposed local law amending the code of the Village of East Hampton, Chapter 192 (Moratorium on Tennis Court & Pickleball Cour Conversions) with an extension of 6 months.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Village of East Hampton will hold a public hearing on the 17th day of May at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, New York, at which time all persons interested will be heard with respect to Introductory #16-2024, a proposed “Local Law amending Village of East Hampton Code, Chapter 192; an extension to the Village of East Hampton Moratorium on Tennis Court and Pickleball Court Conversions.”

INTRODUCTORY NO. 16-2024
LOCAL LAW NO. - 2024

A Local Law amending Village of East Hampton Code Chapter 192; an extension to the Village of East Hampton Moratorium on Tennis Court and Pickleball Court Conversions.

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

WHEREAS it is in the public interest to create and maintain a comprehensive code of the local laws, ordinances and other regulations associated with the Village of East Hampton, and

WHEREAS from time to time there is the need to amend the Village of East Hampton Code to provide clarifications, amendments, and additions thereto,

NOW THEREFORE, be it resolved that the following proposed local law be published for public review in accordance with the Municipal Home Rule Law and the Village Law, providing amendment to the Village of East Hampton Code, and that a public hearing be held thereupon on the 15th day of November, 2024, for the purposes of consideration of adoption of the proposed local law which reads as follows:

Local Law No. ____ of the laws of 2024 of the Village of East Hampton

SECTION I. ENACTMENT; AUTHORIZATION; TITLE AND PURPOSE

- A. Enactment and authorization
 - (1) The Village of East Hampton Board of Trustees does hereby ordain and enact the Village of East Hampton land use moratorium on the conversion of existing Tennis Courts and other Playing Courts on residential property to Pickleball Courts, pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law.
- B. Title
 - (1) This Local Law shall be known as The Village of East Hampton Moratorium on Tennis Court and Pickleball Court Conversions.
- C. Purpose
 - (1) Given that the Village of East Hampton is intending to pass, or has passed, a local law amending Chapter 278 of the Code of the Village of East Hampton concerning the area, setback and coverage requirements for Tennis Courts and Pickleball Courts on residential property, it is the purpose of this local law to allow the Village of East Hampton Board of Trustees time to collect and examine data and expert information concerning the noise associated with use of Pickleball Courts and mitigation measures relating to same and to consider the adoption of appropriate regulations concerning (1) whether the conversion of existing Tennis Courts and other Playing Courts into Pickleball Courts should be permitted and, if so, (2) under what conditions, if any, such conversions should be permitted; and

Given that the circumstances and concerns that gave rise to the imposition of the moratorium (Local Law #6-2023) remain present; and

Given that the Village’s collection and examination of data and expert information in order to inform its decision and policy making remains ongoing.

SECTION II. IMPOSITION OF MORATORIUM

- A. Imposition of Moratorium
 - (1) For a period of six (6) months after the date of filing of this local law with the Department of State, no existing Tennis Court or other playing court located within the Village of East Hampton on residential property shall be converted to use as a Pickleball Court, and no new applications for permits, variances, site plan approval or other approvals or permission related to the conversion of an existing Tennis Court or other playing courts on residential property to a Pickleball Court shall be processed or approved.

SECTION III. VALIDITY	
A. Validity	
(1) If any section, sentence, clause of phrase of this local law is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this local law.	
SECTION IV. APPEALS AND VARIANCES FROM THE MORATORIUM	
A. Appeals and Variances from the Moratorium	
(1) A party aggrieved by the provisions of this local law may file an application for relief or exemption from the moratorium with the Village of East Hampton Board of Trustees. The Board shall act upon an application for an exemption from this local law in conformance with the procedural requirements and standards of the New York State Home Rule Law, the Village of East Hampton Zoning Code and the Village Law of the State of New York.	
SECTION V. EXPIRATION	
A. Expiration	
(1) This six month moratorium, unless otherwise extended by the Village Board, shall expire upon (a) the enactment of a local law regulating the conversion of Tennis Courts and other Playing Courts on residential property to Pickleball Courts and conversely the conversion of Pickleball Courts on residential property to Tennis Courts or other Playing Courts; (b) the Village of East Hampton’s adoption of a resolution expressing said Board’s determination that the future regulation of such would not be appropriate; and (c) the lapse of six months from the effective date of this local law, whichever shall first occur.	
SECTION VI. EFFECTIVE DATE	
B. Effective Date	
(2) This Local Law shall take effect immediately after filing with the Secretary of State.	
Dated: April 26, 2024	By Order of the BOARD OF TRUSTEES Inc. Village of East Hampton GABRIELLE MCKAY Village Deputy Clerk

Mayor Jerry Larsen: Hey, Billy, could you just fill us in on why we need another six months?

