



~ Agenda ~

Regular Town Board Meeting of November 9, 2016 Southampton, New York

I. Call to Order

1:00 PM Meeting called to order on November 9, 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 Scaleria	
Councilman John Bouvier	
Councilman Stan Glinka	

II. Minutes Approval

1. Regular Town Board Meeting October 25, 2016 6:00 PM
2. Special Town Board Meeting October 27, 2016 12:00 PM
3. Special Town Board Meeting November 3, 2016 12:00 PM

III. Communications

A. Public Notices

1. Department of the Army

U.S. Army Corps of Engineers:

Applications for catwalks and dock assembly for:

1. 85 Inlet Road West, Hampton Bays
2. 30-32 Shinnecock Road, Village of Quogue
3. 195 Highland Terrace, Bridgehampton

2. Suffolk County Planning Commission

Letter of Local Determination re: The Hills September DEIS

3. Town of East Hampton

Notice of Public Hearing, CPF Project Plan Addition (Shapiro)

Notice of Public Hearing, CH 255 (Zoning) Gross Floor Area

Notice of Public Hearing, CH 255 (Zoning) Definition of Cellar

Notice of Public Hearing, CH 255 (Zoning) Definition of Building Coverage

Notice of Public Hearing, CH 255 (Zoning) Gross Floor Area Maximum

4. Town of Southold

Board of Trustees:

Notification of Scallop Season 11/7/16 through 3/31/16

5. Town Fire Districts

2017 Adopted Budget from the following Fire Districts:

1. Bridgehampton Fire District
2. East Quogue Fire District
3. Eastport Fire District
4. Flanders Fire District
5. Hampton Bays Fire District
6. Riverhead Fire District

6. Town School Districts

Eastport-South Manor Central School District:

Resolution electing to participate in Cold War Veterans tax exemptions

7. Village of Westhampton Beach

Planning Board Application:

Adjoining Neighbor Notification for 12 Tuttle Place, Westhampton Beach

8. Financial Disclosure Statement Filing

D. Godlewski

9. Letters/Petitions/Land Use Applications

Letters/E-mails regarding the following:

1. Brewster House, 1380 Flanders Rd., Flanders
2. The Hills MUPDD, East Quogue
3. Polo Pony Farm, Mecox Rd., Bridgehampton
4. Rock of Salvation Church Pine Barrens Credit

Zoning Board of Appeals Applications:

1. 8 Sylvan Lane, Noyac
2. 26 Elder Avenue, Hampton Bays

B. Bid Openings

1. Bid Opening (October & November)

Roof Repair Southampton Youth Services Facility (10/26/16)

1. More Consulting Corp. - \$98,950.00
2. Pencil Contracting Corp. - \$180,190.00
3. M.D.B. Construction Corp. - \$232,818.00

Purchase/Installation of Support Broadcast Equipment SEA-TV (11/2/16)

1. HB Communications, Inc. - \$30,912.00

C. Reports

1. Town Comptroller

October 2016 Monthly Financial Report

IV. Public Hearings

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

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

- Public Hearing on the Acquisition of Lands of Rebman Family Trust, Hampton Bays, and Amend the CPF Management and Stewardship Plan to Include Said Property

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

- Public Hearing on the 2017 Preliminary Budget

Adjourned 10/25/2016 6:00 PM

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

- Public Hearing to Consider Any Increases Proposed in the Maximum Amount to be Expended Annually in the Town of Southampton's Special Districts

Adjourned 10/25/2016 6:00 PM

ü 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
09/27/16	Town Board	TABLED	Next: 10/25/16
10/25/16	Town Board	TABLED	Next: 11/09/16

Financial Impact:

Costs to be assessed against property.

Ü 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 2016-894

Category: Budget & Finance
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Council

Establish Executive Financial Budget Summary

WHEREAS, an executive financial summary would be a beneficial and fundamental tool to advance transparency in our budgeting practices and in providing the Town Board and the public a clear snapshot of the changes in forecasted revenue, mandatory/contractual expenses as well as discretionary additions or subtractions from prior years; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby adopts a policy creating the Executive Financial Budget Summary prepared by the Comptroller to accompany the presentation of the tentative budget to the Town Board as follows:

EXECUTIVE FINANCIAL BUDGET SUMMARY:

The Executive Financial Budget Summary is a bulleted narrative that clearly elaborates the various changes from the current final adopted budget and the submitted tentative budget. The document will identify projected modifications to revenues both in terms of volume and fee structure. Expenses will be segregated by mandatory/contractual, separated by actual or projected, and discretionary. Individual exceptions to broad adjustments must be specified i.e.: exceptions in certain compensation that varies from the whole and additional positions/promotions. The summary will include year over year projected changes to the projected borrowing, debt service and appropriation of fund balance. A worksheet will accompany the narrative that summarizes, by fund, the major changes as described in the narrative. The worksheet will include budgeted and actual information from two years prior through the tentative budget.

