

**BOARD OF TRUSTEES
MAY 19, 2023
REGULAR MEETING
LTV STUDIOS, 75 INDUSTRIAL ROAD,
WAINSCOTT, NY 11975**

Those Present Were: Jerry Larsen, Mayor
Sandra Melendez, Trustee
Carrie Doyle, Trustee
Marcos Baladrón, Administrator
Lisa Perillo, Village Attorney
Hugh King, Village Historian
Susan Rabold, CityScapes Consultant
Robert Hefner, Historical Consultant
Michael Kretchmar, Village Resident
Chuck Thomas, Village Resident
Lorraine McKay, Executive Assistant

Those Absent Were: Chris Minardi, Deputy Mayor
Sarah Amaden, Trustee

Mayor Larsen opened this meeting at 11:00AM, starting with the pledge of allegiance. Directly after, a moment of silence was held for Father George Deas, a long time Village Resident who passed away at the age of 97.

Mayor's Announcements:

Mayor Larsen recapped the MayDay 5k in which 1,100 people attended and \$35,000 was raised. All proceeds were given to the Tyler Project, a local organized based out of Montauk that raises mental health awareness.

An editorial that was in The East Hampton Star regarding the Roy Mabrey Basketball Courts in Herrick Park stated incorrect information. Police Chief Michael Tracey had reached out to the Mabrey Family to inform them of the Village's plan to remove the basketball courts. The Roy Mabrey Plaque will be kept in safe keeping until new basketball courts are built in a separate location within Herrick Park. Mayor Larsen apologized for this editorial.

Hugh King-200th Anniversary of the Song Home Sweet Home

Village Historian Hugh King shared that May 2023 is the 200th Anniversary of the song Home Sweet Home being sung for the first time. Home Sweet Home was first sung on May 8th, 1823 at the Covenant Garden Theater. John Howard Payne wrote the words to the song, not the music, which was written in Milan. The song was sung throughout the Civil War until the generals noticed that it began to make soldiers homesick.

Susan Rabold of CityScape - Wireless Legislation

The Village hired CityScape last fall to provide a Wireless Telecommunications Master Plan and a Model Ordinance. Susan Rabold, a consultant for CityScape, explained their findings with a slideshow. CityScape only works for local governments in the niche market of Wireless Telecommunications and has been serving clientele since 1997.

Ms. Rabold explained the Wireless Master Plan Process for this project as follows: (1) Preliminary Research, (2) Infrastructure Assessments, (3) Inventory Catalog, (4) Engineering Mapping Analysis, (5) Regulatory Review Regulations. She noted that CityScape has just recently finished a similar project for the Town of East Hampton.

A history of Wireless Telecommunications was then presented:

Wireless Telecommunications History

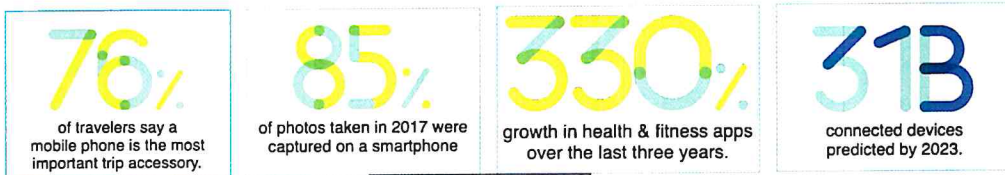


- 1G service provided voice calls only.
- 2G service included voice, texting and data.
- 3G service offered in early 2000's improved data speeds (Providers retiring 1-3G CDMA in 2022).
- iPhone in 2007 offers thousands of applications and introduces smart phone technology.
- 4G service on AWS and LTE began around 2010 and increased data speeds; included new 700 and 2100 MHz frequencies (smaller handsets, Internet access, longer battery life).
- 5G service increases wireless bandwidth for faster transfer of data, Internet of Things (IoT).

Some facts were then presented and are shown below.

Quick Facts:

- More use of data intensive applications such as Facetime, Internet, Streaming Music and HD Movies, Social Media, etc.
- Over 49% of U.S. households have "cut the cord" and are wireless only
- 45 million Americans use mobile phones as their primary Internet access device
- Smart houses, smart cars, smart industry



Ms. Rabold then explained how wireless networks worked prior to 4G. Large antennas macrocell facilities were located on towers that were around 100 feet tall, which enabled them to cover larger geographic areas. As wireless networks progressed into 4G, and now the upcoming 5G, there has been more need for the densification of cell towers, usually accomplished through the establishment of small wireless facilities that are around 37 Feet in height. This has taken place in some areas on the East End, including along Montauk Highway when arriving into Amagansett. It is also important to note that small wireless facilities must work together with a Macrocell Tower for adequate cell service.

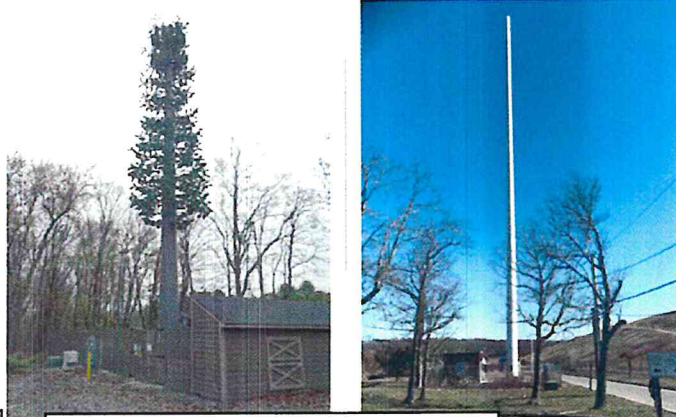
Six different types of towers were then explained with photo exam[ple]s. Photos and explanations are shown below.

(1) Non-Concealed Macro Towers



Non-concealed Tower: radio heads and antenna are visible.
*Picture taken at 1 Cedar Street Emergency Communications Center.

(2) Concealed Macro Towers



Concealed towers: antenna and radio heads not visible.

(3) Non-Concealed Macro Base Stations



Base Station: When an antenna is attached to a structure that the sole purpose of is to not be a cell tower.

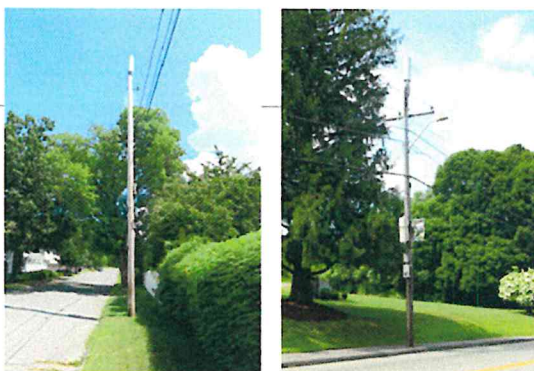
(4) Concealed & Semi-Concealed Macro Base Stations



Concealed Macro Tower: Not visible on top of a base station. The base station permits the antennas from being viewed.

