

VILLAGE OF EAST HAMPTON BOARD OF TRUSTEES
MEETING HELD ON JULY 30, 2021, AT 11:00 A.M.A – OPEN TO THE PUBLIC
EMERGENCY SERVICES BUILDING, 1 CEDAR ST., EAST HAMPTON

Prior to the meeting, three public hearings were held

PRESENT: Gerard Larsen, Mayor
Christopher Minardi, Deputy Mayor
Arthur Graham, Trustee
Rosemary Brown, Trustee
Sandra Melendez, Trustee
Marcos Baladrón, Administrator
Vincent Messina, Village Attorney
David Collins, D.P.W. Superintendent
Ken Collum, Fire Marshal/Code Enforcement
Billy Hajek, Planner
Michael Tracey, Police Chief
Pam Bennett, Village Clerk
Hugh King, Historic Site Manager/Village Historian
Robert Hefner, Director of Historic Services
Will Schlegel, Lifeguard
Drew Smith, Lifeguard
Joan Osborn, Village Resident/Village Preservation Society
Jamie Bufalino, East Hampton Star
Jody Gambino, LTV Videographer & Editor
June E. Lester, Deputy Clerk/Administrative Assistant

Mayor Larsen welcomed everyone to the first live meeting since November.

The Pledge of Allegiance was held.

Mayor Larsen made a few brief announcements and gave a brief recap of the village's initiatives:

The village's fiscal year ends July 31st.

Herrick Park has become a community venue for village events - Shakespeare in the Park, Fine Arts in the Park. Peter & The Wolf by Hamptons Ballet will start Tuesday. The Farmers Market is held every Sunday.

In response to public dismay over the loss of Scoops on Newtown Lane, Dylan's on Main Street and Moo Moo's on North Main both now serve ice cream.

Music at Main Beach, "Sunset Sessions" on Tuesday nights has been a huge success, with ten more thru the season.

The Mayor's Youth Council has been cleaning up the Village every Tuesday.

Lifeguard Tournament was held last week, the biggest in over twenty years, and was well attended and a huge success. Deputy Mayor Chris Minardi thanked the Dept of Public Works, the Police Dept, the Beach Staff and everyone for their efforts. The use of bleachers and lights on the beach made it feel like a stadium, and will be used for the Battle of the Beach Volleyball Lifeguard Tournament will be held on August 9th.

The Artists-Writers Game will be held on August 21st, with the fireworks being that evening, weather permitting.

Air B & B complaints can now be forwarded to Ken Collum. Two surveys, one on Air B&B's in the Village, the other on the East Hampton Airport will be mailed to village residents shortly.

Chief Tracey briefly spoke of the handicapped parking enforcement initiative. An ongoing effort for years, enforcement of the proper use of handicapped placards has been increased. Laws vary from state to state, but generally the placard is connected to the license of the person it was issued to. Persons improperly using someone's placard can be subject to a ticket and possibly a substantial fine and confiscation of the placard.

Promotions and New Hires During Covid

This being the first meeting open to the public since October of 2020, the Board acknowledged the promotions and new employees that occurred during the past nine months of meetings held by video-conference.

Chief Tracey introduced Michael Reid, a fully-trained Public Safety Dispatcher transferred from Southampton Village in March, and Meghan Harris Full-time Police Officer since July 1st. The Chief also congratulated Jennifer Dunn on her promotion to Sergeant. He also congratulated new Police Officers Armann Gretarsson and John Clark, officers since May 16th, who could not attend today's meeting.

Village Clerk Pam Bennett swore in Police Officer Harris and Public Safety Dispatcher Reid.

Hugh King, Historic Site Manager & Historian

Mr. King announced the last of the Village Green Walking Tours will be held tomorrow night, led by Julianna Lester. The Main Street Walking Tours will be held on August 7th, led by Jackie Dunphy and Veronica Mezzina, and on August 14th, 28th and September 4th led by Julianna Lester.

Honorary Street Dedication, Ronald P. Rioux, Mayor 1971 – 1975 – Conklin Terrace

Mr. King spoke briefly of Ronald Rioux, Village Mayor from 1971 to 1975. Mayor Rioux ran Parsons Electric, which had been on Newtown Lane. Village Board meetings were held on the 2nd floor of the Police Dept building, which was previously the Fire Dept, on Newtown Lane. In the history of the Town & Village of East Hampton, only three people had the offices of Village Mayor & Town Supervisor: Jonathan Baker, Nelson Osborne and Ronald Rioux.

Certificate of Achievement presented to Will Schlegel, Lifeguard

CERTIFICATE OF ACHIEVEMENT

Presented to:

Will Schlegel, Lifeguard

35th Annual Main Beach Lifeguard Tournament

Beach Flag Champion

Whereas, The 35th Annual Main Beach Lifeguard Tournament was held on July 22, 2021; where hundreds of competitors from twenty Long Island teams competed; and

Whereas, "one of our own" Will Schlegel, a second-year lifeguard for the Village of East Hampton, won the Beach Flag Competition,

Now, therefore be it resolved, that I, Mayor Jerry Larsen, and Deputy Mayor Chris Minardi, on behalf of the Board of Trustees, do hereby congratulate Will Schlegel, 2021 Beach Flag Champion.

Proclamation Presented to Bob Hefner

PROCLAMATION

IN RECOGNITION OF ROBERT J. HEFNER

WHEREAS, the Board of Trustees of the Incorporated Village of East Hampton would like to recognize Robert J. Hefner for his dedication to local history and historic preservation, and

WHEREAS, from repairing storm damage to the Hook Mill in 1984 with Paul Cullum and Sherrill Dayton, to overseeing the acquisition, preservation and restoration of countless historic buildings in the Village and the Town, Bob has been instrumental in saving many local historic treasures,

WHEREAS, Robert J. Hefner was the driving force behind the creation of the village's historic districts, legislation protecting buildings of historic significance, the drafting of the Village's Comprehensive and Open Space Plans, the landmark designation of the Odd Fellows Hall and the East Hampton Train Station, and, most recently, the acquisition and restoration of the Dominy Workshops,

NOW, THEREFORE, I, Jerry Larsen, Mayor of the Village of East Hampton, on behalf of the Board of Trustees and the residents of the Incorporated Village of East Hampton, express our deepest gratitude to Robert Hefner for his dedication to historic preservation, and the history, of the Village of East Hampton.

PUBLIC HEARING #1

(copy of notice is included at the end of these minutes)

Proposed name change of Cross Road (between Georgica Rd & Apaquogue Rd) to Privet Lane.

The public notice was read.

Trustee Graham noted the possible confusion, particularly for emergency vehicles and personnel, caused by there currently being over 12 roads in the Village and Town with "Cross" in the name, and supported the name change.

Mr. Robert Gilman, resident of Cross Road, voiced his support of the name change. Mr. Gilman thanked the Mayor and Board for all their efforts.

There being no further discussion, Trustee Sandra Melendez made a motion to close the hearing at 11:35 a.m., seconded by Trustee Arthur S. Graham and carried unanimously.

PUBLIC HEARING #2

(copy of notice is included at the end of these minutes)

Introductory #14-2021, a proposed amendment to Chapter 185 (Licensed Occupations and Entertainment) by adding Article IV; Caterers, to address licensing requirements.

The Legislative Intent was read.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Inc. Village of East Hampton will hold a public hearing on the 30th day of July, 2021, at a.m. at the Emergency Services Building, One Cedar St, East Hampton, NY, or via video conference if necessary, at which time all interested persons will be heard with respect to a "Local Law amending the Code of the Village of East Hampton, Chapter 185 (Licensed Occupations and Entertainment), to address licensing requirements within the Village of East Hampton for caterers by adding Article IV; Caterers".

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

INTRODUCTORY NO. 14 – 2021
LOCAL LAW NO. ____ - 2021

SECTION I. LEGISLATIVE INTENT.

The Village of East Hampton would also like to assist the process associated with event permits and protect the public health, welfare, and safety. By licensing caterers prior to the issuance of event permit applications, the Village can ensure that the caterers possess any necessary permits from other governmental agencies, such as Health Department Permits and understand the Village rules of events independent of the numerous other issues the event permit takes into account.

SECTION II. AMENDMENT. The provisions of Chapter 185 (Licensed Occupations and Entertainment) of the Code of the Village of East Hampton are hereby amended by adding Article IV; Caterers, as follows:

**Article IV
Caterers**

§ 185-16. Definitions.

Caterer — for the purposes of this chapter a caterer is defined as a person, corporation, or other entity who provides food, supplies, and sometimes service at gatherings held on public property.

Catering — the provision of food, supplies and sometimes service at social gatherings.

§185-17. License Required for Catering.

No person or corporation or other entity shall, within the Village of East Hampton, pursue, exercise or engage in catering on public property within said Village unless said person or corporation obtains a license therefor and pays the license fee as hereinafter set forth.

§185-18. Applications.

- A. Applicants for a license under this local law must file with the Village Clerk a sworn application in writing (in duplicate) on a form to be furnished by the Village Clerk, which application shall include but not be limited to the following information:

- (1) Name, address and telephone number of the applicant.
 - (2) Whether or not the applicant or any employee of the applicant has ever been convicted of a felony, misdemeanor or violation of any municipal ordinance, except traffic violations, and, if so, the date, court, ordinance violated and sentence of the court.
 - (3) Whether the applicant has been previously licensed in any occupation and, if so, when, where and for what period and, if such previous license was ever revoked, or any discipline administered in connection therewith, the date of revocation or discipline and the reason therefor.
 - (4) The manner or means of conveyance in which the said business or trade or occupation shall be conducted.
 - (5) The applicant shall submit a valid permit issued by the Suffolk County Health Department indicating compliance with the provisions of the Suffolk County Public Health Ordinance.
 - (6) If the applicant requires the use of weighing and/or measuring devices, such application shall be accompanied by a certificate from the County Sealer of Weights and Measures certifying that all weighing and measuring devices to be used by the applicant have been examined and approved.
 - (7) If the application involves the use of a vehicle, proof of a valid New York State motor vehicle registration and insurance for the vehicle to be used.
 - (8) If the application involves the use of a vehicle, proof that the applicant holds a valid New York State driver's license.
 - (9) Proof that the applicant holds a New York State sales tax identification number.
 - (10) In the event that any other license or permit shall be required by any other governmental agency in connection with the applicant's business, the same shall be produced by the applicant, including but not limited to New York State Liquor License and the Village Clerk shall duly note the same.
 - (11) Any additional information the Village Clerk shall deem necessary for the purpose of administering the provisions of this local law.
 - (12) An acknowledgement that the applicant is familiar with the laws of the Inc. Village of East Hampton including event and mass gathering requirements, and shall abide by such regulations.
- B. Any change in circumstances with regard to the information provided in the application or on the license shall be reported to the Village Clerk within 30 days.
- C. The Village Clerk may refer the application to the Village Police Department for review with regard to the fitness or desirability of the applicant.

