VILLAGE OF EAST HAMPTON BOARD OF TRUSTEES VIDEO CONFERENCE MEETING HELD ON MAY 15, 2020 MEETING, AT 11:00 A.M.

Pursuant to Executive Order 202.2 (COVID19 Pandemic) meeting was held via video conference online and published by Local TV, Inc. (Channel 20/22 LTV – public access) Call in was available.

Present: Mayor Richard Lawler, Deputy Mayor Barbara Borsack, Trustee Arthur Graham, Trustee Rosemary Brown, Trustee Ray Harden, Administrator Becky Hansen, Village Attorney Elizabeth Baldwin, Department of Public Works Superintendent David Collins, Police Chief Michael Tracey, Code Enforcement Officer Ken Collum and Historic Site Manager & Village Historian Hugh King.

R. Lawler: Good Morning. I want to welcome everyone to our May 15, 2020 Village Board meeting, and before we begin let's please do the Pledge of Allegiance please.

All: I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one under God, indivisible, with liberty and justice for all.

R. Lawler: Okay, do we have Hugh King on? He was going to try to make it if he could, but I don't see him on, so we'll continue without his words of wisdom. I want to open it up with public comments today, so if anybody wants to call in and has a public comment I encourage you to do so. There should be a number scrolled along the screen. We'll give it a few minutes to wait and see if we get any calls.

J. Nower/LTV: Hugh King just joined the meeting.

R. Lawler: I understand Hugh King just joined the video, we'll let him do his thing if he's on.

B. Borsack: There he is. Hi Hugh.

H. King: Hi everyone. Sorry. Are you ready. Did you all get a copy of my missive about opening up Home Sweet Home? Okay, I guess I'm a month ahead of Governor Cuomo, so could you all think of those protocols when we do open, if we do open, okay? If the Board has any more ideas or any more points you want to emphasis about these protocols just let me know and we will incorporate them okay?

R. Lawler: Okay.

H. King: I think you should hire, if you could, Francine Hanford and Jonda Stilwell at this meeting without the opening date of May 22nd, so if we do open they'll by ready.

R. Lawler: Yes, that's great, they're on the agenda.

H. King: And you know my point on the windmills, I think we should wait on the windmills until near the of July, we'll know more. We don't open up the Hook Mill until July and August anyway. Is that okay?

R. Lawler: That's fine. Anybody? How about the rest of the Board, is that fine?

B. Borsack: That's fine with me.

A. Graham: That's fine by me.

R. Brown: (inaudible)

H. King: The only thing I have is are we going to let people walk around Home Sweet Home and look at the gardens?

R. Lawler: I personally don't have a problem with that as long as they social distance and they are wearing masks.

B. Borsack: I don't have a problem with that.

H. King: There'll be nobody there to tell them what they need to do if they're not. In other words, you know.

R. Lawler: They would have to self-police I guess. I'm not opposed to have them view the gardens. I think it's a good thing and the beautiful gardens and it's nice to be outdoors. I think they would have to use the protocols that are in place at the time they are viewing the garden.

H. King: Do you think we need signage?

R. Lawler: I'm thinking maybe we'll put some signage up, yes. How's everybody else feel? I think that's what we should do.

R. Brown: We put up signage up at Nature Trail. I'm sure Dave Collins can work with us and get some signage for there too just reminding people to social distance and wear a mask and so forth. Good idea Hugh.

H. King: You want me to contact the Superintendent Collins then?

R. Lawler: If you could do that I'd appreciate it.

D. Collins: I got it. We'll take of that for you.

H. King: Thank you. I don't think there's anything more for me to say if you'll all satisfied somewhat with those protocols, then we could revisit them before we re-open if you have more input.

R. Lawler: That would be great.

H. King: Alright. Thank you very much. You've got plenty to do. I'll see you.

R. Lawler: Alright. Thank you. Have a nice day. Okay, so do we have any callers?

J.Nower/LTV: We seem to have two callers, but they seem to have the same name.

R. Lawler: Okay.

G. Larsen: Hey, Good Morning, it's Jerry Larsen. How are you?

R. Lawler: Good Morning. How are you?

G. Larsen: I have some comments and some questions for the Board. Again, I'm Jerry Larsen, candidate for East Hampton Village Mayor and I'd like as ask a couple questions. Can everybody hear me?

A. Graham: Yes, I can.

J. Larsen: My first question is, can you hear me Rick?

R. Lawler: Yes.

J. Larsen: Alright, great. So, I have a question about the overnight parking. The village code has a section about overnight parking and I want to know, why during a pandemic has the Village Board directed the Police Department to aggressively enforce the overnight parking regulation when families have full capacity homes and may not have room on their properties.

R. Lawler: I don't think that was an accurate description. Nobody was aggressively enforcing anything. I think, in at least one case, we had some complaints – valid complaints, that certain individuals had received summons' for parking there prior and wanted to know why some cars have been parked there overnight when there was adequate parking nearby. So I asked the Chief to look into it for me and as far as I know he took care of it. There's been no complaints since, to my knowledge.

J. Larsen: I've certainly heard complaints and your policy has changed since, it used to be that you could park on the roadway if there were marked parking spots and then on roads that didn't have marked parking spots you had parking on the grass which I never really understood that logic, but is that still currently your policy, or not?

R. Lawler: You are correct. There was a policy for a short period of time in order to help, actually, several businesses, I guess it was, in which the parking in certain areas was relaxed. That has been my knowledge – gone for quite a few years now, because that particular business is no longer in business, so I'm not aware of anything going forward past that. Now what the Department's been doing; I'll have to consult with the Chief and see exactly what he's been doing.