Bill Hajek: Good morning, Mr. Mayor. Members of the Board. Billy Hajek for the Village of East Hampton. So, additional time is required to formulate regulations concerning the conversion of existing tennis courts into new pickleball courts. The Board is aware we adopted legislation governing the construction of new pickleball courts and new tennis courts. This is basically solely on conversions.

Mayor Jerry Larsen: Perfect. Thank you. And we're just having some issues figuring out an engineer...

Bill Hajek: Yeah, engaging a consultant...

Mayor Jerry Larsen: Or something to give us the right....

Bill Hajek: It's basically a sound engineer is needed...

Mayor Jerry Larsen: For the right information. So, yes. So, basically, we have codes in place that regulate new construction of tennis courts and pickleball courts. This would only relate to existing tennis courts that people want to convert to pickleball courts, because the setbacks may not be enough to not bother the neighbors.

Bill Hajek: Correct. And they could be non-conforming... The tennis courts could be non-conforming to even today's regulations in terms of setbacks, which could even amplify the problem.

Mayor Jerry Larsen: Perfect. Thank you. So, can I get a motion to close?

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All right. That hearing is closed.

PUBLIC COMMENT

Mayor Jerry Larsen: Now we have public comment for any other issue or compliments.

Jenna Van Asco: Thank you so much. Sorry for disrupting earlier. I haven't been to a meeting before. My name is Jenna Van Asco. I'm an East Hampton resident, and this is Alex. She's an East Hampton resident as well, and she owns The Little. I'm a mother, as you can tell by now, I'm sure. And I became a mother in 2020, when it was a very isolating time, and my kids were home solely with me and my husband for the majority of the year. And Alex and I and a group of mothers have some concerns about the playground at Herrick Park. And we just wanted to bring those to you, because we've heard that this administration is very open to input from the public, and we're so grateful for that. And so essentially, we're excited about all the construction happening, and we just really want to plead and request that the swing sets become a priority again. And bringing the six baby swings back along with the six bigger kid swings, because what I've realized through this whole process of talking to mothers and figuring out, you know, what do we need as a community? The swing sets are incredibly important. And what I've learned is that not only is it a place for mothers to gather and connect with one another and for their kids to do the same, but it's an important place for our children with neuro deficiencies. And swing sets are very important for their sensory input needs. And because of this, I've been able to put together a petition just requesting some transparency around the playground and what the plans are a request to bring back the swing sets for our kids. When I go with my family, we take up the two baby swings that are remaining. So, I have the petition printed out for all of you. I have over 100 signatures, and it was with very little effort on my own. It just kind of happened. Additionally, what I've learned, which I think you would find interesting and concerning, is that families, since the swings have been removed, are going to Sag Harbor and Montauk. And unfortunately, when they're hanging out in other towns, they're also spending their money there, they're shopping at Buddha Berry and not at The Sweet Spot. They're shopping at Stella and Ruby and not at The Little. Um, so I think it's kind of impacting the economy in a way that maybe hasn't been thought about. Essentially, I just... I think the mothers all just want to know some next steps. What is the vision for the playground? And if there's a way that we can...

Marcos Baladrón: I can take that petition.

Cynthia Crawford: Here, I have six copies for you.

Marcos Baladrón: Thank you very much.

Jenna Van Asco: I think you have such an amazing opportunity to make an incredible, inclusive, fun gathering space for families and kids. And all of that spills over into the Village. Whenever we're in the Village, we go shopping and we eat out. So, this is just kind of my little initiative that I've been putting together and just learning from other moms, too.

Marcos Baladrón: Well, I do have an update for the Board in relation to this, if that's okay.