§ 185-19. Issuance or denial of license; revocation; fees.

- A. All licenses granted pursuant to this article shall, upon the payment of the prescribed fee therefor, as hereinafter provided, be issued by the Village Clerk to such persons as she/he shall deem fit and proper to carry on such trade or occupation, but no license shall be granted which shall, in the judgement of the Village Clerk, be likely to disturb the peace and order of the Village or be immoral or improper.
- B. If the application should disclose that the applicant has been convicted of a felony and/or misdemeanor, which felony and/or misdemeanor renders the applicant unfit or undesirable, the Village Clerk shall notify the applicant that his application is disapproved, and no license will be issued on said application.
- C. If the application should disclose that the applicant has violated duly enacted Village ordinances and has been convicted of same on more than one occasion, this shall render an applicant unsatisfactory or undesirable, and the Village Clerk shall refuse issuance of the license.
- D. Where the Village Clerk refuses a license, an applicant may appeal to the Village Board. After a public hearing, the Village Board may grant or refuse said license.
- E. The Village Clerk shall keep a record of all licenses issued.
- F. Licenses issued under the provisions of this local law may be revoked by the Village Board of the Village of East Hampton after notice and public hearing for any of the following causes, and for any cause for which such license might have been originally refused:
 - (1) Fraud, misrepresentation or false statement contained in the application for license.
 - (2) Fraud, misrepresentation or false statement made in the course of carrying on his business.

- (3) Any violation of this local law.
- (4) Conviction of a felony or a misdemeanor, which misdemeanor, in the judgment of the Village Board, renders the applicant unfit or undesirable.
- (5) Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- (6) Upon the recommendation of the Suffolk County Department of Health that the sale of food or food products or other edibles is being conducted under unsanitary conditions or that there is a violation of law, regulation, code or ordinance cited by the Suffolk County Department of Health.

G. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least five days prior to the date set for hearing.

Notwithstanding any other provision contained herein, the Village Clerk may immediately suspend any license issued hereunder upon a finding by the Village Clerk that the license holder has engaged in conduct which threatens the public health, welfare, or safety.

H. License fees.

- (1) Uniform fees for licenses for catering shall be for one year and for which a fee shall be fixed by resolution of the Board of Trustees.

§185-20. Display of license.

Every person or entity holding a license under the local law shall have its license in its immediate possession at all times when operating an activity where the license is required and shall display the same upon demand of any person.

§185-21. Non-transferability of license.

No license issued under the provisions of this chapter may be transferred from one person or entity to another person or entity.

§185-22. Penalties for offenses.

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be subject to a fine not exceeding the sum of \$1,000.00 for any offense, and each day that a violation continues shall be deemed to constitute a separate offense.

Trustee Graham voiced his concern over caterers having insurance, but proof of insurance is required by the special permit.

There being no further discussion, Trustee Arthur Graham made a motion to close the hearing at 11:39 a.m., seconded by Deputy Mayor Minardi and carried unanimously.

PUBLIC HEARING #3

(copy of notice is included at the end of these minutes)

Introductory #15-2021, a proposed amendment to Ch.233; Sanitary Systems, to require septic systems be replaced with I/A systems upon failure.

The Legislative Intent was read.

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 30th day of July, 2021, at 11:00 a.m. at the Emergency Services Building, One Cedar Street, East Hampton, New York or via video conference if necessary, at which time all persons interested will be heard with respect to "A Local Law amending Chapter 233 (Sanitary Systems) to require cesspools/septic systems be replaced with Innovative and Alternative On-Site Wastewater Treatment systems upon failure. "

**INTRODUCTORY #15-2021
LOCAL LAW NO. __/2021**

A Local Law adding Chapter 233 (Sanitary Systems) to require cesspools/septic systems be replaced with Innovative and Alternative On-Site Wastewater Treatment systems upon failure. "

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

SECTION I. Legislative Purpose and Intent. This legislation is intended to implement a requirement that, in addition to all new residences and any substantial improvement to an existing residence install and maintain an Innovative and Alternative On-Site Wastewater Treatment system, failed systems must be replaced with an Innovative and Alternative On-Site Wastewater Treatment system. By doing so, the intent is to protect and preserve the Village's natural resources and potable water supply and thereby promote the public health and safety.

SECTION II. Chapter 233 of the Code of the Village of East Hampton is hereby added as follows (text to be added is underlined, text to be deleted is bracketed/struck-thru):

Chapter 233

SANITARY SYSTEMS

§233-1. Definitions.

As used in this Chapter, the following terms shall have the following meanings unless the context indicates otherwise:

CESSPOOL – Any in-ground wastewater disposal system which incorporates or operates as a combined septic tank/drain field process without a separate and distinct septic tank as defined herein.

CODE ENFORCEMENT OFFICE—The Department of Code Enforcement as per Chapter 104 of the Code of the Village of East Hampton.

INNOVATIVE AND ALTERNATIVE ON-SITE WASTEWATER TREATMENT SYSTEM—An on-site decentralized wastewater treatment system that, at a minimum, is designed to reduce total nitrogen effluent to 19 mg/l, sometimes referred to as an "I/A system."

ON-SITE WASTEWATER DISPOSAL SANITARY SYSTEM – Any in-ground cesspool, septic tank or drain field or any combination of such structures, used for the disposal of sanitary sewage and normal domestic wastes generated on or near the property on which the system is located, and sometimes referred to as a "disposal system" or simply a "system."

PERSON—Any individual, firm, partnership, association, corporation, company, organization or other recognized legal entity of any kind, including municipal corporations or other governmental agencies or subdivisions thereof, excluding only the Village of East Hampton.

RECONSTRUCTION-- The removal and replacement, whether or not if it's in place and in kind, of all or a substantial part of a preexisting building or structure. The rebuilding, whether or not in place and in kind of all or a substantial part of a building or structure which has been damaged or destroyed shall be included in this definition. If the cost of the work in question exceeds 50% of the full replacement cost of the structure as estimated by the Building Inspector, it shall be deemed to involve a "substantial part" of the building or structure. Appeals of the Building Inspector's percentage determination of replacement cost may be made to the Zoning Board of Appeals. The word "reconstruct" in its various modes and tenses and its participle form refers to the undertaking of a "reconstruction."

SEPTIC TANK—Any buried watertight receptacle designed and constructed to receive wastewater from a home, business enterprise or other source, to separate solids from liquid, to provide limited digestion of organic matter, to store solids and to allow the clarified liquid to then pass on to other structures for percolation into the ground.

§233-2. Septic Permit Requirements.

A. All construction of sanitary systems shall conform to Standards for Sewage and Waste Disposal Systems, as then established by the Suffolk County Department of Health Services, to all applicable wetland setbacks of the New York State Department of Environmental Conservation and of the Village of East Hampton and all other applicable local, county and state regulations concerning the siting of such structures and systems. No building permit of any such work shall issue until all applicable provisions of the Village Code, including Chapter 278, Zoning, have been complied with.

B. In addition to the conditions provided for in paragraph A, in all the following circumstances the sanitary systems installed must be, or the current sanitary system must be upgraded to, an Innovative and Alternative On-Site Wastewater Treatment (I/A) System:

- (1) All construction ~~and/or reconstruction~~ of new single-family or multiple family residences, or buildings capable of being used as a residence;
- (2) All reconstruction, as defined herein, of a single-family or multiple family residence or buildings capable of being used as a residence;
- (3) Any replacement or expansion, whether either is voluntary or involuntary, of an existing sanitary system servicing single-family or multiple family residences or any buildings capable of being used as a residence;
- {2} (4) Any construction that increases the gross floor area (as defined pursuant to Chapter 278, Zoning) of an existing single-family or multiple family residence or other building capable of being used as a residence by twenty-five (25%);
- {3} (5) Any construction that increases the number of bedrooms in a single-family or multiple family residence or other building capable of being used as a residence beyond the number of bedrooms authorized by a permit previously issued by the Suffolk County Department of Health Services.

C. Whenever the installation of an I/A system is required pursuant to the provisions of this chapter or any other chapter of the Code of the Village of East Hampton, the property owner shall be required to obtain a building permit from the Code Enforcement Office. The Zoning Board of Appeals may grant a variance from the provisions of this section upon a showing of good cause. Good cause must be based upon a showing that compliance is impossible due to physical limitations and lack of an approved I/A System ~~Low-Nitrogen Sanitary System~~ to address and accommodate such limitations. It is not good cause if a I/A System ~~Low-Nitrogen Sanitary System~~ exists that would accommodate such limitations, but does not accommodate an applicant's proposal to increase occupancy or use. In determining whether to grant such a variance, the Zoning Board of Appeals should consider, in addition to such limitations, whether a covenant applicable to heirs, successors and assigns should be required to be recorded in the Suffolk County Clerk's office providing that the applicant will upgrade the system if a low-nitrogen system is approved, provisionally or otherwise, by the Suffolk County Department of Health Services that can accommodate the physical limitations of the property or upon availability of a Community Sanitary System that the subject property can be hooked up to.

§233-3. Installation and maintenance requirements

A. The fee charged for building permits obtained under this Chapter shall be in such amount as shall be from time to time prescribed by resolution of the Village Board. Different fee schedules for residential and commercial properties, or for different types or sizes of on-site disposal systems may be established.

B. Every owner of an I/A System as defined in this chapter, must maintain such system in accordance with the manufacturer's recommendations and monitor the effectiveness of such system to assure that it continues to function in the manner it was designed to function in its efficiency in removing nitrogen. The Code Enforcement Office may, at any time, require a monitoring report, engineer's report, and/or performance and maintenance report demonstrating that the proposed system complies with the Suffolk County Department of Health Services requirements.

C. Whenever the Code Enforcement Office has reasonable grounds to believe that operations are being conducted in violation of the provisions of this chapter or are not in compliance with a permit or other license issued hereunder, it may notify the owner of the property, the owner's agent or the person performing such operations to modify or suspend all or part of such operations, and any such person shall forthwith comply with such notice of violation until the same has been rescinded. To the extent that any notice of violation issued hereunder requires immediate suspension, modification or cessation of any operation(s), it shall be deemed to be

a stop-work order. A notice of violation shall be in writing, shall specify the violations and shall state the conditions which must be complied with and the time within which compliance must be completed. If suspension of operations has been required, the notice shall so state with clarity and shall describe under what conditions, if any, said suspended operations will be permitted to be resumed. A notice of violation shall be served upon the person to whom it is directed by delivering it to him or her personally or by posting the same in a conspicuous place on the premises where operations are conducted and by mailing a copy thereof to such person by certified mail to his or her last known address.

