

**VILLAGE OF EAST HAMPTON BOARD OF TRUSTEES
VIDEO CONFERENCE MEETING HELD ON
SEPTEMBER 3, 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, Senior Building Inspector Kent Howie, Planner Billy Hajek, Police Chief Michael Tracey, Fire Chief Gerard Turza, Historic Site Manager/Village Historian Hugh King, Administrative Assistant June Lester, and LTV Videographer & Editor Jody Gambino.

R. Lawler: Good Morning and welcome to our September 3, 2020 Village Board Work Session. Let's begin with 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: Thank you. Alright. Hugh, would you start us off please?

H. King: Well, it's not my day today. It's the Board's turn to ask me questions. So, can we start with Trustee Brown?

R. Brown: Sure. Hugh – what year was the Sea Spray Inn fire? I could give you multiple choice.

H. King: How about, like 1983?

R. Brown: Close, very close. It was in 1978 in February. Apparently, it was a very cold night with snow up to your hip kind of situation, and I don't know if the origin of the fire was ever determined actually. 1978 Hugh.

H. King: Okay, but it was suspicious – wasn't the fire suspicious?

B. Borsack: Yes.

R. Brown: Yes. They never determined that actual – what happened, the cause, so....

H. King: Okay. Thank you. Trustee Harden?

R. Harden: Okay, I hope you know the answer to this, Hugh, because I actually don't.

H. King: Maybe somebody else does.

R. Harden: What was the year of the last graduating senior class from the Middle School?

R. Brown: Wow.

B. Borsack: I know.

H. King: You do?

R. Lawler: Give him a chance now.

H. King: Let me see if I can take a guess – 1964.

B. Borsack: No, it was my class. It was 1970.

H. King: Thank you Ray. Thanks a lot for the question. Okay, so 1970?

B. Borsack: 1970, my class, yes.

H. King: Okay, anybody, that you don't know the answer 'cause I just learned it myself. The class of 1953, where did they have their graduation?

B. Borsack: Herrick Park?

H. King: No.

R. Harden: Chez Labbat?

H. King: Very close.

B. Borsack: The VFW, the old VFW?

H. King: Further away.

B. Borsack: The movie theater?

H. King: The Edwards Theater – they had their graduation at the Edwards Theater. Okay, Mayor Lawler?

R. Lawler: Okay. Hugh, what three people were both Mayor of East Hampton Village and Supervisor of East Hampton Town?

H. King: Do you know that's the question I'm going to ask the Supervisor this afternoon?

R. Lawler: You don't want to give him the answer.

H. King: I'm, I know the answers, but I don't think he's watching – it's Ronnie Rioux, Nelson Osborne and Jonathan Baker.

R. Lawler: Right on, you got it.

H. King: Jonathan Baker was the first supervisor.

(inaudible)

B. Borsack: I think that's Jody (LTV) talking.

H. King: Deputy Mayor Borsack?

B. Borsack: Mine's a little more complicated than that. Can you hear me? I'm going to ask you about the Down Hook area – before the Methodist Church, before Methodist Lane, there were a number of small businesses there. That's the first part of the question. Do you know any of those small businesses – what they were? The second part of the question is do you know the building directly across from the post office on our commercial property – the front one, that's now "Creative Playthings" or "Creative Learning" I guess it's called. Do you know where that original building came from? It was moved there.

H. King: I'm going to make up some answers. So, you ready? On the village green, before the village bought that green, there was Lusty's Shoe Store.

B. Borsack: That's one.

H. King: And there was a bakery there for some reason. Now, where the Methodist Church is, behind there, was the Hook School House and the jail.

B. Borsack: Right.

H. King: And then, where that Creative Plaything building is, I don't know where that building came from, but that's where the Strong Blacksmith & Livery Stable was that burned down in 1916.

B. Borsack: They were in the empty space next to that building.

H. King: Oh, Okay. You're right.

B. Borsack: But, that building was actually Cangiolosi's Grocery Store and it was on Accabonac Road, across from where all the Cangiolosi houses are.