DEFINITIONS:

REVENUES. – Specific changes in projected revenues detailing differences in fee structure or volume by specific fund.

MANDATORY/CONTRATUAL EXPENSES. – Specific changes in expenses that will be incurred due to the Town’s existing contractual and mandated obligations (not to include projected contractual changes, premiums or rates).

PROJECTED MANDATORY/CONTRATUAL EXPENSES. – Specific changes in expenses

projected to meet future contractual and mandated obligations.

DISCRETIONARY EXPENSES. - Specific changes to expenses that are at the discretion of the Town Board.

DEBT SERVICE. - Overall increase/ decrease in debt service by specific fund.

FUND BALANCE APPROPRIATION. – Total fund balance appropriation by specific fund necessary to balance the budget with year over year variances.

SAMPLE WORKSHEET:

The worksheet should be specific to all major changes specific by fund. The following is to be used as a guide and not to be considered all inclusive:

2YR Prior Budget	2YR Prior Actual	Prior YR Budget	Prior YR Actual	Curr YR Budget	Curr YR Actual	Proposed Budget
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Revenues:
Mortgage Tax
Fees
Other

Mandatory/Contractual
Expenses:
Debt Service
CBAs
Retirement
Insurance

Discretionary/Projected
Expenses:
Pay as you Go
Personnel
Legal Fees/Settlements

HISTORY:

09/13/16	Town Board	TABLED	Next: 10/11/16
10/11/16	Town Board	TABLED	Next: 10/25/16
10/25/16	Town Board	TABLED	Next: 11/09/16

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2016-894						
		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 2016-1044

Category: Agreements, Contracts, Leases
Sponsors: Councilman Stan Glinka
Department: Information Technology

Authorize the Renewal of ESRI, Inc. For Software Licenses Utilized in the GIS Division

WHEREAS, the Director of Information Management and the GIS Manager recommend that the Town execute a renewal with ESRI, Inc., for the support and maintenance of the Town's Geographic Information Systems Software, to become effective January 1, 2017 for a term to December 31, 2017 to include:

- (2) ArcInfo (Advanced) Concurrent Licenses
- (1) ArcEditor (Standard) Concurrent Licenses
- (3) ArcView (Basic) Concurrent Licenses
- (4) ArcView (Basic) Single Use Licenses
- (2) ArcView Spatial Analyst Extension
- (1) ArcView 3D Analyst Extension
- (1) ArcGIS Server (Standard) Enterprise License
- (9) ArcEngine Single Use w/out Extension Maintenance
- (1) ArcPad Maintenance; and

WHEREAS, the cost for this renewal shall not exceed \$16,238.36 and the renewal will be reviewed by the Central Purchasing and Contracts Compliance, prior to its signing; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute any and all documents with ESRI, Inc., pertaining to the renewal of maintenance for the software utilized by the GIS Division of the Department of Information Technology; be it

FURTHER RESOLVED, that this agreement shall be reviewed by Central Purchasing and Contracts Compliance prior to its signing and per the Town Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed agreement. The source of funding for this contract shall be Information Technology GIS Division - Contracts G/L #01-99-1682-01-6401-0000 in an amount not to exceed \$16,238.36, this payment shall be subject to the adoption of the appropriation in the 2016 budget.

Financial Impact

The source of funding for this contract shall be Information Technology GIS Division - Contracts G/L #01-99-1682-01-6401-0000 in an amount not to exceed \$16,238.36.

Financial Impact:

The source of funding for this contract shall be Information Technology GIS Division - Contracts G/L #01-99-1682-01-6401-0000 in an amount not to exceed \$16,238.36.