The Code Enforcement Office may extend the time for compliance specified in any notice of violation where there exists evidence of intent to comply within the time period specified, conditions exist which prevent complete compliance within such originally specified time period and it has determined that there will be no threat to public health, safety or property from the additional period of continued noncompliance.

§233-4. Penalties.

A. Effect of failure to comply. In the event that the person upon whom a notice of violation has been served shall fail to comply with the same within the time period specified, or any extended time period later granted by the Code Enforcement Office, any and all permits, licenses, authorization or permissions issued to the person pursuant to this chapter shall be deemed revoked.

B. No effect on other remedies. Nothing in this section concerning the nature and effect of notices of violations shall be construed as limiting the authority of the Code Enforcement Office to pursue any necessary and appropriate legal means to properly and effectively administer and enforce the provisions of this chapter and to obtain compliance therewith. In addition to any other legal remedies available to him or her, the Code Enforcement Office may, after consultation with the Village Attorney, file criminal informations and commence court proceedings on behalf of the Village to compel such compliance.

C. In addition to enforcement by the Sanitation Inspector, the provisions of this chapter may be enforced by the Village Code Enforcement Office, whether or not it is serving as Sanitation Inspector. For such enforcement purposes only, each such officer shall be deemed to have the same authority as is given in this chapter to the Sanitation Inspector to enforce this chapter.

D. Any owner, occupant, builder, architect, contractor, agent or other person who commits, takes part in or assists in a violation of this chapter shall be liable upon conviction for a fine not to exceed \$500 (or any lesser amount which may be specified herein for a particular violation) or imprisonment for a period not to exceed 15 days, or both. Each day on which such violation shall occur or be maintained shall constitute a separate additional offense.

SECTION III. AUTHORITY. This local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3) and N.Y.S. Village Law §4-412.

Sara Davison, of Friends of Georgica Pond, congratulated the Board on putting this legislation forward and reminded the Board that 68% of Georgica Pond is in the Village. Ms. Davison strongly urged the Board to reconsider the shallow drain field legislation. (letter submitted below)

FRIENDS OF
GEORGICA POND
FOUNDATION

March 24, 2021

BOARD OF DIRECTORS

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LARRY CANTWELL
GOVERNMENT ADVISOR

SARA DAVISON
EXECUTIVE DIRECTOR

DR. CHRISTOPHER GOELER
SCIENCE ADVISOR

Mayor Jerry Larsen & Village Trustees

Village of East Hampton

86 Main Street

East Hampton, New York 11937

Dear Mayor and Village Trustees,

I am writing on behalf of the Friends of Georgica Pond Foundation in support of the proposed changes to the Village's Sanitary Code, Chapter 233. We have worked with knowledgeable colleagues and members of the Village staff to make minor changes to the Code that would require upgrading to I/A septic systems upon failure of an existing system and reconstruction of an existing residence. In addition, requiring a shallow drain field as a final processing stage, will improve the quality of the water being discharged back into our groundwater even further.

A lot of progress has been made since the Village first passed the requirement to upgrade to I/A systems for new construction and major renovation. The Town, County and State incentive programs are efficiently managed, the permitting more streamlined and the ability of Suffolk County's Health Department to respond immediately to septic failures is established.

I understand that there may be some reservations about requiring shallow drain fields, but want to emphasize that the County deems them so effective that

The time is now for these important steps to safeguard the extraordinary natural resources the Village is so blessed to have and the groundwater that it relies on for drinking water.

I stand ready to answer any questions you may have.

Sincerely,



Sara Davison

Executive Director

Kathy Cunningham of the Village Preservation Society, referred to the below letter, and agreed with Ms. Davison and urged the Board to reconsider the shallow drain field legislation. (letter submitted below)



PO Box 2015
East Hampton
New York 11937
631 329 3524
www.villagepreservationsociety.org



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Lyn A. Chase

Board of Trustees
Village of East Hampton
86 Main St
East Hampton, NY 11937

Re: Legislation requiring I/A septic systems for failed septic systems

29 July 2021

Dear Mayor Larsen and Trustees.

We applaud the Village Board for bridging the critical gap within its present requirements to include failed septic systems be replaced with low-nitrogen septic systems to protect our fragile aquifer and surface water bodies.

However, we respectfully request that the Board amend the law to reinstate language from the initial draft requiring septic replacement systems utilize a shallow drain field.

Shallow drain fields have the potential to further reduce nitrogen loading by up to 10% a meaningful and necessary number in our fight to purify our drinking water and surface water bodies.

Properties unable to support a shallow drain field can seek guidance from the Building Inspector, who can be empowered to determine whether a property can meet the proper engineering requirements for a shallow drain field. This then becomes an administrative determination obviating the need to seek a variance from the ZBA to accommodate the drain field.

Please reestablish these requirements for this important law.

Many thanks for the opportunity to comment.

Sincerely,

Joan D. Osborne
President

Kathleen Cunningham
Executive Director

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Village Planner Billy Hajek noted that when the changes to the septic code to further mandate installation of I/A Systems were being contemplated, the concept of mandating shallow drainage systems or other technologies that have the same effect were also looked into. The result of that research was that we would move forward with tightening our regulations, as we currently propose, to address the failure situation. In addition to addressing failures, the proposal also addresses property owners' proposals to replace existing systems. The next step is to refine, other than just mandate, a generic across-the-board requirement for shallow drainage fields. The village is going to look at it a little more strategically and try to figure out where the best locations are for shallow drainage fields. Originally, the village was just using lot size, which might not be the best way to reach that goal. The Village is still working on it, it is an involved process and further recommendations will be made.

In response to Trustee Graham's question as to the size of the draining fields, Mr. Hajek noted that they are 20x 30 or 20x40 and some have already been installed in the village.

An update will be provided at a later time.

DISCUSSION: PROPOSED CODE CHANGES; INTRODUCTORIES # 16 – 23 OF 2021

The legislative intent of Introductory #16 – 2021 was read.

INTRODUCTORY #16-2021

A Local Law amending Chapter 278 to clarify the definition of nonconforming buildings, structure, uses and lots and permitted enlargements, reconstruction, structural alterations, restoration or repair of same.

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

SECTION I. Legislative Purpose and Intent. This legislation is intended to provide for permitted enlargements, reconstruction, structural alterations, restoration or repair of nonconforming buildings, structures, uses and lots. The current code language has caused confusion and/or prohibited both repair/reconstruction and gradual conversion of such uses to conforming uses.

SECTION II. Chapter 233 of the Code of the Village of East Hampton is hereby added as follows (text to be deleted is struck-thru; text to be added is in bold):

§278-1. Zoning; Definitions B. Nonconforming buildings, structures, uses and lots.

(1) Nonconforming Buildings, structures uses and lots.

- (a) ~~Existing nonconforming structure. The provisions of this chapter shall not apply to any lawful nonconforming building or structure existing upon the adoption of this chapter or any pertinent amendment thereto.~~ **A nonconforming building or structure which lawfully exists that is devoted to a conforming use, or a building or structure which lawfully exists that is devoted to a conforming use on a nonconforming lot, may be enlarged, reconstructed, structurally altered, restored or repaired, in whole or in part, except that the “degree of nonconformity” shall not be increased. For the purposes of this subsection, an increase in the “degree of nonconformity” shall include any increase in the nonconformity of a nonconforming building or structure with the dimensional regulations of this chapter and shall include any increase in the nonconformity related to the length, width or height of the nonconforming portion of the building or structure.**

Billy Hajek provided a brief introduction of the proposed legislation. The present code is somewhat vague on non-conforming buildings containing conforming uses. For example, currently a single-family residence required setback is 20 feet, the building sits 10 feet from the side yard. Repairs such replacing rotten sills or moving a window are currently perceived as “alterations” because it’s structural work, and would require a variance before the ZBA. In the past the building department has used their judgement in deciding which projects needed a variance or not. Repairs and alterations, that don’t increase the degree on non-conformity - if the house doesn’t get any closer to the property line or bigger, should be permitted without review by the ZBA. The proposed legislation defines it much clearer.

Board members and Building Inspector Tom Preiato were in agreement and felt it would be much easier for homeowners, the ZBA and the Building Department.

A motion was made by Trustee Melendez, seconded by Deputy Mayor Minardi and carried unanimously to notice a public hearing for Introductory #16-2021.



The legislative intent of Introductory #17 – 2021 was read.

INTRODUCTORY #17-2021

A Local Law amending Chapter 278 to repeal certain limitations on permitted gross floor area.

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

SECTION I. Legislative Purpose and Intent. This legislation is intended to repeal previously enacted restrictions on gross floor area.

SECTION II. Chapter 278 of the Code of the Village of East Hampton is hereby added as follows (text to be deleted is struck-thru; text to be added is in bold):

§ 278-3. A. Area, setback and height regulations.

(13) One-family and two-family detached dwellings.

(a) The maximum gross floor area for one-family and two-family detached dwellings, as permitted in all residential districts, shall be **ten (10%) percent of the lot area plus one thousand (1,000) square feet or 20,000 square feet**, or ~~the maximum allowed under the following limits~~, whichever is less:

Lot Size (square feet)	Maximum Gross Floor Area
Less than 40,000	10% of the lot area plus 1,000 square feet
40,000 or greater but less than 80,000	7% of the lot area plus 2,200 square feet
80,000 or greater	3% of the lot area plus 5,400 square feet

D. Accessory building and structure design requirements.

(7) The maximum gross floor area of all accessory buildings on a lot shall not exceed ~~the following:~~ **two (2%) percent of the lot area plus 200 square feet.**

Lot Size (square feet)	Maximum Gross Floor Area
Less than 40,000	2% of the lot area plus 200 square feet
40,000 or greater but less than 80,000	1% of the lot area plus 600 square feet
80,000 or greater	0.5% of the lot area plus 1,000 square feet

Village Attorney Vincent Messina briefly explained the legislation, which would restore the code back to the previous gross floor area restrictions.

A motion was made by Trustee Melendez, seconded by Deputy Mayor Minardi and carried unanimously to notice a public hearing for Introductory #17-2021.



The legislative intent of Introductory #18 – 2021 was read.

INTRODUCTORY NO. 18 - 2021

“A Local Law amending Village of East Hampton Code §278-3(B)(2)(b) to exempt handrails less than twelve (12”) inches wide which are required by any New York State statutes, codes, rules and/or regulations from the calculation of height of a structure”.

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

SECTION I. Legislative Intent. To exempt handrails less than twelve (12”) inches wide which are required by any New York State statutes, codes, rules and/or regulations from the calculation of height of a structure.