Semi-concealed Macro Base Tower: When the tower or antenna is slightly visible.

(5) Non-Concealed Small Cell Towers/Poles



Non-Concealed Small Wireless Facilities: Small antennas are used in which they cannot exceed more than 3 cubic square feet. These require far less ground space. Equipment is then mounted to the pole versus being put underground.

(6) Concealed Small Cell Towers/Poles



Concealed Small Wireless Facility: Antennas, wiring, and ground equipment are not visible. The ground equipment may be placed near the pole on the ground, or on the pole itself, both blending in with the environment.

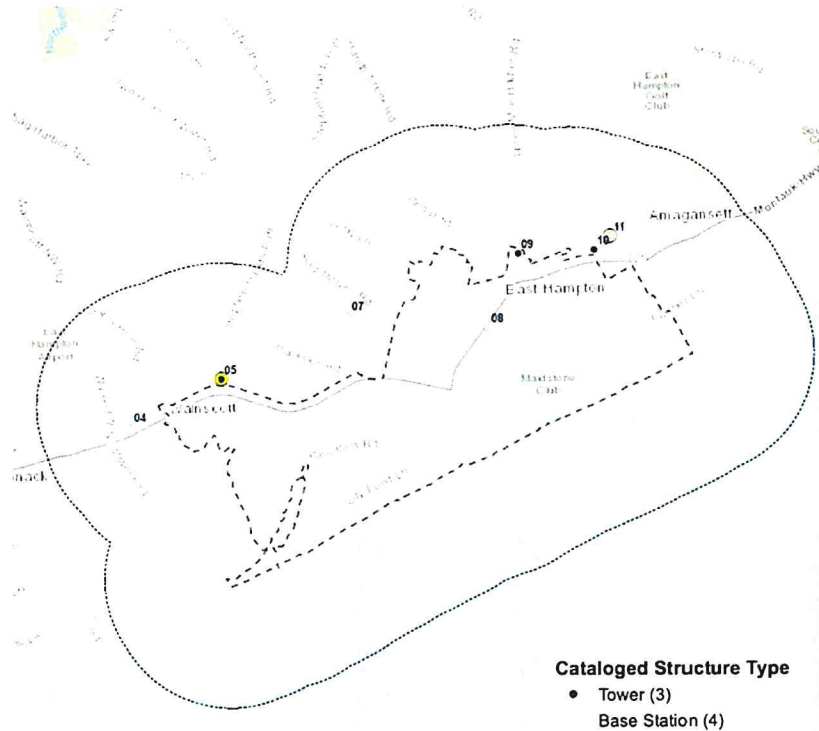
Ms. Rabold and her coworker visited the East Hampton Village area periodically to accomplish the finding of unknown sites, verifying site locations, collecting all data, and recording observations. With this information, they created an inventory catalog that included the facility information, locational data, site identification, tower/base station distinction, tenants, and site conditions.

Below is an example showing their findings for the One Cedar Street Tower.

Site 09	1 Cedar Street	East Hampton	
STRUCTURE TYPE:	Tower		
FACILITY TYPE:	Lattice		
ANTENNA TYPE:	Macro		
DESIGN TYPE:	Non-Concealed		
FACILITY OWNER/ID:	Village of East Hampton		
FACILITY SITE NAME:	Village ESB		
SERVICE PROVIDERS:	Sprint		
FCC ASR:			
HEIGHT:	120'		
LOCATION:	Public Property		
LATITUDE/LONGITUDE:	40.969046, -72.183108		
SCTM#:	301-4-1-10.3		ZONING: R20'
NOTES:	TID: 5		

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Ms. Rabold explained that the geographic area, shown below, includes East Hampton Village and a one mile radius around the Village. If this additional one-mile radius was not included, it would distort the propagation pattern. Within this study area, there are currently a total of seven facilities. There are three towers, only one of which is approved and not built yet, and there are four base stations, only one of which is proposed and under review.



All of the seven sites are macro cells. One of these seven sites holds a dual purpose as it is also in use as a Public Safety Facility. The locations of the seven sites include two on private property, four on publicly owned property – two of which are approved but not yet built, and one on a utility easement. Ms. Rabold then explained that of these seven, there are three that are defined as concealed, in which one is only approved and not yet built, and four non-concealed, in which only one is approved and not yet built. The following slide explains what Simulated Propagation Coverage Maps contain:

Simulated Propagation Coverage Maps

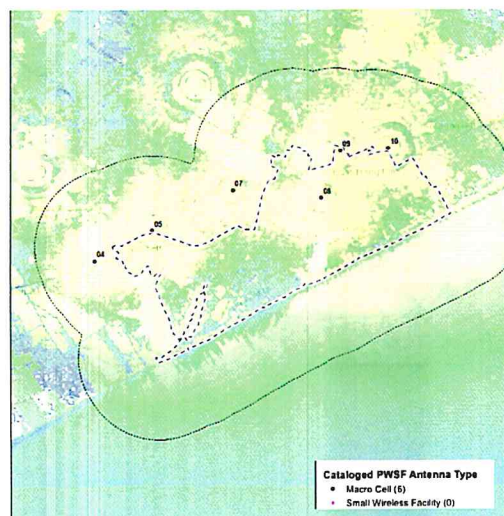
- 1 Simulated coverage and capacity mapping from existing PWSF sites to identify gaps in network service areas
- 2 Simulated coverage and capacity mapping from potential PWSF sites to identify gaps in network service areas
- 3 Potential Fill-In Solutions: Macro cells, small cell, hybrid macro/small cell, H02 water tank site, use of public property, ROW and UE

Ms. Rabold noted that the first map provided below assumes that all providers will be located on the same facilities. Ideally, maxing out the number of providers per facility will reduce the total number of facilities needed. Additionally, it is a Federal Law that all service providers have the same opportunity to reach a given location, and if one facility cannot hold all providers, then additional facilities will have to be provided in that area.