J. Larsen: Yeah, because it was a total change about a month ago and I was just wondering why you would start enforcing the rules differently in the middle of a crisis that's all. That's why I'm asking the questions. You don't know anything about it then, this is all done by the Police Department?

R. Lawler: No. It's not that I don't know anything about it, of course. We're the ones that set the parking regulations with the code to begin with, but I will tell you this, if you have more questions I'll be glad to sit down with you and the Chief and discuss it.

- **J. Larsen:** Alright, great. My next question is has the Board directed the Police Department to do any enforcement of people not wearing any masks when they have to, you know disregard the six foot social distance requirement?
- **R. Lawler:** That's a case by case call by the Police Department. The Governor has requested that local jurisdictions enforce that part of his Emergency Declaration. In fact, if I recall correctly, for this declaration the re could be up to a thousand dollar fine. We of course would not want to do that so we asked for people's compliance. To my knowledge, they willingly comply for the most part. I couldn't tell you off-hand how many complaints we've had. I don't think there has been that many whether Chief would have alerted me to it. It's been policy that the Department would respond to the complaints and preferably with voluntary compliance and to my knowledge that's the way it's been handled thus far but there is the option that we would not want to have to use the Governor's Orders specifies that there can be a summons issued and there could be a fine up to a thousand dollars, but that's not we did not do that the Governor did that in his order.
- **J. Larsen:** I understand that. His Order 202.17 was issued on April 17th when it went into effect mandates that people who cannot avoid being in the six-foot distancing rule must wear a mask and its not being enforced. It's not being done. There's no enforcement of it. I was up on Mother's Day all over the village, there was no enforcement going on. I think you should look into that. I mean, we want businesses to open and we're not even helping ourselves here.

M. Tracey: Can anybody hear me?

R. Lawler: Yes, go ahead Chief.

- M. Tracey: There's enforcement going on Jerry and that's just not fair. There was a lot of calls initially when the Town put up numerous signs all over, indicating you had to wear a mask outside. Now, obviously, we all know you have to wear the mask outside if you cannot adequately social distance. We all know what this is, and for the most part people have been compliant, they've been behaving. There's not been a lot of people walking around, you know, other than to and from the beaches. The Village has been very quiet and its just not fair to say that we haven't been telling people to wear masks and more often than not the complaints are unfounded because it's either someone with a mask, someone riding a bicycle and so forth so we haven't had a heck of a problem with it nor have we had a lot of comments or calls or none from what I've been told or can see about people walking around the village not wearing masks. We've had locations where you the duck trail or the beaches people say people aren't wearing masks and invariably you go up there and almost everyone has a mask on their neck or somewhere on them or a mask in their hand. That's not really I don't consider that a valid complaint.
- **R. Lawler:** I would like to say, Jerry just one minute, I would also like to point out there was a picture on the internet with you and one of your running mates shoulder to shoulder not wearing masks. So it seems to me that this might be a little bit disingenuous to be coming on our board meeting to try to raise an issue. So if you're going to complain about masks you should be abiding by it as well.
- **J. Larsen:** Okay, I am going to complain about the mask, and Mike I have to disagree with you. You should take a ride up to the beach and down Lily Pond Lane on the weekend. It is packed and no one is abiding by the rules and there is no visible enforcement. I'm not going to argue with you about it. I'm just making a comment that it should be looked into. If you don't believe there's an issue I think you're wrong.
- **R. Lawler:** Okay, thank you very much for your comments. I appreciate it.
- **J. Larsen:** Yeah. My next one is I agree with reducing the capacity at the beach I just think you're doing it the wrong way. I think you should be blocking off every other parking spot and not blocking off half the parking lot, then making everyone park in one area which then forces them to violate the six-foot social distance requirement as they get out of their vehicles so maybe you should re-think that as well.
- R. Lawler: Okay, thank you for your comments, appreciate it, alright.
- **J. Larsen**: And my last comment. Obviously about the appointment of Ray Harden, has that been done? I see him on the screen.
- **R. Lawler**: It's planned to be done. It's on our agenda for today, yes.
- J. Larsen: Alright, so should I wait, you going to give comments after the fact, or should I comment now?
- **R. Lawler:** You're welcome to comment now, go ahead.

J. Larsen: So, I disagree with the appointment, just like I did in January when you tried to do it then and I find it not acceptable. I think you're only doing this to create incumbency for the election. This is the most contested election in village history. You have five people running for trustee. I think this is wrong. I think you're only doing it to give the edge to your candidate over Chris Minardi and I think, I think it's the wrong thing to do. I also think that, Rick, you're not, Rick you're only there as an appointed temporary Mayor – you haven't been elected. I don't think you should be changing the Z.B.A or the Planning Boards at this point. You should save that for when the Mayor who gets elected. Those are my comments. I'd like a response.

R. Lawler: Okay, listen, thank you for your comments, I appreciate it.

J. Larsen: That's your response, nothing else?

R. Lawler: Right, that's my response. Thank you for your comments. I appreciate it. Take them into consideration.

J. Larsen: Thank you.

R. Lawler: Any other callers?

J. Nower/LTV: We currently have no other callers on the line.

R. Lawler: Okay, while we're waiting for callers I believe some of my colleagues on the Board have a comment, so Trustee Graham, did you say you have a comment?

