



~ Agenda ~

Regular Town Board Meeting of September 27, 2016 Southampton, New York

I. Call to Order

6:00 PM Meeting called to order on September 27, 2016 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

Attendee Name	Present	Absent	Late	Arrived
Supervisor Jay Schneiderman	
Councilwoman Julie Lofstad	
Councilwoman Christine Preston Scalera	
Councilman John Bouvier	
Councilman Stan Glinka	

II. Minutes Approval

1. Regular Town Board Meeting September 13, 2016 1:00 PM
2. Special Town Board Meeting September 22, 2016 10:00 AM

III. Communications

A. Public Notices

1. Department of the Army

Army Corps of Engineers:

1. Notice of Extension of Public Comment Period for the Fire Island to Montauk Point Reformulation Study
2. Application for 4-foot x 106-foot catwalk at 190 Dune Road, Westhampton Beach

2. Suffolk County Planning Commission

1. Resolution of Approval with Comments re: The Canal Properties Site Plan
2. Extension Request for Review of the Tuckahoe Center Site Plan

3. Town of East Hampton

Notice of Public Hearing, CH 255 (Zoning) Moratorium on Wainscott Hamlet Business Properties

4. Town of Riverhead

Local Law Adoption, Amend Zoning Map to Implement the Epcal Reuse & Revitalization Plan and Planned Development Zoning District
Local Law Adoption, CH 301 (Zoning) Addition of PD Zoning District

Notice of Public Hearing, CH 301 (Zoning) Article LIII Subdivision Regulations
 Notice of Public Hearing, CH 298-2 (Vehicles & Traffic) Stop Intersections
 Notice of Public Hearing, CH 298-10 (Vehicles & Traffic) Parking Prohibited
 Notice of Public Hearing, CH 301 (Zoning) Planning & Zoning Administrator
 Notice of Public Hearing, CH 219 (Coastal Erosion) Coastal Erosion Management Permit
 Notice of Public Hearing, CH 105 (Boards, Commissions & Councils) Accessory Apartment Committee
 Notice of Public Hearing, CH 103 (Town Officers & Employees) Zoning Officer
 Notice of Public Hearing to Override the Tax Levy Limit per GML3-c
 CPF Project Plan to Extend 2% Transfer Tax & Include Water Quality Projects
 Letter from Supervisor Walter re: Riverside Waste Water Treatment Facility

5. Town of Southold

Local Law Adoption, CH 280 (Zoning) Affordable Housing District

6. Village of North Haven

Notice of Public Hearing, (Section 163-10) Tennis Courts

7. Village of Sag Harbor

Notice of Public Hearing, CH 300 (Zoning) Plumbing Fixtures in Accessory Buildings
 Notice of Public Hearing, CH 300 (Zoning) Definition of Basement and Cellar
 Notice of Public Hearing, CH 300 (Zoning) Placement of Accessory Structures

8. Village of Westhampton Beach

Zoning Board of Appeals:
 Adjoining Neighbor Notification for 86 Dune Road, Westhampton Beach

9. Letters/Petitions/Land Use Applications

Letters/E-mails regarding the following:

1. Landmark & Historic District Board Resignation and Appointment
2. Maintenance of the Squires House, Hampton Bays
3. Relocation of Tuckahoe Road
4. Speonk Commons Change of Zone
5. Tuckahoe Commons Change of Zone

Petition regarding the following:

1. Planning Board Hearing for the Canal and Eastern Properties

Planning Board Application:

1. Hampton Hills Golf & Country Club

Zoning Board of Appeals Applications:

1. 5 Seatuck Lane, Remsenburg
2. 35 Romana Drive, Hampton Bays

B. Bid Openings

1. Bid Openings (September)

Removal of Abandoned Junk/Decommissioned Vehicles (9/14/16)

1. J & V Auto Salvage Inc. - No Amount Listed
2. Medford Auto Wrecker's Inc. - \$226.81 per Junk; \$236.81 Decommissioned

Site Services for Riverside Walking Path Project (9/14/16)

1. Coastal Contracting Corp. - Total \$198,350.00
2. Quintal Contracting - Total \$73,525.00
3. PSL Industries Inc. - Total \$96,765.00
4. Laser Industries Inc. - Total \$73,815.00
5. DF Stone Contracting Ltd. - Total \$51,333.00
6. KJB Industries Inc. - Total \$97,979.00

C. Reports

1. **Town Comptroller**

Monthly Financial Report for August 2016

IV. Public Hearings

1. **Public Hearing to Consider Accepting a Deed of Dedication in Connection with the Site Plan Approval of Westhampton Beach Fire District, Westhampton**

Ú Vote Record - Motion						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adjourned .. Closed	Jay Schneiderman	..	..	..	..
	Julie Lofstad	..	..	..	..
	Christine Preston Scalera	..	..	..	..
	John Bouvier	..	..	..	..
	Stan Glinka	..	..	..	..

2. **Public Hearing to consider Accepting a Grant of Open Space in Connection with the Subdivision Map of Lumber Farm Estates, Bridgehampton**

Ú Vote Record - Motion						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adjourned .. Closed	Jay Schneiderman	..	..	..	..
	Julie Lofstad	..	..	..	..
	Christine Preston Scalera	..	..	..	..
	John Bouvier	..	..	..	..
	Stan Glinka	..	..	..	..

V. Public Portion

VI. Town Board Resolutions

Town Board Resolution 2016-547

Category: Legal Actions
Sponsors: Scalera, Schneiderman, Glinka, Bouvier, Lofstad
Department: Town Attorney

Authorize the Town of Southampton to Remove Unsafe and Dangerous Conditions at the Premises Located at 1380 Flanders Road, Flanders

WHEREAS, the Town of Southampton, by Resolution No. 2016-389, authorized the service of a notice on the property owner of the property known as 1380 Flanders Road, Flanders, SCTM #0900-149-1-4; and

WHEREAS, said resolution set the date of May 10, 2016 as the date that a public hearing was to be held concerning the conditions existing on said premises; and

WHEREAS, notice was served on the last known owner of said premises in the manner prescribed by Chapter 128, of the Southampton Town Code; and

WHEREAS, a public hearing was held on May 10, 2016, where testimony was given regarding the unsafe and unsecured conditions at said premises; now therefore be it

RESOLVED, that the Office of the Town Attorney, the Building Department, Division of Fire Prevention and the Division of Code Enforcement shall be authorized to take whatever steps are necessary to remove the building, including the basement, any fuel tanks, the septic system and any associated debris and litter in order to bring the Property into conformance with the standards of Chapters 123, 128 and 261 of the Town Code; and be it further

RESOLVED, that the Town Attorney, or his designee, is authorized to take any and all steps, and employ whatever means are legally permitted, to bring said premises into compliance; and be it further

RESOLVED, that any expenses incurred by the Town of Southampton in carrying out the above tasks shall be an expense against the real property located at 1380 Flanders Road, Flanders, SCTM #0900-149-1-4 and shall be assessed and collected as provided under Chapter 128 of the Southampton Town Code.

HISTORY:

05/10/16	Town Board	TABLED	Next: 05/24/16
05/24/16	Town Board	TABLED	Next: 06/14/16
06/14/16	Town Board	TABLED	Next: 06/28/16
06/28/16	Town Board	TABLED	Next: 09/27/16

Financial Impact:

Costs to be assessed against property.

Ú Vote Record - Town Board Resolution RES-2016-547						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-916

Category: Agreements, Contracts, Leases
Sponsors: Councilman John Bouvier
Department: Central Purchasing and Contracts Compliance

Authorize Extension to Interim Agreement with Housing Authority for Administration of Housing Programs

WHEREAS, pursuant to Town Board Resolution 2015-1158 and 2016-329, the Town Board of the Town of Southampton entered into an interim agreement with the Southampton Town Housing Authority (hereinafter "Housing Authority") for the administration of various housing programs for the Town that expired on June 30, 2016; and

WHEREAS, on July 29, 2016, pursuant to Town Board Resolution 2016-737, the Town entered into an interim agreement with the Southampton Town Housing Authority (hereinafter "Housing Authority") for the administration of various housing programs to October 31, 2016; and

WHEREAS, the Town wishes to extend this agreement to December 31, 2016, at no additional cost to the Town; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorize the Supervisor to execute an extension to the Interim Agreement with Housing Authority for Administration of Housing Programs, this is a no cost time extension.

Financial Impact:

This is a no cost time extension.

Ú Vote Record - Town Board Resolution RES-2016-916						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-917

Category: Agreements, Contracts, Leases
Sponsors: Councilman John Bouvier
Department: Central Purchasing and Contracts Compliance

Authorize Extension to Interim Agreement with Housing Authority for Administration of the Community Development Block Grant Program

WHEREAS, pursuant to Town Board Resolution 2015-1158 and 2016-329, the Town Board of the Town of Southampton entered into an interim agreement with the Southampton Town Housing Authority (hereinafter "Housing Authority") for the Administration of the Community Development Block Grant Program for the Town that expired on June 30, 2016; and

WHEREAS, on July 29, 2016, pursuant to Town Board Resolution 2016-738, the Town entered into an interim agreement with the Southampton Town Housing Authority (hereinafter "Housing Authority") for the administration of the Community Development Block Grant Program to October 31, 2016; and

WHEREAS, the Town wishes to extend this agreement to December 31, 2016, at no additional cost to the Town; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorize the Supervisor to execute an extension to the Interim Agreement with Housing Authority for Administration of the Community Development Block Grant Program, this is a no cost time extension.

Financial Impact:

This is a no cost time extension.