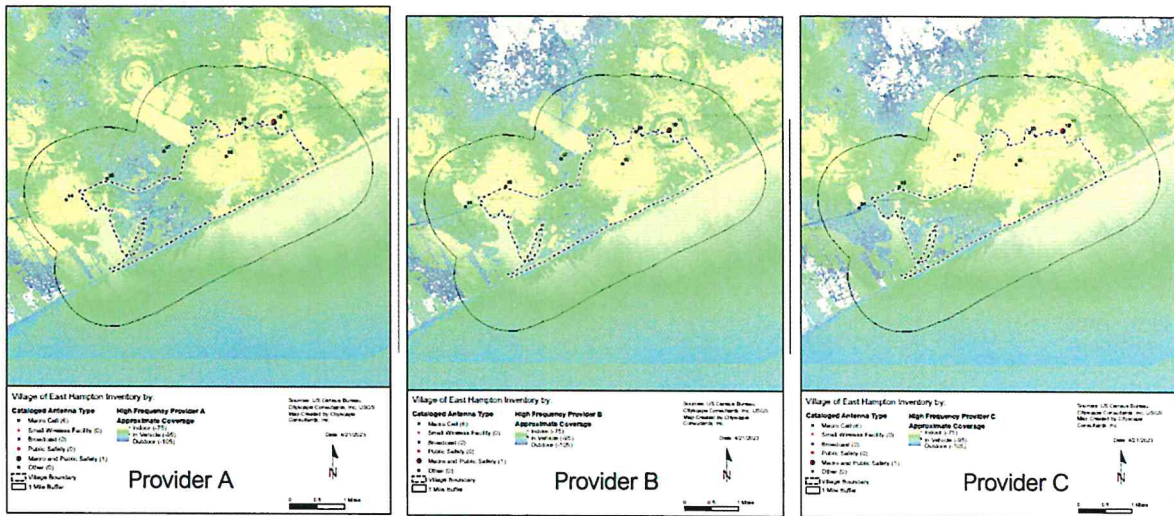
Coverage Map For A Single Provider

- High frequency coverage map
- Assumes same provider at each site
- Level of propagation signal strength is shown through the gradation of colors from yellow to blue

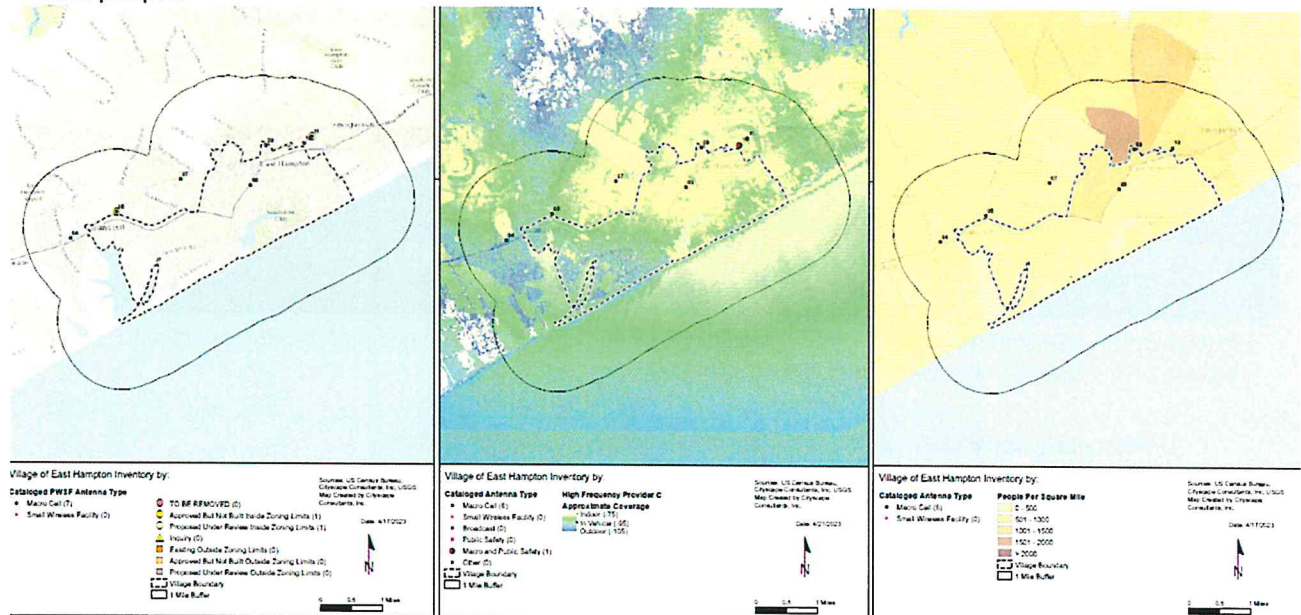
Color	Signal Strength	Signal Strength Description
Yellow	Superior	Strong enough to operate within most buildings
Green	Average	Strong enough to operate in vehicle but not inside most buildings
Blue	Acceptable	Strong enough to operate outside but not in a vehicle or building



The following maps below demonstrate cell service for different providers in the area currently. Ms. Rabold explained that the names of the providers are purposefully not listed and will not be disclosed.



The coverage map in the middle was then shown side by side with a standard map of the area to the left and a map consisting of census data to the right, shown above. Comparing census data to the coverage map can be especially important as it can demonstrate any gaps in coverage in areas where there are more people.

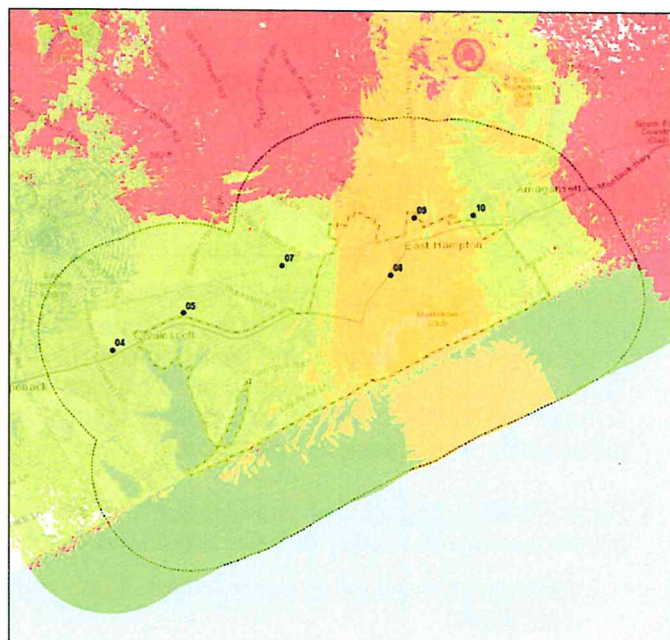


The slide below explains where more infrastructure is needed, specifically in the orange and red areas.