A. Graham: Yes, Mr. Mayor I so have a comment, and its regarding the appointment of Ray Harden to the Board.

R. Lawler: Okay.

I wish to go on record in opposition to appointing a new board member at this time. We discussed this very point in March when Mayor Lawler and Deputy Mayor Borsack were in favor of appointing Mr. Harden. Trustee Brown and I were in favor of allowing the voters to make that choice, after all voters should Mayor proposed a candidate and the board voted them in by resolution. We certainly should follow this example. We are currently a board of four elected trustees, we can manage the village effectively with this group as we have done since the first of the year. The Board changed the code to allow sixteen seats and fast food restaurants, we're adopting the Herrick Park Plan, we've reviewed and aree ready to adopt the budget in June. We've also voted on legislation to adopt protocols to address issues presented by COVID-19, not to mention the day to day operations in the village. Where one of us were to become incapacitated we could consider adding a neutral trustee at that time. There is no legal doubt that the Mayor has the ability to fill a vacancy on the Board, however, for that Mayor along with his fellow Elms Party mayoral candidate to decide to add their running mate to the Board without the support of the other two trustees is nothing more than a naked power grab for total control of the Board and to do that with an unelected trustee appointed by an un-elected mayor smacks of the kind of crony politics the voters of East Hampton Village reject from the elections in September. I have no personal animus against Ray Harden. What I object to is the Mayor putting his thumb on the scale in an attempt to influence the election and marginalize the voters. I just hope Ray votes in the interest of the Village and not that of the Elms Party. Mayor's going to do what he's going to do and I have no control over that but I do think the people of the Village should remember this.behavior come September 15th. Thank you.

R. Lawler: Thank you Trustee Graham. Anybody else?

R. Brown: I also have a statement that I'd like to read.

R. Lawler: Sure.

R. Brown: This isn't easy, but I believe it's my responsibility as an elected official to do so, and as I tell my three kids, the right thing to do is often the most difficult. Neither Trustee Graham or I support the appointment of a trustee at this time. This is the first time in history where a candidate has been appointed as to trustee without the benefit of the full board's confirmation vote. This has nothing to do with the candidate and everything to do with the process. I've known Ray since I was ten and I was on his basketball team. Greg, my husband Greg has known Ray forever, they're in the Fire Department. This is about the process. It was with great disappointment and shock that I recently learned of the Mayor's decision, and while the Mayor has the authority to do this, it doesn't make it the right thing to do. In recent history, Bruce Siska was appointed to trustee in 2011 by an unanimous vote. Following that same precedent in 2016 Phil O'Connell was also appointed to trustee by a resolution in an unanimous vote by this Board. Mayor Lawler was not elected Mayor by anyone, he is an appointed Mayor and now he is naming a trustee to the Board without a vote by its members.

- R. Brown (continued): We appointed Rick Lawler to Mayor in January as he was serving as Deputy mayor at the time an we decided to leave the trustee position open since the June election was only five and a half months away and to let the village residents, who should be making this decision, decide who they want to represent them. The Board has been operating with four members since then. What is different now? What is the urgency? Why are we breaking with tradition? Mayor Lawler acting under a critical need pretense decided it is important to fill the vacant position immediately. He says we owe it to the people, we owe it to the village residents. I say we owe it to the village residents to call this what this is, it is an attempt to set the table and appointment through and we adamantly argued against it and we ultimately decided to function with four members and let the people decide at election time. Hopefully we are now turning the corner on this devastating pandemic and instead of focusing on how best to service the Village as we deal with health, safety and economic issues related with the virus, we are orchestrating and maneuvering to influence the next election. For five months we have been governing effectively, and here we are in May with only four months to go to the September election and its eminently important to appoint a trustee? This critical appointment will give the Elms Party the unassailable majority of the Board and create and provide the gift of incumbency to the Elms Party candidate for trustee clearly. This is a cynical attempt to stack the deck and influence the outcome of the upcoming election. This appointment is nothing more than a power grab by the Elms Party, and this plan can probably be traced back to Paul Rickenbach's resignation in December which set up the scenario and now it has come to fruition. As many of you know, I was elected almost two years ago now, along with Trustee Graham and we won these seats because the informed village voter was yearning for some change, transparency, open and respectful government and I have full faith and confidence in the village voter that they will want us to conduct business with openness and transparency. That's good governance. I request the Mayor to reconsider his position. In any case, I ask the people of the Village to come out in September to vote for the candidates of their choice, not the choice of the unelected Mayor trying to influence a very important unprecedented contested election.
- R. Lawler: Thank you Rose, I appreciate your comments. I just think there are some assumptions there that should be cleared up. It is true that Bruce Siska and Phil O'Connell were appointed by the Board, but when my conversation with the Mayor it was clear he had the authority to do it. He had asked the rest of us and we all agreed that it was the best thing to do and so that's what happened. That's why it was an unanimous vote, but he made it clear, at least in my mind, that if it wasn't unanimous vote he had the authority to do it and he would have done it anyway. So, let's clear that up, because I was there that's not an assumption. I think it's strange that both of you supported Ray wholeheartedly until Tiger decided to run for Mayor, and then that changed, so I think we should point that out and just make it clear to the people. I think that you accuse me of playing politics I don't know, I think some other bystanders might say that there are other people playing politics here, but that's my opinion. Anybody else have any comments?
- **B. Borsack:** I would like to say, I fully agree that the voters will make the decision in September and right now we need the extra, not pair of hands, the extra brain. This is a really difficult time we're going though and this was the Mayor's suggestion and I don't disagree with it because we've been working very hard so I'm happy to have another person on board. I don't think that's the Board, you know, as the four of us have been working have been disagreeing on much so I don't see it as a power play. I would hope that we're all working for the benefit of the residents. It's not a political thing at all but I give the voters plenty of credit, they can certainly make their decision in September, but in the mean-time we need extra help and I'm happy to have an extra person on board.
- I agree with that. The voters in this village are very saavy and intelligent and will make their own decision no matter what happens here today and I will be honest with you, nothing I have heard today has changed my opinion and it is not political for me, it's a decision that I think has to be made and is in the best interest of the residents of the Village. Again, in September they will make that decision, so it is still my intention to go ahead and appoint Ray Harden Village Trustee and in order to do that I want to give you a little background. Ray's a longtime resident of the Village, currently serving as Vice-Chairman of the Zoning Board of Appeals, he also serves on the East Hampton Town Licensing Review Board. He's a member of the East Hampton Fire Department and rose to the rank of Chief of the Department, he is also a Fire Coordinator for the Suffolk County 9th Division and is President of the Firemen's Benevolent Association. I think all those things make him eminently qualified for the position of village trustee. Again, if this was political for me I would have appointed Ray several months ago. After I was appointed Mayor this past January it was decided to leave the trustee position open until the election on June 16th, then of course came the Coronavirus and all the unknown possibilities associated with it. The recent decision by the Governor to postpone the village elections another five months until September 15th of this year Gave me doubts about leaving the trustee position unfilled. The Coronavirus is still a very real threat that could have negative repercussions on the ability of this board to govern effectively. The election could be further delayed if there is a resurgence of the virus, which is a very real concern of medical experts. A board member could suddenly become ill. A board member abstains during a meeting, or a board member could abstain or recuse themselves from a particular vote, or with only four trustees there could be a tie vote on an important piece of legislation preventing any action from being taken on that legislation. Therefore, I feel strongly that I owe it to the residents of this village to make sure they have a complete and thorough representation in their government. Everyone who knows Ray will tell you that he will make decisions