Ū Vote Record - Town Board Resolution RES-2016-917						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-918

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bouvier, Councilwoman Lofstad
Department: Town Attorney

Authorize the Purchase of 185 Merchants Path, Sagaponack, New York and a General Fund Loan to the Affordable Housing Opportunity Bank

WHEREAS, in connection with its Affordable Housing Program designed to help income-eligible households purchase homes within the Town of Southampton at below market values, the Town secured a Buyer Benefit lien on the property located at 185 Merchants Path, Sagaponack, New York (hereinafter "Property"); and

WHEREAS, the Town of Southampton has been notified that the Property will be sold; and

WHEREAS, pursuant to Town Code Sec. 216-5(J) the Town of Southampton has the right of first refusal to purchase the Property if an eligible purchaser has not been found within 90 days; and

WHEREAS, it is the desire of the Town of Southampton to purchase the Property in order to keep and maintain the Property as affordable housing; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the purchase of the property located at 185 Merchants Path, Sagaponack, New York and authorizes any appraisals or title reports necessary; and be it

FURTHER RESOLVED that the Town Board hereby authorizes the Supervisor to execute any and all documents necessary for the purchase of such Property; and be it

FURTHER RESOLVED, the Town Board of the Town of Southampton hereby authorizes a loan from the General Fund to the Affordable Housing Opportunity Bank in order to purchase the Property, pay costs associated with the purchase, make minor interior improvements, and pay utilities in an amount not to exceed \$360,000; and be it

FURTHER RESOLVED, the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute; and be it

FURTHER RESOLVED, upon sale of the unit, the Town Attorney is directed to deposit the proceeds with the Town Comptroller in order to repay the loan in full.

Financial Impact:

The source of funding shall be a General Fund loan to the Affordable Housing Cost Center R005 in an amount not to exceed \$360,000. The loan shall be fully repaid upon sale of the unit.

Ü Vote Record - Town Board Resolution RES-2016-918						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scaleria	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-919

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bouvier, Councilwoman Lofstad
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a Contract Amendment and Extension with Univar USA, Inc. for the Supply of Liquid Caustic Soda

WHEREAS, on March 25, 2014, pursuant to Resolution 2014-461, the Town of Southampton entered into contract with Univar USA, Inc. for the Supply of Liquid Caustic Soda; and

WHEREAS, this contract expired on May 14, 2016, yet it contains a provision allowing the contract to be extended for up to four (4) additional, one (1) year terms at the Town's discretion; and

WHEREAS, the Superintendent of the Water District recommends that the Town amend and extend this contract to December 31, 2016, for the second extension; and

WHEREAS, the amount of this contract extension shall not exceed the allocated budget for these purposes for 2016, the new term of this contract shall be retroactive from May 14, 2016 to December 31, 2016, leaving two (2) further extensions with a term to run from January 1, 2017 to December 31, 2017 and January 1, 2018 to December 31, 2018; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract amendment and extension with Univar USA, Inc. for the Supply of Liquid Caustic Soda; be it

FURTHER RESOLVED, that this contract extension shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract. The source of funding shall be Hampton Bays Water District - Chemicals G/L # SW-99-W081-62-6448-0000 in an amount not to exceed budget.

Financial Impact:

The source of funding for this contract shall be Hampton Bays Water District - Chemicals G/L # SW-99-W081-62-6448-0000 in an amount not to exceed budget.

Ū Vote Record - Town Board Resolution RES-2016-919						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-920

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Jay Schneiderman
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a Lease Renewal Agreement with the Suffolk County Office for the Aging (SCOFA) for a 2006 Ford Suburban 21 Passenger Transit Bus E450

WHEREAS, the Suffolk County Office for the Aging (SCOFA) desires to renew the lease agreement with Southampton Town for a 2006 Ford Suburban 21 Passenger Transit Bus E450 Vin#(1FDXE45S56DA47099), for a term to commence on January 1, 2017 to December 31, 2021; and

WHEREAS, the Town of Southampton shall pay Suffolk County \$1.00, receipt waived, as long as the lessee shall use the vehicle in accordance with the lease requirements; and

WHEREAS, the Town of Southampton shall register the vehicle and be responsible for the sole cost and expenses related to keeping the vehicle in good working order; and

WHEREAS, the Town of Southampton assumes responsibility for insurance premiums, including Commercial General Liability Insurance, Automobile Liability Insurance, and Workers Compensation and Employer Liability Insurance; and

WHEREAS, the Director of Senior Services recommends the Town renew this lease agreement; be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a lease agreement with the Suffolk County Office for the Aging to renew the lease for the 2006 Ford Suburban 21 Passenger Transit Bus E450 Vin#(1FDXE45S56DA47099) for a term to commence on January 1, 2017 to December 31, 2021.

Financial Impact:

No cost for the bus. Southampton Town required to pay insurance and all maintenance costs related to this vehicle for the duration of the contract period.

Ü Vote Record - Town Board Resolution RES-2016-920						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-921

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Schneiderman, Councilwoman Scalera
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute Agreements with Vendors for Community Day at Good Ground Park

WHEREAS, in celebration of Good Ground Park, the Town of Southampton has a scheduled ribbon cutting and community day on October 15, 2016 to invite residents and visitors to enjoy a day of becoming familiar with this beautiful park; and

WHEREAS, a Committee has been created for purposes associated with Good Ground Park and the Committee is looking to engage the assistance of certain performers, food suppliers and activities for children to make the day an event to remember; and

WHEREAS, the Committee has determined that the following vendors have been selected to participate in this event:

- David Funn (Magic and Balloons);
- Darlene Graham (Michelle Kelly), (Magician);
- A & G Dance (Dance Performance);
- Charles Certain (Jazz Band);
- Kerry Kearney Band (Blues Band);
- Darren Ottati (Singer);
- Jan Hanna Band (Various Music);
- Quogue Wildlife (Petting Zoo);
- Wells Fargo State Coach (Carriage Ride);
- Jennifer Miller (Zumbini); and

WHEREAS, various other activities such as an apple and pumpkin crafts and face painting will also be on hand, as well as various food sources providing a "something for everyone experience"; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute agreements with these various vendors to provide services for Community Day at Good Ground Park; be it

FURTHER RESOLVED, that these agreement will be prepared by Contracts Compliance and per the Town's Comptroller, no payment shall be made without a fully executed agreement in place.

Financial Impact:

The source of funding for these various agreements shall be Parks Maintenance GL # 01-99-7110-01-6401-0000 in various amounts. These contracts shall not exceed budgeted amounts allocated for this purpose.

Ū Vote Record - Town Board Resolution RES-2016-921						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-922

Category: Agreements, Contracts, Leases
Sponsors: Councilman Stan Glinka
Department: Town Attorney

Authorize the Supervisor to Execute an Agreement with the New York State Department of Transportation for the Resurfacing of Various Roads

WHEREAS, the Southampton Town Highway Superintendent recently applied for New York State Department of Transportation ("NYSDOT") funding through the Multi-Modal Program; and

WHEREAS, the Highway Superintendent has recently learned that said funding has been approved; and

WHEREAS, work proposed under this program will include the resurfacing of (i) Lakeside Lane in Westhampton, (ii) Laila Lane in Eastport, (iii) Laila Court in Eastport, (iv) Huntington Lane in Flanders, (v) Bettina Court in Hampton Bays, (vi) Bridge Hill Lane in Bridgehampton, (vii) Cobb Hill Lane in Water Mill, and (viii) Stephen Halsey Path in Water Mill; and

WHEREAS, the cost of said resurfacing projects is \$350,000, which the NYSDOT will reimburse 100%; and

WHEREAS, the Highway Superintendent and the Southampton Town Board are desirous of receiving said funding; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute an agreement with the New York State Department of Transportation as it relates to the Master Municipal Multi-Modal Capital Project Agreement, Contract No. D033080, for 100% reimbursement in the amount of \$350,000, attributed to the resurfacing of various roads within the Town of Southampton, more particularly described above; and be it further

RESOLVED, that the Department of Land Management has reviewed said project proposal and has advised that it is a "Type II Action" under 6 NYCRR Part 617.5(c)(4), provisions of the New York State Environmental Quality Review Act (SEQRA), and Chapter 157 of the Town Code, and that no further review under New York Conservation Law, Article 8, is necessary; and be it further

RESOLVED, that the source of funding for this reimbursement grant shall be a loan from the General Fund to the Capital Fund, Capital Project Road Reconstruction, in the amount of \$350,000; the General Fund shall be repaid upon receipt of the grant. The Town Comptroller is hereby authorized to make any and all budgetary and accounting entries necessary to execute.

Financial Impact:

The source of funding shall be a loan in the amount of \$350,000 from the General Fund to the Capital Fund, Capital Project Road Reconstruction.

Ü Vote Record - Town Board Resolution RES-2016-922						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-923

Category: Agreements, Contracts, Leases
Sponsors: Councilwoman Christine Preston Scalera
Department: Central Purchasing and Contracts Compliance

Award and Authorize the Supervisor to Sign a Contract with Medford Auto Wreckers, Inc. for the Removal of Abandoned Junk and Decommissioned Motor Vehicles

WHEREAS, on August 9, 2016, by Resolution No. 2016-821, the Town Board of the Town of Southampton authorized and directed the Town Clerk to advertise a public bid for Removal of Abandoned Junk and Decommissioned Motor Vehicles; and

WHEREAS, two (2) bids were received, opened and read aloud on September 14, 2016; and

WHEREAS, the bids were reviewed by the Town's Police Chief and Purchasing Agent it was determined that Medford Auto Wreckers, Inc. was the sole responsible bidder who submitted pricing, and it has been determined that the prices submitted are comparable to industry standards and therefore they are the highest responsible bidder in accordance with GML 103; and

WHEREAS, it is the recommendation of the Town's Police Chief and Purchasing Agent that the contract for Removal of Abandoned Junk and Decommissioned Motor Vehicles should be awarded to Medford Auto Wreckers, Inc.; and

WHEREAS, the commencement of the contract shall be upon receipt of a fully executed contract and shall expire December 31, 2017, the Town shall have the option to renew this

contract for four (4) additional, one (1) year terms, if doing so is in the best interest of the Town; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract with Medford Auto Wreckers, Inc. for Removal of Abandoned Junk and Decommissioned Motor Vehicles, this contract shall be prepared by the Office of Contracts Administration and per the Town Comptroller, no payment shall be made without a fully executed contract. This is an income generating agreement whose revenues will be deposited into Revenue Accounts to be determined by Town Comptroller.