SECTION II. AMENDMENT. Additions are in **bold**. The provisions of Village of East Hampton Code §278-3(B)(2)(b) are hereby amended as follows:

§ 278-3 (Zoning; Height Regulations)

(2) Resident districts.

- (b) Within nine feet of the maximum permitted roof height an area equivalent to no more than 15% of the gross floor area on the first floor of the building shall be permitted to have a low pitch roof. Any low pitch roof area within nine feet of the maximum height limit shall be indicated on a two-dimensional roof plan and measured to the outside of the roof edge (drip line). **Safety railings required by New York State statutes, codes, rules and regulations not exceeding twelve (12) inches in width shall not be included in calculation of height.**

Village Attorney Vincent Messina briefly reviewed the proposed legislation. If a homeowner has a flat roof and wanted to use any portion it the State requires a handrail for safety purposes. Under current code the installation of the required handrail skewed the height calculation of the dwelling and required the homeowner to either go for a variance or seek some other remedy. Trustee Graham voiced concern of the possibility of the proposed legislation permitting a solid wall, and questioned what kind of railing would be permitted, and if it would allow for a “Widow’s Walk.”

A motion was made by Trustee Graham, seconded by Deputy Mayor Minardi and carried unanimously to notice a public hearing for Introductory #18-2021.



The legislative intent of Introductory #19 – 2021 was read.

INTRODUCTORY NO. 19 - 2021

“A Local Law amending Village of East Hampton Code §278-2.A.(7) to add (e) “Accessory Dwelling Unit.”

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

SECTION I. Legislative Intent. Housing for family members, guests, and caregivers has long been an issue for an aging population in the Village of East Hampton. One of the ways this issue can be addressed is through the legalization of accessory dwelling units. The legislation proposed herein represents a measured approach to applying this solution.

SECTION II. AMENDMENT. Additions are in **bold**. The provisions of Village of East Hampton Code §278-2.A.(7) (e) are hereby are amended as follows:

§278-2. Zoning Districts.

* * *

A. Residential zoning districts. In any residential district, no building, structure or premises shall be used or arranged or designed to be used in any part for other than one or more of the following specified purposes:

* * *

(7) Accessory uses and accessory buildings.

* * *

(e) Accessory Dwelling Unit. One detached accessory dwelling unit designed for cooking and/or sleeping purposes, located on a property containing 60,000 square feet or more that is located in a residential district and which contains a primary single-family residence. Such accessory dwelling unit authorized in this subsection shall be limited as follows: (i) an accessory dwelling unit may have no more than two bedrooms; (ii) shall not exceed the maximum ground floor area for accessory structures, but shall be counted toward the ground floor area of the principal structure; (iii) the occupancy of an accessory dwelling unit shall be limited to the family and/or guests of the occupants of the primary single-family residence, and/or to employees working on the premises or working in the primary dwelling unit; and (iv) an accessory dwelling unit may not be rented separately from the primary dwelling unit. The accessory dwelling unit must meet the setback requirement of the principal structure. The use of any parcel of land for both a single family residence and an accessory dwelling unit as provided in this subsection shall be a conforming use under the Code of the Village of East Hampton, and shall not be considered a prohibited use and/or nonconforming use pursuant to §278-1.B(2)(e) of this Code; provided that a Declaration of Covenants and Restrictions with respect to the parcel on which the accessory dwelling unit is located is recorded with the County Clerk which limits the use of the accessory dwelling as set forth herein. The height regulations of §278-3.B shall apply to an accessory dwelling permitted pursuant to this subsection. The issuance of any building permit for such use shall require the installation of an Innovative Alternative Septic System for all dwelling units on the subject real property.

Village Attorney Vincent Messina briefly explained the proposed legislation. The legislation would permit accessory dwelling units in the residential R-80 and R-160 residential districts, subject to very strict conditions. Covenants and restrictions would be recorded with Suffolk County. Billy Hajek noted that all buildings on a property be required to be serviced by an Innovative/Alternative Septic System. Trustee Graham questioned if the accessory buildings could be used for workforce housing.

A motion was made by Trustee Melendez, seconded by Deputy Mayor Minardi and carried unanimously to notice a public hearing for Introductory #19-2021



The legislative intent of Introductory #20 – 2021 was read.

INTRODUCTORY NO. 20 - 2021

“A Local Law amending Village of East Hampton Code §278-3(B)(2)(b) to exempt elevated walkways or accessways (including stairways) built by an individual property owner for the purpose of noncommercial access to the beach, from the calculation of height of a structure”.

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

SECTION I. Legislative Intent. To exempt walkways or accessways for the purpose of non-commercial access to the beach from the calculation of coverage and to amend permitted coverage to be consistent with other proposed amendments to the Code.

SECTION II. AMENDMENT. Additions are in **bold**. The provisions of Village of East Hampton Code §278 3(B)(2)(b) are hereby amended as follows:

§ 278-3.A. (Zoning; Area, setback and height regulations)

(9) Permitted coverage.

(a) Except as otherwise provided, the maximum permitted coverage for all structures on any lot or parcel of land in a residential district shall be **twenty (20%) percent of lot area, except lots whose size is less than forty thousand (40,000) square feet, which may have a maximum permitted coverage of twenty (20%) percent of lot area plus five hundred (500) square feet.** as follows:

Lot Size (feet)	Maximum Coverage
Less than 40,000	20% of the lot area plus 500 square feet
40,000 or greater but less than 80,000	15% of the lot area plus 2,500 square feet
80,000 or greater	10% of the lot area plus 6,500 square feet

(b) Driveways serving residential property, **walkways over dunes**, and a postman's walkway are exempt from coverage.

A motion was made by Deputy Mayor Minardi, seconded by Trustee Graham and carried unanimously to notice a public hearing for Introductory #20-2021



The legislative intent of Introductory #21 – 2021 was read.

INTRODUCTORY # 21-2021

A Local Law amending Chapter 104 (Code Enforcement Administration) to increase the permit fee by 100% whenever the work subject to a permit has been started prior to the issuance of the permit."

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

SECTION I. Legislative Intent. It is the purpose of this local law to provide an appropriate penalty for performing work without benefit of a building permit where one is required.

SECTION III. The provisions of §104-8 of the Code of the Village of East Hampton are hereby amended as follows (text to be added is bold):

§104-8. Permit fees.

Upon filing an application for a building permit or a tent permit, fees shall be payable to the Village Treasurer in accordance with a schedule of fees which shall from time to time be fixed by resolution of the Village Board of Trustees. **Any such fee shall be increased by 100% whenever the work subject to a permit has been started prior to the issuance of the permit.** The building permit fee shall be waived for all modifications to existing buildings relating to improving access for persons with mobility impairments, including but not limited to ramps and bathroom renovations.

A motion was made by Deputy Mayor Minardi, seconded by Trustee Graham and carried unanimously to notice a public hearing for Introductory #21-2021



The legislative intent of Introductory #22– 2021 was read.

INTRODUCTORY NO. 22 – 2021

“A Local Law amending Village of East Hampton Code §276-2(B)(2); Zoning; Parking Requirements; General Provisions”

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

SECTION I. Legislative Intent. The Village Board finds that there is a need for workforce housing throughout Suffolk County, the Town of East Hampton, and the Village of East Hampton. However, the costs, both financial and otherwise, to providing such housing are prohibitive. One of the major impediments are the cost of parking improvements, which are compounded by the current definition of “intensification”. This amendment seeks to address those issues and encourage the development of workforce housing in areas near mass transportation facilities (commonly referred to as “transportation-oriented development”), where the need for a vehicle and concomitant parking is diminished.

SECTION II. AMENDMENT. Deletions are struck-thru. Additions are in **bold**. The provisions of the Village of East Hampton Code §278-3(B)(2)(b) are hereby amended as follows:

§278-6. Zoning. Parking Requirements.

A. Definitions. For the purpose of this section, certain words and phrases shall have the following meanings:

INTENSIFICATION – Any **principal or accessory structure** or use of a property, ~~including an accessory use,~~ which is hereafter introduced, changed, extended, expanded or altered. **Intensification shall not include the reconstruction of an existing building; change of use from a non-conforming use to a permitted use; or a change of use to a different permitted use having the same parking requirements.**

B. General provisions.

- (1) The requirements of this section shall apply to all nonresidential properties and districts throughout the Village of East Hampton, including any and all properties subject to the issuance of a special permit.
- (2) In the interest of pedestrian and traffic safety and in order to alleviate an undue burden on public streets and minimize traffic congestion, any project which ~~is required to obtain site plan approval, and any modification which~~ constitutes an intensification as defined herein, shall comply with the applicable parking requirements of this section. ~~No building or structure lawfully in use at the effective date of this chapter shall be enlarged, nor shall the use of any property lawfully existing at the effective date of this chapter be changed or extended or enlarged or expanded, unless the off-street parking and truck loading space requirements are complied with, except for a change without enlargement or extension or expansion to a different permitted use having the same parking and loading requirements.~~
- (3) Preexisting nonconforming commercial uses shall comply with the same parking requirements as would otherwise apply to that use were it located in the Commercial or Manufacturing-Industrial District.
- (4) Special permit uses shall be subject to the provision of reasonably adequate and appropriate parking as required by § 278-7D(3)(g).
- (5) Size of parking spaces. Each parking space shall be a minimum of 10 feet in width and 18 feet in length or, at the discretion of the Design Review Board, a minimum of nine feet in width and 20 feet in length.
- (6) On-site circulation. All parking, loading and necessary circulation is to be accommodated on site. All parking spaces and loading berths shall be accessed by adequate driveways and turnarounds. Stacked parking and the use of public rights-of-way for immediate access to parking and loading is expressly not permitted.
- (7) Driveways and turnarounds. Aisles between rows of parking shall be no less than 24 feet wide. Minimum driveway width shall be 10 feet in width for one-way traffic and 20 feet in width for two-way traffic. All uses in the Limited Office District, together with all noncommercial special permit uses, shall be exempt from this requirement.
- (8) Parking on separate properties. Parking requirements for one piece of property may be satisfied by providing equivalent parking space on adjacent or neighboring property within 600 feet, as long as both pieces of property are in identical ownership.