R. Lawler (continued):

based on conscience and not based on any party political affiliation, that is why I hereby appoint Ray Harden to the East Hampton Village Board of Trustees, pursuant to the authority granted to me by New York State Village Law Section 3-3-12, which reads in part: The mayor's appointment to fill a vacancy that occurs in a village office is not subject to board approval. Now, Becky, could you please administer the oath to Ray Harden please?

R. Hansen: Sure. Ray, can you raise your right hand? I, Ray Harden,

R. Harden: I, Ray Harden,

R. Hansen: Do solemnly swear,

R. Harden: Do solemnly swear,

R. Hansen: To uphold the constitution of the United States,

R. Harden: To uphold the constitution of the United States,

R. Hansen: and will faithfully discharge the power and duties,

R. Harden: and will faithfully discharge the power and duties,

R. Hansen: as Village Trustee in East Hampton

R. Harden: as Village Trustee in East Hampton

R. Hansen: according to the best of my abilities.

R. Harden: according to the best of my abilities.

R. Lawler: Congratulations.

R. Harden: Thank you.

B. Borsack: I just want to say I look forward to having Ray's expertise as we start to reopen because I think construction is one of the key things to get open out here when we have the chance, so I'm looking forward to your input Ray.

R. Harden: Absolutely. We'll do it, in a safe way, for sure.

A. Graham: I would like to welcome you to the board as well. This was never a personal thing, and I probably would have voted for you in the election that was coming up next month, but as Rose said in her comments, it's a process.

R. Harden: I totally understand, totally understand. Thank you.

R. Brown: Congratulations and welcome to the board. Ray, and you know it wasn't about you or your competency, it was more about the process.

R. Harden: Thank you.

R. Lawler: Thank you everybody for your comments, I appreciate them even though I didn't agree with them. I do respect your comments and I respect the way that you feel and I appreciate that. So, let's begin the resolutions please. Excuse me Trustee Borsack could you please read....

B. Borsack: We have public hearings first.

R. Hansen: We have two public hearings.

R. Lawler: Oh, yes, sorry. June, can you read the legislative intent for the first one please?

1st PUBLIC HEARING

J. Lester: Introductory # 3 - 2020. 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, 2020. That requires a real property tax levy in excess of the tax levy limit as defined by General Municipal Law § 3 - c.

R. Lawler: Becky?

R. Hansen: Yes. As was presented to the village board at the work session last week, was the 2020-2021 tentative budget. The current proposed budget does propose piercing the tax cap. The amount of the levy cap as per the comptroller's office was \$363,515. The proposed budget before the board for consideration has a real property tax levy of increase of \$414,198 which is \$50,580 over the proposed cap. It has been the board's custom in the past each year whether the adopted budget pierce the cap or not to have the legislation in place in case there was an issue during the course of the fiscal year and additional revenue may have been needed or from the time that the tentative budget was proposed to the time that the tentative budget is adopted by the board that you might need to change and actually increase the revenue on the property tax cap side.

R. Lawler: Thank you. Anybody? Any comments?

B. Borsack: I think it's a very conservative budget and I appreciate all the village administrator's work on it. It's been a difficult year to plan a budget, so thank you.

R. Lawler: Thank you, I agree with that. Becky, thank you very much and thank you to your staff for all the hard work that they do every day, but in particular during budget season, so thank you. It's not an easy thing to do, particularly with all the demands on you and I know all the departments are always looking for new equipment, as they should be, but there's only so much money to go around and it's a very difficult job to decide exactly where we're going to spend our money.