Financial Impact:

This is an income generating agreement whose revenues will be deposited into Revenue Accounts to be determined by Town Comptroller.

Ú Vote Record - Town Board Resolution RES-2016-923						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-924

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Jay Schneiderman
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a Contract with Nawrocki Smith, LLP. for the Preparation of an Annual Financial Audit for Year Ending December 31, 2016

WHEREAS, Nawrocki Smith, LLP. (Nawrocki) has performed the Town's year end audit in the past and the Town, together with its Audit Committee has been extremely satisfied with the timeliness and efficiently contained within the reports provided by Nawrocki; and

WHEREAS, when the Audit Advisory Committee met on September 12, 2016, they reviewed the proposal from Nawrocki Smith, LLP. and found that it met the current needs of the Town; and

WHEREAS, Central Purchasing and Contracts Compliance has received a memo from the Town Comptroller indicating the reasons the Town interests are best served by entering into a contract with Nawrocki, and request that they be permitted by the Town Board to forgo the Request for Proposals process required under the Town's Procurement Policy; and

WHEREAS, it is the recommendation of Audit Advisory Committee, that the Audit of the financial statements for the Town for the year ended December 31, 2016 be performed by Nawrocki Smith, LLP.; and

WHEREAS, that this contract contain a provision allowing the Town to extend this contract for the Annual Financial Audit for year(s) ending 2017 and 2018, if the Town's best interests are still served; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract with Nawrocki Smith, LLP. from the date of execution to December 31, 2016 at a cost not to exceed \$140,000.00 per year, including the option years, this amount includes out of pocket expenses incurred by consultant; be it

FURTHER RESOLVED, that this contract shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no payment shall be made without a fully executed contract. The source of funding for this contract shall be Audit and Control - Contracts GL# 01-99-1320-01-6400-000 in an amount not to exceed \$140,000, which shall include out of pocket expenses incurred by consultant.

Financial Impact:

The source of funding for this contract shall be Audit and Control - Contracts GL# 01-99-1320-01-6400-000 in an amount not to exceed \$140,000, which shall include out of pocket expenses incurred by consultant.

Ū Vote Record - Town Board Resolution RES-2016-924						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-925

Category: Bidding
Sponsors: Councilwoman Julie Lofstad
Department: Central Purchasing and Contracts Compliance

2016 Notice to Bidders for Purchase, Installation & Support for Broadcast Equipment for SEA-TV

RESOLVED, as per the request of Business Management that the Town Clerk be and hereby is authorized to advertise for public bid as per the following:

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received by the Town Clerk, Southampton Town Hall, on Wednesday, November 2, 2016 at 2:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Purchase, Installation & Support for Broadcast Equipment for SEA-TV

Specifications are available beginning on Thursday, October 6, 2016 at 8:30 a.m. online at <http://bids.southamptontownny.gov/Default.aspx> or in person at the Town Clerk's Office, 116 Hampton Road, Southampton between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, (except Holidays). These specifications have met with the approval of Central Purchasing and Contracts Compliance.

Each proposal must be submitted in a sealed envelope clearly marked **“Purchase, Installation & Support for Broadcast Equipment for SEA-TV.”** Bidders must comply with all Federal, State, and local laws.

The Town Board of the Town of Southampton reserves the right to waive any informalities in bids received, and/or reject any or all bids.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

The Source of Funding shall be E & G Channel - Equipment G/L# 01-99-7560-04-6200-0000 in an amount not to exceed budget.

Ú Vote Record - Town Board Resolution RES-2016-925						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-926

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

2016 LOSAP Contribution

WHEREAS, the Town of Southampton contracts with four ambulance companies to provide ambulance services throughout the Town; and

WHEREAS, as part of the contract the Town of Southampton is the Length of Service Award Program (LOSAP) Administrator; and

WHEREAS, the 2016 program contribution came in higher than the anticipated budgeted amount and it is the recommendation of the plans actuary, Penflex Inc, to pay the invoices in full; and

WHEREAS, the Town 2016 LOSAP contribution for the Hampton Bays Volunteer Ambulance is \$53,473 exceeding budget by \$10,473, the LOSAP contribution for the Westhampton War Memorial Volunteer Ambulance is \$63,315 exceeding budget by \$3,815 and the LOSAP contribution for the Southampton Volunteer Ambulance is \$40,312 exceeding budget by \$7,312; and

WHEREAS, there is Fund Balance available to be appropriated; now therefore be it

RESOLVED, the Town Board hereby authorizes the Town Comptroller to appropriate Fund Balance in the amounts of \$10,473, \$3,815, and \$7,312 for the Hampton Bays Volunteer Ambulance, Westhampton War Memorial Ambulance, and Southampton Volunteer

Ambulance Length of Service Award Program (LOSAP) payments and make all accounting entries necessary to execute.

Financial Impact:

INCREASE Hampton Bays Ambulance - LOSAP - #SA-99-A040-52-6820-0000 - \$10,473

INCREASE Southampton Ambulance - LOSAP - #SA-99-A020-52-6820-0000 - \$7,312

INCREASE Westhampton Ambulance - LOSAP - #SA-99-A030-52-6820-0000 - \$3,815

INCREASE HB Volunteer Ambulance FB Appropriation -#SA-99-A040-52-9090-0000 - \$10,473

INCREASE WH War Memorial Volunteer Ambulance FB Appropriation -#SA-99-A030-52-9090-0000 - \$3,815

INCREASE SH Volunteer Ambulance FB Appropriation - #SA-99-A020-52-9090-0000 - \$7,312

ü Vote Record - Town Board Resolution RES-2016-926					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move					

Town Board Resolution 2016-927

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

Accept Suffolk County "Operation Shield" Grant for 2016

WHEREAS, Resolution 2016-530 on May 10, 2016 authorized the Town Supervisor to execute an agreement with Suffolk County to receive funding for "Operation Shield" for the Town's participation in the East End Marine Task Force; and

WHEREAS, the Town received a check from Suffolk County on September 9, 2016; now therefore be it

RESOLVED, the Town Board of the Town of Southampton accepts the Suffolk County "Operation Shield" grant in the amount of \$6,537.52 to be deposited into the Bay Constables Federal Aid Revenue account and used to pay for additional overtime expenses.

Financial Impact:

INCREASE - Bay Constables Overtime G/L #01-99-3121-01-6101-0000 - \$6,056.52

INCREASE - Bay Constables FICA G/L #01-99-3121-01-6830-0000 - \$460.00

INCREASE - Bay Constables MTA G/L #01-99-3121-01-6835-0000 - \$21.00

INCREASE - Bay Constables Federal Aid G/L #01-99-3121-01-4389-0000 - \$6,537.52

Ú Vote Record - Town Board Resolution RES-2016-927						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-928

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

Amend 2016 Adopted Budget for Hampton Bays Water District

WHEREAS, Hampton Bays Water District has Fund Balance available to appropriate to cover additional \$24,000 in unforeseen expenses in meter settings and engineering fees; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby authorizes the appropriation of Hampton Bays Water District Fund Balance in the amount of \$24,000 for the increased meter settings and engineering fees; and be it further

RESOLVED, the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

- INCREASE Meter Settings - SW-99-W081-62-6235-0000 - \$4,000.00
- INCREASE Engineering Fees - SW-99-W081-62-6457-0000 - \$20,000.00
- INCREASE Fund Balance Appropriation - SW-99-W081-62-9090-0000 - \$24,000.00

Ú Vote Record - Town Board Resolution RES-2016-928						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-929

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

Amend 2016 Adopted Budget For Overtime

WHEREAS, Overtime is based on an estimated number of hours and those estimates need to be amended to reflect revised estimates; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby amends the 2016 Adopted Budget based on the chart below and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

DESCRIPTION	Account Number	Increase	Decrease
Central Garage - Overtime	01-99-1640-01-6101-0000	3,500.00	
Central Garage - Salaries	01-99-1640-01-6100-0000		500.00
Central Garage - Repair Vehicle	01-99-1640-01-6408-0000		2,000.00
Central Garage - Contracts	01-99-1640-01-6401-0000		1,000.00
Parks Admin - Overtime	01-99-7110-01-6101-0000	25,000.00	
Parks Admin - FICA	01-99-7110-01-6830-0000	1,920.00	
Parks Admin - MTA	01-99-7110-01-6835-0000	80.00	
Parks & Recreation - Overtime	01-99-7020-01-6100-0000		25,000.00
Parks & Recreation - FICA	01-99-7020-01-6830-0000		1,920.00
Parks & Recreation - MTA	01-99-7020-01-6835-0000		80.00
Pump-Out Boat - Overtime	01-99-8189-01-6101-0000	1,000.00	
Pump-Out Boat - PT Salaries	01-99-8189-01-6105-0000		1,000.00

Financial Impact:

Net financial impact is none.