Jenna Van Asco: Please share.

Marcos Baladrón: Well, it's actually a subject matter of today's executive session about the playground. So, I'm glad you brought this up. We're going to make you pretty happy. We've been looking as we're nearing the completion of the baseball field right now, which should be done by June 1st. I was approached by the school resource officer, Drew Smith's wife, Bethany Smith, who has been very vocal in letting me know that a lot of the moms want to meet with us and maybe even form a committee...

Jenna Van Asco: Yes, I had that in the petition.

Marcos Baladrón: And be able to speak with us and to the Board directly as to what our plans are. So, I have spoken to several vendors. It's definitely something that is on the horizon, at least it was going to be this afternoon. So, we're working towards that.

Jenna Van Asco: Is there a potential for some type of like temporary solution? Because I know this... I had a mother share a letter, you know, sometimes this takes years. So, is there some way

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that we can create some temporary solution for the summer when we're inundated with more and more people?

Marcos Baladrón: I could certainly look into that if there could be a temporary solution. I mean, the park's been progressing pretty quickly by itself. This really is just... It's a town park, so to speak, but really the Village has been funding all of it based on the surplus or any additional funds we may have. So, we've been outlaying that cost, but we can I can certainly look into that as to see if there could be anything temporary specific to baby swings.

Jenna Van Asco: Yeah, I think maybe something... Especially the swing sets, I know that the actual structures would have to be totally redone and moved and whatever the plan is. But I think it honestly is the swings that are pushing people to go to other parks. So, I think if there's a way to add something temporary so that people aren't spending the summer in Sag Harbor, and that they're spending that time in East Hampton when there's so much new and fun things in the Village. I think it'd be worth it. It'd be a benefit for everyone.

Mayor Jerry Larsen: I really thank you for all your hard work on this, and I know this is not easy to do, and I really appreciate it, because we really need that input. I never realized the swings were such a priority, you know? So now that we know that, let the Village Administrator will look into it some more and let's see if we can get something done for the summer, short term.

Jenna Van Asco: That would be awesome.

Mayor Jerry Larsen: And then, you know, we're going to be setting up a committee.

Jenna Van Asco: I'd love to be a part of it and I'm sure Alex would too.

Mayor Jerry Larsen: I was just going to ask you if you'd like to be part of that, because I think it's important to get, you know, young moms' perspective on what might be great in the park.

Jenna Van Asco: Definitely. And I think there are some other mothers... I've included some letters and comments, and there's a few that may also want to be a part of it. So, um, I didn't include my contact info, but, um.

Marcos Baladrón: Yeah, I didn't see it on here.

Jenna Van Asco: Jenna Van Asco.

Marcos Baladrón: Let's speak next week.

Jenna Van Asco: Okay. That sounds fantastic.

Marcos Baladrón: See what we can get going for the summer.

Jenna Van Asco: Thank you so much for being so open to the feedback.

Mayor Jerry Larsen: We really appreciate it. That's a lot of work.

Jenna Van Asco: We're just so excited about everything that's happening at the park. And it's such a shame to have the playground be a little bit of an afterthought.

Trustee Sarah Amaden: Those swings, they were a lifesaver for me.

Jenna Van Asco: Yeah, they really are. Yes. I don't know if you want to say anything quickly, if that's okay.

Alex Magruder : Hi. Good morning. Excuse my appearance. I'm a busy mom too. Good morning to the Trustees. I own a store in town, in the Village. My family owns a home on McGuirk. I live on Osborne. I'm a full-time resident, and I have a one-year-old and a three-year-old, so we live in those wings. I have so many pictures of my kids and my older son where the swings used to be. I know Bethany from being on the swings with her kids and it really has

affected us so greatly, I would say because we live on Osborne, I walk to town 2 to 3 times a day, and the mental health aspect of being a young mom, you know, trapped at home with your kids all day. Some days it's really affected us. And my younger daughter, who's one, had to wait 30 minutes to get on a swing the other day on an off-season Tuesday. So, I just want to echo I've been feeling this way for a while. Jenna has spearheaded this, which I'm very thankful for, and I just want to stress the importance of getting something like a temporary fix soon, because I know, you know, we all know how busy it gets. And the flip is going to switch next week and it's really going to become even more crowded. And also, to stress, I do own a business in town, but aside from that, you go past the park at 9 a.m. on a Saturday or on a Tuesday morning. That's where the moms are going for their sanity and to get the kids out of the house. So, it really is important for the whole family, for our community. So, I thank you for anything you can do to quickly get a swing fix.