A. Graham: I agree, thank you Becky.

R. Hansen: You're welcome.

R. Lawler: Number two, June could you read..

R. Hansen: Mayor, you do need to close the hearing.

R. Lawler: Sorry, Okay, do we have motion to close the hearing?

A. Graham: So moved. B. Borsack: Seconded R. Lawler: All in favor?

R. Brown: Aye. B. Borsack: Aye. A. Graham: Aye. R. Harden: Aye R. Lawler: Aye.

R. Lawler: Opposed? None, so carried.

INTRODUCTORY #3 – 2020 • LOCAL LAW NO. /2020

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, 2020 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, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

R. Lawler: Thank you Becky.

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 15th day of May, 2020, at a.m. the Emergency, Services Building, One Cedar Street, East Hampton, New York, at which time all persons interested will be heard with respect to "A Local Law authorizing a property tax levy in excess of the limit established in Genera Municipal Law § 3-c." INTRODUCTORY # 3 General LAW LOCAL

/2020

A Local Law authorizing a This local law is adopted property tax levy in excess pursuant to subdivision the limit established in of General Muni General Municipal Law § BE IT ENACTED by ernment's governing body the Board of Trustees of to override the property East Village of Hampton as follows: SECTION 1. LEGISLA-TIVE 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 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c **SECTION 2. AUTHOR-**

of General Municipal Law § 3-c, which expressly authorizes a local tax cap for the co cal year by the adoption of a local law approved by a (60%) of said governing body. SECTION 3. TAX LEVY LIMIT OVERRIDE.
The Board of Trustees of Village of E Hampton, County of Suffolk, is hereby authorof ized to adopt a budget for the fiscal year commencing August 1, 2020 that requires a real property

Municipal Law § 3-c.
SECTION 4. SEVER-ABILITY. If a court determines that clause, sentence, paragraph, subdivision, or part of this law or the application thereof to any person, firm or corpora-tion, 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 its operation to the clause, sentence, para-graph, subdivision, or part of this local law or in its application to the person, firm or corporation, or cirdirectly cumstance,

amount otherwise pre-

in

General

scribed

involved in the controversy in which such judgment or order shall be rendered. TIVE DATE This local law shall take effect upon filing with the Secretary of State pursuant to the Municipal Home Rule Law Dated: April 17, 2020 BY ORDER OF T BOARD TRUSTEES OF THE HAMPTON
By: Reh EAST By: Rebecca Hansen, Village Administrator

Aye.

2nd PUBLIC HEARING

tax levy in excess of the

Okay, June can you read the legislative intent and purpose? R. Lawler:

Pursuant to New York State General Municipal Law §247, with respect to the acceptance of a Scenic & J. Lester: Conservation Easement from 25 Cove Hollow Farm Robot LLC and 25 Cove Hollow Farm Unicorn LLC by the Village of East Hampton over property located at 25 Cove Hollow Farm Road, East Hampton (also known and designated on the Suffolk County Tax Map as # 0301-012.00-10.00-005.000).

Okay, thank you. Becky are you going to comment on this, or Ken if he's here? R. Lawler:

Or if Beth wanted to? R. Hansen:

E. Baldwin: Just to revisit this easement is actually a restatement of an easement that's already existed on this property. However, their concern was that the easement provides for a limited access to Georgica Pond, but due to the topography of this it provided limited access to Georgica Pond, but it also said that no structures. the topography this specific property would not have any access without stairs and so the intent was to allow them to have stairs, which they have had for past twenty years thirty years, something like twenty-eight years specifically. It's just making sure they're not in conflict with their easement. I don't think the intent was to ever not allow them to have stairs, so this way everybody's kind of on the same page and everything - to address future issues, so they don't have any future issues with regards to their stairs. So that's why we're restating, otherwise it's exactly the same, we're not changing anything else there. They're putting in new stairs, which have been approved by the Zoning Board, so this is just addressing the issue with the easement.

R. Lawler: Thank you. Anybody? Any comments from the board?

I think every robot and every unicorn need to have stairs. A. Graham:

Anybody else? R. Lawler:

I have no problem with the allowance of these stairs and restating the easement. R. Brown:

R. Lawler: Anybody else? Motion to close the hearing please?

All in favor? Seconded R. Lawler: A. Graham: So moved. B. Borsack:

R. Harden: R. Lawler: A. Graham: Aye. Ave R. Brown: Ave. B. Borsack: Aye.

R. Lawler: Opposed? None, so carried.

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 15th day of May, 2020, at 11:00 a.m. via video-conferencing and published by Local TV, Inc. (Channel 20/22 LTV - Public Access), at which time all persons interested will be heard - Call in will be available, pursuant to N.Y.S. General Municipal Law §247, with respect to the acceptance of a SCENIC & CONSERVATION EASEMENT from 25 Cove Hollow Farm Robot LLC and 25 Cove Hollow Farm Unicorn LLC by the Village of East Hampton over property located at 25 Cove Hollow Farm Road, East Hampton (also known and designated on the Suffolk County Tax Map as # 0301-012.00-10.00-005.000).

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TION EASEMENT from 25 Cove Hollow Farm Robot LLC and 25 Cove Hollow Farm Unicorn LLC by the Village of East Hampton over property located at 25 Cove Hollow Farm Road, East Hampton (also known and designated on the Suffolk County Tax Map as # 0301-012.00-10.00-005.000). Dated: April 17, 2020 By order of the Board of Trustees of the Inc. Village of East Hampton By: Rebecca Hansen Village Administrator 42-2

R. Lawler: Now we can move on to the resolutions. Trustee Borsack, please?

B. Borsack: I'm going to make a motion to appoint Philip O'Connell to the Zoning Board of Appeals and appoint as Vice-Chairman, effective May 20, 2020.