(continued on next page)

INTRODUCTORY NO. 22 – 2021 (continued)

- (9) Handicapped parking.
- (a) The number of handicapped parking spaces in each parking lot shall be in accordance with the following table:

Total Spaces on Lot	Handicapped Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20, plus 1% over 1,000

- (b) A shopping center or facility having at least five separate retail stores and at least 20 off-street parking spaces shall have a minimum of 5% of such parking spaces for the handicapped or 10 spaces, whichever is less.
- (10) Exemptions. A bulk fuel storage tank shall not be deemed a structure for the purposes of this section.
- C. Commercial District and Core Commercial District. Where the application of the following requirements results in a fractional number, the required number of spaces will be rounded off to the next highest number. Wherever the parking requirement is based on the number of seats, a seating plan is required to be submitted in connection with any application for a building permit for such premises.
- (1) The following requirements shall apply for restaurants, bars, nightclubs, discos, dance halls and places of public assembly:
- (a) Restaurants: one parking space per three seats, plus one parking space per employee.
- (b) Bars, nightclubs, discos and dance halls: two parking spaces per three seats, Plus one parking space per employee.
- (c) Places of public assembly: one parking space per three seats, plus parking space per employee.
- (2) Apartments: two parking spaces per apartment.
- (3) All other uses permitted in the Commercial District and Core Commercial District shall provide one parking space for each 200 square feet of gross floor area ~~and two additional spaces for each additional unit as defined.~~

D. Manufacturing-Industrial District.

- (1) All uses permitted in the Manufacturing-Industrial District which are also permitted in the Commercial District shall follow the parking requirements for the Commercial District.
- (2) All uses permitted exclusively in the Manufacturing-Industrial District shall provide one parking space per each 300 square feet of gross floor area and one loading berth per each 10,000 square feet of gross floor area, except for repair garages, which shall provide one parking space per each 200 square feet of gross floor area.
- (3) Mixed uses, where one or more element of an enterprise is devoted to a use permitted in the Commercial and Core Commercial Districts and one or more element is devoted to a use permitted solely in the Manufacturing-Industrial District, shall provide the number of parking spaces commensurate with the percentage of gross floor area devoted to each use, except that if any portion of a building is used for retail sales, one parking space for each 200 square feet of gross floor area shall be provided.
- (4) **Notwithstanding any other provision of the Code of the Village of East Hampton to the contrary, for any mixed use located within five hundred (500) feet of a public mass transportation facility which contains workforce housing, no parking requirement shall be imposed for any gross floor area devoted to the workforce housing.**

(discussion on Introductory #22-2021 on next page)

Village Attorney Vincent Messina and Village Planner briefly explained the aspects of Introductory #22- 2021. In addition to encouraging the creation of workforce housing apartments by exempting workforce housing from parking requirements, the legislation would also accomplish three other objectives. It would redefine Intensification, it would eliminate the requirement of a variance if someone proposes to create workforce housing, and it would reinforce what actions must comply with the parking regulations.

A motion was made by Trustee Melendez, seconded by Deputy Mayor Minardi and carried unanimously to notice a public hearing for Introductory #22-2021.



Introductory #22– 2021 was read.

INTRODUCTORY # 23-2021

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

SECTION II. Chapter 267 of the Code of the Village of East Hampton is hereby amended as follows; text to be deleted is struck-thru; text in bold is to be added):

§267-4. Vehicle and Traffic; Parking prohibited in designated locations.

A. The parking of vehicle in any of the following locations is hereby prohibited:

- (35) (a) On the southerly side of Fithian Lane, commencing at the intersection of the easterly side of Main Street and southerly side of Fithian Lane to ~~the intersection of Fithian Lane and Egypt Lane~~ a point **40 feet east along the southerly side of Fithian Lane.**
- (b) **On the southerly side of Fithian Lane commencing at a point 12 feet west of the rear driveway of #2 Main Street (on Fithian Lane) easterly to the intersection of Fithian Lane and Egypt Lane.**

§267 Vehicle and Traffic; Parking time limited in designated locations.

A. The parking of vehicle in any of the following locations is hereby prohibited:

- (36) **On the southerly side of Fithian Lane from a point 40 feet from the intersection of Fithian Lane and the easterly side of Main Street, to appoint 12 feet west of the rear driveway of #2 Main Street (on Fithian Lane) in excess of thirty minutes.**

Police Chief Michael Tracey briefly explained how the proposed parking amendment would provide a few more parking spaces.

A motion was made by Deputy Mayor Minardi, seconded by Trustee Minardi and carried unanimously to notice a public hearing for Introductory #23-2021.



The resolutions were read:

Upon motion made by Trustee Brown, seconded by Deputy Mayor Minardi and carried unanimously carried, it was RESOLVED to approve claim vouchers for the month of July.

Upon motion made by Trustee Brown, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED approve Warrants # 66, #68 & #69 (General Fund), #65 & #70 (Trust Fund) and #67 (LOSAP Fund).

Upon motion made by Trustee Graham, seconded by Deputy Mayor Minardi, and unanimously carried, it was RESOLVED to approve budget transfer schedule #9, ref. #15 & #16.

Upon motion made by Trustee Brown, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to authorize the Village Administrator to transfer funds as necessary to close the fiscal year ending July 31, 2021.

Upon motion made by Trustee Brown, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to approve departmental reports (see end of minutes).

Upon motion made by Trustee Melendez, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to approve August 1, 2021-July 31, 2022 employment agreements with the following listed employees:

Marcos Baladrón, Village Administrator	Pamela J. Bennett, Village Clerk
David Collins, DPW Superintendent	Anthony Carlo, Critical Care EMT
Ken Collum, Code Enforcement Officer	Dominique Cummings, Treasurer
Livia Eyde, Paramedic	William Hajek, Planner
John K. Howie, Code Enforcement Officer	Robert Jahoda, Ordinance Inspector
Michael Tracey, Police Chief	Tom Preiato, Building Inspector
J.P. Foster, Public Safety Dispatcher III	Susan Steckowski, Principal Acct Clerk/Registrar

Upon motion made by Trustee Brown, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to appoint Deputy Mayor Chris Minardi; Beach Liaison.

Upon motion made by Trustee Melendez, seconded by Trustee Graham and unanimously carried, it was RESOLVED to adopt Introductory #14-2021 as LOCAL LAW NO. SEVENTEEN-2021, hereby amending Chapter 185 (Licensed Occupations and Entertainment) by adding Article IV; Caterers, to address licensing requirements.

Upon motion made by Trustee Brown, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to adopt a negative SEQRA declaration in reference to Introductory #15-2021.

Upon motion made by Trustee Graham, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to adopt Introductory #15-2021 as LOCAL LAW NO. EIGHTEEN-2021, hereby amending Ch.233; Sanitary Systems, to require septic systems be replaced with I/A systems upon failure.

Upon motion made by Trustee Melendez, seconded by Trustee Brown and unanimously carried, it was RESOLVED to adopt Resolution #49-2021, hereby changing the name of Cross Road (between Georgica Rd & Apaquogue Rd) to Privet Lane.

Upon motion made by Trustee Graham, seconded by Trustee Melendez and unanimously carried, it was RESOLVED to adopt Resolution #50-2021, hereby amending the 2020-2021 budget, to increase estimated revenue and appropriations in the amount of \$141,858.60 related to Police Officer at John Marshall.

Upon motion made by Trustee Melendez, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to adopt Resolution #51-2021, hereby amending the 2020-2021 budget, to increase estimated revenue and appropriations in the amount of \$64,316.26 related to Monthly Beach Passes.

Upon motion made by Trustee Melendez, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to adopt Resolution #54-2021 to amend the 2020-2021 budget, to increase estimated revenue and appropriations in the amount of \$568,575.00 related to Town Pond Dredging and reimbursement received from East Hampton Town CPF.

Upon motion made by Trustee Graham, seconded by Trustee Brown and unanimously carried, it was RESOLVED to adopt Resolution #55-2021 authorizing the transfer of up to \$750,000.00 from the Undesignated Fund Balance to the Capital Reserve Fund.

Upon motion made by Trustee Melendez, seconded by Trustee Graham and unanimously carried, it was RESOLVED to adopt Resolution #56-2021, authorizing the transfer of \$175,000.00 from the Capital Reserve Fund to the General Fund for the expenditures related to the DPW Roof Project, and approve amending the 2020-2021 Budget to increase estimated revenue and appropriations in the same amount for expenditures funded by the Capital Reserve for said project.

Upon motion made by Trustee Graham, seconded by Trustee Brown and unanimously carried, it was RESOLVED to approve annual service agreement (period: 7/1/21 – 6/30/22) with Motorola for maintenance and service for the Headquarters Base Station Backup Consoles in the amount of \$42,725.83 as per Chief Tracey's July 12th memo.

Upon motion made by Trustee Melendez, seconded by Trustee Graham and unanimously carried, it was RESOLVED to approve annual maintenance agreement (contract period of 08/01/21-07/31/22 for police dept. software with Larimore Associates in the amount of \$45,582.00, as per Chief Tracey's July 12th memo.

Upon motion made by Trustee Graham, seconded by Trustee Brown and unanimously carried, it was RESOLVED to adopt Resolution #52-2021, approving the 4% increase in Police Officer John Clark's base salary as per the P.B.A. Contract for college credits, effective August 1, 2021 (please refer to June 30th memo from Chief Tracey).

Upon motion made by Trustee Graham, seconded by Trustee Brown and unanimously carried, it was RESOLVED to employ 2021 Seasonal Beach Staff, at the hourly rates listed, effective August 1st: Substitute Lifeguards: Luke Tarbet @ \$16.50, Julia Erickson @ \$17.00, Jon Tarbet, Zach DeSario & Eugene DePasuale @ \$18.50 and Ethan Rosenberg @ \$20.50. Beach Staff: Nya Minardi @ \$12.00

Upon motion made by Trustee Melendez, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to employ Victoria Field as a seasonal guide at Hook Mill at the \$15.00 per hour.

Upon motion made by Trustee Graham, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to deem surplus and approve the online auction sale/disposal of Village Hall's 2013 (550,000+ copies) Ricoh Copier, tag #2040.

Upon motion made by Deputy Mayor Minardi, seconded by Trustee Brown and unanimously carried, it was RESOLVED to notice for public hearings to be held on August 20, 2021 at 11:00 a.m. at the Emergency Services Building for Introductories #16-2021, #17-2021, #18-2021, #19-2021, #20-2021, #21-2021, #22-2021 and #23-2021.

- Introductory #16-2021, a proposed amendment to Ch. 278 to clarify the definition of nonconforming buildings, structure, uses and lots and permitted enlargements, reconstruction, structural alterations, restoration or repair of same.
- Introductory #17-2021, a proposed amendment to Chapter 278 to repeal certain limitations on permitted gross floor area.
- Introductory #18-2021, a proposed amendment to Ch. 278 to exempt handrails less than twelve (12") inches wide which are required by any New York State statutes, codes, rules and/or regulations from the calculation of height of a structure.
- Introductory #19-2021, a proposed amendment to Chapter 278 to add (e) Accessory Dwelling Unit.
- Introductory #20-2021, a proposed amendment to Chapter 278 to exempt elevated walkways or accessways (including stairways) built by an individual property owner for the purpose of noncommercial access to the beach, calculation of height of a structure.
- Introductory #21-2021, a proposed amendment to Chapter 104, Code Enforcement to increase the permit fee by 100% whenever the work subject to a permit has been started prior to the issuance of the permit.
- Introductory #22-2021, a proposed amendment to Chapter 278 to provide a waiver of parking requirements for workforce housing constructed in close proximity to mass transportation facilities.
- Introductory #23-2021, a proposed amendment to Chapter 267 to address parking and traffic flow issues on Fithian Lane.