Marcos Baladrón: Can you state your name for the record.

Alex Magruder : Sorry, I'm Alex Magruder.

Mayor Jerry Larsen: Yeah, we have to do minutes and we have to have the name of everybody who speaks.

Alex Magruder : Thank you.

Mayor Jerry Larsen: Thank you very much.

Mayor Jerry Larsen: All right. Any other public comment? No. All right.

MOTIONS AND RESOLUTIONS

Mayor Jerry Larsen: So, we're going to move into motions resolutions.

Lorraine McKay: Resolution #327-2024; Approve claim vouchers for the month of May.

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Motion is approved.

Lorraine McKay: Resolution #328-2024; Approve Warrants as listed: #49 04/30/2023 GUARANTEES-APR'24, #50 04/30/2023 GEN FUND #2- APR'24, #51 05/17/2024 GEN FUND #1-MAY'24, #52 05/17/2024 GEN FUND-WARRANT-MAY'24, #53 05/17/2024 CAPITAL FUND-MAY'24.

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Resolution is approved.

Mayor Jerry Larsen: Resolution #329-2024; Approve Budget Transfer Schedule #7, Reference #7, dated May 2024.

Trustee Sarah Amaden: So moved.

Trustee Carrie Doyle: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Resolution is approved.

Lorraine McKay: Resolution #330-2024; Approve minutes from the BOT meeting held on January 19th, 2024.

Trustee Carrie Doyle: So moved.

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Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #331-2024; Approve departmental reports.

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #332-2024; Resolved the 2023-2024 Village Budget is hereby amended to increase appropriations from the Undesignated Fund Balance in the amount of \$58,902 for expenditures related to the Herrick Park Basketball Courts.

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #333-2024; Resolved the 2023-2024 Village Budget is hereby amended to increase appropriations in the amount of \$476,000 for expenditures funded by the Capital Reserve Fund as per Permissive Referendum.

Trustee Carrie Doyle: So moved.

Trustee Sarah Amaden: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #334-2024; Approve the transfer of \$479,043 from the General Fund to the Fire Department Length of Service Program (LOSAP).

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #335-2024; Deem surplus and of no value and approve disposal of one (1) personal watercraft: Village property tag# 1708 (per May 9th, 2024, memo from D. Smith).

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #336-2024; Deem surplus and of no value and approve disposal of one (1) impounded vehicle: 2008 Jeep CC# CC2023-2954 (per May 3rd, 2024, memo from Acting Chief of Police J. Erickson).

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #337-2024; Deem surplus and decommission 2014 Ford Taurus, EHV ID # 2138, Vin# ending 155129 and 2014 Ford Taurus, EHV ID# 2139, Vin# ending 155130 (per May 8th, 2024, memo from Acting Chief J. Erickson).

Trustee Carrie Doyle: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #338-2024; Deem as surplus and approve the sale (online by Auctions International) of assorted equipment, parts and miscellaneous listed in David Collins April 20th, 2024, memo.

Trustee Sarah Amaden: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #339-2024; Approve the Professional Services Contract for the Joint Fuel Facility at 258 Springs Fireplace Road, East Hampton, NY 11937 between the Town of East Hampton, the Village of East Hampton and L.K. McLean Associates, P.C. for professional engineering services related to the replacement of the fuel management system.

Trustee Sarah Amaden: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #340-2024; Approve the \$25,185 (Change Order 27.1) proposal received from Larimore Associates, Inc. for Property Tracking – Barcode Integration Software (per May 3rd, 2024, memo from Acting Chief of Police J. Erickson).

Trustee Sarah Amaden: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #341-2024; Approve \$27,029.35 quote from Whitmore's for the restoration and new installation of irrigation zones and installation of new water pipes in Herrick Park.