R. Lawler: Seconded.
R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

B. Borsack: I'm going to make a motion to appoint Bruce A. T. Siska to the Planning Board and appoint as Chairman, effective May 20, 2020.

A. Graham: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

B. Borsack: I'm going to make a motion to approve claim vouchers for the month of May.

A. Graham: Seconded.
R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

B. Borsack: I'm going to make a motion to approve Warrants #55, #59 & #60 (General Fund), #54 (Trust Fund), #56 & #57 (LOSAP Fund) and #61 (Capital Fund).

A. Graham: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

B. Borsack: I'm going to make a motion to approve Budget Transfer Schedule # 1, Reference # 10, dated May 11, 2020.

A. Graham: Seconded.

R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

B. Borsack: I'm going to make a motion to approve departmental reports.

A. Graham: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

TO:

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FROM:
                         MICHAEL J. TRACEY, CHIEF OF POLICE
SUBJECT:
                         DISPATCH ACTIVITY REPORT
DISPATCH ACTIVITY REPORT FOR APRIL 2020
        Calls Dispatched for East Hampton Fire Department
                East Hampton Village - 21
                 Water District - 22
                NW Protection District - 30
                Mutual Aid - 0
 61
        Calls Dispatched for East Hampton Ambulance Association
                 East Hampton Village - 11
                 Water District - 23
                NW Protection District - 25
                 Mutual Aid - 2
        Calls Dispatched for East Hampton First Responder
                 East Humpton Village - 4
                                                                   *** CAD System Upgrade - unable to obtain
                 Water District - *
                                                                           EMS numbers at this time.
                 NW Protection District - *
                Mutual Aid - *
 869
        Calls Dispatched for East Hampton Village Police Department
 690
        Calls Dispatched for East Hampton Town Police Department
 242
        Calls Dispatched for Sag Harbor Village Police Department
        Calls Dispatched for Amagansett Fire Department
  23
        Calls Dispatched for Amagansett Ambulance
  27
   16
        Calls Dispatched for Montauk Fire Department
        Calls Dispatched for Montauk Ambulance
   22
   38
        Calls Dispatched for Sag Harbor Fire Department
        Calls Dispatched for Sag Harbor Ambulance
   52
        Calls Dispatched for Springs Fire Department
   21
        Calls Dispatched for Springs Ambulance
   29
        Calls Dispatched for Town Haz-Mat Team
    0
        Calls Dispatched for Ocean Rescue Team
    0
        Miscellaneous FD Events *
   21
                 East Hampton - 13
                 Amagansett – 1
                 Montauk - 3
                                                                   *Miscellaneous Events: Units in and out of service:
                                                                   General Fire/EMS Info; Alarms cancelled before
                Sag Harbor - 3
                 Springs - 1
                                                                   dispatched; Test Calls
        Miscellaneous EMS Events *
  22
                 East Hampton - 8
                 Amagansett - 4
                 Montauk - 6
                 Sag Harbor - 2
                 Springs - 2
        911 Calls Received
  846
        7-Digit Telephone Calls Received / Placed
2,880
        Walk-In Complaints / Information
   10
PERSONNEL:
Overtime:
                                                   9 Eight-Hour Shift/s
Shift Coverage (Codes 653-672):
                                                  0 Eight-Hour Shift/s
Training Hours (Code 615-616):
Time Off:
 Holidays, Personal, Union Days, Vacation, Sick Time, Compensatory Time (Codes 624-651):
                                                   28 Eight-Hour Shift/s
                                                           Respectfully submitted,
```

EAST HAMPTON VILLAGE BOARD OF TRUSTEES

HICHAEL J. TRACEY Chief of Police

TO:

EAST HAMPTON VILLAGE BOARD OF TRUSTEES

FROM:

MICHAEL J. TRACEY, CHIEF OF POLICE

SUBJECT:

POLICE ACTIVITY REPORT

UNIFORM DIVISION ACTIVITY REPORT FOR APRIL 2020

(Codes 030 -693)

- 8 Aided Cases
- 36 Alarms Answered by the Patrols
- 0 Arrests Made by the Department

([0] Driving While Intoxicated and/or Impaired Arrests Included in Above Total)

- 14 Assists to Disabled Motorists
 - Beach Patrol 69 hours

Building Check - 59 hours

0 Child Safety Seat Inspections

Door Checks - 60 hours

- 2 Doors Found Open by the Patrols
- 0 Escorts
- 0 Fingerprinting

Foot Patrol - 300 hours

- 9 Motor Vehicle Accidents
- 43 Traffic Summonses Issued

(7 Speeding Summonses Issued)

- 2 Village Code Summonses Issued
 - (0 Dogs on Beach Summonses Issued)

(0 Sign Summonses Issued)

1 Village Parking Summonses Issued

DETECTIVE ACTIVITY:

Complaints Investigated	Active Cases:	2
	Closed Cases:	2
Paperwork for Court	Arrest Warrant:	0
	Bench Warrant:	0
	Criminal Summons:	0
	Seal Orders:	0
	Supporting Deposition Requests:	0

GASOLINE CONSUMPTION - POLICE VEHICLES

March Gasoline Consumption - 3,055.80

April Gasoline Consumption - Not available at time report submitted

PERSONNEL

Overtime:

Non-Grant - Arrests, Cases, Shift Coverage (Codes 161 - 181): Non-Grant - Foot Patrol, Street Crime, Other (Codes 188 - 190): Grants - STOP-DWI, Speed, Seatbelt (Codes 185 - 187): 5.25 Eight-Hour Shifts 0 Eight-Hour Shifts 0 Eight-Hour Shifts

Time Off:

Holidays, Personal, PBA Days, Vacation, Injured on Duty, Sick Time, DE Days, Compensatory Time, XDO, Funeral Days (Codes 202 - 401):

15.6 Eight-Hour Shifts

Respectfully submitted,

MICHAEL J. TRACEY

Chief of Police

DEPARTMENT OF PUBLIC WORKS

MONTHLY REPORT MAY 2020 MEETING

C-19 work schedule: Two crews working seven days, 3 on 3 off / 4 on 4 off.

SPRING DAILY ROUTINE:

- Trash collection (MWF) and policing of public areas and road shoulders
- C-19 Nature Trail & beach head cans daily
- Street sweeping

SHADE TREES:

- Stump Grinding chips removed and replaced with topsoil completed
- Dayton Parcel pruning & clean up completed

BUSINESS DISTRICT:

- Flag holder relocation completed
- Brick area trip hazards, re-set brick: Schenck lot entrance & 1 N. Main completed
- Tree box's rebuilt 3.

ROAD SURFACE:

- Catch basin cleaning (TOEH loaned clam shell bucket truck)
- School zone signage brought up to code, Gingerbread Ln Ext.
- Patching patrols
- Line striping Long Term, Day lots (Gingerbread lot 1 & 2) and YMCA lot
- Permanent pavement patches completed at 10 locations by Contractor
- Reset 4 settled manholes / storm grates and pavement patch completed by Contractor
- Cross Hwy and Toilsome paving completed by contractor
- Parking area Nature Trail line striped

MISCELLANEOUS:

- DPW yard clean up
- Split Rail maintenance / relocation 11 locations
- Sea Spray Cottages opened
- RPZ valves reinstalled beach's
- Snow fence removed IFO Main Beach
- Flagpole repaired Main Beach
- New mowing trailer set up and put into service
- Spring clean ups and mowing started

Road Opening Permits issued p	orior month: 5	YTD
Road Opening I clinits issued i	month. 3	1111

Solid waste collected in prior month:

Trash	4.16 tons (Wednesday's are based on average daily totals)	YTD	14.93 Tons
Brush / Wood	6.24 tons (does not include disposal at private facilities)	YTD	53.01 Tons
Other Debris	1.62 tons	YTD	8.65 Tons

35

DPW (M) 655.47 (A) 671.14 Fuel Used in March and April: Gas Diesel (M) 474.99 (A) 299.35

David Collins, Superintendent

I'd like to make a motion to adopt as LOCAL LAW # FOUR- 2020 Introductory # 3 - 2020, a local law R. Brown: authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c.

B. Borsack: So moved, sorry, I mean seconded.

All in favor? R. Lawler:

R. Harden: Ave. R. Lawler: Aye. A. Graham: Aye. **R. Brown:** Aye. B. Borsack: Aye.

Opposed? None, so carried. R. Lawler:

I'd like to make a motion to adopt Resolution # 23-2020 to accept the Scenic & Conservation R. Brown: Easement from 25 Cove Hollow Farm Robot LLC & 25 Cove Hollow Farm Unicorn LLC over property located at 25 Cove Hollow Farm Road (SCTM#301-12-10-5).

B. Borsack: Seconded.

R. Lawler: All in favor?

R. Harden: Aye. R. Lawler: Ave. A. Graham: Aye. **R. Brown:** Ave. **B. Borsack:** Ave.

Opposed? None, so carried. R. Lawler:

R. Brown: Make a motion to employ Matthew J. MacPherson as a Department of Public Works Grounds Keeper, Step 1, effective May 16, 2020 with a probationary period of six months, at the starting salary of \$ 48,494.00.

B. Borsack: Seconded. **R. Lawler:** All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

R. Brown: Make a motion to appoint Arthur S. Graham as Chairman of the Planning & Zoning Committee, effective immediately.

B. Borsack: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: and I'm not voting on that, right? R. Lawler: So you obstain?

A. Graham: Obstain R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, cast and carried.

R. Brown: Make a motion to adopt Resolution # 24-2020 to deem as surplus and authorize the transfer of a train bell to the Railroad Museum of Long Island, located in Riverhead, please refer to correspondence received May 8th from David Collins.

B. Borsack: Seconded. **R. Lawler:** All in favor?

B. Borsack: Aye. **A. Graham:** Aye. **R. Brown:** Aye. **R. Lawler:** Aye. **R. Harden:** Aye. **R. Lawler:** Opposed? None, so carried. And I just want to, excuse me one minute, Detective, I mean Rose, I just want to thank Sheila and Dr. DeCosse for their generosity in donating this bell.

R. Brown: Make a motion to deem surplus and approve disposal of 139 shopping carts, (as per Ch.235; Shopping Carts) and approve for sale by on-line auction, with the acceptance of bid that meets or exceeds minimum bid set, and approve disposal of unsold carts.

B. Borsack: Seconded. **R. Lawler:** All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

A. Graham: I'd like to make a motion to employ Jonda Stilwell at \$18 an hour and Francine Hanford at \$15 an hour as 2020 seasonal tour guides at both Home Sweet Home and the Gardiner Mill Cottage, effective immediately or as soon as we are able to open those facilities.

R. Brown: Seconded. **R. Lawler:** All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

A. Graham: Make a motion to notice to bidders for the Department of Public Works Sidewalk Contract, with bid opening to be held on Tuesday, June 9, 2020 at 2:00 p.m.

R. Brown: Seconded. **R. Lawler:** All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

A. Graham: Make a motion to notice to bidders for the Department of Public Works Curbs & Aprons Contract, with the bid opening to be held on Tuesday, June 9, 2020 at 2:00 p.m.

R. Brown: Seconded. **R. Lawler:** All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

A. Graham: Make a motion to notice to bidders for the below listed general services with the bid openings to be held on June 23, 2020, at 2:00 p.m. at Village Hall. The services are: Cesspool Pumping Services, Electrical Work, HVAC/Heating Maintenance, Pest Control, Plumbing Services, Drilling/trenching/missleing, Tree maintenance (trimming & removal), Fire Suppression System Maintenance, Cleaning of Herrick Park Restrooms and Fire Department OHSA physicals.

