

HAMPTON BAYS CAC SEPTEMBER 2022 MEETING MINUTES

Meeting Date: September 15, 2022

Meeting Time & Location: 7pm EST Zoom Meeting

HBCAC Zoom link

<https://us02web.zoom.us/j/88477939247?pwd=aVNsN3RGWHITRFdBSnRGVHhYc2dMUT09>

HBCAC website link: <https://www.southamptontownny.gov/435/Hampton-Bays>

Member Attendees: Kevin McDonald, Dave McMorris, Jim Mackin, Andy Godfrey, Geraldine Spinella, Amy Paradise, Louise Stalzer, Christine Taylor, Colvin Cumberbatch, Victoria Firemark

Guest Attendees: Linda Wells, Hampton Bays resident; Gayle Lombardi, Hampton Bays resident; Councilperson Rick Martel; Legislative Aide May Zegarelli

Guest Speaker: Ryan Murphy, Southampton Town Public Safety & Emergency Management Administrator

Guest Speaker Topic: Code Enforcement related issues in Hampton Bays

DISCUSSION POINTS:

HAMPTON BAYS DOWNTOWN REVITALIZATION

- Kevin McDonald spoke about an editorial he read in 27 East and stated nothing about the revitalization of downtown Hampton Bays has been easy, but that doesn't mean there's not a way forward in a productive way
- **Q: to Rick Martel inquiring about any information, he can share about the Town Work Session and upcoming Hampton Bays listening sessions:**

A: Supervisor Jay Schneiderman informed the board that he wants to hear from people in town in a smaller group setting to have conversations. The Supervisor will be setting up time from 2-4pm at the Hampton Bays Community Center. The issue that came about, is I want to get the message out to the masses, and we need to have more meetings with the general public so there was some disagreement on how to go about it. He has invited one board member to join him at any time. I will try to attend 1 or 2 listening sessions. Cyndi McNamara is also vested and interested in what's going on in Hampton Bays. We are going to have public forums again if I have anything to say about it.

Comments:

Geraldine Spinella: I did speak with Supervisor Schneiderman and informed him I was disappointed in the Civic meeting. The disintegration happened when the video of what the Town would look like was shown on a tiny screen that no one could see in the room. If there is no sewer system there is no development, and it cannot be next to the cemetery or the Wells homestead. It needs to be where it can't contaminate anything and not be objectionable to everybody and suggested the dump would be a perfect spot if the Town would find the money to run a line to downtown. Supervisor Schneiderman said they've already identified maybe 2 other spots that would be possible. I'm pretty sure the town can be sure it's not going to be next to the cemetery and therefore we're getting closer to maybe moving forward with something. It would be helpful if it was expandable as well, so more hookups are available. Hopefully in a month there's something to vote on and businesses can find out how much it's going to cost to hook up.

Amy Paradise: I wrote to Mr. Martel and wrote the Board had failed because an apology is not sufficient. For this process to be effective going forward Mr. Schneiderman needs to recuse himself from it. I welcome the community discussion, but it should be someone other than Mr. Schneiderman holding these meetings. There is too much history and animosity and will sideline the process. For me this is a matter of integrity and cannot fathom anyone saying it's ok he apologized. It

wouldn't matter what the issue was, he completely failed in his responsibility. The article in the paper was nothing but image repair for him. There wasn't much of anything new from what he's said before.

Gayle Lombardi: I went to the Town Board meeting this past Tuesday. I am concerned about these small group meetings. You can't extrapolate information from just a couple of people, the Town is also responsible for keeping an official record, and this should be done so everything is on an official record to ensure information is not skewed. We didn't have to see Mr. Caiola's presentation; we've seen all the pictures on the books.

The problem is Mr. Caiola's project and the HBDOD is getting conflated, and it can't. The HBDOD covered from Cemetery to Ponguogue. Mr. Caiola has 8% based on my calculation so it's not just about one developer – it's 99 parcels, he's got 13.

The problem is the Town, everyone, has conflated it. If Mr. Caiola wants to put forth his project he can come before the Board, like the the Rechler's and everyone else. We have to take him out of the mix and go back to the HBDOD and he is certainly at the table, but he is not the table.

This is about the zoning by the legal requirements of the NYS or by the Town. It's not for the developer spot zoning.

If we want to deal with Mr. Caoila's project then he has to come forth with his plans or we have to deal with the HBDOD, which he is a part of. But there are a lot of developers.

Kevin McDonald mentioned we want to get to a place where people are talking to each other

Gayle Lombardi makes the point – yes, but what are we talking about? Are we talking about Mr. Caiola's project, or are we talking about the HBDOD?