H. King: What?

B. Borsack: My grandfather bought it and moved it there in the 1940's, I think it was.

H. King: Oh my goodness. I never heard of that.

B. Borsack: And the other thing, there was also a bicycle shop and a butcher shop down there.

H. King: Oh my goodness. The Hook.

B. Borsack: Down in The Hook.

H. King: I got some of it right.

B. Borsack: Yes, you did.

H. King: Oh boy, Trustee Graham?

A. Graham: Well, Mr. King, I'm going to give you a choice – I can ask you to name two of the ten presidents of the Maidstone Club before World War II, or I can ask you to name five of the founding members of which there are approximately thirty and you can take your choice.

H. King: Oh, thank you. I get a choice of how I'm going to be embarrassed. Alright, I'm going to go with try to find members who were founders. I know Dr. Everett Herrick and probably Thomas Moran. I'm thinking of who else, no I think they're the only two – Herrick and Thomas Moran. No, I'm stumped.

A. Graham: Okay. I will give you partial credit for Dr. Herrick. He was not one of the founders, he was the first president.

H. King: Oh, Okay.

A. Graham: And I'll give you partial credit – Thomas Moran, yes was, he was also the first vice-president and then eventually refused to serve.

H. King: What about (inaudible) Wiborg?

A. Graham: The founders were, or the incorporators I guess they're called, Frederick Galatin, Robert Found, William Wheelock, David Gardiner, Thomas Moran, William King, Abraham Mills, Charles Adams, George Monroe, Warren Smith, Jay Greenleaf Thorpe, Cyrus Ilets and Preston Smith.

H. King: I know some of those names. Jay Greenleaf Thorpe was an architect, right?

A. Graham: Yes.

H. King: Oh, wow. Did you get those names out of that book Mrs. Rattray wrote? Yes, there it is, "The First Fifty Years of the Maidstone Club", right?

A. Graham: Yes.

H. King: Then Averill wrote the "Second Fifty Years –"

A. Graham: Right. I have both of those and the Historic Society has copies.

H. King: Good. Yes, because in that book, the first one, Mrs. Rattray gave a wonderful history of Main Beach and how it started, that's where I got all that information about how Main Beach developed in the late 1800's, she has that in that book about the Maidstone Club.

A. Graham: If anybody would like to borrow the book and read it, because it really is quite interesting, going back that far, I'd be happy to lend it to you.

H. King: Okay. Thank you for all those questions. At the next meeting, unless I'm elected to something I'm not going to speak okay, but I will bring some questions. You're going to have enough to do, all right, so at the next meeting, which is like the 18th, the third Friday in September.

R. Lawler: September 18.

H. King: I will bring questions for the new board, the old board, the hybrid board, whoever shows up, okay? Thank you for your questions. This has been great - can we keep doing this? Because this is how we learn, right?

A. Graham: Absolutely.

B. Borsack: Great.

H. King: Okay. Great.

R. Lawler: Thank you very much Hugh, we appreciate it. Okay, now we enter into the public comment portion of the meeting, so, we'll just give a couple minutes to allow someone to call in with comments. Anybody have any questions while we're waiting? Jody, any calls?

J. Gambino/LTV: There are no calls on the line.

R. Lawler: Okay. We'll just give it a little bit longer, then we'll move on to the discussion – if we have to let someone in between our discussions because they call in, then that's what we'll do. Let's move on to our discussion items, the first one being affordable housing code and memo of understanding. Becky could you give us an intro to that please?