R. Brown: Seconded.
R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

A. Graham: Make a motion to approve the \$19,908.70 proposal received from DeLalio South Fork Asphalt for Permanent Pavement Patch at listed locations in Department of Public Works Superintendent David Collins memo dated May 1, 2020.

R. Brown: Seconded.

R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

A. Graham: Lastly, I would like to make a motion to adopt Resolution #25-2020 authorizing an agreement with the Suffolk County Water Authority for pavement restoration reimbursement in the amount of \$334,143.50, and that's in reference to a May 6th memo from David Collins with attachments.

R. Brown: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

R. Lawler: Trustee Harden, please read the next four, nineteen through twenty-two please.

R. Harden: Make a motion to notice to bidders for the 2020 lease of Sea Spray Cottage #8, with the bid opening to be held Monday, June 1, 2020 at 2:00 pm. at Village Hall.

A. Graham: Seconded.
R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

R. Harden: Make a motion to approve proposed agreements with the Town of East Hampton for fire protection & ambulance service for the East Hampton Water Supply District & Northwest Fire Protection District and authorize the Mayor to execute same upon approval of the Town.

A. Graham: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

R. Harden: Make a motion to approve the \$8,000.00 upgrade to existing Verint Audiolog Digital Voice Recording System from Mayday Communications, please refer to Chief Tracey's memo with attachment.

A. Graham: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

R. Harden: Make a motion to adopt Resolution #26-2020 approving the Herrick Park Design Plan by the LaGuardia Design Group.

R. Brown: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

R. Lawler: Make a motion to adopt Resolution #27-2020; all current building permits, which expire pursuant to Section 104-7A of the Village Code in May or June shall be granted an additional sixty (60) days from the date of this resolution.

R. Brown: Seconded. R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

R. Lawler: Make a motion to accept low bids received from Firematic Supply Co., Chief Fire & Safety Equipment, South Shore Fire & Safety and Coastal Fire Systems for assorted equipment for the Fire Department; as per the May 12, 2020 bid specifications, refer to copy of bid results.

B. Borsack: Seconded.
R. Lawler: All in favor?

B. Borsack: Aye. A. Graham: Aye. R. Brown: Aye. R. Lawler: Aye. R. Harden: Aye.

R. Lawler: Opposed? None, so carried.

R. Lawler: That concludes our business today, do I have a motion to adjourn -

R. Harden: I just want to say one thing Rick, I appreciate everything today, I look forward to working with everybody and let's just do what's right for the village.

R. Lawler: I agree. Thank you very much.

A. Graham: We look forward to working with you too pal.

R. Brown: I also just have something – The School District contracted me a couple weeks ago about the graduation. As we know with COVID19 everything has changed and they've been trying to find a way to make the graduation ceremony for the seniors as special as it can be. I appreciate all of their effort to do that and they were asking us as a village board if we would let them display lawn signs at the Village Green to acknowledge each graduate and we all decided that was something we definitely would like them to be able to do, so the graduation is June 26th and about a week before the School District will put the lawn signs by the windmill which will acknowledge each graduating senior, and then they will bring those lawn signs to the High School for the actual graduation ceremony on the 26th. I believe there's about two hundred graduates and any way that we can help make that day as special as we can for them, since they've gone through so many disappointments, so many things cancelled – ceremonies cancelled, award ceremonies. The graduation is very different – it's going to be virtual, really for all the family members, except for the one car that comes with the graduate up to the High School to receive the diploma, and for many of them they walked out on March 15th thinking they were going to have a long weekend never really stepping back to high school as a student ever again. So, any way we can acknowledge and commemorate it I'm happy to be part of it and I know all of us agreed right away to it. So, just to let everyone know.

R. Harden: Great idea.

A. Graham: That's a case of how this board works together, it was an absolute no-brainer. Congratulations to all the graduating seniors.

B. Borsack: Absolutely.

R. Lawler: I agree. Congratulations to all of them and thank you Rose for helping to make this happen. I think it's a great thing for the graduates. It's obviously not going to be the same as a real graduation but anything we can do as a community to acknowledge their tremendous efforts for all the years they've been in high school is a great thing, so I thank you again.

B. Borsack: And there are four alumnus's on this board, so we are all with them.

R. Lawler: That right, absolutely. Okay, anybody else? Any other comments? Motion to adjourn?

A. Graham: So moved.

B. Borsack: Second.

R. Lawler: We stand adjourned. Thank you very much.

Meeting was adjourned at 11:48 a.m.

(APPROVED BY BOARD OF TRUSTEES ON JULY 31, 2020)

REBECCA HANSEN, VILLAGE ADMINISTRATOR

RICHARD I. LAWLER, MAYOR

BARBARA S BORSACK DEPUTY MAYOR

ARTHUR S. GRAHAM, TRUSTEE

ROSEMARY G. BROWN, TRUSTEE

RAYMOND J. HARDEN, TRUSTEE