Ú Vote Record - Town Board Resolution RES-2016-1044						
		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 2016-1045

Category: Agreements, Contracts, Leases
Sponsors: Councilman Stan Glinka
Department: Information Technology

Authorize the Renewal of the Town's Physical Server Hardware Maintenance and Onsite Support

WHEREAS, the Information Technology Department is in need of a renewal for the Town's physical server hardware maintenance and onsite support; and

WHEREAS, Networks 2000 provides such hardware maintenance at a cost of \$5,724.00 for the following physical servers:

Serial #USE724N5R8, 2UX851001A, 2UX85100F, 2UX8510015, USE724N14Z AND USE733N6AR; and

WHEREAS, funding for this purchase is available in Information Technology Contracts G/L 01-99-1680-01-6401-0000; now, therefore be it

WHEREAS, the Information Technology Department is in need of a renewal for the Town's physical server hardware maintenance and onsite support; and

WHEREAS, Networks 2000 provides such hardware maintenance at a cost of \$5,724.00 for the following physical servers:

Serial #USE724N5R8, 2UX851001A, 2UX85100F, 2UX8510015, USE724N14Z AND USE733N6AR; and

WHEREAS, funding for this purchase is available in Information Technology Contracts G/L 01-99-1680-01-6401-0000; now, therefore be it

RESOLVED, per the recommendation of the Director of Information Management, the Town Board authorizes the renewal of physical server hardware maintenance from Networks 2000 at a cost of \$5,724.00.

Financial Impact:

The source of funding shall be Information Technology - Contracts G/L #01-99-1680-01-6401-0000 in the amount of \$5,724.00

Ú Vote Record - Town Board Resolution RES-2016-1045						
		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 2016-1046

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

Authorize the Supervisor to Execute a 2017 Contract Extension with Aquarius Capital Company to Provide Actuarial Services to the Town

WHEREAS, on December 8, 2014, pursuant to Resolution 2014-1130, the Town of Southampton entered into a contract with Aquarius Capital Company to Provide Actuarial Services to the Town; and

WHEREAS, the contract will expire on December 31, 2016, yet it contains a provision allowing the contract to be for three (3) additional, one (1) year terms, if doing so is in the best interest of the Town, this shall be the second extension; and

WHEREAS, the Town's Comptroller recommends that the Town extend this contract for 2017, for the second extension; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a 2017 contract extension with Aquarius Capital Company to Provide Actuarial Services to the Town, this is a no cost time extension; 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 continue to be Town Comptroller - Contracts G/L #01-99-1315-01-6401-0000 in an amount not to exceed \$5,000.

Financial Impact:

The source of funding shall continue to be Town Comptroller – Contracts G/L #01-99-1315-01-6401-0000 in an amount not to exceed \$5,000.

Ú Vote Record - Town Board Resolution RES-2016-1046						
		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 2016-1047

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

Authorize the Supervisor to Execute a 2017 Contract Extension with Suffolk County Brake for the Supply of Two (2) New Dump Trucks

WHEREAS, pursuant to Resolution 2016-211, on March 10, 2016, the Town of Southampton entered into a contract with Suffolk County Brake for the Supply of Two (2) New Dump Trucks; and

WHEREAS, the contract will expire on December 31, 2016; and

WHEREAS, the contract contains a provision allowing the Town to extend the existing contract for one (1) additional, one (1) year term; and

WHEREAS, the Highway Superintendent recommends that the current contract be extended to commence on January 1, 2017 and to expire on December 31, 2017, at a cost of \$159,950 per vehicle; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a 2017 contract extension with Suffolk County Brake for the Supply of Two (2) New Dump Trucks in an amount not to exceed \$159,950 per vehicle, this purchase is subject to the adoption of the 2017 capitol budget allocated for these purposes; be it

FURTHER RESOLVED, that this extension shall be prepared by Contracts Compliance. The source of funding for this contract shall be Capitol Account Highway Equipment 17.5 GI # To be determined in 2017 budget in an amount not to exceed \$319,900 subject to the adoption of the 2017 capitol budget allocated for these purposes.

Financial Impact:

The source of funding for this contract shall be Capitol Account Highway Equipment 17.5 GI # To be determined in 2017 budget in an amount not to exceed \$319,900 subject to the adoption of the 2017 capitol budget allocated for these purposes.