R. Hansen: Sure. I provide the Board with a cover memo regarding a Memorandum of Understanding for the Village to enter into with East Hampton. As you know, the Village has engaged the services of Nelson, Pope & Voorhis as part of their multi-pronged study of certain items in the Village – housing is one of them, and zoning – how its related. As you know, there has been a unit – an apartment unit in the Village is awaiting it's final approvals from all the various agencies – the Village, Suffolk County Health Department, the Town of East Hampton, as T.D.R.'s (Transferable Development Rights) are involved for the creation of what will be an affordable housing unit. Thru those conversations, with the final development of that unit and with Nelson Pope and Voorhis there will be a point in time that the Village Board will, in order to ensure that the units remain affordable in the spirit of the law, an entity will be needed to administer an Affordable Housing Program. So, the Town of East Hampton, obviously everyone knows they have their own Housing Authority – Tom Ruhle has been part of the committee that Trustees Borsack and Graham sat on regarding the housing and Tom expressed an interest in being the initial intermediary to ask the Town to be the administer. There are other municipalities such as the Village of Westhampton Beach where they have designated the Town's Housing Authority to be their administrator for their Affordable Housing Program. We just recently received word from the Town that conversations with the Town Board that they are supportive in entering into a memorandum of understanding with the village to administer the Affordable Housing Program. The first step before entering into the M.O.U. is the recommendation that the village board adopt a code regarding the administration of affordable housing units or affordable housing. So what you've been provided with is a copy of the Village of Westhampton Beach's code that I wanted to provide to you as a guideline and a starting point in drafting legislation for the Village of East Hampton and based on what's contained in that code, that program will be administered by the Town of East Hampton Housing Authority. So, I don't know if anyone has any questions or in reviewing Westhampton Beach's, if there's any provision that jumps out at you, that you disagree with, or you support or generally speaking support as a whole. That can be a guideline for Beth and I to work on a draft, for the village board to consider for a public hearing.

R. Lawler: Okay. I also would like Billy Hajek to comment, if he has any information for us, Billy?

B. Hajek: Hi Mayor. I don't have much. Becky summarized it. (inaudible).. if you have any specific questions I'd be happy to answer them. I would just point out the Trunzo Project is two apartments.

R. Lawler: Okay. Anybody on the Board have any questions?

A. Graham: I don't have any questions. I think that the – it's really a very good idea. It's a win for us – it saves us the money of having to administer this and actually having the mechanism in place will make it easier for us when we are able to create more affordable housing.

R. Brown: I agree with Tiger – Trustee Graham – I especially like the provision within Westhampton Beach's code that gives preferential eligibility to E.M.S. volunteers, teachers and so forth. I think we all agree they are the backbone of the community and later on in this meeting we actually have a letter of resignation from someone in the E.M.S. and they specifically state how it is so difficult for them to travel back and forth. So if we can have some workforce housing within our community, whether it 's in the Village or in the Town, that's a win – win, as you said earlier, for everyone involved.

R. Lawler: Okay. Anybody else?

B. Borsack: I think it's great. Tom Ruhle has been great to work with and he's been more than willing for his department to help us out of the housing out with Housing Authority in the Town and that's great for us.

R. Harden: I'm on board with it as well.

R. Lawler: Okay. So, if we're in agreement we should move forward and have Beth and Billy start to formulate something that would be specific to our village in regards to affordable housing and working with the Town to administer it. So, we're all in agreement on it?

B. Borsack: Yes.

A. Graham: Yes.

R. Brown: Mayor, I also have a question. We were talking about Nelson, Pope & Voorhis – how they’re working on identifying some housing that could potentially be used for workforce housing, such as, you know, the apartments that used to be above the stores – enabling them to go back to that use and so forth. When can we expect that they will be presenting to the Board some of their findings?

R. Lawler: Becky, can you help us out with that?

R. Hansen: Yes. They’re working on it – inventory – obviously a lot of our stuff has been delayed due to COVID19 with people in and out of the office. We actually had to provide some missing assessment roll information to them, as the information through the Town wasn’t complete – having to deal with merged parcels and things like that. So they’re still working on it. I would anticipate shortly we’ll have something from them.

R. Lawler: Okay. Thank you very much. Okay, so then, it’s agreed we will have something drawn up that’s specific to our village and we can go from there. Public Discussion – we need to have that. Thank you very much. So, the next thing for discussion is tele-communications code and policy. Billy did you have anything for us on that?

B. Hajek: Yes, so Becky provided you with a memorandum – basically explains that the Town of East Hampton is working with a consultant to create a wireless inventory and study to basically inventory where there are gaps in service and where (inaudible) coverage facilities and where to rewrite their codes to be compliant with the FCC rules and regulations. The Village has essentially no regulations that govern personal wireless services for cell phone usage and it would be prudent to have at least some regulations to give us some help to review applications when they come before the boards, and it would be helpful to inventory where there are gaps in coverage and identify sites where it might be helpful to provide more coverage, specifically village-owned property, that would be good. So, that’s essentially it.