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Upon motion made by Trustee Melendez, seconded by Deputy Mayor Minardi and unanimously carried, it was RESOLVED to adopt Resolution #53-2021 hereby amending the Conditions of Employment to add Juneteenth as a Federal Holiday. (Amended Conditions of Employment at end of minutes)

Upon motion made by Deputy Mayor Minardi, seconded by Trustee Brown and unanimously carried, it was RESOLVED to approve amendment to the March 26, 2021 Agreement with Saunders Broadcasting.

Upon motion made by Trustee Deputy Mayor Minardi, seconded by Trustee Graham and unanimously carried, it was RESOLVED to approve Jackie Rivers LLC as Social Media Consultant, at \$40 hourly, maximum of \$2,000 annually.

With no other business to discuss motion to adjourn the regular meeting was made by Trustee Graham, seconded by Deputy Mayor Minardi and unanimously carried at 12:35 p.m., and enter into an executive session to discuss litigation and real estate.

PUBLIC HEARINGS

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 30th day of July, 2021 at 11:00 a.m., at 11:00 a.m. at the Emergency Services Building, One Cedar Street, East Hampton, New York or via video conference if necessary, at which time all persons interested will be heard with respect to the proposed name change of CROSS ROAD (running between Georgica Road and Apaquogue Road) to PRIVET LANE.

If the public hearing is held via video conferencing and published by Local TV, Inc. (Channel 20/22 LTV - public access), call-in will be available. Public may submit comment by e-mail to: jlester@easthamptonvillage.org, fax: 631-324-4189 or mail: Board of Trustees, Village of East Hampton, 86 Main Street, East Hampton, NY 11937.

Dated: June 24, 2021
By Order of the BOARD OF TRUSTEES, Inc.
Village of East Hampton
GERARD LARSEN
Mayor
MARCOS BALADRÓN
Village Administrator
PAMELA J. BENNETT
Village Clerk
1-2

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN THAT the Board of Trustees of the Inc. Village of East Hampton will hold a public hearing on the 30th day of July, 2021, at 10 a.m. at the Emergency Services Building, One Cedar St. East Hampton, NY, or via video conference if necessary, at which time all interested persons will be heard with respect to a "Local Law amending the Code of the Village of East Hampton, Chapter 85 (Licensed Occupations and Entertainment), to address licensing requirements within the Village of East Hampton or caterers by adding article IV; Caterers".

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

INTRODUCTORY NO. 4 - 2021
LOCAL LAW NO. _____ - 2021

SECTION I. LEGISLATIVE INTENT.

The Village of East Hampton would also like to assist the process associated with event permits to protect the public health, welfare, and safety. By licensing caterers prior to the issuance of event permit applications, the Village can ensure that the caterers possess any necessary permits from other governmental agencies, such as Health Department Permits and understand the Village rules of events independent of the numerous other issues the event permit takes into account.

SECTION II. AMENDMENT. The provisions of Chapter 185 (Licensed Occupations and Entertainment) of the Code of the Village of East Hampton are hereby amended by adding Article IV; Caterers, as follows:

Article IV

Caterers

§185-16. Definitions.
 Caterer — for the purposes of this chapter a caterer is defined as a person, corporation, or other entity who provides food, supplies, and sometimes service at gatherings held on public property.

Catering — the provision of food, supplies and sometimes service at social gatherings.

§185-17. License Required for Catering.

No person or corporation or other entity shall, within the Village of East Hampton, pursue, exercise or engage in catering on public property within said Village unless said person or corporation obtains a license therefor and pays the license fee as hereinafter set forth.

§185-18. Applications.

Applicants for a license under this local law must file with the Village Clerk

a sworn application in writing (in duplicate) on a form to be furnished by the Village Clerk, which application shall include but not be limited to the following information:

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

(2) Whether or not the applicant or any employee of the applicant has ever been convicted of a felony, misdemeanor or violation of any municipal ordinance, except traffic violations, and, if so, the date, court, ordinance violated and sentence of the court.

(3) Whether the applicant has been previously licensed in any occupation and, if so, when, where and for what period and, if such previous license was ever revoked, or any discipline administered in connection therewith, the date of revocation or discipline and the reason therefor.

(4) The manner or means of conveyance in which the said business or trade or occupation shall be conducted.

(5) The applicant shall submit a valid permit issued by the Suffolk County Health Department indicating compliance with the provisions of the Suffolk County Public Health Ordinance.

(6) If the applicant requires the use of weighing and/or measuring devices, such application shall be accompanied by a certificate from the County Sealer of Weights and Measures certifying that all weighing and measuring devices to be used by the applicant have been examined and approved.

(7) If the application involves the use of a vehicle, proof of a valid New York State motor vehicle registration and insurance for the vehicle to be used.

(8) If the application involves the use of a vehicle, proof that the applicant holds a valid New York State driver's license.

(9) Proof that the applicant holds a New York State sales tax identification number.

(10) In the event that any other license or permit shall be required by any other governmental agency in connection with the applicant's business, the same shall be produced by the applicant, including but not limited to New York State Liquor License and the Village Clerk shall duly note the same.

(11) Any additional information the Village Clerk shall deem necessary for the purpose of administering the provisions of this local law.

(12) An acknowledgment that the applicant is familiar with the laws of the Inc. Village of East Hampton, including

event and mass gathering requirements, and shall abide by such regulations.

B. Any change in circumstances with regard to the information provided in the application or on the license shall be reported to the Village Clerk within 30 days.

C. The Village Clerk may refer the application to the Village Police Department for review with regard to the fitness or desirability of the applicant.

§ 185-19. Issuance or denial of license; revocation; fees.

A. All licenses granted pursuant to this article shall, upon the payment of the prescribed fee therefor, as hereinafter provided, be issued by the Village Clerk to such persons as she/he shall deem fit and proper to carry on such trade or occupation, but no license shall be granted which shall, in the judgment of the Village Clerk, be likely to disturb the peace and order of the Village or be immoral or improper.

B. If the application should disclose that the applicant has been convicted of a felony and/or misdemeanor, which felony and/or misdemeanor renders the applicant unfit or undesirable, the Village Clerk shall notify the applicant that his application is disapproved, and no license will be issued on said application.

C. If the application should disclose that the applicant has violated duly enacted Village ordinances and has been convicted of same on more than one occasion, this shall render an applicant unsatisfactory or undesirable, and the Village Clerk shall refuse issuance of the license.

D. Where the Village Clerk refuses a license, an applicant may appeal to the Village Board. After a public hearing, the Village Board may grant or refuse said license.

E. The Village Clerk shall keep a record of all licenses issued.

F. Licenses issued under the provisions of this local law may be revoked by the Village Board of the Village of East Hampton after notice and public hearing for any of the following causes, and for any cause for which such license might have been originally refused:

(1) Fraud, misrepresentation or false statement contained in the application for license.

(2) Fraud, misrepresentation or false statement made in the course of carrying on his business.

(3) Any violation of this local law.

(4) Conviction of a felony or a misdemeanor, which

misdemeanor, in the judgment of the Village Board, renders the applicant unfit or undesirable.

(5) Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

(6) Upon the recommendation of the Suffolk County Department of Health that the sale of food or food products or other edibles is being conducted under unsanitary conditions or that there is a violation of law, regulation, code or ordinance cited by the Suffolk County Department of Health.

G. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least five days prior to the date set for hearing.

Norwithstanding any other provision contained herein, the Village Clerk may immediately suspend any license issued hereunder upon a finding by the Village Clerk that the license holder has engaged in conduct which threatens the public health, welfare, or safety.

H. License fees.

(1) Uniform fees for licenses for catering shall be for one year and for which a fee shall be fixed by resolution of the Board of Trustees.

§185-20. Display of license.

Every person or entity holding a license under the local law shall have its license in its immediate possession at all times when operating an activity where the license is required and shall display the same upon demand of any person.

§185-21. Non-transferability of license.

No license issued under the provisions of this chapter may be transferred from one person or entity to another person or entity.

§185-22. Penalties for offenses.

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be subject to a fine not exceeding the sum of \$1,000.00 for any offense, and each day that a violation continues shall be deemed to constitute a separate offense.

SECTION I. SEVERABILITY.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitu-

tional by any court of competent jurisdiction, any judgement made thereby shall not affect the validity of this law as a whole or any part thereof other than that part or provision so adjudged to be invalid or unconstitutional.

SECTION III. EFFECTIVE DATE.

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

DATE: _____, 2021
 BY ORDER OF THE BOARD OF TRUSTEES OF THE VILLAGE OF EAST HAMPTON
 BY: Pamela J. Bennett,
 Village Clerk

53-2

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 30th day of July, 2021, at 11:00 a.m. at the Emergency Services Building, One Cedar Street, East Hampton, New York or via video conference if necessary, at which time all persons interested will be heard with respect to "A Local Law amending Chapter 233 (Sanitary Systems) to require cesspools/septic systems be replaced with Innovative and Alternative On-Site Wastewater Treatment systems upon failure."

INTRODUCTORY #15-2021

LOCAL LAW NO. /2021

A Local Law adding Chapter 233 (Sanitary Systems) to require cesspools/septic systems be replaced with Innovative and Alternative On-Site Wastewater Treatment systems upon failure.

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

SECTION I. Legislative Purpose and Intent. This legislation is intended to implement a requirement that, in addition to all new residences and any substantial improvement to an existing residence install and maintain an Innovative and Alternative On-Site Wastewater Treatment system, failed systems must be replaced with an Innovative and Alternative On-Site Wastewater Treatment system. By doing so, the intent is to protect and preserve the Village's natural resources and potable water supply and thereby promote the public health and safety.

SECTION II. Chapter 233 of the Code of the Village of East Hampton is hereby added as follows (text to be added is underlined, text to be deleted is

Chapter 233 SANITARY SYSTEMS §233-1. Definitions.

As used in this Chapter, the following terms shall have the following meanings unless the context indicates otherwise:

CESSPOOL - Any in-ground wastewater disposal system which incorporates or operates as a combined septic tank/drain field process without a separate and distinct septic tank as defined herein.