Ú Vote Record - Town Board Resolution RES-2016-929						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-930

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

Amend 2016 Adopted Budget For Part Time Salaries

WHEREAS, Part Time Salaries is based on an estimated number of hours a part time employee is to work and those estimates need to be amended to reflect the actual number of hours worked; now therefore be it

WHEREAS, funds are available in each cost center to transfer to cover Part Time costs to year end 2016, now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby approves the budget transfers outlined in the chart below to cover Part Time Salaries to year end 2016 and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute

DESCRIPTION	Account Number	Increase	Decrease
Parks & Rec - PT Salaries	01-99-7020-01-6105-0000	40,000.00	
Parks & Rec - Salaries	01-99-7020-01-6100-0000		40,000
Tax Receiver - PT Salaries	01-99-1330-01-6105-0000	1,100.00	
Tax Receiver - Personal Day	01-99-1330-01-6103-0000		1,100.00
Bay Constables - PT Salaries	01-99-3121-01-6105-0000	6,100.00	
Bay Constables - FICA	01-99-3121-01-6830-0000	467.00	
Bay Constables - MTA	01-99-3121-01-6835-0000	20.00	
Unallocated - Insurance	01-99-9900-01-6498-0001		6,587.00

Financial Impact:

Net financial impact is none.

Ú Vote Record - Town Board Resolution RES-2016-930						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-931

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

Amend 2016 Adopted Budget For Part Town Vehicle Purchases

RESOLVED, as per the recommendation of Director of Municipal Works, that the Town Board approve the following budget modification for the purpose of purchasing two additional vehicles for the Building and Zoning Division through the Pay-As-You-Go account; and be it further

RESOLVED, the 2016 Adopted Budget is amended accordingly and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

INCREASE - Part Town-Unallocated-Vehicles G/L #03-99-9910-22-6201-0000 - \$35,700.00

INCREASE - Unallocated-IFT Revenue G/L #03-99-9910-22-5031-0000 -\$35,700.00

INCREASE - Building & Zoning - Building Permit Fee G/L #22-99-8029-22-2555-0000 - \$35,700.00

INCREASE - Building & Zoning - IFT Expense G/L #22-99-8029-22-6900-0000 - \$35,700.00

Net financial impact is none.

ü Vote Record - Town Board Resolution RES-2016-931						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-932

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

Amend 2016 Adopted Budget For Pump Out Boats

RESOLVED, as per the recommendation of the Town Comptroller, that the Town Board approve the following budget transfer for the purpose of unanticipated pump out waste removal expenses; and be it further

RESOLVED, the 2016 Adopted Budget is amended accordingly and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

DESCRIPTION	FROM G/L	AMOUNT
Information Systems - Sick Leave	01-99-1680-01-6103-0000	\$3,000.00

DESCRIPTION	TO G/L	AMOUNT
Pump-Out Boats - Contracts	01-99-8189-01-6401-0000	\$3,000.00

Financial Impact:

DECREASE Information Systems - Sick Leave G/L #01-99-1680-01-6103-0000 - \$3,000.00

INCREASE Pump-Out Boats - Contracts G/L #01-99-8189-01-6401-0000 - \$3,000.00

ü Vote Record - Town Board Resolution RES-2016-932						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-933

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

Authorize General Fund Pay-As-You-Go Purchase of Equipment

WHEREAS, Resolution 2013-1114, adopted on November 20, 2013, amended the Procurement Policy and directed that expenses made utilizing Pay-As-You-Go funding above \$2,000 be authorized by Town Board Resolution; and

WHEREAS, the Business Management Division has identified needs for various equipment for the senior center; and

WHEREAS, it is the recommendation of the Town Management Services Administrator to purchase various equipment to fill the needs of the Town at a total cost which shall not exceed \$20,000.00; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby authorizes the use of General Fund Pay-As-You-Go funding in an amount not to exceed \$20,000.00 for purchase of various equipment.

Financial Impact:

INCREASE Unallocated Pay-Go Equipment G/L #01-99-9900-01-6200-0000 - \$20,000.00

DECREASE Fire Prevention & Protection Sick Leave G/L # 01-99-3410-01-6103-0000 - \$20,000.00

Ú Vote Record - Town Board Resolution RES-2016-933						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted		..	..	..	..
.. Adopted as Amended	Jay Schneiderman					
.. Defeated	Julie Lofstad	..	..	..	..
.. Tabled	Christine Preston Scalera	..	..	..	..
.. Withdrawn	John Bouvier	..	..	..	..
.. Failed To Move	Stan Glinka	..	..	..	..

Town Board Resolution 2016-934

Category: Budget & Finance
Sponsors: Supervisor Jay Schneiderman
Department: Comptroller

Recall and Amend Resolution 2016-891 - Amend 2016 Adopted Budget for CPF Land Purchases

WHEREAS, Resolution 2016-891, adopted on September 13, 2016, amended the 2016 Adopted Budget for CPF Land Purchases; and

WHEREAS, a transposition error and budget year error occurred and needs to be corrected; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby recalls and amends Resolution 2016-891 and amends the amount of CPF 2% tax revenue from 46,200,000 to 60,000,000.

Financial Impact:

Net financial impact is none.

ü Vote Record - Town Board Resolution RES-2016-934						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-935

Category: Committees & Advisory Boards
Sponsors: Supervisor Jay Schneiderman
Department: Supervisor

Re-Appoint John Watson to Board of Assessment Review

RESOLVED, that John Watson is hereby re-appointed to the Board of Assessment Review for a term of five (5) years, to expire on September 30, 2021.

Financial Impact:

As provided for in the 2016 Adopted Budget

ü Vote Record - Town Board Resolution RES-2016-935						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-936

Category: Local Laws
Sponsors: Councilman John Bouvier
Department: Town Attorney

Resolution Adopting Amendments to Provisions of the Southampton Town Code to Promote Solar Energy Systems as an Accessory Use in All Districts

WHEREAS, the Town Board is considering amending provisions of the Town Code to promote Solar Energy Systems as an accessory use in all zoning districts; and

WHEREAS, public hearings were held on August 9, 2016, August 23, 2016, and September 13, 2016, at which time all persons either for or against said amendments were heard; and

WHEREAS, the Town of Southampton Department of Land Management has reviewed the provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 (Environmental Quality Review) of the Town Code and has advised that the proposed action meets the criteria of a "Type I Action"; and

WHEREAS, after reviewing the information contained in the Environmental Assessment Forms prepared by the Department of Land Management and considering the potential impacts of the proposed action, the Town Board finds that the proposed amendments will not result in any large and important impacts and thus, will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Town of Southampton hereby adopts a Negative Declaration pursuant to the State Environmental Quality Review Act and Chapter 157 of the Southampton Town Code; now, therefore, be it further

RESOLVED, that Local Law No. ____ of 2016 is hereby adopted as follows:

LOCAL LAW NO. ____ OF 2016

A LOCAL LAW amending provisions of the Town Code to promote Solar Energy Systems as an accessory use in all zoning districts.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

Section 1. Legislative Intent.

Solar energy is a renewable and non-polluting energy resource that does not produce fossil fuel emissions and will reduce a municipality's energy load. Energy generated from solar energy can be used to offset energy demand on the grid. The Town of Southampton is committed to such goals, and has articulated such in its Comprehensive Plan and Southampton 400+ Sustainability Plan, which states "because climate change poses a direct threat to the New York shoreline, any effort to reduce carbon footprint is a benefit to a waterfront community like Southampton" and recommends that the Town "Support the construction and expansion of, and improvements to all forms of energy supply infrastructure as a means to provide enhanced environmental benefits, greater fuel diversity and consumer choice to all Southampton Town residents". These amendments therefore seek to increase the prevalence of solar by promoting the accommodation of solar energy systems as an accessory use in all zoning districts.

Section 2. Amendment.

Town Code §330-5 (Zoning, Definitions), of the Code of the Town of Southampton is hereby amended by adding the underlined words alphabetically as follows:
§330-5. Definitions.

GROUND-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure.

ROOF-MOUNTED SOLAR ENERGY SYSTEM: A solar panel system located on the roof of any legally permitted building or structure.

SOLAR ENERGY EQUIPMENT: Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with

the production of electrical energy.

SOLAR ENERGY SYSTEM: A system that transforms solar energy into another form of energy or transfers heat from a collector to another medium using mechanical, electrical, or other means.

SOLAR PANEL: A device capable of collecting and converting solar energy into electrical or thermal energy.

Section 3. Amendment.

Town Code §330-67 is hereby amended by adding the underlined words as follows:
§330-67. Protection of natural vegetation.

A. To ensure maximum water recharge and to minimize the potential for fertilized vegetation, natural vegetation located on a tract or lot shall be preserved to the maximum extent possible, consistent with the following parameters:

(4) Residential lots and tracts:

(a) For residential lots, the amount of disturbance of natural vegetation shall not exceed the following percentages, ~~except on flagpole lots, where the area of the pole shall be exempt from the total lot area and the total amount of clearing permitted:~~

(1) the pole portion of a flagpole lot shall be exempt for the total lot area and the total amount of clearing permitted; and.

(2) Ground-Mounted Solar Energy Systems having a minimum output of 5 kw and a maximum of 4,500 square feet shall be exempt from the total amount of clearing permitted; provided that no more than 20% of this exempt area shall contain impervious surfaces. If such system is removed or becomes inoperable, the subject lot shall be revegetated so as to comply with the clearing restriction of this section, per a site disturbance plan approved by the Planning Board pursuant to §330-67A(1).

Section 4. Amendment.

Town Code §330-76 is hereby amended by adding the underlined words as follows:
§ 330-76. Placement of accessory buildings, structures, and uses in all districts.