R. Hansen: And the Town Supervisor has agreed in allowing the Village them access to it’s consultant thru a similar agreement that you have with the Town on the Coastal Assessment Resiliency Plan.

B. Borsack: I think it’s a good example of shared services and that saves the taxpayers money, which is great.

R. Lawler: Okay. Am I to understand that we would need some sort of policy or code or something like that to help us prevent some possibilities of litigation from some of these cell companies? Am I correct in that, Beth? Do you know?

B. Baldwin: You mean adding telecommunications to the village code?

R. Lawler: Yes.

B. Baldwin: That’s what the Town has. I think what they’re doing now is anticipating updating what’s been going on and everything.

R. Lawler: So, basically, we don’t have a code that addresses that.

R. Hansen: The only thing you have right now is that if an application for something of that nature – for example, one of the most recent ones was for an antenna over the Schenck Fuel property and that only went through the D.R.B. – they did not receive a building permit, but they found the project never came thru fruition.

R. Lawler: Okay. Alright. Do we know exactly how many antennas are in the Village jurisdiction?

R. Brown: I do know when I was on the D.R.B., just recently, I believe there’s an antenna right there at the Presbyterian Church.

B. Borsack: There are three call providers at the Presbyterian Church. Three.

R. Brown: And this will also identify possible locations within the Village, did I read that?

R. Hansen: On Village property, correct.

R. Brown: I think we’re all concerned and would like to improve our reception.

A. Graham: I would also like to see them, not only at the areas where there is reception, we all kind of know where there is no reception, where they can fill those holes. Also, I have found myself in times when I show five bars with the calls drop because of a lack of bandwidth provided by the providers, so I would like to see them take a look at that as well, not just where the coverage isn't, but how much bandwidth they're providing at those towers.

R. Hansen: Okay. That's something I can certainly ask them if they're able to come back with that then the Board can vote to authorize their services at the next meeting.

A. Graham: I think the same issue of bandwidth, sincere there is so many more people out here, working from home using bandwidth, using cell phones all the time, it really has become a problem.

R. Hansen: I'll definitely ask him.

A. Graham: It works into a safety issue.

R. Harden: Dial 9 – 1 – 1, sometimes it's a nightmare.

R. Lawler: Absolutely. Alright, so we're all in agreement then, let's move forward with this. Again, Beth, if I can have you look into adopting whatever code is necessary to help us move forward with this.

B. Baldwin: I think the...

R. Hansen: The consultant is going to look at the proposal.

R. Lawler: Alright.

B. Baldwin: Right now you're just looking into hiring the consultant.

R. Lawler: So we're all in agreement on hiring the consultant.

A. Graham: Yes.

R. Harden: Yes.

R. Lawler: Okay, Thank you. We'll move forward with that. Next on the discussion agenda is the outdoor dining extension. I've been considering extending it to December 1st. Other jurisdictions have done the same. I just wanted to get a feeling of how the Board feels, does anybody have any suggestions or comments?

A. Graham: I think you should do it.

R. Brown: I agree. I also think, as Chair along with Ray, we should re-convene that committee here - the restaurateurs and so forth, what's been working, how they would tweak it, especially if we would like to consider codifying that on a more permanent basis in the future, but I fully support extending it to December 1st if the weather is nice enough and people are serving lunch – don't know about dinner, but December 1st would be great.

R. Harden: I agree. Hopefully we have a mild November and they can get some extended use.

A. Graham: Mayor, did we, I don't recall, did we allow them to put heaters out?

R. Brown: No.

A. Graham: They were not allowed.

R. Lawler: No. That's been a discussion, maybe that's something the committee could take up.

A. Graham: I think if we're going to keep it open until December 1st I think they probably would like heaters out there.

R. Brown: I think we could re-convene, have another meeting and that could be something we discuss. We'll get back to you.