Heat Map For A Single Provider

- Simulates areas with potential capacity problems
- Level of propagation signal strength is shown through the gradation of colors; green to red

Color	Potential Capacity	Signal Strength Description
Green	Good	Ratio of number of sites to subscriber base
Orange	Average	Ratio of number of sites to subscriber base is problematic
Red	Poor	Ratio of number of sites to subscriber base is poor



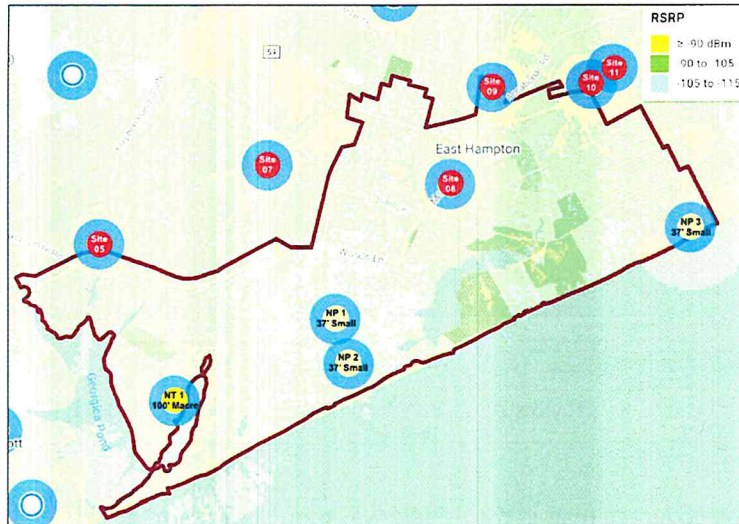
If sites were added to the areas shown below in the next ten years, it is believed that the gaps in coverage

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shown on previous maps would be filled in.

Potential Gap Fill-in Potential Solution

Potential Facilities	Potential Sites	Possible Height
New Macro	NT1	100'
New Small Wireless	3 NPs	37'



The following slides explain the Telecommunications Act of 1996, the Middle Class Tax Relief, and Job Creation Act of 2012, all of which are pertinent to telecommunication.

47 USC §332(c)(7) (a/k/a Section 704 of the Telecommunications Act of 1996)

Preservation of state and local zoning authority regarding placement, construction and modification of personal wireless service facilities, however the regulations shall NOT:

- Unreasonably discriminate among providers of functionally equivalent services
- Prohibit or have the effect of prohibiting the provision of personal wireless services
- Shall act on requests within a reasonable time period
- Provide denials in writing and supported in substantial evidence contained in a written record
- Cannot regulate environmental effects of radio frequency (RF) emission beyond the Commission's regulations concerning such emissions
 - Can require a statement that facility complies with the Commission's regulations concerning such RF emissions

Middle Class Tax Relief and Job Creation Act of 2012, Section 6409A

- Notwithstanding Section 704 of the Telecommunications Act of 1996 or any other provision of law, a State or local government may not deny, and shall approve any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station
- Eligible facility request means any request for modification on an existing wireless tower or base station that involves:
 - Collocation, removal or replacement of new transmission equipment



H. Rept. 112-399: MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012





Collocations Permitted by Right

Provided Application Does Not Exceed Definition of Substantial Change

Collocation means:

- Mounting or installing equipment on an eligible support structure

Eligible facility request means:

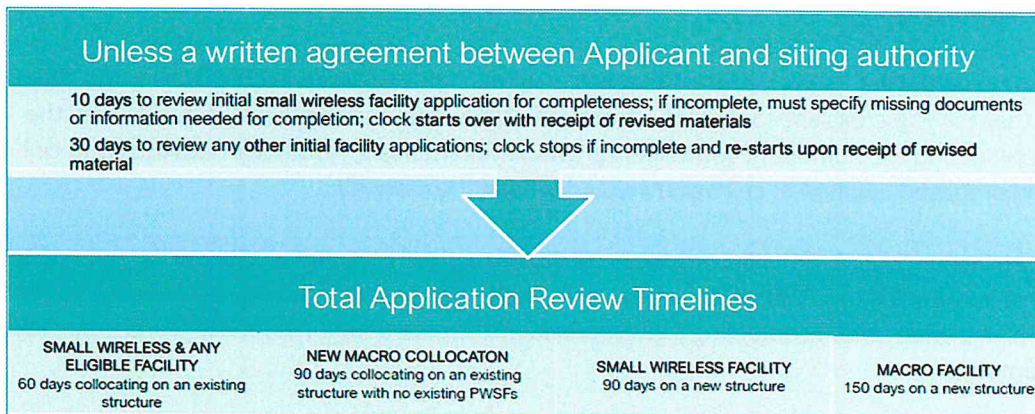
- Any request for modification of an existing tower or base station that does not substantially change the physical dimension of such tower or base station

Eligible support structure means:

- Any tower or base station provided that it is existing at the time the relevant application is filed

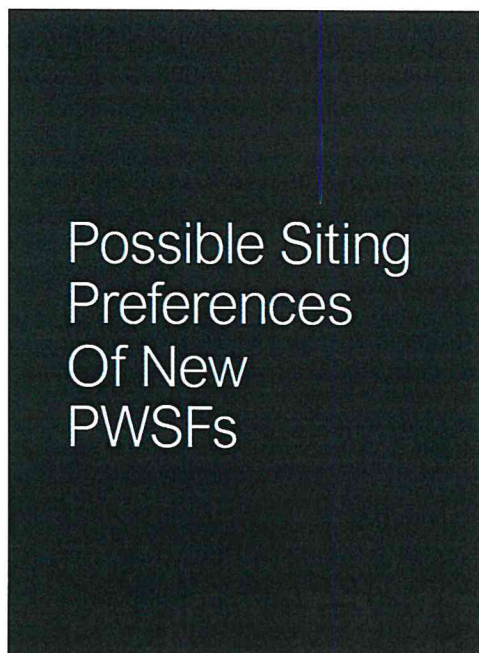
The time restrictions on the creation of a facility are shown on the slide below.

FCC's 3rd Report and Order Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment



The Draft Model Ordinance provided to the Village Board contains definitions all cited from the Code of Federal Regulations, siting preference styles including collocation, small wireless, and new freestanding, proposed locations including Village and Non-Village, and the design including concealed and semi-concealed for all proposed sites.

Site preferences of new PWSFs were then presented and are shown on the slide below.