Kevin McDonald stated we can't talk about anybody's project until people agree generally on the broader vision

Gayle Lombardi stated that she and Kevin agree on this point – we can't talk about anybody's project until people agree generally on the broader vision

Dave McMorris: My sense of trust with Town Hall has been damaged based on the Nelson Pope Voorhis language in their contract. Whose best interest do they have in mind – the developer or the public? Does the community want 3-4 story buildings on Main Street? The sewer treatment plant location needs to be decided. I don't think the current site is the best location and a lot of other people agree. I will offer another model we may be able to look at as a community. During the Civic meeting they talked about Southampton, West Hampton Beach, Sag Harbor. I don't think we're necessarily like those types of communities. I grew up in downtown Sayville. The make-up of Sayville may be more similar to Hampton Bays based on the types of people who live there. Sayville's Main Street has 1-2 story buildings, it's a vibrant downtown with lots of shopping and eateries. Maybe we should be looking at other vibrant and thriving Towns that don't have 3-4 story buildings.

Linda Wells: I did attend the Town work session and support Mr. Schneiderman's offer to speak to the community and have 1:1 discussion. I emailed Mr. Schneiderman and informed him I will be at the listening session and want to have 1:1 discussions with him. I have spent 4 months doing research about the HBDOD. I've read every comprehensive plan, the Hampton Bays Strategic Corridor Study and feel I'm knowledgeable about the issues. I think there's a possibility to do this by starting with the Strategic Corridor Plan and looking at what was required in that. Most issues everyone has been identifying come down to 3-4 things: the sighting of the Cemetery sewer treatment plant – there's nothing wrong with a sewer treatment plant in a location that is not objectionable

Some people might support 1-2.5 story buildings with some limited residential in the downtown, but if you look at the Corridor Study I don't see anything that talks about 3.5 story apartments which is what's called for in the HBDOD. This is too dense.

I'm disturbed about the idea of another survey. I don't find it meaningful. What we need is direct interaction with people and getting a consensus about the main issues concerning the HBDOD.

Not everyone is going to agree on everything, but I think most people in Hampton Bays are reasonable. They do want revitalization; they just don't want what's in the HBDOD. This can get done. Let's admit Hampton Bays needs a little sprucing up.

Kevin McDonald inquired if most people in this meeting believe that most of these issues can be resolved reasonably among reasonable people? If so, please put a hand up. Per Kevin McDonald, just about everyone put their hands (but not identified for the record)

Geraldine Spinella: We were all appointed by the Town Board to represent Hampton Bays and we were never given a website to facilitate the capture of information to inform the report to the Town Board. We all want the best for Hampton Bays, but how do we get an informed consensus from the community without a means to capture this information? We need a 3D model of what the development will actually look like; where would parking be, where will new streets be?

Linda Wells: Acknowledges Geraldine's points. But what's important to look at -- and what the Board is going to be looking at -- is the land use document (the new zoning ordinance) which I call "the Constitution". Whatever is in this ordinance dictates what can be built and the limitations.

Knowing that professionals didn't read the language in the Nelson Pope Voorhis contract, you have to ask what else are they not reading that they're imposing on you. I think we need to get by this to some extent and put forward what we think should be our "Constitution". Everyone's going to have to give and take somewhere. I'm very encouraged and ready for 1:1 discussions with Jay Schneiderman.

Gayle Lombardi: I'm a little nervous. A lot of enthusiasm is good, but from the Town Board it's important the tail is not wagging the dog. How do we gather community input? Linda doesn't want to do surveys; I think surveys are good. Maybe the Town needs to come up with a plan for gathering good solid information. I think we know what most people are having problems with and revisit the Corridor Strategic Plan or some version of it with some tweaks.

Geraldine Spinella: Strongly feels the sewer treatment plant will not be constructed by the cemetery. And, maybe instead, Mr. Caiola can use this property to build town homes instead of 3-4 story residential units on Main Street. I think we need to see a plan of what the development will look like then a survey can be done to assess if they like, dislike...

Kevin McDonald: The Federal Government stimulus money available to municipalities for infrastructure related initiatives has a 10% match based on the total cost of the project for the first 2-yrs, after 2-yrs the match jumps to 20%.

The fire dept is a large landowner right in the middle of downtown. They are a partner in doing "it" right or "it" not right; and what is "it"?