L. Solar Energy Systems.

All such systems are permitted as an accessory use in all zoning districts when the primary purpose is for producing electricity or thermal energy for onsite consumption.

(1) Roof-Mounted Solar Energy Systems.

(a) All such systems are subject to the requirements of §123-39.1.

(b) Height. Shall not exceed the maximum height restrictions of the zoning district within which they are located.

(c) Aesthetics. Roof-Mounted Solar Energy System installations shall incorporate the following design requirements:

a. When feasible, Solar Energy Equipment shall be installed inside walls and attic spaces to reduce their visual impact. If Solar Energy Equipment is installed externally, then it shall be placed in the side or rear yard of the subject building so as not to be visible from a public right-of-way. If Solar Energy Equipment is visible from a public right-of-way, it shall match the color scheme of the underlying structure.

- b. Panels facing the front yard must be mounted at the same angle as the roof's surface with a maximum distance of 6 inches between the roof and highest edge of the system.

(2) Ground-Mounted Solar Energy Systems.

- (a) Maximum Height shall not exceed 10 feet.
- (b) Shall adhere to the setback requirements pursuant to §330-77G, as well as transition yard requirements pursuant to §330-83, as may be applicable, but in no case shall it be located closer than 10 feet from any property line.
- (c) All such systems shall be installed in the side or rear yards.

Section 5. Amendment.

Town Code §330-77D is hereby amended by adding the underlined words as follows:

330-77. Placement of accessory buildings, structures, and uses in residence districts.

- D. Accessory building and/or structures to be located or constructed in any residential zone in the required rear yard for a main or principal building shall not occupy more than 20% of such required rear yard, except for the area of the footprint associated with a Ground-Mount Energy System having a minimum output of 5 kw, and decks and patios within 12 inches of grade. The total lot coverage shall not exceed the maximum lot coverage provided in §330-11.

Section 6. Authority.

The proposed local law is enacted pursuant to Town Law Article 16 and Municipal Home Rule Law §10(1)(ii)(a)(11) and §10(1)(ii)(d)(3).

Section 7. Severability.

If any section or subdivision, paragraph, clause, phrase 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 8. Effective Date.

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

AND BE IT RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE that after public hearings were held by the Town Board of the Town of Southampton on August 9, 2016, August 23, 2016, and September 13, 2016, the Town Board, at its meeting of September 27, 2016, adopted Local Law No. ____ Of 2016 as follows: "A LOCAL LAW amending provisions of the Town Code to promote Solar Energy Systems as an accessory use in all zoning districts."

SUMMARY OF LOCAL LAW

This code amendment promotes Solar Energy Systems as an accessory use in all zoning

districts by defining such, and by modifying code provisions regulating rear yard lot coverage and ground disturbance.

Copies of the proposed local law sponsored by Councilman Bouvier are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
 TOWN OF SOUTHAMPTON, NEW YORK
 SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2016-936						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-937

Category: Local Laws
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Resolution to Adopt Amendments to Article V (Energy Conservation) of the Town Code

WHEREAS, the Town Board is considering amending provisions of Article V (Energy Conservation) of the Town Code; and

WHEREAS, a public hearing was held on September 13, 2016, at which time all persons either for or against said amendments were heard; and

WHEREAS, the Town of Southampton Department of Land Management has reviewed the provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 (Environmental Quality Review) of the Town Code and has advised that the proposed action meets the criteria of a "Type II Action"; now, therefore, be it further

RESOLVED, that Local Law No. ____ of 2016 is hereby adopted as follows:

LOCAL LAW NO. OF 2016

A LOCAL LAW amending provisions of the Town Code in regards to Article V (Energy Conservation).

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

Section 1. Legislative Intent

The Town Board of the Town of Southampton seeks to protect and promote the public

health, safety, and welfare of its residents by mandating energy efficient building standards. In March 2016, the New York State Fire Prevention and Building Code Council updated the 2016 Energy Conservation Construction Code of New York incorporating various supplements which, effective October 3, 2016, must be complied with for residential buildings. Several municipalities including the Town of Southampton have adopted more stringent requirements as part of our Town Code, such as EnergyStar, minimum HERS scores, benchmarking and early adoption of the 2012 IECC (International Energy Conservation Code). This proposed Code amendment seeks to modify the Town Code to be consistent with the new regulations and to enact slightly more restrictive regulations as they relate to HERS ratings for dwellings with between 4,501 square feet and 6,500 square feet of conditioned space.

Section 2. Amendment.

Town Code §123-37 of the Code of the Town of Southampton is hereby amended by adding the underlined words and deleting the strike-through words:

§123-37 Home energy rating index requirements.

- A. Effective October 3, 2016, ~~January 1, 2012~~, any newly built or substantially reconstructed subject dwelling shall be rated by an independent, Residential Energy Services Network (RESNET) certified home energy rating system (HERS) rater, following the protocol set out by RESNET, including all required reviews and diagnostic tests, including combustion safety tests. The HERS rater must attest that the home was rated to the HERS index prescribed below and passed all combustion safety tests, prior to the issuance of a certificate of occupancy.
- (1) Dwellings with up to ~~3,500~~ 4,500 square feet of conditioned space shall achieve a minimum home energy rating index of ~~70~~ 54 or less.
 - (2) ~~Dwellings with between 3,501 and 4,500 square feet of conditioned space shall achieve a minimum home energy rating index of 65 or less.~~
 - (3) ~~Dwellings with between 4,501 and 6,500 square feet of conditioned space shall achieve a minimum home energy rating index of 50 or less.~~
 - (4) Dwellings with over ~~6,500~~ 4,500 square feet of conditioned space shall achieve a minimum home energy rating index of 35 or less.
- B. Effective ~~January 1, 2012~~, October 3, 2016, prior to the issuance of a building permit for any new or substantially reconstructed subject dwelling, the applicant shall submit a certificate from a certified home energy rating system (HERS) rater that the house design has received the necessary tentative home energy rating index, per Subsection A, based on a review of the plans and specifications.

Section 3. Amendment.

Town Code §123-38 of the Code of the Town of Southampton is hereby amended by adding the underlined words and deleting the strike-through words:

§123-38 ~~Energy Star® requirements for commercial buildings.~~ Reserved.

A. ~~New commercial buildings of any size and with conditioned space shall meet the following requirement:~~

- (1) ~~As part of a building permit application for a commercial building with conditioned space, the architect shall certify that the design meets the "designed to Energy Star"®~~

~~[See <http://www.energystar.gov/index.cfm?c=new_bldg_design_new_bldg_design_benefits> for details.] requirements. The supporting calculations for this certification shall be included as part of the building permit application.
B. New municipal buildings shall also meet the above requirements.~~

Section 4. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10 and New York State Town Law §130(1)

Section 5. Severability.

If any section or subdivision, paragraph, clause, phrase 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 6. Effective Date.

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

AND BE IT RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE that after a public hearing was held by the Town Board of the Town of Southampton on September 13, 2016, the Town Board, at its meeting of September 27, 2016, adopted Local Law No. ___ of 2016 as follows: "A LOCAL LAW amending provisions of Article V (Energy Conservation) of the Town Code."

SUMMARY OF LOCAL LAW

These code amendments make the Town Code consistent with revisions to the New York State Residential Building Code and adopt more stringent regulations as they relate to HERS ratings for dwellings with between 4,501 square feet and 6,500 square feet of conditioned space.

Copies of the proposed local law sponsored by Supervisor Jay Schneiderman are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None.

Ú Vote Record - Town Board Resolution RES-2016-937						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-938

Category: Miscellaneous
Sponsors: Supervisor Jay Schneiderman
Department: Supervisor

Appoint Councilman Stan Glinka as Marriage Officer

WHEREAS, Section 11-C of the Domestic Relations Law of the State of New York authorizes the governing body of the Town to appoint Marriage Officers to solemnize a marriage within the Town's territorial limits; therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby appoints Councilman Stan Glinka as a Marriage Officer pursuant to all requirements under Section 11-c of the Domestic Relations Law, effective for one day, September 29, 2016, and shall serve without compensation.

Financial Impact:
 None

Ú Vote Record - Town Board Resolution RES-2016-938						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-939

Category: Miscellaneous
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Clerk

Authorization of Cost Reimbursement Waiver for the Hampton Bays Union Free School District Homecoming Parade on October 8, 2016 from 10:00 A.M. to 12:00 Noon in Hampton Bays

WHEREAS, the Hampton Bays Union Free School District have been approved by the Southampton Town Police Department for a Parade Permit for the "Homecoming Parade" to be held on October 8, 2016 from 10:00 a.m. to 12:00 Noon beginning on Montauk Highway and ending at the Hampton Bays High School, Hampton Bays; and

WHEREAS, the Southampton Town Police Department has issued a report dated September 16, 2016 with regards to this event, and also issued a Financial Impact Statement for police services impacting Town Police - Part Time Salaries G/L #02-99-3120-02-6105-0000 and Town Police - Salaries G/L #02-99-3120-02-6100-0000. Two Traffic Control Officers, two Part Time Police Officers and one Supervisor will be required to assist vehicular and pedestrian traffic during the parade; and

WHEREAS, the Hampton Bays Union Free School District have submitted a request for a waiver for the Police Department cost reimbursement to the Southampton Town Board, pursuant to 283-3B of the Town Code; and

WHEREAS, the annual event is open to the public for their enjoyment, held on public property with no admission charge; now therefore be it

RESOLVED, that the Town Board hereby approves the waiver of the estimated costs as requested by the Hampton Bays Union Free School District.

Financial Impact:

The source of funding is Police Department - Part Time Salaries G/L #02-99-3120-02-6105-0000 for \$350.00 and Police Department - Salaries G/L #02-99-3120-02-6100-0000 for \$225.00 for a total estimated cost of \$575.00.