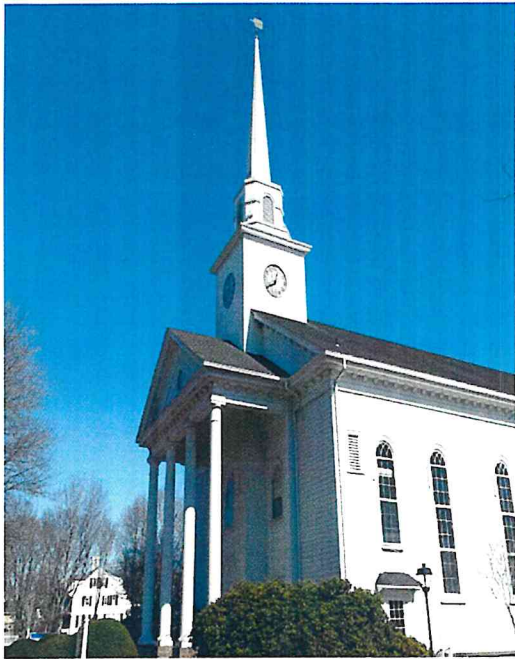


SAMPLE Siting Preferences of New PWSFs:

- A. Collocation on an existing tower or base station
 1. On Village owned property in the WMP
 2. On non-Village owned property
- B. Concealed base station
 1. On Village owned property
 2. On non-Village owned property
- C. Small wireless facility
 1. Concealed Collocation
 - a. On Village owned property
 - b. In right-of-way or easement
 - c. On non-Village owned property
 2. New freestanding small cell facility
 - a. Concealed on Village owned property
 - b. Concealed in right-of-way or easement
 - c. Concealed on non-Village owned property
 - d. Semi concealed on Village owned property
 - e. Semi concealed in right-of-way or easement
 - f. Semi concealed on non-Village owned property
- D. Concealed tower
 1. On Village owned property in any zoning district
 2. On non Village-owned property
 - a. Non-residential zones
 - b. Residential zones on lots not used for single-family residential purposes

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Ms. Rabold then provided recommendations of the standards set for all future applications, displayed below.



Draft Model Ordinance Development Standards

All Applications

- Site Plans, Signage, Lighting, Sounds, Equipment Compounds, Hazardous materials, Structural Integrity, RF Compliance, Non-Interference with Public Safety Communications, Abandonment/Discontinued Use.

Eligible Facility Request

- Cannot exceed definition of substantial change, administrative approval

New Collocations on Non-Eligible Facility, Small Wireless Facilities, New Towers

- Concealed macro base stations and new towers only
- Small Wireless Facilities concealed or semi-concealed only
- Photo renderings required
- Radio frequency prediction plots
- Other specific development stands to promote least visual effects

Additional recommendations were provided including working together to decide on the locations, predesigning the facilities so when an industry comes in, a plan is already in place, creating a standard lease agreement so that expectations are provided, mapping out the fiber in the area so that the sites are robust from the beginning.

Mayor Larsen asked what issue was found that has resulted in poor cell service in the area. Ms. Rabold explained that the gap areas are consistent year round. When approaching the summer season, the capacity shrinks, and the number of subscribers grows simultaneously, resulting in less access to cell service. The proposed addition of cell towers would offload the capacity.

Providers are incentivized to provide complete coverage in a given area and will follow the path of least resistance to accomplish this. This is why predesigning a site and having it publicly approved is beneficial. Having no plan in place when contacting a given provider to create additional service towers may take years to complete.

The Mayor thanked Susan Rabold for her time.

Robert Hefner - Dominy Shops Phase II Update

To recap, Robert Hefner explained that the central components of the Dominy Shops Phase II Project on North Main Street included the reconstruction of the timber frame and exterior of the Dominy House of 1773, as well as the reconstruction of the original 1791 Woodworking Shop on the North end and the original 1798 Clock Shop on the South end of the building. The Museum is to be operated by the East Hampton Historical Society.

The work in Phase II included mechanical systems such as the sanitary system, a new water service, the HVAC system, completion of the fire suppression system, and installing a bathroom with ADA access.

Mr. Hefner then presented photos of the restoration progress of the interior of the Clock Shop building. Phil Cangioli, a mason working for John Hummel, did the majority of the brick reconstruction. A floor plan of the Clock Shop was displayed with a portion of the room having a forge and the other portion having a fireplace. The forge area was used for heating metal, the fireplace area was used as the workroom where watches and clocks were repaired.

Photographs of the current brickwork were compared to the forge that was intact in 1940. The bricks used for this project were from the 18th Century, a third of which were from the original Dominy House, salvaged in 1946 by Dudley Roberts. This forge is considered the best documented and authentic 18th Century forge in America today.

Once the masonry was complete, carpentry work began, accomplished by Zenon Deminsky, John Hummel's carpenter. The original pine floor of the workroom and the original oak floor of the forge room were reinstalled. Most recently, the doors and partitions of each doorway were reconstructed, and the

ceiling was installed. There is much carpentry work to be done in the workroom of the clock shop. The original shelves, tool racks, and workbenches must be reinstalled.

Phil Cangioli has now begun working on the construction of the fireplace in the woodworking shop. It was discovered while working on this project that there had been a fireplace in the woodworking shop that was utilized for heat in the winter months.

Robert Hefner explained that this was a project that had taken about eight years to complete. He added that there are very few municipalities that have accomplished a restoration project of this quality and significance. The work is to be completed by the end of June, which will provide the Historical Society with some time to create an exhibit. The Historical Society plans to be open to the public in August.

Mayor Larsen thanked Mr. Hefner for his commitment to this project.

Marcos Baladrón - FY2024 Tentative Budget

Village Administrator Marcos Baladrón first thanked the Village Board for their contributions as liaisons to the Village Departments and the Department Heads for their commitment to asking for what they needed in order to provide better services to Village residents for the following year. He then thanked the Village Treasurer Dominique Cummings. When compiling the budget, the goals included lowering taxes if at all possible, delivering high quality services to Village Residents, investing in the Village's infrastructure and equipment, growing the Village's cash on-hand position for many of its capital projects and needs, and lastly lowering the debt burden. He went on to say that the Fiscal Year 2024 Village Budget accomplishes all of these goals.

This budget lowers taxes for the second consecutive year, a first time accomplishment in Village history. The budget was analyzed closely to see where it could be trimmed down, resulting in an \$800,000 budget amendment at the April 2023 Board Meeting. Taxes are lowered by .18% and the tax base is 97% residential. Mr. Baladrón stated that the tax burden for Village Residents is substantial as they pay both East Hampton Village and East Hampton Town Property Taxes. The Village Board appreciates their hard earned tax dollars and the funding services they are currently provided.