Ú Vote Record - Town Board Resolution RES-2016-1047						
		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 2016-1048

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

Authorize the Supervisor to Execute a Contract with Wire to Water Electrical Contractors for an Ultrasonic Level Detection System at the North Sea Landfill

WHEREAS, the leachate tank at the Town's North Sea Landfill needs to be measured from time to time to ensure overflow; and

WHEREAS, currently these measurements have been taken by use of Town's personnel determining the amount, the method needs to be upgrading to a more efficient way of taking these measurements; and

WHEREAS, Wire to Water Electrical Contractors, Inc. has submitted a proposal to furnish and install a new Pulsar Ultrasonic Transducer/Transmitter using existing two conductor twisted shielded pair cable from the tank to the control board; and

WHEREAS, a custom remote level indicating panel will also be installed to be configured on the new control system to include monitoring to be provided to a laptop computer; and

WHEREAS, pursuant to Town Board Resolution 2016-631, the Town entered into a contract with Wire to Water Electrical Contractors and has been satisfied with the services they provided to the other leachate tanks; and

WHEREAS, the cost to provide the Ultrasonic Level Detection System at the North Sea Landfill shall not exceed \$12,120; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract with Wire to Water Electrical Contractors for the an Ultrasonic Level Detection System at the North Sea Landfill, this contract shall commence upon receipt of a fully executed contract and shall expire on December 31, 2017, or upon exhaustion of funds, whichever occurs first; be it

FURTHER RESOLVED, that this contract shall be prepared by Contracts Compliance and per the Town's Comptroller, no purchase order shall be created and no payment shall be made without a fully executed contract.

Financial Impact:

The source of funding shall be Capital Project Landfill Post Closure G/L #C1-99-C134-80-6401-0000 in an amount not to exceed \$12,120.

Ū Vote Record - Town Board Resolution RES-2016-1048						
		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 2016-1049

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

Authorize the Supervisor to Execute a Third Contract Extension with Strada Baxter D/B LLC. for the Lyzon Hat Shop Restoration

WHEREAS, on November 13, 2015, pursuant to resolution 2015-640, the Town entered into a contract with Strada Baxter D/B LLC. for the Lyzon Hat Shop Restoration; and

WHEREAS, the contract was further extended to August 15, 2016 pursuant to Town Board Resolution 2016-492 adopted on May 3, 2016 to provide for ample time to complete this project; and

WHEREAS, the contract was further extended to November 15, 2016 pursuant to Town Board Resolution 2016-850 adopted on August 23, 2016 to provide for ample time to complete this project; and

WHEREAS, additional time is necessary for completion of the renovation at the Lyzon Hat Shop Restoration to April 15, 2017; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute an extension with Strada Baxter D/B LLC. for the Lyzon Hat Shop Restoration to commence on November 15, 2016 to expire on April 15, 2017; be it

FURTHER RESOLVED, that this extension shall be prepared by Contracts Compliance and per the town Comptroller, no purchase order and no payment shall be made without a fully executed contract.

Financial Impact:

This is a no cost time extension

Ū Vote Record - Town Board Resolution RES-2016-1049						
		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 2016-1050

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Jay Schneiderman
Department: Land Management

Authorize the Supervisor to Execute Amendment #11 of the 2011 Amended Groundwater Monitoring Protocol and the Natural Resource Management Plan Amendment for The Bridge Golf Course (formally known as Golf at the Bridge)

WHEREAS, the Town Board of the Town of Southampton adopted Resolution No. 2011-677 to execute the 2011 Amended Groundwater Monitoring Protocol and the Natural Resource Management Plan Amendment of the Bridge Golf Course (formally known as Golf at the Bridge); and

WHEREAS, pursuant to the Protocol, Section VI.B.1. (Response triggers, Nitrate-Nitrogen, Wells) as stated on page 50 of the 2011 Amended Groundwater Monitoring Protocol is as follows:

“The management response for the perched well PW-1 is 10 ppm. In addition, if the nitrate concentration in PW-1

exceeds 5 ppm for two consecutive semi-annual events, then the well water will be pumped off (using a submersible pump >20 gpm), discharged into the nearby holding pond, and the discharge water will be sampled for N and the S150 pesticides. If this happens, then the submersible pump could be used for future sampling instead of the low-flow system, i.e., the low-flow pump does not have to be reinstalled into PW-1."