Ū Vote Record - Town Board Resolution RES-2016-939						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-940

Category: Miscellaneous
Sponsors: Councilman John Bouvier
Department: Municipal Works

Authorize Waiver of Fees for the Hampton Bays United Methodist Church

WHEREAS, the Hampton Bays United Methodist Church is a not-for-profit organization; and

WHEREAS, a volunteer operated Thrift Shop located on church property has been open since 1967, selling deeply discounted clothes, toys, and small household items to the public, with all proceeds invested back into church services; and

WHEREAS, despite efforts to deter illegal dumping, undesirable items such as old mattresses, couches, appliances, and household garbage are being discarded on the property; and

WHEREAS, the cost of disposing the illegally dumped items impedes the efforts of the Thrift Shop to continue providing affordable goods to those most in need; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Division of Waste Management to waive the Recycling Center fees for the Hampton Bays United Methodist Church through December 31, 2017; and be it further

RESOLVED, that in order to have the fees waived, the Church may only dispose of illegally dumped materials that could not otherwise be disposed of through the Church's regular garbage service; and be it further

RESOLVED, that all materials shall be brought only to the North Sea Transfer Facility so that they can be weighed and tracked for Town record keeping purposes.

Financial Impact:

Waste Management revenue not realized due to waiver of Recycling Center fees estimated at \$300.

Ū Vote Record - Town Board Resolution RES-2016-940						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-941

Category: Miscellaneous
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Clerk

Cost Reimbursement Waiver for the East Quogue PTA Halloween Parade on October 29, 2016 from 5:00 P.M. to 6:00 P.M. in East Quogue

WHEREAS, the East Quogue Parent Teacher Association has been approved by the Southampton Town Police Department for a Parade Permit for the "Halloween Parade" to be held on October 29, 2016 from 5:00 p.m. to 6:00 p.m. beginning at the East Quogue Fire Department on Montauk Highway and ending at the East Quogue Village Green; and

WHEREAS, the Southampton Town Police Department has issued a report dated September 15, 2016 with regards to this event, and also issued a Financial Impact Statement for police services impacting Town Police - Part Time Salaries G/L #02-99-3120-02-6105-0000. Two Traffic Control Officers, two Part Time Police Officers and one Supervisor will be required to assist vehicular and pedestrian traffic during the parade; and

WHEREAS, the East Quogue Parent Teacher Association has submitted a request for a waiver for the Police Department cost reimbursement to the Southampton Town Board, pursuant to 283-3B of the Town Code; and

WHEREAS, the annual event is open to the public for their enjoyment, held on public property with no admission charge; now therefore be it hereby

RESOLVED, that the Town Board hereby approves the waiver of the estimated costs as requested by the East Quogue Parent Teacher Association.

Financial Impact:

The source of funding is Police Department - Part Time Salaries G/L #02-99-3120-02-6105-0000 in the amount of \$275.00.

Ū Vote Record - Town Board Resolution RES-2016-941						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-942

Category: Miscellaneous
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Council

October 2016 Bullying Prevention and Awareness Month in the Town of Southampton

WHEREAS, Bullying is an important issue which affects the lives of children across this country; and

WHEREAS, the Southampton Town Board recognizes that the children of the Town of Southampton are no less at risk to the serious potential consequences which include the erosion of self-esteem, interference with learning in school, anxiety and depression often plaguing them into adulthood; and

WHEREAS, results of the Southampton Youth Bureau's 2011 Teen Assessment Project Survey show that in Southampton Town, 21% of teens reported that they have been bullied or harassed; and

WHEREAS, the youth who reported being victims of bullying and harassment were twice as likely to report having symptoms of depression, almost three times as likely to have contemplated suicide or engage in self-injurious behavior, six times as likely to report being hurt by another student at school, three times as likely to be bullied by an adult outside the home, and over twice as likely to run away from home; and

WHEREAS, the Town of Southampton is committed to providing whatever it can to enhance and facilitate a positive and enriching environment for children and youth to develop to the very best of their potential; and

WHEREAS, October is recognized across the United States and designated as National Bullying Prevention Month by the National Bullying Prevention Center; and

WHEREAS, in 2012, 2013, 2014, and 2015 the Town Board of the Town of Southampton recognized October as Bullying Prevention Month in the Town of Southampton; and

WHEREAS, the Town Board of the Town of Southampton wants to continue to raise awareness of this issue and provide education and resources to its citizens; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton again joins in recognition of October 2016 being Bullying Prevention Month in the Town of Southampton; and be it further

RESOLVED, that in further recognition the Town of Southampton will host two programs during the month of October on the 20th and 27th, to take place at the Hampton Bays Community Center and Southampton Town Hall, respectively, which will provide information, education and resources for families about Cyber-Bullying and Bullying through The Town of Southampton's Youth Bureau.

Financial Impact:

None

Ū Vote Record - Town Board Resolution RES-2016-942						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-943

Category: Personnel
Sponsors: Supervisor Jay Schneiderman
Department: Personnel

Appoint Alfred Greenwald to Bay Constable Position in Southampton Town Police Department

WHEREAS, the position of Bay Constable in the Southampton Town Police Department became vacant on October 1, 2016 due to a promotion; therefore be it

RESOLVED, based on recommendation of the Chief of Police, Alfred Greenwald be and hereby is appointed from the Suffolk County Department of Civil Service Certification of Eligibles No. 16EL348, subject to all applicable Civil Service Requirements, to fill the vacant position of Bay Constable in the Southampton Town Police Department, 40 hours, grade I, effective on or after October 1, 2016; and be it further

RESOLVED, this position is budgeted for and will be funded through the cost center #3121 and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

To be determined by Comptroller.

Ú Vote Record - Town Board Resolution RES-2016-943						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-944

Category: Personnel
Sponsors: Supervisor Jay Schneiderman
Department: Personnel

Establishes Fixed Rate For School Crossing Guards

WHEREAS, School Crossing Guards provide a critical service to ensure the safety of our children and other pedestrians as they travel to and from our schools and through neighborhoods around schools; and

WHEREAS, the work of School Crossing Guards varies in time and difficulty depending upon weather and other conditions that impact on traffic flow and the conditions under which pedestrians are traveling; and

WHEREAS, the Town wishes to ensure fair compensation to School Crossing Guards, which takes into account the difficulty of their work under both normal conditions and more challenging conditions resulting from weather and other factors; now, therefore, be it

RESOLVED, that School Crossing Guards will be compensated at a fixed rate of \$27.50 for each shift worked, subject to all Federal and State wage and hour laws and regulations.

Financial Impact:

As provided in 2016 final budget

Ú Vote Record - Town Board Resolution RES-2016-944						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-945

Category: Personnel
Sponsors: Supervisor Jay Schneiderman
Department: Personnel

Reinstate Thomas Clifford to Laborer Position in Waste Management

BE IT RESOLVED, Thomas Clifford be and hereby is released from the position of Sanitation Site Crew Leader in Municipal Works - Waste Management Division, effective close of business September 16, 2016, and be it

RESOLVED, Thomas Clifford be and hereby is reinstated to the position of Laborer, effective September 17, 2016; and be it further

RESOLVED, this position will continue to be funded through the cost center #8161 and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

To be determined by Comptroller.

Ū Vote Record - Town Board Resolution RES-2016-945						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-946

Category: Personnel
Sponsors: Supervisor Jay Schneiderman
Department: Personnel

Authorize Supervisor to Execute Stipulation of Agreement with Local 342

WHEREAS, the Town is a party to a collective bargaining agreement with Local 342, United Marine Division, International Longshoremen's Association, AFL-CIO (the "Union"); and

WHEREAS, the Town recognizes the value in the training and experience of its lifeguards participating in competitions; now, therefore,

BE IT RESOLVED, the Town Board ratifies the memorandum of agreement with the Union for lifeguards attending the United States Lifeguard Association Nationals held August 11 - 13, 2016 and authorizes the Comptroller to make all budgetary and accounting entries necessary to execute.

Financial Impact:

As budgeted in the 2016 adopted budget.

Ū Vote Record - Town Board Resolution RES-2016-946						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-947

Category: Public Hearings
Sponsors: Glinka, Schneiderman, Scalera, Lofstad, Bouvier
Department: Town Attorney

Notice of Public Hearing Regarding Unsafe and Dangerous Conditions at the premises located at 11 Bayberry Lane, East Quogue

WHEREAS, the Town of Southampton Division of Fire Prevention inspected the premises known as 11 Bayberry Lane, East Quogue, New York, SCTM #900-317-1-15 (hereinafter "Property") and observed that the Property is dangerous and unsafe, unsecured and not properly maintained in accordance with the provisions of the Town Code; and

WHEREAS, the Town of Southampton Division of Fire Prevention submitted a written report dated September 20, 2016, regarding said conditions at the Property; and

WHEREAS, after having been the subject of a fire in 2011, the structure on the property is now vacant and unsecured, the garage doors are open, the rear patio door is open, and grass and weeds have overgrown the property; now therefore, be it

RESOLVED, that the Town Board hereby directs that a public hearing shall be held on November 9, 2016, at 1:00 p.m. at the Southampton Town Hall, 116 Hampton Road, Southampton, New York, to consider whether the conditions at the Property violate the requirements of Chapters 128, 211 and 261 of the Town Code; and be it further

RESOLVED, that, pursuant to Town Code Chapters 128, 211 and 261, the Town of Southampton Division of Fire Prevention is hereby authorized to serve notice of the subject public hearing upon the owner of the Property; and be it further

RESOLVED, should a determination be made, pursuant to Southampton Town Code Chapters 128, 211 and 261, that violations exist on the Property, the Office of the Town Attorney, the Town Engineer, the Building Department, the Divisions of Fire Prevention and Code Enforcement shall be authorized to take whatever steps are necessary to secure the structure, to cut back vegetation, and remove any associated debris, as necessary, to bring the Property into conformance with the standards of Chapters 128, 211 and 261 of the Town Code; and be it further

RESOLVED, that should a determination be made that violations of Chapters 128, 211 and 261 exist on the Property, pursuant to said Chapters, the Office of the Tax Assessor and the Tax Receiver are hereby authorized to take whatever steps are necessary to assess the costs and expenses incurred by the Town of Southampton against the Property; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Southampton on **November 9, 2016, at 1:00 p.m** at Southampton Town Hall, 116 Hampton Road, Southampton, New York, for the following purpose:

To consider whether the property known as 11 Bayberry Lane, East Quogue, New York,

SCTM #900-317-1-15 is open, unsafe, unsecured, and unmaintained, and whether the following actions should be taken: secure the structure, cut back vegetation, and remove any associated debris in order to bring the property into compliance with Town Code.