Mr. Baladrón presented key highlights including the assessed value being almost \$49 Million, the total budget at \$27,891 Million, the revenues are up \$2 Million over last year's budget, and the surplus remains the same at \$600,000. Additionally, another \$100,000 was added to the Contingency Account, totaling \$300,000.

Mayor Larsen thanked the Department Heads, Village Treasurer Dominique Cummings, and Village Administrator Marcos Baladrón for their time with the process.

PUBLIC HEARING: Introductory #7-2023

Mayor Larsen opened this Public Hearing at 11:56 AM for a proposed local law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c.

INTRODUCTORY # 7-2023 LOCAL LAW NO. ___-2023

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

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

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

It is the intent of this local law to allow the Village of East Hampton to adopt a budget for the fiscal year commencing August 1, 2022 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

SECTION 2. AUTHORITY.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal

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year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3. TAX LEVY LIMIT OVERRIDE.

The Board of Trustees of the Village of East Hampton, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing August 1, 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE

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

No public comment took place. So moved by Trustee Melendez, Seconded by Trustee Doyle, Mayor Larsen Closed this hearing.

PUBLIC HEARING: Introductory #8-2023

Mayor Larsen opened this Public Hearing at 11:57AM for a proposed local law amending Property Maintenance and Nuisance Abatement § 225-5(C)(2).

**INTRODUCTORY NO. 8-2023
LOCAL LAW NO. ____ - 2023**

A Local Law amending Property Maintenance and Nuisance Abatement § 225-5(C)(2)".

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

SECTION I. Legislative Purpose and Intent. The East Hampton Village Board of Trustees is charged with protecting the health, welfare, and safety of the property owners and residents of the Village. The Board finds that properties which are not maintained properly often result in a threat to public health, welfare and safety. The purpose of this chapter is to establish regulations to require multifamily premises, commercial premises and single-family residences shall be maintained in conformity with the provisions of this chapter so as to establish reasonable safeguards for the safety, health and welfare of the occupants and users thereof and of the general public.

SECTION II. Chapter 225-5(C)(2) of the code of the Village of East Hampton is hereby amended as follows (bold and underlined material is to be added; struck-thru material is to be deleted):

§225-5. Responsibilities of owners and occupants.

- A. Owners of premises and other persons, as defined in § 205-7B, shall be responsible for compliance with this chapter.
- B. In addition, tenants and occupants of multifamily and commercial premises shall be responsible for compliance with respect to the following:
 - (1) Maintaining all and every part of the commercial premises which they rent, occupy or control and the steps, walks, driveways and parking areas located the front, rear or side of said premises, from the building line to the nearest public street curblin, in a clean, sanitary and safe condition and free from litter, debris, paper, dirt, garbage and junk.
 - (2) Keeping exits from that portion of the premises which they occupy clear and free from obstructions.

- (3) Disposing in a clean and sanitary manner of all garbage, refuse and debris in the provided facilities.
 - (4) Exterminating insects, rodents or other pests within that part of the premises which they occupy.
 - (5) Any and all sidewalks composed or constructed of concrete, cement, brick or other hard surface shall be kept free from obstruction from snow and ice. In removing such snow or ice, no person shall put the same in the gutter or drain of the street or in any manner fill up or obstruct any such gutter or drain. In every case in which such snow or ice is not so removed or when the gutter is so obstructed, it shall be the duty of the Superintendent of Public Works to remove the same, and the expense of such removal shall thereupon become a lien upon such land, to be enforced as provided by law.
- C. The following regulations shall apply to all owners or occupants of property within the Village of East Hampton:
- (1) Prohibition on planting bamboo. No property owner or occupant or any other person, corporation or other entity shall plant, install, or cause or permit the planting or installation of plant species upon any property, including one-family and two-family residences, located within the Village of East Hampton, commonly considered to be classified as "running bamboo," hereinafter defined as any tropical or semi-tropical grasses with monopodial (leptomorph) rhizome (root) systems, including, but not limited to, the following plant genera: Arundinaria, Chimonobambusa, Phyllostachys, Pleioblastus, Pseudosasa, Sasa, Sasaella, and Semiarundinaria.
 - (2) Duty to remove preexisting bamboo. In the event any species commonly considered to be classified as "bamboo," either "running" or "clumping," hereinafter defined as any tropical or semi-tropical monopodial (leptomorph) or sympodial (pachymorph) grasses, including, but not limited to, Arundinaria, Bambusa, Chimonobambusa, Dendrocalamus, Fargesia, Phyllostachys, Pleioblastus, Pseudosasa, Sasa, Sasaella, and Semiarundinaria, is located upon and property, including one-family and two-family residences, within the Village of East Hampton, the owner or occupant of said property shall **prevent encroachment, spread, invasion or intrusion of bamboo onto any other property or right of way by either remov[ing] such species bamboo entirely or removing such bamboo to the extent that it does not encroach over any neighboring property or cross any property line.** ~~to prevent the encroachment, spread, invasion or intrusion of same onto any other property or right of way.~~