GUEST SPEAKER RYAN MURPHY:

Code Enforcement General Information

- The Code Enforcement Department is located at the Southampton Dept of Public Safety Emergency Management offices at 27 Ponquogue Ave in Hampton Bays
- The office includes Code Enforcement, Fire Marshal, Animal Control, Emergency Preparedness, Animal Control, and the Neighborhood Services Division which takes care of gathering litter (TLC – Town Litter Collection) an average approx. 2 tons per month are collected at this time
- Code enforcement division tends to more specifically deals with residential related concerns
- The Fire Marshal's office deals with commercial business-related concerns. However, the Fire Marshall gets involved if there's a residential property with serious concerns e.g., dilapidation, zombie home concerns, unlivable conditions, and if there's a fire at one of these type of residential properties

- Code enforcement deals with rental permits, rental inspections in town. Currently have approx. 3-4,000 rental permits that renew on a rotating schedule every other year
- Deal with quality-of-life property maintenance type of issues e.g., overcrowding, illegal rentals, deteriorated portions of property, noise complaints
- Complaints are taken in by word-of-mouth, office walk-ins, and via the SOS system (Southampton Online Solution System)
 - Link to the online SOS: <https://gis.southamptontownny.gov/sos/>
 - Office of Public Safety: 27 Ponguogue Avenue
 - Telephone: 631-702-1700
 - Website: <https://www.southamptontownny.gov/170/Code-Enforcement>
- Highest percent of issues coming into the SOS system originate from the hamlet of Hampton Bays. Mr. Murphy doesn't see this as a negative indicator, but attributes this higher number of complaints based on the proportionate population density compared to other Southampton towns, villages, and hamlets. You will see more complaints from an area with more people
- Common types of complaints: System wide are allegations of illegal rentals, overcrowding, and basic property maintenance issues. Building without a permit are also common complaints, which can also be directed to the building department
- Most people don't intend to violate codes. Most people may not understand what they're doing is in violation; therefore, code enforcement staff tries to educate to gain compliance
- In the case where someone may need time to resolve issues, the staff will do their best to work with them via extensions -- if they're demonstrating progress to meet code requirements -- aka voluntary compliance
- There are some instances where code violators don't believe what they're doing is wrong and will therefore go through the court system if they consider themselves not guilty
 - If tickets are written for violations, tickets only indicate an allegation not a finding of guilt. The process to facilitate ticketed violations can take 6-18 months

Code Enforcement Staff:

- Total of 7 people. At one point during the summer of 2022 down to about 3 staff due to some retirements, some transfers to different departments, and change of career paths
- The small staff manages approximately 1000 complaints per year through the SOS system + additional complaints received outside of the SOS system
- Staffing shifts have changed allowing code enforcement staff to be available 6-days a week (with the exception of vacation/sick days) and 7-days a week during the high season. This has resulted in the ability to address complaints which usually occur on weekends - particularly on Sundays
- Bilingual code enforcement staff has been added over the past year

Q&A

Q: Kevin McDonald: Can you characterize your takeaway as to code enforcement issues in Hampton Bays based on qualitative data?

A: There's nothing specifically unique, other than the volume of complaints, regarding the types of code enforcement complaints received compared to other areas within the Town of Southampton. Nor, any differences based on his past experience, with the village of Patchogue

Q: Louise Stalzer: Based on information an individual shared with her – **there has been no response to several complaints made to code enforcement regarding reports of active raw sewage being discharged** in the street near the Liggett's and Krieg's shops in Hampton Bays and the Asian Fusion restaurant on the corner of Montauk Hwy and Ponguogue Ave. Is this because of staffing issues?

A: I'm not sure how the complaint was made to code enforcement, but I will follow up with both the Fire Marshall and Code Staff to determine the status and get right on this issue. DEC may be contacted as well.

Q: Jim Mackin: Sounds like your approach is first, code encouragement rather than code enforcement. I believe most people will conform to a request. This first outreach effort to work things out should be applauded

A: Thank you. Many situations we're called out to address could be resolved if neighbors just spoke with each other. There may be no reason to escalate the situation give the presence of code enforcement could cause more animosity. Stress the field staff about not making the interaction a negative one and how they conduct themselves during the interaction is important. More often than not, the staff is more successful at gaining voluntary compliance

Q: Dave McMorris: Can you elaborate on the large amount of trash being picked up in Hampton Bays? Is this the result of dumping?

A: The 1-2 tons of litter collection is not just from Hampton Bays. It's made up of general debris. They will also focus in areas they know an event is happening to ensure the area is clean before and after events.

Q: Amy Paradise: Is the end of Shinnecock Road on the TLC list? It often needs attention. Full of bits of napkins, food containers... especially during the summer. The gentleman who takes care of the TLC in Hampton Bays is a really nice guy

A: If this location wasn't already on our TLC list, it is now. I've made a note. Rick Martel noted this location was on the list after the 4th of July festivities

Q: Andy Godfrey: Over years over-crowded homes have been an issue. Do you see a trend upward or downward related to over-crowded home complaints?