Trustee Carrie Doyle: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #342-2024; Approve request to enter into paving agreement National Grid receiving payment of \$30,312.50 for the restoration by our contractor for work on Middle Lane (per April 17th, 2024, memo from D. Collins).

Trustee Carrie Doyle: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

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Lorraine McKay: Resolution #343-2024; Approve employment of Douglas Pitches as part-time employee at DPW at \$35.00 hourly, effective May 15, 2024 (per April 17th, 2024 memo for D. Collins).

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #344-2024; Approve employment of 2024 Seasonal Part-time Paramedics and EMT-Bs as listed, effective May 13th, 2024 (per May 1st, 2024, memo from G. Turza).

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #345-2024; Approve amendment to Resolution #297-2024 to indicate Dominic Guida to be hired as a part-time hourly employee with the Village's EMT-Paramedic Program at the hourly rate of \$38.00, effective retroactively to April 23, 2024 (per April 19th, 2024, memo from G. Turza).

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #346-2024; Approve employment of 2024 Seasonal Beach Employees as listed, effective May 18th, 2024 (per May 6th, 2024 memo from D. Smith).

Trustee Carrie Doyle: So moved.

Trustee Sarah Amaden: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #347-2024; Approve employment of James M. Sommer as a 2024 Seasonal Part-time Constable, effective May 18th, 2024 (per May 8th, 2024, memo from Acting Chief of Police J. Erickson).

Trustee Carrie Doyle: So moved.

Trustee Sarah Amaden: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #348-2024; Approve employment of George O. Gutierrez as a 2024 Seasonal Part-time Traffic Control Specialist, effective May 18th, 2024 (per May 10th, 2024 memo from Acting Chief of Police J. Erickson).

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #349-2024; Approve new Fire Department Member Luis Morales (Hook & Ladder Co. No. 1) (per May. 13th, 2024 memo from Chief Forrester).

Trustee Carrie Doyle: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #350-2024; Accept \$19,462 bid received from Carter-Melence, Inc. for wallpaper services at the Public Meeting Room at the Emergency Services Building at 1 Cedar Street, as per bid specifications.

Trustee Sarah Amaden: So moved.
Trustee Carrie Doyle: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Trustee Sarah Amaden: Resolution #351-2024; Approve rejection of all bids received for the new fence installation at the Emergency Services Building at 1 Cedar Street, due to the unbalanced nature of the amounts (per May 8th, 2024 memo from D. Collins).

Trustee Carrie Doyle: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #352-2024; Approve rejection of single bid received for the Dutch Elm Treatment program (per May 10th, 2024 memo from D. Collins).

Trustee Carrie Doyle: So moved.
Trustee Sarah Amaden: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #353-2024; Notice to bidders for new fence installation at the Emergency Services Building at 1 Cedar Street, with the bid opening to be held June 11th, 2024, at 2:00 p.m. at Village Hall

Trustee Carrie Doyle: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #354-2024; Notice to bidders for two (2) year Dutch Elm Disease Treatment Program, with the bid opening to be held June 11th, 2024 at 2:00 p.m. at Village Hall.

Trustee Sarah Amaden: So moved.
Deputy Mayor Chris Minardi: Second.
Mayor Jerry Larsen: All in favor?
Board in Unison: Aye.
Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #355-2024; Notice to bidders for the below listed Public Works contracts with bid opening to be June 4th, 2024, at 2:00 PM at Village Hall (per May 1st, 2024, memo from D. Collins).

- Cesspool Pumping
- Hanging Flower Baskets & Potted Plants
- Street Drain Cleaning • Pest Control
- Sidewalks
- Fire Suppression System Maintenance

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- Curbs
- Overhead Door Maintenance
- Crack Sealing
- Alarm Monitoring
- Seal Coating
- Traffic Signal Maintenance
- Tree Trimming
- Recycling Services

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #356-2024; Notice of public hearing to be held on May 17, 2024 at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, NY 11975, for Introductory #17-2024, a proposed local law amending Village of East Hampton Code Chapter 267-9 (Vehicles and Traffic; Stop Streets) to add a four-way stop at the intersection of Cove Hollow Road and Jericho Road.