SECTION III. SEVERABILITY.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

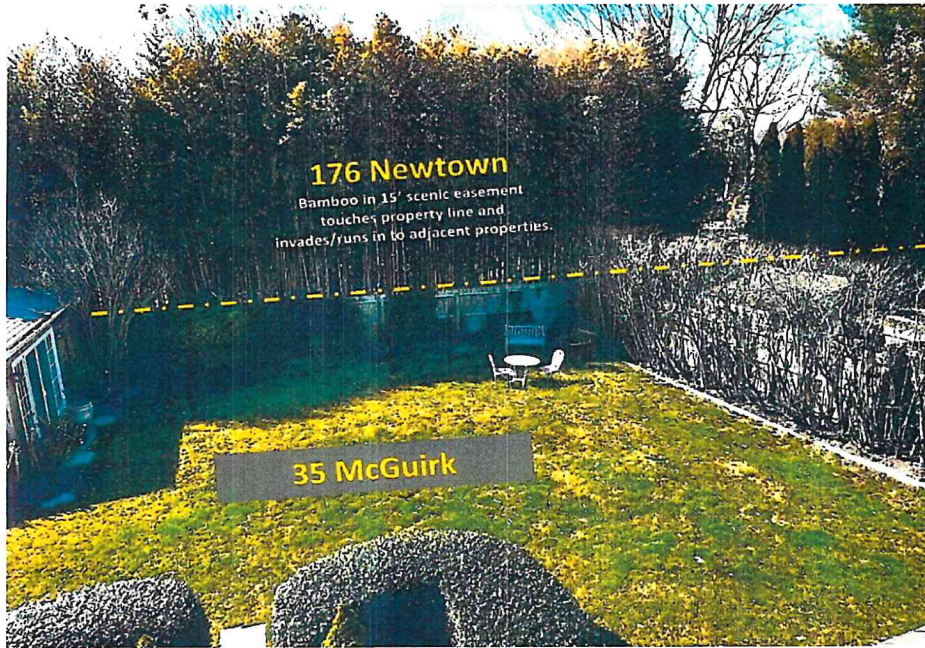
SECTION IV. EFFECTIVE DATE

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

PUBLIC COMMENT

Michael Kretchmar and Chuck Thomas who reside at 35 McQuirk Street are affected by the bamboo found on their property, which they believe originated on the property of 176 Newtown Lane. Mr. Kretchmar thanked the Board for putting into action updates to the legislation on bamboo and invasive species at large. He then presented some photos that demonstrate how the bamboo is affecting their property and their neighbors' properties. Bamboo can be dangerous to humans and animals alike. When the stocks begin to grow, they are very sharp.

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The picture above shows the property line of 176 Newtown Lane and 35 McGuirk Street. Mr. Kretchmar explained that the bamboo affects various properties on McGuirk Street. He noticed the bamboo beginning to push on the fence.



Mr. Kretchmar noted that he has chopped down stalks as they begin to poke through the soil, shown above, however fully removing the stalks from the ground is extremely difficult.

At 31 McGuirk Street, a photo was taken of bamboo roots pulled out of the ground, shown below. They can grow up to eight feet in length, taking hours to remove from the ground.



The photo above was taken in the backyard of 35 McGuirk Street. The bamboo stalks have become weighted down by snow and have made their way over the property line.

Chuck Thomas explained that these photos were taken when the bamboo was dormant. In the spring they noticed that new shoots began to come up out of the ground, growing three feet in height per day. Last year the bamboo roots began to grow underground horizontally in the backyard of 35 McGuirk Street. Similarly, their neighbors have noticed the roots of the bamboo beginning to surround the area around their pool in their backyard.

Mr. Thomas then added that when they requested landscapers to trim down the bamboo in the backyard, the landscapers explained that it is illegal to dispose of the shoots at the East Hampton Town Dump.

Mr. Kretchmar recommended that when updating the code, the Village should consider the containment of an invasive species, a true definition of mitigation, and what enforcement will look like. The property owners on McGuirk Street want bamboo removed in its entirety from any properties in the Village. Mr. Kretchmar explained that if East Hampton Village wants to allow a Village property owner to be able to keep their pre-existing bamboo, he suggests additional recommendations.

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These recommendations include having a required set back from the fence when planting bamboo and installing an impermeable barrier made of rubber, metal, or plastic that would go down into the earth as far as six feet to prevent the roots and shoots from extending into neighboring yards. Mr. Kretchmar asked if experts on invasive species could be hired to explain what the legislative language should look like based on science. Lastly, with reference to Code Enforcement, if a complaint is made about bamboo on a given property in the Village, that there is a method set in place with a certain amount of time, a defined outcome on what the consequences are, and what penalties would result from non-compliance.

Mayor Larsen appreciated what was shared by the property owners of 35 McGuirk Street. He then stated that the hearing will be kept open and that changes to the legislation will be made where appropriate. The primary reason that this law is now being updated is due to the fact that the Building Department had noticed that the law was overreaching by requiring a property owner to dispose of all bamboo, whether it was a bother to surrounding neighbors or not the process is timely and can cost a lot of money. He then asked for Michael Kretchmar and Chuck Thomas to forward their recommendations so that they can be reviewed and thanked them for their time.

No other comments were made about this public hearing. Trustee Doyle made a motion to keep this public hearing open, seconded by Trustee Melendez.

PUBLIC COMMENT:

Village Administrator Marcos Baladrón made a comment on the Editorial in the East Hampton Star that Mayor Larsen referenced during his announcements. He explained that his own comment was taken out of context by the Editor, and he was not approached about the article. The Star had stated that there was a paper plan for Phase II of the Herrick Park Renovation. Mr. Baladrón wanted to make clear that this is incorrect, as there is no Phase II Plan yet. It has been spoken about at past board meetings that the basketball courts will be reinstalled in a separate part of the park at a later time.

MOTIONS/RESOLUTIONS:

Resolution #489-2023; Approve claim vouchers for the month of April.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #490-2023; Approve Warrants as listed:

#53	4/28/2023	GUARANTEES-APR'23
#54	4/28/2023	GEN FUND #2-APR'23
#55	4/28/2023	LOSAP- APR'23
#56	5/19/2023	GEN FUND #1-MAY'23
#57	5/19/2023	GEN FUND-WARRANT-MAY'23
#58	5/19/2023	CAPITAL FUND-MAY'23

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #491-2023; Approve Budget Transfer Schedule #6, Reference #6, dated April/May 2023.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #492-2023; Approve departmental reports.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #493-2023; Resolved the 2022-2023 Village Budget is hereby amended to increase estimated revenue and appropriations in the amount of \$420,659.00 for expenditures related to the Fire Protection Services.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

Resolution #494-2023; Resolved the 2022-2023 Village Budget is hereby amended to increase estimated revenue and appropriations in the amount of \$130,000.00 for expenditures related to beach building maintenance.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

Resolution #495-2023; Resolved the 2022-2023 Village Budget is hereby amended to increase estimated revenue and appropriations in the amount of \$596,900.00 for expenditures funded by the Capital Reserve Fund.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

Resolution #496-2023; Approve the transfer of \$596,900.00 from the Capital Reserve Fund to the General Fund for the expenditures related to the Herrick Park Bathroom Project, as per permissive referendum.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

Resolution #497-2023; Approve \$17,349.08 proposal from Ben Krupinski Builder for emergency stabilization of the truss system at the Emergency Services Building located at 1 Cedar Street (as per May 12th, 2023 memo from D. Collins)

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

Resolution #498-2023; Accept the bid received from Class Act Maintenance Inc., for year-round weekend bathroom cleaning Herrick Park restroom and beach bathrooms weekends seasonally, effective May 2023 to May 2025 (as per May 10th, 2023 memo from D. Collins).