Should a determination be made that said unsafe, dangerous and unmaintained conditions exist on the Property, the Office of the Town Attorney, the Town Engineer, the Building Department, the Divisions of Fire Prevention and Code Enforcement, pursuant to Southampton Town Code Chapters 128, 211 and 261, shall be directed to take whatever steps are necessary to bring the Property into conformance with the standards of Chapters 128, 211 and 261 and the Tax Assessor and Tax Receiver may assess against the Property the costs and expenses incurred as a result of bringing the Property into conformance with the Town Code.

BY ORDER OF THE TOWN BOARD
 TOWN OF SOUTHAMPTON, NEW YORK
 SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

Costs to be assessed against property.

ü Vote Record - Town Board Resolution RES-2016-947						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-948

Category: Public Hearings
Sponsors: Lofstad, Bouvier, Schneiderman
Department: Town Attorney

Notice of Public Hearing to Amend Town Code Chapter 270 (Rental Properties) by Adding a New Section 270-19(A)(6) Community Housing Opportunity Surcharge and Amend Town Code Chapter 8 (Budget) by Adding a New Section 8-6.3 Appropriation of Justice Court Fees to the Community Housing Opportunity Fund

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on October 25, 2016 at 6:00 p.m., at the Hampton Bays Community Center, 25 Ponquogue Ave., Hampton Bays, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW amending Chapter 270 (Rental Properties) adding a new section 270-19(A)(6) (Community Housing Opportunity Surcharge) and amending Chapter 8 (Budget), adding a new section 8-6.3 (Appropriation of Justice Court Fees to the Community Housing Opportunity Fund)", which provides as follows:

LOCAL LAW NO. OF 2016

A LOCAL LAW amending Chapter 270 (Rental Properties) adding a new section 270-19(A)(6) (Community Housing Opportunity Surcharge) and amending Chapter 8 (Budget), adding a new section 8-6.3 (Appropriation of Justice Court Fees to the Community Housing Opportunity Fund) in order to appropriate certain revenues from the Justice Court into the

Community Housing Opportunity Fund.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

The Town of Southampton recognizes that there is a critical need for affordable housing to exist within the Township. Regional employers grapple with the task of hiring and retaining employees because of the limited availability of affordable housing in our area. Volunteer emergency services also are impacted by the lack of affordable housing available within the Town. The Town Board also recognizes that the illegal rental and overcrowding of dwelling units within the Town poses a serious threat to the health, safety and welfare of the occupants and the surrounding neighbors. Accordingly, there is a strong need to create and rehabilitate affordable housing and provide financial support for first time home buyers in order to reduce the impact that the lack of such affordable housing will have on our community. Pursuant to Town Code Chapter 216, the Town established a Community Housing Opportunity Fund in order to create and provide affordable housing opportunities within the Town. Proceeds from the Community Housing Opportunity Fund can be used to produce community housing units for income-eligible households, to rehabilitate existing buildings for conversion into community housing units and to provide counseling services and to produce loans to first-time home buyers. As such, it is appropriate to allocate funds obtained by the Justice Court for violations of Chapter 270, the Rental Property Law, into the Community Housing Opportunity Fund to enhance the efficacy of fund expenditures. In this way, the Town hopes to meet the critical need for affordable housing and enhance the overall quality of life for Town residents.

It is the intent of this local law to allocate 100% of the net revenues retained by the Town from the Community Housing Opportunity surcharge and an amount equal to no more than 1% of all net Justice Court fines retained by the Town to the Community Housing Opportunity Fund outlined in Chapter 216 of this Code.

SECTION 2. Amendment.

Southampton Town Chapter 270 (Rental Properties) is hereby amended by adding the underlined words as follows in a new section 270-19(A)(6) (Community Housing Opportunity Surcharge):

§ 270-19 Penalties for offenses.

A. A violation of this chapter by the owner(s) and/or tenant(s) shall be punishable as follows:

[Amended 5-28-2013 by L.L. No. 12-2013]

(1) A violation of § 270-5A is hereby declared to be an offense punishable by a fine not or both, for a conviction of a first offense;

(2) A violation of § 270-5A(1) is hereby declared to be an offense punishable by a fine not less than \$1,500 nor more than \$8,000 or imprisonment for a period not to exceed 15 days, or both, for a conviction of a first offense;

(3) A violation of any section of this chapter other than § 270-5A and/or § 270-5A(1) is hereby declared to be an offense punishable by a fine not less than \$3,000 nor more than \$15,000 or imprisonment not to exceed a period of six months, or both, for a conviction of a first offense.

(4) A second or subsequent violation of this chapter within an eighteen-month period is hereby declared to be an offense punishable by a fine not less than \$8,000 nor more than \$30,000 or imprisonment not to exceed a period of six months, or both.

(5) For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of this chapter, other than § 270-5A and/or § 270-5A(1), shall be deemed misdemeanors and, for such purpose only, all provisions of law relating to misdemeanors shall apply. Each day's continued violation shall constitute a separate additional violation;

(6) In addition to any fines imposed, anyone convicted pursuant to this chapter shall be required to pay a mandatory Community Housing Opportunity surcharge of \$100.00. The Community Housing Opportunity surcharge shall be paid to the clerk of the court or administrative tribunal that rendered the conviction. Within the first ten (10) days of the month following collection of the mandatory surcharge, the collecting authority shall then pay such money to the Town Comptroller, who shall then deposit such money in accordance with the provisions of §216-6 of the Town Code.

SECTION 3. Amendment.

Southampton Town Code Chapter 8 (Budget) is hereby amended by adding the underlined words as follows in a new section 8-6.3 (Appropriation of Justice Court Fees to the Community Housing Opportunity Fund):

§ 8-6.3 Appropriation of Justice Court Fees to the Community Housing Opportunity Fund.

A. Revenues are received in the Town of Southampton Justice Court through the collection of various fines and other court fees. An amount equal to 100% of the net revenues retained by the Town from the "Community Housing Opportunity" Surcharge shall be used in accordance with the Community Housing Opportunity Fund outlined in Chapter 216 of this code and administered in manner wholly consistent with § 216-7 of this Code . Additionally, an amount equal to no more than 1 percent (1%) of the net revenues retained by the Town from the preceding year's Justice Court fines and court fees, excluding the "Community Housing Opportunity Surcharge", shall be used in accordance with the Community Housing Opportunity Fund outlined in Chapter 216 of this code and administered in manner wholly consistent with § 216-7 of this Code. The specific dollar amount of said Justice Court revenues not to exceed 1% to be appropriated into the Community Housing Opportunity Fund shall be determined during the annual budget process and adopted pursuant thereto.

SECTION 4. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §§ 10(1)(ii)(a)(11) and (12) and § 10(1)(ii)(a)(14).

SECTION 5. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be judged 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 hereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 6. Effective Date.

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

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Adoption:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing shall be held on **October 25, 2016 at 6:00 p.m.**, at the Hampton Bays Community Center, 25 Ponquogue Ave., Hampton Bays, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW amending Chapter 270 (Rental Properties) adding a new section 270-19(A)(6) (Community Housing Opportunity Surcharge) and amending Chapter 8 (Budget), adding a new section 8-6.3 (Appropriation of Justice Court Fees to the Community Housing Opportunity Fund)".

Summary of Proposed Law

The Town of Southampton recognizes that there is a critical need for affordable housing to exist within the Township. Regional employers grapple with the task of hiring and retaining employees because of the limited availability of affordable housing in our area. Volunteer emergency services also are impacted by the lack of affordable housing available within the Town. The Town Board also recognizes that the illegal rental and overcrowding of dwelling units within the Town poses a serious threat to the health, safety and welfare of the occupants and the surrounding neighbors. Accordingly, there is a strong need to create and rehabilitate affordable housing and provide financial support for first time home buyers in order to reduce the impact that the lack of such affordable housing will have on our community. Pursuant to Town Code Chapter 216, the Town established a Community Housing Opportunity Fund in order to create and provide affordable housing opportunities within the Town. Proceeds from the Community Housing Opportunity Fund can be used to produce community housing units for income-eligible households, to rehabilitate existing buildings for conversion into community housing units and to provide counseling services and to produce loans to first-time home buyers. As such, it is appropriate to allocate funds obtained by the Justice Court for violations of Chapter 270, the Rental Property Law, into the Community Housing Opportunity Fund to enhance the efficacy of fund expenditures. In this way, the Town hopes to meet the critical need for affordable housing and enhance the overall quality of life for Town residents.