WHEREAS, The Bridge Golf Course Consultant, LaJan Barnes, Hydrogeologist, of Environmental & Turf Services, Inc., requested the Town's consultants, A. Martin Petrovic and Thomas Cambareri, who assist the Town in the oversight of the subject management plan, discuss the issues/concerns with the detailed procedures for "Pumping Off" well water and Sampling Change in PW-1 in an e-mail correspondence dated October 30, 2014; and

WHEREAS, The Bridge Golf Course Study Director, Stuart Z. Cohen, Ph.D., CGWP President of Environmental & Turf Services, Inc., in correspondence dated January 27, 2015/ revised October 14, 2016, has requested an amendment to the 2011 Amended Groundwater Monitoring Protocol and the Natural Resource Management Plan known as Amendment #11 - Detailed Procedures for "Pumping Off" well water and Sampling Change in PW-1; and

WHEREAS, pursuant to the Town's consultants, A. Martin Petrovic, Ph.D., and Thomas Cambareri, "the pump-off test conducted after two sampling events of >5 ppm confirms that the perched water table is not an effective aquifer since it cannot sustain a viable amount of water. Thus it cannot be used as an irrigation source nor pumped off for renovation in the pond or any other option. The trigger was changed to 10 ppm. The perched area impedes vertical flow where less-diluted nitrogen is held in the fine grained deposits. Since we don't know the extent of the perched water-table or how it interacts with the principal aquifer, continued monitoring at a reduced frequency for nitrates would be appropriate; annual might suffice."; and

WHEREAS, after the Town's consultants review of Amendment #11, it was recommended via e-mail correspondence dated December 1 & 9, 2014 to continue the annual sampling for nitrates and not resample every time it is above 5mg/L. If however, the results would exceed 10 mg nitrate-N/1, then a more thorough investigation should be initiated to determine the reasons for higher nitrogen levels and if other wells are also experiencing higher nitrogen levels; and

WHEREAS, it was further recommended by the Town's consultant, A. Martin Petrovic, Ph.D., via correspondence dated March 31, 2015 and to the Town Board at the October 27, 2016 Town Board Work Session that these changes in no way diminish the rigorous nature of the groundwater quality monitoring and groundwater protection programs for The Bridge Golf Course; and

WHEREAS, the purpose of this Protocol Amendment is to provide detailed procedures that will be used to implement a specific but unclear component of the 2011 Amended Protocol; and

WHEREAS, this protocol amendment mechanism is consistent with good laboratory Practices under the pesticide law, FIFRA (40 CFR Part 160); and

WHEREAS, the "Study Director" is identified in Schedule C (the Protocol) of the Declaration of Covenants and Restrictions as Stuart Z. Cohen, Ph.D., CGWP President of Environmental & Turf Services, Inc., who has been employed by the applicant to perform the ground water

tests and prepare technical reports on his findings on the golf course operation as it pertains to the Protocol; and

WHEREAS, based on the analysis outlined in his January 27, 2015/revised October 14, 2016 correspondence, Dr. Cohen requested the Protocol be amended; and

WHEREAS, based on the Town’s consultant’s review and recommendations contained in the December 1 & 9, 2014 e-mail correspondence, the Study Director has prepared Protocol Amendment #11 - Detailed Procedures for “Pumping Off” Well Water and Sampling Change in PW-1 as an amendment to the Ground Water Protocol for Golf at the Bridge: Amended 2011; and

WHEREAS, pursuant to the recorded Declaration of Covenants and Restrictions, the Groundwater Monitoring Agreement, the requested amendment #11 to the Protocol by Dr. Cohen requires written approval by the owner of the golf course, the Study Director, the Suffolk County Water Authority and the Town of Southampton; and

WHEREAS, Suffolk County Water Authority has reviewed and recommends approval of Amendment #11 - Detailed Procedures for “Pumping Off” Well Water and Sampling Change in PW-1 as an amendment to the Ground Water Protocol for Golf at the Bridge: Amended 2011; and

WHEREAS, the Town’s consultants, A. Martin Petrovic, Ph.D., and Thomas Cambareri, and the Town Planning and Development Administrator have reviewed said Protocol Amendment #11 of the 2011 Amended Groundwater Monitoring Protocol and the Natural Resource Management Plan for The Bridge and recommend the Supervisor of the Town of Southampton to execute said Amendment; NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southampton authorizes the Supervisor to execute Amendment #11 of the 2011 Amended Ground Water Monitoring Protocol and the Natural Resource Management Plan Amendment for The Bridge Golf Course, to be reviewed by Contracts Compliance prior to Supervisor signing.