Trustee Doyle: So Moved. Trustee Melendez: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

Resolution #499-2023; Accept the East Hampton Village Foundation donation of \$63,551.69.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

Resolution #500-2023; Approve Change Order #4 for Herrick Park Phase I A Renovation Project from LandTek in the amount of \$15,464.70.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

Resolution #501-2023; Approve Change Order #5 for Herrick Park Phase I A Renovation Project from LandTek in the amount of \$5,768.00.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
 Trustee Melendez: Aye.
 Trustee Doyle: Aye.
 Mayor Larsen: Passed and carried.

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Resolution #502-2023; Approve \$16,370.00 quote from Traffic Logix for the delivery of three (3) rubber speed humps to be used on a pilot project for Highway Behind The Pond (as per May 12th, 2023 memo from D. Collins)

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Mayor Larsen explained that the Village was approached by the property owners on Highway Behind the Pond, and surrounding roads, who explained that a lot of people tend to speed on this road. It is also utilized by pedestrians, the majority of which are children attending the Maidstone Club's camps. The request was for something to be done in order to slow down the traffic, such as speed humps. The Village of Sagaponack has installed permanent speed humps for the same purpose. The speed humps that will be installed in the Village of East Hampton will be a part of a pilot project, meaning that they are temporary and can be removed. The Village will analyze the effect this has on traffic.

Resolution #503-2023; Approve \$29,239.65 proposal by South Fork Asphalt (SFA) for permanent pavement patches at select locations (as per April 20th, 2023 memo from D. Collins).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #504-2023; Deem as surplus and approve the sale (online by Auctions International) of assorted vehicles, equipment, parts and miscellaneous listed in David Collins May 1st, 2023 memo.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #505-2023; Deem surplus and decommission 2017 Ford Explorer, EHV ID #2340 (as per May 11th, 2023 memo From Chief Tracey).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #506-2023; Approve tree removal and plantings at 4 Lockwood Lane (as per May 12th, 2023 memo).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #507-2023; Approve resignation of Gerard Turza, Jr as a Public Safety Dispatcher II, effective May 31, 2023.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Mayor Larsen thanked Mr. Turza for all of his years of service and wished him wholesome fun in his next chapter in life. He then explained that Gerard Turza's will be moving to a different department in the Village.

Resolution #508-2023; Appoint Gerard Turza, Jr as the Fire and EMS Administrator at an annual salary of \$165,000.00, effective June 1st, 2023.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #509-2023; Accept Fire Department Officers election results for 2023-2024: Chief Engineer

Duane Forrester, 1st Assistant Chief Engineer Alex Verdugo, 2nd Assistant Chief Engineer Greg Brown, and company officers as listed, effective May 1st, 2023 (as per April 6th, 2023 memos from D. Forrester).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?

Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Mayor Larsen thanked and congratulated all the officers and volunteers.

Resolution #510-2023; Employ Theresa M. Reynolds as a Full-Time EMT-B at an annual salary of \$58,240.00, effective June 1st, 2023. (as per May 11th, 2023 memo from Chief Tracey).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?

Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #511-2023; Approve the following individuals as employees with the Village’s EMT-B Program at the hourly rate of \$25.00, effective immediately, pending completion of background checks: Tyler Goldrick and Roger Llivisaca (as per May 12th, 2023 memo from Chief Tracey).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?

Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #512-2023; Employ 2023 Seasonal Paramedics and EMT-B’s, effective May 15th, 2023. (as per May 11th, 2023 memo from Chief Tracey).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?

Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #513-2023; Employ 2023 Seasonal Traffic Control Specialists & Traffic Control Officers, effective May 15th, 2023 (as per May 11th, 2023 memo from Chief Tracey).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?

Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #514-2023; Approve amendment to Resolution #486-2023 to indicate Dyan M. Bottego’s hire date as April 6th, 2023 and placed on immediate Leave of Absence until May 1st, 2023, at which time she began work as a Full-time EMT-B (as per May 11th, 2023 memo from Chief Tracey).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?

Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #515-2023; Approve amendment to Resolution #424-2023 to indicate Brandon S. Esposito’s hire date as May 1st, 2023 and placed on immediate Leave of Absence until June 16th, 2023, at which time he will begin work as a Full-time Police Officer (as per May 12th, 2023 memo from Chief Tracey).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?

Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #516-2023; Approve employment of 2023 Beach Staff: Edwardo Calle as Beach Staff at \$13.00 hourly, Morgan Grant and Charlie Kim as Lifeguards at \$17.50 hour, and Sean Daly as a Lifeguard at \$20.00 hourly, Effective May 19th, 2023 (per April 27, 2023 memo from D. Smith).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?

Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #517-2023; Approve employment of Francine Hanford (\$18 an hour) as 2023 seasonal tour guide at Hook Mill effective May 19th, 2023.

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Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #518-2023; Appoint new members to the Business Revitalization Committee: Robert Rattenni, David Hashmall and Donna McDonald.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #519-2023; Adopt as LOCAL LAW # 10 of 2023 Introductory #7-2023, a proposed local law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #520-2023; Notice of public hearing to be held on June 16th, 2023 at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, NY 11975, for Introductory #9-2023, a proposed local law amending the Code of the Village of East Hampton, Chapter 185 (Licensed Occupations and Entertainment).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #521-2023; Notice of public hearing to be held on June 16th at 11:00 a.m. at LTV Studios, 75 Industrial Road, Wainscott, NY 11975, for the proposed FY2024 Budget.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #522-2023; Approve employment of Ernesto Cumbe and Douglas Pitches as part-time laborers at \$25.00 hourly, effective May 26, 2023 (*as per May 17th, 2023 memo for D. Collins*).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #523-2023; Approve Change Order #6 for Herrick Park Phase I A Renovation Project from LandTek in the amount of \$17,568.99.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #524-2023; Approve Change Order #7 for Herrick Park Phase I A Renovation Project from LandTek in the amount of \$24,750.00.

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Resolution #525-2023; Accept new volunteer members of the Department of Emergency Medical Service (EMS), effective May 19, 2023 (*as per May 18th, 2023 memo from M. Mott*).

Trustee Melendez: So Moved. Trustee Doyle: Seconded. Mayor Larsen: All in favor?
Trustee Melendez: Aye.
Trustee Doyle: Aye.
Mayor Larsen: Passed and carried.

Mayor Larsen explained that if anyone is interested in volunteering or being a driver, please contact Village Hall.

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Mayor Larsen asked for a motion to close this meeting, so moved by Trustee Melendez, seconded by Trustee Amaden at 12:22 p.m.

Executive Session: Personnel
Legal

FILED
VILLAGE OF EAST HAMPTON, NY
DATE: 10/23/23
TIME: 9:49 AM

Shirley M. Kauf