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #357-2024; Notice of public hearing to be held on May 17, 2024, at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, NY 11975, for Introductory #18-2024, a proposed local law amending Village of East Hampton Code Chapter 267-7 (Vehicles and Traffic; Stop Streets) to include a time-limit of one hour for parking spaces on Fresno Place (9:00 a.m. to 5:00 p.m.).

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: I want to correct Resolution Number 356. Notice of Public Hearing to be held on June 15th, 2024, at 11 a.m. at LTV Studios for Introductory #17-2024, a proposed local law amending Village of East Hampton Code Chapter 267-9 (Vehicles and Traffic; Stop Streets) to add a four-way stop at the intersection of Cove Hollow Road and Jericho Road.

Trustee Carrie Doyle: So moved.

Trustee Sarah Amaden: Do we vote on it again?

Mayor Jerry Larsen: Yeah, just need a second.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Mayor Jerry Larsen: We just... It's the typo on the date.

Lisa Perillo, Esq.: We're just confirming that June 15th is the date.

Lorraine McKay: It's June 21st. So, Resolution Number 356 is the notice of public hearing for Intro. #17 will be June 21st.

Lorraine McKay: Resolution #357-2024; Correction: Notice of public hearing to be held on June 21, 2024, at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, NY 11975, for Introductory #18-2024, a proposed local law amending Village of East Hampton Code Chapter

267-7 (Vehicles and Traffic; Stop Streets) to include a time-limit of one hour for parking spaces on Fresno Place (9:00 a.m. to 5:00 p.m.).

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #358-2024; Notice of public hearing to be held on June 21, 2024, at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, NY 11975, for Introductory #19-2024, a proposed local law amending Village of East Hampton Code Chapter 267, Article III (Operation of Vehicles on Sidewalks and Parking Lots)

Trustee Carrie Doyle: So moved.

Trustee Sarah Amaden: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #359-2024; Adopt a negative SEQRA declaration with respect to Introductory #13 of 2024.

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #360-2024; Adopt LOCAL LAW NO. TWELVE of 2024 Introductory #13-2024, a proposed local law amending Ch. 176 Historic Areas, Preservation of.

Trustee Sarah Amaden: So moved.

Trustee Carrie Doyle: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Anyone against? Unanimous passed and carried.

Lorraine McKay: Resolution #361-2024; Approve publishing of notice setting forth the polling place, hours during which polls are open, names and addresses of candidates, offices and terms.

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #362-2024; Deem surplus and of no value and approve disposal of assorted articles of Firefighter Personal Protective Equipment (PPE) (per May 10th, 2024 memo from Chief Forrester).

Trustee Carrie Doyle: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #363-2024; Approve extension of bid opening for the Northwest Fire Substation overhead door modification with the bid opening to be June 25th, 2024, at 2:00 p.m. at Village Hall (per May 10th, 2024, memo from Chief Forrester).

Trustee Carrie Doyle: So moved.

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Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Lorraine McKay: Resolution #364-2024; Approve the ten (10) year Cable Franchise Agreement with Cablevision Systems East Hampton Corporation.

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Passed and carried.

Marcos Baladrón: Mayor, I would like to thank Samantha Pardal-Jerez of Altice and Frank Olivio as you met him yesterday with us all together at their event. It was a fabulous event, and they are a terrific partner for the Village. I just want the Board to know that. And if you haven't noticed though, to the back of the room you'll see the former Fire Chief, Kenny Westberg, Jr. The current Mayor? Is that what it is?

Kenny Westberg, Jr.: Commissioner.

Marcos Baladrón: And what's the Village again? Make a note. I just wanted to make sure everybody knew that the former Chief is in the house.

Mayor Jerry Larsen: How are they getting along without you?

Marcos Baladrón: Good to see you.

Mayor Jerry Larsen: Take a motion to close this meeting and we're going to move into Executive Session back at Village Hall.

Trustee Sarah Amaden: So moved.

Deputy Mayor Chris Minardi: Second.

Mayor Jerry Larsen: All in favor?

Board in Unison: Aye.

Mayor Jerry Larsen: Meeting is closed. Thank you. Thank you everyone.

FILED
VILLAGE OF EAST HAMPTON, NY
DATE: 8/8/24
TIME: 12:56 PM

Lorraine McKay