Financial Impact:

NONE

☐ Vote Record - Town Board Resolution RES-2016-1050						
		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 2016-1051

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

Authorize the Supervisor to Execute an Agreement with the EEOC Training Institute for Anti-Discrimination and Anti-Harassment Training for Elected Officials and Town Employees

WHEREAS, the Human Resources Department is responsible for ensuring that the Town receives required training for Anti-Discrimination and Anti-Harassment; and

WHEREAS, the EEOC Training Institute will provide this training to the Town's Elected Officials and Employees over a period of three (3) days, comprised of ten (10) sessions accommodating fifty (50) employees in each session; and

WHEREAS, the dates for the training shall be November 1, 2 and December 7, 2016, this resolution shall serve as authorization retroactive from November 1, 2016; and

WHEREAS, the cost associated with this training shall not exceed \$7,500; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute the agreement with EEOC Training Institute for Anti-Discrimination and Anti-Harassment Training for Elected Officials and Town Employees; be it

FURTHER RESOLVED, that this agreement has been received by Contracts Compliance, who finds its signing acceptable, per the Town Comptroller, no purchase order shall be prepared and no payment shall be made until a fully executed contract is in place.

Financial Impact:

The source of funding for this agreement shall be Consultants GL# 01-99-1430-01-6490-0000 in an amount not to exceed \$7,500.

Ū Vote Record - Town Board Resolution RES-2016-1051						
		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 2016-1052

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

Authorize the Supervisor to Execute Any and All Documents with Bridgehampton National Bank for Use of Federal Home Loan Bank Letters of Credit

WHEREAS, the Town has accounts with Bridgehampton National Bank, and is satisfied with the services provided by the bank; and

WHEREAS, the Bank intends to utilize irrevocable letters of credit issued by the Federal Home Loan Bank of New York for the benefit of Local Governments, at a margin of 100% as Eligible Collateral; and

WHEREAS, upon signature, the Bank hereby certifies and agrees that each delivery by the Bank to Custodian of a Federal Home Loan Bank of New York constitutes a representation, warranty and covenant by the Bank to the local government and custodian that the letter of credit complies with all aspects of GML § 10.3.c(ii); now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute Any and All Documents with Bridgehampton National Bank for Use of Federal Home Loan Bank Letters of Credit.

Financial Impact:

NONE

Ú Vote Record - Town Board Resolution RES-2016-1052						
		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 2016-1053

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

2016 Notice to Bidders for Furnish and Deliver Meter Pits and Ancillary Equipment

RESOLVED, as per the request of the Hampton Bays Water District 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 30, 2016 at 2:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Furnish and Deliver Meter Pits and Ancillary Equipment

Specifications are available beginning on Thursday, November 17, 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 **"Furnish and Deliver Meter Pits and Ancillary Equipment."** 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 HBWD Operations - Meter Settings G/L# SW-99-W081-62-6235-0000 in an amount not to exceed available budget.

Ú Vote Record - Town Board Resolution RES-2016-1053						
		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 2016-1054

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

2017 Notice to Bidders for Annual Maintenance Installation Repair on Water Mains and Hydrants within the Hampton Bays Water District

RESOLVED, as per the request of the Hampton Bays Water District, 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, December 7, 2016 at 2:00 pm, prevailing time, when they will be publicly opened and read aloud for:

Annual Maintenance Installation Repair on Water Mains and Hydrants within the Hampton Bays Water District

Specifications are available beginning on Thursday, November 17, 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 "Perform Annual Maintenance Installation Repair on Water Mains and Hydrants within the Hampton Bays Water District." Bidders must comply with all Federal, State, and local laws.

Bidders interested in this project are REQUIRED to visit www.labor.state.ny.us, (home page), go to Govt. & Research, Public Work, Article 8 or 9, which ever applies, Original Wage Schedule, Left side-Access Previously Requested Schedule, Original Rate Schedule Online, then enter the PRC#2016010957 to view the original prevailing wage schedule. Employees under this title must be paid the wage rate(s) indicated on this schedule. The winning vendor(s) will be provided an original wage schedule with their contract.

Each bidder must provide with its bid a certified check equal to five (5) percent of his/her total bid payable to the order of the Town of Southampton, or a bond with

sufficient sureties, acceptable to the Town of Southampton, in the sum of five (5) percent of the bid. All checks or bonds shall be returned except to the successful bidder, whose security shall be held until contract security is provided, according to the requirements set forth in the bid package.