R. Lawler: Okay.

R. Hansen: There is some time on this, because as of right now this – the outdoor dining, is done pursuant to executive order and I’ve been extending them every five days, so if the committee is able to get together, because right now the orders read November 1st, so there is some time on the outdoor heaters before it needs to be included in any executive order that needs to be issued. In theory, it would pertain to an executive order that wouldn’t be issued until mid – end of November.

R. Lawler: Okay. Great. I would recommend that we, at some point set a date for the committee to re-convene and discuss it. Thank you very much, I appreciate it. Any other comments? And I assume no phone calls, Jody? I guess.

J. Gambino/LTV: No callers on the line.

R. Lawler: Okay. Then let’s move forward with the resolutions and motions portion, Trustee Brown, can you start us off?

R. Brown: Sure. The first resolution - make a motion to adopt Resolution #52-2020 to accept Full-time EMT/ Paramedic Nicholas Anthony Kahn’s resignation, dated August 18, 2020, effective August 31, 2020.

R. Harden: 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. Cast and carried.

R. Brown: Make a motion to employ Luc Campbell as an interim lifeguard, effective September 4, 2020 for the 2020 season at an hourly rate of \$16.50.

R. Harden: 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. Cast and carried.

A. Graham: I’d like to make a motion to approve minutes from meetings held on June 4, June 19 & July 2 of 2020.

R. Harden: 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. Cast and carried.

B. Borsack: I just want to say a word of thanks to June because these minutes having to be word for word, that’s a huge burden for her, so thank you again for all your work on these minutes. I know how hard that’s been.

A. Graham: Absolutely. Thanks for that.

R. Lawler: I think we all agree on that, so thank you very much June.

A. Graham: I’d like to make a motion to approve Change Order #1 on the Village Hall Restoration Project in the amount of \$9,623.63 as per August 26th memo from R. Hefner.

R. Harden: 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. Cast and carried.

B. Borsack: Okay, I’m going to make a motion to approve Change Order #2 on the Village Hall Restoration Project in the amount of \$19,730.92 as per August 26th memo from R. Hefner.

R. Harden: 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. Cast and carried.

R. Hansen: I just want to note, just for the record, that project is being paid for out of the Capital Reserve Fund, that it’s not being borrowed for, so those monies for the change orders are already fully funded.

R. Lawler: I want to let people know, this sort of thing is not unexpected, we’re dealing with an older building, so many times things happen – when you take off some of the outside sheathing or whatever, you find there’s some unstable wood or something underneath that needs to be replaced, so this is not something unanticipated.

B. Borsack: As someone who has an old house, I can tell you this always happens. Very depressing sometimes.

B. Borsack: Okay, now I’m going to make a motion to approve the \$17,141.41 purchase of a Swenson stainless steel salt spreader, off Suffolk Co. Contract VMS-091018, as per Dave Collins August 31st memo with attachment.

R. Harden: 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. Cast and carried.

B. Borsack: That would make a good tongue twister.

R. Harden: Adopt Resolution #53-2020 to appoint Steven Losquadaro, Esq. to represent the Village regarding Election Law issues, at the hourly of \$ 450.00.

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. Cast and carried.

R. Lawler: Okay. That concludes our portion of resolutions and motions. Anybody have any comments before we adjourn and go into executive session?

B. Borsack: Enjoy your Labor Day weekend everybody.

R. Brown: Mayor, I'm sorry – where you decided to leave Main Beach open after Labor Day, typically it would be closed for the public, it will be guarded and the bathrooms will be open as well.

R. Lawler: Thank you very much for that.

R. Lawler: Motion to adjourn and go into Executive Session?

A. Graham: So moved.


R. Harden: Seconded.

R. Lawler: We stand adjourned.


Meeting was adjourned at 11:28 a.m.


(APPROVED BY BOARD OF TRUSTEES ON JANUARY 15, 2021)


PAMELA J. BENNETT, VILLAGE CLERK


GERARD LARSEN, MAYOR


CHRISTOPHER MINARDI, DEPUTY MAYOR


ARTHUR S. GRAHAM, TRUSTEE


ROSEMARY G. BROWN, TRUSTEE


SANDRA MELENDEZ, TRUSTEE