CODE ENFORCEMENT OFFICE—The Department of Code Enforcement as per Chapter 104 of the Code of the Village of East Hampton.

INNOVATIVE AND ALTERNATIVE ON-SITE WASTEWATER TREATMENT SYSTEM—An on-site decentralized wastewater treatment system that, at a minimum, is designed to reduce total nitrogen effluent to 19 mg/l, sometimes referred to as an "I/A system."

ON-SITE WASTEWATER DISPOSAL SANITARY SYSTEM - Any in-ground cesspool, septic tank or drain field or any combination of such structures, used for the disposal of sanitary sewage and normal domestic wastes generated on or near the property on which the system is located, and sometimes referred to as a "disposal system" or simply a "system."

PERSON—Any individual, firm, partnership, association, corporation, company, organization or other recognized legal entity of any kind, including municipal corporations or other governmental agencies or subdivisions thereof, excluding only the Village of East Hampton.

RECONSTRUCTION— The removal and replacement, whether or not if it's in place and in kind, of all or a substantial part of a pre-existing building or structure. The rebuilding, whether or not in place and in kind of all or a substantial part of a building or structure which has been damaged or destroyed shall be included in this definition. If the cost of the work in question exceeds 50% of the full replacement cost of the structure as estimated by the Building Inspector, it shall be deemed to involve a "substantial part" of the building or structure. Appeals of the Building Inspector's percentage determination of replacement cost may be made to the Zoning Board of Appeals. The word "reconstruct" in its various modes and tenses and its participle form refers to the undertaking of a "reconstruction."

SEPTIC TANK—Any buried watertight receptacle designed and constructed to receive wastewater from a home, business enterprise or other source, to separate solids from liquid, to provide limited digestion of organic matter, to store solids and to allow the clarified liquid to then pass on to other structures for percolation into the ground.

§233-2. Septic Permit Requirements.

A. All construction of sanitary systems shall conform to Standards for Sewage and Waste Disposal Systems, as then

established by the Suffolk County Department of Health Services, to all applicable wetland setbacks of the New York State Department of Environmental Conservation and of the Village of East Hampton and all other applicable local, county and state regulations concerning the siting of such structures and systems. No building permit of any such work shall issue until all applicable provisions of the Village Code, including Chapter 278, Zoning, have been complied with.

B. In addition to the conditions provided for in paragraph A, in all the following circumstances the sanitary systems installed must be, or the current sanitary system must be upgraded to, an Innovative and Alternative On-Site Wastewater Treatment (I/A) System:

- (1) All construction ~~and/or reconstruction~~ of new single-family or multiple family residences, or buildings capable of being used as a residence;
- (2) All reconstruction, as defined herein, of a single-family or multiple family residence or buildings capable of being used as a residence.
- (3) Any replacement or expansion, whether either is voluntary or involuntary, of an existing sanitary system servicing single-family or multiple family residences or any buildings capable of being used as a residence;
- (4) Any construction that increases the gross floor area (as defined pursuant to Chapter 278, Zoning) of an existing single-family or multiple family residence or other building capable of being used as a residence by twenty-five (25%);
- (5) Any construction that increases the number of bedrooms in a single-family or multiple family residence or other building capable of being used as a residence beyond the number of bedrooms authorized by a permit previously issued by the Suffolk County Department of Health Services.

C. Whenever the installation of an I/A system is required pursuant to the provisions of this chapter or any other chapter of the Code of the Village of East Hampton, the property owner shall be required to obtain a building permit from the Code Enforcement Office. The Zoning Board of Appeals may grant a variance from the provisions of this section upon a showing of good cause. Good cause must be based upon a showing that compliance is impossible due to physical limitations and lack of an approved I/A System

~~Low Nitrogen Sanitary System~~—to address and

DEPARTMENTAL REPORTS

DEPARTMENT OF PUBLIC WORKS

MONTHLY REPORT JULY 2021 MEETING

SUMMER DAILY ROUTINE:

- Trash collection and policing of public areas and road shoulders
- Sidewalks blown Thursdays weather permitting
- Street sweeping
- Privy
- Saturday & Sunday trashing

SHADE TREES:

- Stump grinding
- 10 donated trees planted by DPW crew
- Tree bag watering

BUSINESS DISTRICT:

- Tree enclosures in progress part time Masons (Newtown completed)
- Sign replacement continued
- Hanging planter holders installed
- Sidewalk Planters watering and care

ROAD SURFACE:

- Pot Hole Patrol
- 5 drainage projects completed (contractor)
- Annual line striping completed (contractor)
- Hash mark painting in progress
- Shoulder regrading in progress

MISCELLANEOUS:


- Streetlight repairs (contractor)
- Mowing road shoulders
- Lamb House project
- Beach sand for lifeguards Thursday mornings

Road Opening Permits issued prior month: 6 76YTD
 Denied prior month: 0

Solid waste collected in prior month: **Town Sanitation report for May incomplete YTD totals not accurate.*

Trash	26.92tons (Wednesday's are based on average daily totals)	YTD	333.6Tons *
Brush / Wood	1.15 tons (does not include disposal at private facilities)	YTD	372.86 Tons*
Other Debris	3.61 tons	YTD	31.3 Tons*

Fuel Used in June: DPW Gas 832.47 Diesel 467.47



David Collins Superintendent

BUILDING DEPARTMENT/CODE ENFORCEMENT

To: Mayor Larsen and The Village Board of Trustees

From: Tom Priato, Building Inspector

CC: Marcos Baladron, Village Administrator

Chief Tracey, EHVPD

Lieutenant Erickson, EHVPD

Date: June 30, 2021

Re: Monthly Report for June 2021

Building Permits Issued (incl. 6 additional work):	15
Demolition Permits:	1
Limited Work Permits:	2
Outdoor Dining Permits	0
SWPPP (Storm Water Prevention)	0
Guest Room Permits	1
Signs:	4
Yard Sales:	1
Inspections Performed:	108
Certificate of Occupancies/ Compliance:	18
Updated Certificate of Occupancies:	2
Notice of Violations:	6
Stop Work Orders:	2

TO: EAST HAMPTON VILLAGE BOARD OF TRUSTEES
 FROM: MICHAEL J. TRACEY, CHIEF OF POLICE
 SUBJECT: DISPATCH ACTIVITY REPORT

DISPATCH ACTIVITY REPORT FOR JUNE 2021

- 116 Calls Dispatched for East Hampton Fire Department
 - East Hampton Village - 38
 - Water District - 41
 - NW Protection District - 37
 - Mutual Aid - 0
- 159 Calls Dispatched for East Hampton Ambulance Association
 - East Hampton Village - 40
 - Water District - 69
 - NW Protection District - 45
 - Mutual Aid - 5
- *** Calls Dispatched for East Hampton First Responder
 - East Hampton Village - *
 - Water District - *
 - NW Protection District - *
 - Mutual Aid - *
- 1,208 Calls Dispatched for East Hampton Village Police Department
- 1,484 Calls Dispatched for East Hampton Town Police Department
- 413 Calls Dispatched for Sag Harbor Village Police Department
- 60 Calls Dispatched for Amagansett Fire Department
- 62 Calls Dispatched for Amagansett Ambulance
- 35 Calls Dispatched for Montauk Fire Department
- 74 Calls Dispatched for Montauk Ambulance
- 60 Calls Dispatched for Sag Harbor Fire Department
- 80 Calls Dispatched for Sag Harbor Ambulance
- 26 Calls Dispatched for Springs Fire Department
- 64 Calls Dispatched for Springs Ambulance
- 0 Calls Dispatched for Town Haz-Mat Team
- 4 Calls Dispatched for Ocean Rescue Team
- 28 Miscellaneous FD Events *
 - East Hampton - 17
 - Amagansett - 3
 - Montauk - 2
 - Sag Harbor - 6
 - Springs - 0
- 30 Miscellaneous EMS Events *
 - East Hampton - 1
 - Amagansett - 12
 - Montauk - 8
 - Sag Harbor - 1
 - Springs - 8
- 1,879 911 Calls Received
- 4,453 7-Digit Telephone Calls Received / Placed
- 117 Walk-In Complaints / Information

*** CAD System Upgrade - unable to obtain EMS numbers at this time.

*Miscellaneous Events: Units in and out of service; General Fire/EMS Info: Alarms cancelled before dispatched; Test Calls

PERSONNEL:

Overtime:

Shift Coverage (Codes 653-672): 21.5 Eight-Hour Shift/s
 Training Hours (Code 615-616): 0 Eight-Hour Shift/s

Time Off:

Holidays, Personal, Union Days, Vacation, Sick Time, Compensatory Time (Codes 624-651): 91 Eight-Hour Shift/s

Respectfully submitted,
 MICHAEL 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 JUNE 2021

(Codes 030 -693)

- 36 Aided Cases
- 67 Alarms Answered by the Patrols
- 7 Arrests Made by the Department
(11 Driving While Intoxicated and/or Impaired Arrests Included in Above Total)
- 32 Assists to Disabled Motorists
Beach Patrol - 45 hour
Building Check - 59 hours
- 2 Child Safety Seat Inspections
Door Checks - 61 hours
- 7 Doors Found Open by the Patrols
- 2 Escorts
- 0 Fingerprinting
Foot Patrol - 56 hours
- 45 Motor Vehicle Accidents
- 223 Traffic Summonses Issued
(76 Speeding Summonses Issued)
- 0 Village Code Summonses Issued
(0 Animal on Beach Summonses Issued)
(0 Sign Summonses Issued)
- 858 Village Parking Summonses Issued

DETECTIVE ACTIVITY:

<u>Complaints Investigated</u>	Active Cases:	6
	Closed Cases:	12

<u>Paperwork for Court</u>	Arrest Warrant:	0
	Bench Warrant:	0
	Criminal Summons:	0
	Seal Orders:	0
	Supporting Deposition Requests:	0

GASOLINE CONSUMPTION - POLICE VEHICLES

May Gasoline Consumption - 1,740.97 Gallons Consumed
June Gasoline Consumption - 1,938.46 Gallons Consumed

PERSONNEL

Overtime:

Non-Grant - Arrests, Cases, Shift Coverage <i>(Codes 161 - 181):</i>	11 Eight-Hour Shifts
Non-Grant - Foot Patrol, Street Crime, Other <i>(Codes 188 - 190):</i>	0 Eight-Hour Shifts
Grants - STOP-DWI, Speed, Seatbelt <i>(Codes 185 - 187):</i>	2 Eight-Hour Shifts

Time Off:

Holidays, Personal, PBA Days, Vacation, Injured on Duty, Sick Time, DE Days, Compensatory Time, XDO, Funeral Days <i>(Codes 202 - 401):</i>	88.25 Eight-Hour Shifts
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Respectfully submitted,
MICHAEL J. TRACEY
Chief of Police

VILLAGE OF EAST HAMPTON
RESOLUTION #53 – 2021 (see 3. Holidays)
CONDITIONS OF EMPLOYMENT

WHEREAS, the Board is desirous of formalizing and making uniform certain benefits to be afforded its employees, other than contract employees,

NOW, THEREFORE, upon motion of Trustee, duly seconded by Trustee, the following standard rules are hereby adopted for the aforementioned non-contract employees of the Village.