Copies of the proposed local law, sponsored by Supervisor Jay Schneiderman, Councilwoman Julie Lofstad and Councilman John Bouvier are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

Revenue generating

Ú Vote Record - Town Board Resolution RES-2016-948						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-949

Category: Public Hearings
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Attorney

Notice of Public Hearing to Consider the Grant of a Conservation Easement in Connection with the Site Plan/ Special Exception application of Westhampton Senior Living

BE IT RESOLVED that the Town Board hereby directs that a public hearing shall be held on October 11, 2016, at 1:00 p.m. at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against the acceptance of a conservation easement in connection with the Site Plan/ Special Exception Approval of Westhampton Senior Living, approved by the Town of Southampton Planning Board by resolution adopted July 22, 2010, modified and amended by resolution dated December 9, 2010, and further modified by administrative review on March 7, 2014; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the following NOTICE OF PUBLIC HEARING:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing shall be held by the Town Board of the Town of Southampton on **October 11, 2016 at 1:00 p.m.** at the Southampton Town Hall, 116 Hampton Road, Southampton, New York to hear any and all persons either for or against the acceptance of a conservation easement area in connection with the Site Plan / Special Exception of Westhampton Senior Living, approved by the Town of Southampton Planning Board by resolution adopted July 22, 2010, modified and amended by resolution dated December 9, 2010, and further modified by administrative review on March 7, 2014 in the hamlet of Westhampton, further identified on the Suffolk County Tax Map as part of parcel 900-332-2-10.1, pursuant to Section 247 of the General Municipal Law of the State of New York.

BY ORDER OF THE TOWN BOARD
 TOWN OF SOUTHAMPTON, NEW YORK
 SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:
 None

Ú Vote Record - Town Board Resolution RES-2016-949						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-950

Category: Real Estate & Easements
Sponsors: Councilman Stan Glinka
Department: Town Attorney

Accept "North View Drive", "Old Noyack Road", "Northview Hills Court" and "Eastview Court" in the hamlet of Noyack into the Town Highway System

WHEREAS, the Superintendent of Highways and the Assistant Town Engineer have found that the roads known as "North View Drive", "Old Noyack Road", "Northview Hills Court" and "Eastview Court" in the hamlet of Noyack, have been suitably improved and maintained, and have recommended that they be accepted into the Town's Highway system; and

WHEREAS, said roads are part of the Subdivision Maps of: (1) North View Hills, filed in the Suffolk County Clerk's Office on February 4, 1994, as Map No. 9470, (2) Laurie Woods, filed in the Suffolk County Clerk's Office on February 4, 1994, as Map No. 9469, (3) James and Rose Leonard (minor subdivision), and Premises of John Leonard (minor subdivision); and

WHEREAS, as part of said subdivision(s), the developers, John Leonard, Laurie Leonard, James B. Leonard and Rose Leonard filed an Irrevocable Offer of Dedication, dated November 3, 1993, ceding title to land areas designated on said subdivision map(s) for uses such as streets, drainage easements, parks, or recharge basins, to the Town of Southampton; and

WHEREAS, this Irrevocable Offer of Dedication was duly executed and recorded in the Suffolk County Clerks Office on July 20, 1994 at liber 11686 and page 204; and

WHEREAS, the aforementioned roads are expressly captured by the Irrevocable Offer of Dedication; and

WHEREAS, based upon the above, the Town seeks to accept "North View Drive", "Old Noyack Road", "Northview Hills Court" and "Eastview Court" into the Town's Highway system; now therefore be it

RESOLVED, that the Irrevocable Offer of Dedication made by John Leonard, Laurie Leonard, James B. Leonard and Rose Leonard, to dedicate "North View Drive", "Old Noyack Road", "Northview Hills Court" and "Eastview Court", as shown on the subdivision maps of North View Hills and Laurie Woods, is hereby ACCEPTED; and be it further

RESOLVED, that "North View Drive", "Old Noyack Road", "Northview Hills Court" and "Eastview Court" are hereby ACCEPTED into the Town's Highway system; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to the Southampton Tax Assessor's Office, the Suffolk County Real Property Tax Service Agency, and the Suffolk County Clerk's Office.

Financial Impact:

None

Ū Vote Record - Town Board Resolution RES-2016-950						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2016-951

Category: SEQRA
Sponsors: Supervisor Jay Schneiderman
Department: Long Range Planning

The Hills at Southampton MUPDD Zone Change Petition Deem Scope & Content of September 2016 Draft Environmental Impact Statement (DEIS) Adequate for Purpose of Commencing Public Review and Schedule Public Hearing

WHEREAS, the Town Board of the Town of Southampton received a revised Draft Environmental Impact Statement dated April 2016 for the project entitled: "The Hills at Southampton" from DLV Quogue, LLC ("Applicant") associated with the formal request for a Change of Zone from CR200 to Mixed Use Planned Development District (MUPDD); and

WHEREAS, the proposed action seeks to change four separate land holdings totaling 591 acres located in the Hamlet of East Quogue, from Residential 200 (CR200) to Mixed-Use Planned Development District (MUPDD); and

WHEREAS, the largest owned land component, known as the Hills Property, consists of 340.91 acres south of and 86.92 acres north of Sunrise Highway, for a total of 427.83 acres; with contiguous property to the west known as the Kracke property which consists of 61.26 acres, and noncontiguous property to the east known as the Parlato property which consists of 101.91, for a total of 591 acres; and

WHEREAS, the proposed action is to develop a 168.10 acre property with 118 residential units, an 18-hole golf course and associated club house, a pond/pond house, and maintenance area, all to be accessed by new roads and driveways; and

WHEREAS, the proposed Change of Zone is a Type I Action pursuant to the State Environmental Quality Review Act, and the regulating provisions of 6 NYCRR Part 617; and

WHEREAS, on April 14, 2015, by Resolution No. 2015-458, the Town Board assumed lead agency and issued a positive declaration pursuant to SEQRA and Chapter 157 of the Town Code, thus requiring the preparation of an Environmental Impact Statement (EIS) to address the overall project impacts identified in said positive declaration; and

WHEREAS, on July 14, 2015 by Resolution No. 2015-733, the Town Board issued a final

written scope for the purposes of preparing a DEIS; and

WHEREAS, on March 4, 2015, by Resolution No. 2015-240, AKRF was retained to assist the Town Board as lead agency to conduct the review of the subject application pursuant to the requirements of 6 NYCRR Part 617; and

WHEREAS, on March 4, 2015, by Resolution No. 2015-269, A. Martin Petrovic was retained to assist the Town Board as lead agency to conduct the review of those elements of the subject action as they relate to all aspects of the design, construction and operation of the golf course and residential lawn management components of the proposed project to which said review will be incorporated into the SEQRA review of subject action; and

WHEREAS, by letter dated August 1, 2016 Mr. Petrovic determined that the sections of the DEIS relevant to his review adequately addressed the scope and were adequate for public review; and

WHEREAS, after review of the most recently resubmitted document, by report dated September 19, 2016 AKRF identified that the resubmitted DEIS addresses previous concerns and is now adequate in terms of its scope and content pursuant to 617.9 and the adopted final scope; and

WHEREAS, the following are involved agencies:

1. Town of Southampton Town Board
2. Town of Southampton Planning Board
3. Central Pine Barrens Commission
4. Suffolk County Water Authority
5. Suffolk County Department of Health Services
6. New York State Department of Environmental Conservation, Region 1

WHEREAS, the following are interested agencies:

1. Suffolk County Planning Commission
2. Southampton Town Engineer's Office
3. Southampton Town Fire Marshall
4. Southampton Town Architectural Review Board
5. Southampton Town Police Department
6. East Quogue Fire Department
7. Westhampton War Memorial Ambulance Association
8. East Quogue Union Free School District
9. East Quogue Citizens Advisory Committee

; and

WHEREAS, upon review of said reports and recommendation of the Town Planning & Development Administrator, pursuant to the requirements of 6 NYCRR Part 617.9, the Town Board as Lead Agency finds that the September 2016 DEIS addresses all submission requirements for the purpose of conducting the SEQRA review; now, therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby deems the scope and content of the Draft Environmental Impact Statement (DEIS) dated September 2016 for The Hills at Southampton to be adequate for the purpose of commencing public review; and be it further

RESOLVED, that this resolution and copies of the DEIS shall be forwarded from the Town Clerk to all Involved agencies; and be it further

RESOLVED, the Town Clerk shall post the application online on the Town website at <http://www.southamptontownny.gov> for all interested agencies and persons to access as well as maintain hard copies of the document at the Westhampton Library and the Town Clerk’s Annex in Hampton Bays; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held at a special Town Board Meeting on **October 17, 2016 at 6:00 p.m.** at the East Quogue Elementary School, 6 Central Avenue, East Quogue, New York, to hear any and all persons on the subject of a Draft Environmental Impact Statement (DEIS) related to a zone change petition entitled "The Hills at Southampton" requesting to change four separate land holdings totaling 591 acres located in the Hamlet of East Quogue, from Residential 200 (CR200) to Mixed-Use Planned Development District (MUPDD) to facilitate development of a 168.10 acre property with 118 residential units, an 18-hole golf course and associated club house, a pond/pond house, and maintenance area, all to be accessed by new roads and driveways.

Copies of the DEIS are on file in the Town Clerk’s Office Monday through Friday, from 8:30 a.m. to 4:00 p.m., at the Town Clerk’s Annex in Hampton Bays, at the Westhampton Public Library and online at <http://www.southamptontownny.gov>

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

n/a

ü Vote Record - Town Board Resolution RES-2016-951						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Jay Schneiderman	..	..	..	..
.. Adopted as Amended	Julie Lofstad	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	John Bouvier	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

VII. Closing