A: Probably level. 2020 may have been way up in complaints; albeit a statistical aberration due to huge population shifts. Many are unfounded complaints – meaning the homes are not overcrowded

A 4-bedroom home is legally allowed to have (1) more car than the total number of bedrooms which equal (5) cars

Q: Geraldine Spinella: If you drive around East Hampton or maybe Sag Harbor you're not going to see so many trucks and cars in peoples driveways. But when I drive out my home I see so many 2-bedroom homes with (6) trucks in the driveway. Even with a 2-bedroom home with 4 people living in it, there's going to be 4 trucks or cars. I think it's almost impossible to enforce this particular code

A: It's really tough. But if we do have a 2-bedroom home with 8 cars we have a problem. If it's a 2-bedroom with 4 cars – legally they can have 3 cars – it's not unrealistic to think there are 4 people of age who drive in a 2-bedrom home

If people know the right thing to say to us there's little code enforcement can do. E.G., Someone else owns the house. Or those cars are owned by visiting family. Code can't easily challenge this unless it's regularly monitored and documented and still tough to prove in court

Code Enforcement operates by law and can't go past the front plane of the home, can't look through windows, can't look over solid fences. Because SOS complaints are often anonymous – staff is unable to see what the complainant sees and therefore, the complaint is logged “unfounded”

If code field staff is allowed access to the complainant's home to see what they see it's helpful and provides context, but the complaint can't be anonymous for this to occur

COUNCILPERSON RICK MARTEL UPDATES:

- Councilperson Cyndi McNamara apologizes for not being able to attend
- The 100-year celebration of name change from Good Ground to Hampton Bays was quite an event. Congratulations to the Hampton Bays Chamber of Commerce and everybody from the Town who participated. Parks and Recreation worked very hard as did the police and safety departments

- We've had some flooding issues on the east end of Dune Road lately. This occurs on a pretty regular basis. There is an approved plan to raise this part of the road. Hoping to get this done soon and should only take a few days to complete
- Hampton Bays Senior Center parking issues solutions being considered:
 - Dedicate parking to Seniors only during certain portions of the day
 - Make a majority of the parking lot for Seniors only during the Community Center operational hours
 - TBD what can be done legally
 - **Q:** The Fire Dept parking lot is mostly empty can we offload some of the parking for Town Dept vehicles to this location to allow for more parking at the Senior Center location?
 - **A:** Not sure the Fire Dept would feel about this, especially in the case of some emergency situation. But we do have parking closer across by the building near the railroad tracks. Ryan Murphy is working on solutions.
- Youth Bureau "Stuff the Bus" event will happen the end of September. A school bus will be parked at Stop & Shop to collect non-perishable food. Contributions will be delivered by members of the Youth Bureau to local food pantries throughout the Town
- The Building Dept is still closed on Wed, no walk-ins, just drop your items off
- The blinking light at Canoe Place Road is still intact and will be working indefinitely. It's financed throughout the 1st of the year and is definitely making a difference

BLINKING LIGHT

- **Q: Kevin McDonald: Any elaboration about blinking light or lessons learned?** And a thank you to the Highway Superintendent Charles McArdle and Rick Martel about facilitating blinking light at Canoe Place Road and Montauk Highway
- **A:** Rick Martel: As a result of the Canoe Place Road blinking light success, the Highway Superintendent has 6-7 other proposals between County road 39 Montauk Highway which include blinking lights and changing lanes.
 - Pilot programs begin mid-October 2022 which include no traffic light at PC Richards, McGee Street, North Main Street in Southampton, and by the Southampton College to allow traffic to constantly flow
 - 3400 cars were counted coming out of Canoe Place Road on (1) morning
 - Legislative Aide, May Zagerelli, and the Town's legal department are working with Waze to attempt them to get at least the true private roads off their list and to have concern for some of these smaller roads in both Flanders and Hampton Bays
 - It could take \$2-\$3M to put into play traffic mitigation after the pilot program is complete and a findings report is provided
 - The Town would then have to approach the County and the State with proof that the program works. With a message: It's your roads – what are you going to do for us?

UPDATE FROM LOUISE STALZER SOUTHAMPTON ANTI-BIAS TASK

- Outreach event held to engage the community was a good start, albeit not a huge turnout. CAC representing attendees: Kevin McDonald, Victoria Firemark, Colvin Cumberbatch, and Councilperson Cyndi McNamara. Kevin McDonald speaking with people at the NAACP and exchanging communications with the expectation of attempting to increase the diversity of the Hampton Bays CAC. Kevin will pass along the information needed for those interested in participating.

Kevin McDonald Next Steps:

Between now and the next monthly CAC meeting Kevin will make some inquiries about what was discussed to inform our October meeting agenda.