1. OVERTIME:

Overtime shall consist of all work in excess of forty (40) hours per week, except in the case of office staff; it shall be for work beyond thirty (30) hours per week. Each employee shall be entitled to pay at the rate one and one-half (1 1/2) times the employee's hourly rate of pay for overtime worked, except overtime worked on Saturday, Sunday or legal holidays shall be entitled to double time. Hourly rates shall be determined by dividing annual salary by 260 days times 8 hours (2080) except for office staff which shall be annual salary divided by 260 days times 6 hours (1560).

2. VACATION LEAVE:

All full-time employees, except as herein provided, shall be entitled to the following annual vacation days:

- 10 working days per annum after one (1) year of employment;
- 15 working days per annum after two (2) years of employment;
- 20 working days per annum after four (4) years of employment.

Employees may accumulate unused vacation days to a maximum of ninety (90) days. Employees shall be paid for accumulated vacation days in excess of ninety (90) days at the end of each fiscal year. At the time of termination of employment, employees shall be entitled to a cash payment in lieu of any unused accumulated vacation days up to the maximum of ninety (90) days to be paid at the employee's most recent rate of pay. Employees shall have the option of utilizing unused accumulated vacation days as terminal leave. Accrued vacation days shall be prorated over any partial year of employment. In the event of death of an employee, the employee's designated beneficiary shall be paid pursuant this section.

Subject to limitations below, employees shall be entitled to take their vacations when they so desire. However, department heads shall have the ultimate right to schedule vacations, based on the needs of the department, such as work load and time of the year.

By September 1 of each calendar year, department heads shall submit to the Clerk a report providing the vacation, holiday, personal and sick leave of all personnel for the preceding fiscal year.

3. HOLIDAYS:

All non-contract employees, except those in the Police, Highway and Fire Departments and Home Sweet Home shall be entitled to the following paid holidays: (1) New Year's Day; (2) Martin Luther King, Jr. Day; (3) Presidents' Day; (4) Good Friday; (5) Memorial Day; (6) Juneteenth; (7) Independence Day; (8) Labor Day; (9) Columbus Day; (10) Veterans' Day; (11) Thanksgiving Day; (12) the day after Thanksgiving Day; (13) half day Christmas Eve; (14) Christmas Day; and (15) half day New Year's Eve.

Employees of the Police (non-contract), Highway and Fire Departments and Home Sweet Home shall be entitled to fourteen (14) days per annum for holidays. If an employee is unable to observe a holiday on the designated day or it may within the fiscal year, he/she may, with the consent of his/her Department Head, take the holiday on an alternate date. In the alternative, if an employee foregoes a holiday, the employee shall receive regular per diem compensation thereof.

4. PERSONAL LEAVE:

All non-contract employees shall be entitled to personal leave days at the discretion of the department head, to attend to personal business, family bereavement and like necessities. Personal leave shall not be given immediately prior to or following sick time taken or vacation leave.

5. SICK LEAVE:

All non-contract employees shall be entitled to normal sick leave, defined as illness or injury, which prevents the employee from reporting to work.

The Village shall cover any non-contract employee and pay that employee's normal rate of pay in the event of catastrophic illness (*i.e.*, a severe illness or injury requiring prolonged hospitalization or recovery) as follows:

- Four (4) or more years of service, 180 calendar days;
- Seven (7) or more years of service, 365 calendar days.

In the event of permanent disability, a non-contract employee may, if eligible, be required to apply for a disability retirement (under the NYS Retirement System) as an alternative to the foregoing catastrophic coverage if the employee is deemed permanently disabled by his/her treating physician or an independent physician appointed by the Village.

A department head may require a doctor's certificate from an employee's treating physician for sick leave that exceeds three (3) days or if there is a pattern of sick leave usage. Abuse of sick leave will result in disciplinary action.

Should the Village Board of Trustees decide at any time to obtain disability income coverage for non-contract employees, the Village shall pay to any disabled employee the difference, if any, between said payments to said employee and the employee's normal rate of pay, during the allowed period of sick leave.

6. IMPROVEMENT PAY:

A non-contract employee shall be entitled to a payment of one percent (1%) of base salary for every fifteen (15) college credits earned by the employee while employed by the Village, not to exceed four percent (4%) of base salary. The department head shall certify such credits as relevant and useful to the position in question. Payment shall be made by adding 1/24th of the annual increment to each bi-monthly paycheck.

7. LONGEVITY:

Non-contract employees shall be entitled to longevity payment pursuant to the following schedule of continuous full-time service for the Village:

- a) At the completion of seven (7) years of continuous service: \$1,850.
- b) At the completion of ten (10) years of continuous service: \$2,750.
- c) At the completion of fifteen (15) years of continuous service: \$3,250.
- d) At the completion of twenty (20) years of continuous service: \$3,750.
- e) At the completion of twenty-five (25) years of continuous service: \$4,250.
- f) At the completion of thirty (30) years of continuous service: \$4,750.
- g) At the completion of forty (40) years of continuous service: \$5,000.

Computations shall be each fiscal August 1st for years completed prior to the following February 1st, the midpoint of the Village's fiscal year. Longevity payments in the final year of employment shall be payable at termination and based on the prior year of completed service or prorated for any portion thereof. Payment shall be made by a lump sum with the last November payroll.

8. UNIFORMS:

Certain departments are required to wear uniforms. Employees will be instructed by their department heads on uniform protocol. Uniforms will be provided, at the Village's expense. Employees who require a uniform accommodation must advise their department head. The Village will make any accommodations required by law.

9. HEALTH INSURANCE: (amended 01/21/11, 01/05/12, 12/19/14, 11/18/16, 12/16/16, 12/15/19)

The Village offers health insurance to all non-contract employees and their families, subject to plan limitations, deductibles and co-payments that the Village may choose.

Employees hired after January 1, 2011, and any elected official appointed or elected after January 1, 2017 shall be required to contribute 15% of the cost of the premium, not to exceed 3% of the employees/official's base salary for that year.

The dental/optical benefit shall be limited to a maximum annual payment of \$2,250 per employee effective January 1, 2020.

10. RETIREMENT/TERMINATION:

Non-contract employees shall be entitled to Section 751 of the New York State Retirement System. Health insurance coverage shall be provided by the Village during the employee's retirement. The Village shall pay 100% of the premium contribution for the employee and his or her family during retirement, except that employees hired after January 1, 2011 and any elected official appointed or elected after January 1, 2017 shall be required to contribute 15% of the annual premium.

11. DEFERRED COMPENSATION:

Non-contract employees shall be eligible for the Village's public employee deferred compensation plan, which requires no contribution from the Village.

12. UNITED STATES ARMED FORCES RESERVE PROGRAM:

Section 242(5) of the New York State Military Law provides, as follows:

Pay for thirty calendar days. Every public officer or employee shall be paid his salary or other compensation as such public officer or employee for any and all periods of absence while engaged in the performance of ordered military duty, and while going to and returning from such duty, not exceeding a total of thirty calendar days in any one continuous period of such absence.

13. MATERNITY LEAVE:

A non-contract female employee with four (4) years of continuous service shall be entitled to eight (8) weeks of consecutive paid maternity leave and a non-contract female employee with less than four (4) years of continuous service shall be entitled to four (4) consecutive weeks paid maternity leave to care for a newborn child.

Leave to care for a newborn child shall not extend any leave an employee may be eligible for under the Family Medical Leave Act (FMLA).

Eligible employees should submit a request leave as soon as possible, but in no event less than thirty (30) days prior to the commencement of leave.

While an employee is on an approved leave, the Village will maintain the employee's health insurance coverage under the same terms and conditions which applied prior to the commencement of leave. While on leave, the employee will remain responsible for the employee's portion of health insurance premium when actively at work. If the employee fails to return to work at the conclusion of leave, employment may be terminated and continuing health insurance coverage may be available through COBRA.

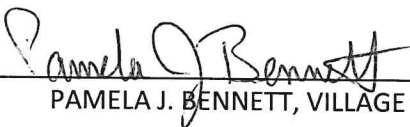
Dated: July 30, 2021


Amendments to Conditions of Employment:

- 01/05/07 (HEALTH INSURANCE) dental/optical benefit increased to \$1,600.
- 10/17/08 (HEALTH INSURANCE) dental/optical benefit increased to \$1,800
- 01/21/11 (HEALTH INSURANCE) employees hired after 01/01/11 shall be required to contribute to the cost of the premium
- 08/19/11 (LONGEVITY) increased: 7 yrs:\$1,600, 10 yrs:\$ 2,500, 15 yrs: \$3,000, 20 yrs: \$3,500, 25 yrs - \$4,000, 30 yrs - \$4,500.
- 01/05/12 (HEALTH INSURANCE) dental/optical benefit increased to \$1,900
- 12/19/14 (HEALTH INSURANCE) dental/optical benefit increased to \$2,000
- 11/18/16 (HEALTH INSURANCE) dental/optical benefit increased to \$2,200
- 12/16/16 (HEALTH INSURANCE) Para.9 & Para. 10; to specifically include elected officials appointed after 1/ 1/17 to be required to contribute 15% of the cost of the premium, not to exceed 3% of their base salary for that year)
- 01/05/17 (HEALTH INSURANCE) dental/optical benefit reduced/corrected to \$2,150
- 11/15/19 (HEALTH INSURANCE) dental/optical benefit increased to \$2,250
- 07/02/20 (LONGEVITY) increased: 7yrs: \$1,850, 10yrs: \$2,750, 15yrs: \$3,250, 20yrs: \$3,750, 25yrs \$4,250, 30yrs \$4,750, 40yrs: \$5,000

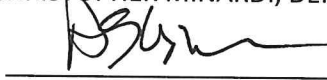
Meeting was adjourned at 12:34 p.m.

(APPROVED BY BOARD OF TRUSTEES ON DECEMBER 17, 2021)


 PAMELA J. BENNETT, VILLAGE CLERK


 GERARD LARSEN, MAYOR


 CHRISTOPHER MINARDI, DEPUTY MAYOR


 ARTHUR S. GRAHAM, TRUSTEE


 ROSEMARY G. BROWN, TRUSTEE


 SANDRA MELENDEZ, TRUSTEE