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 for this contract shall be Hampton Bays Water District Operations - Contracts G/L #SW-99-W081-62-6401-0000 in an amount not to exceed budget.

Ú Vote Record - Town Board Resolution RES-2016-1054						
		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 2016-1055

Category: Bidding
Sponsors: Councilman Bouvier, Supervisor Schneiderman
Department: Central Purchasing and Contracts Compliance

2016 Request for Proposals for Town Hall Elevator Modernization

RESOLVED, as per the request of Engineering/Facilities Management Departments, that the Town Clerk be and is hereby authorized and directed to advertise for public proposals per the following:

TAKE NOTICE, that sealed proposals will be received by the Town Clerk, Southampton Town Hall, on Thursday, December 14, 2016 at 4:00 pm.

REQUEST FOR PROPOSALS

The Town of Southampton is seeking proposals for

“TOWN HALL ELEVATOR MODERNIZATION”

Specifications are available beginning on Thursday, November 17, 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.

A pre-proposal meeting and walk thru of the facility will be held on Tuesday, November 22, 2016 at Southampton Town Hall, located at 116 Hampton Road

Southampton, New York 11968 at 10:00 a.m. Please meet at the Lower Lever Conference Room and drop your business card in the receptacle provided.

Each proposal must be submitted in a sealed envelope clearly marked "Town Hall Elevator Modernization." All proposers must comply with all Federal, State, and Local Laws.

This RFP is not an offer or a binding commitment to contract on the part of the Town. The Town retains the right to postpone or cancel the RFP or to reject all proposals, if the Town determines, in its sole discretion that the best interests of the Town will be served thereby.

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

Financial Impact:

The source of funding for this project shall be a Capitol Project to be determined by theTown Comptrollers Office in an amount not to exceed budget allocated fo these purposes.

Ú Vote Record - Town Board Resolution RES-2016-1055						
		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 2016-1056

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

Amend 2016 Adopted Budget for Various Departments

WHEREAS, the below listed accounts need to be amended to reflect the actual expenses for 2016 and there are available appropriations available to transfer to cover the actual expenses; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby authorizes the transfers outlined in the below chart to cover anticipated expenditures and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Description	Account Number	Increase	Decrease
Bay Constables – Overtime	01-99-3121-01-6101-0000	\$5,250.00	
Bay Constables – Printing & Stationary	01-99-3121-01-6411-0000		\$750.00
Bay Constables – Marine Charges	01-99-3121-01-6480-0000		\$2,500.00
Bay Constables – Equipment	01-99-3121-01-6200-0000		\$2,000.00
Beaches & Pools – PT Salaries	21-99-7180-21-6105-0000	\$6,000.00	

Beaches & Pools – Improvements	21-99-7180-21-6213-0000		\$6,000.00
Building & Zoning – PT Salaries	22-99-8029-22-6105-0000	\$4,000.00	
Building & Zoning – Medical Insurance	22-99-8029-22-6860-0000		\$4,000.00

Financial Impact:

Net financial impact is none.

Ú Vote Record - Town Board Resolution RES-2016-1056						
		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 2016-1057

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

Authorize Town Comptroller to Settle Loan to Capital Budget and Close Capital Project

WHEREAS, Resolution 2015-2019, adopted on September 8, 2015, authorized a loan from the Part Town Zoning Fund to the Capital Project LM 15.2 Microgrid Feasibility Study in the amount of \$100,000 to be repaid in full upon receipt of the grant funding; and

WHEREAS, the grant came in lower than anticipated, it is the recommendation of the Town Comptroller to settle the remaining balance of the loan in the amount of \$100.00 by a transfer from Part Town Zoning Fund Cost Center 9910; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby authorize the Town Comptroller to settle the loan authorized by Resolution 2015-2019 and transfer \$100.00 from the Part Town Zoning Fund Cost Center 9910 to cover the outstanding balance; and be it further

RESOLVED, the Town Board of the Town of Southampton hereby approves the closure of the Capital Project and their associated G/L account codes; and be it further

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

Financial Impact:

INCREASE Part Town Unallocated Interfund Transfer Expense G/L - 03-99-9910-22-6900-0000 - \$100.00

INCREASE Microgrid Feasibility Study Interfund Transfer Revenue G/L - C3-99-C626-00-5031-0000 - \$100.00

Ú Vote Record - Town Board Resolution RES-2016-1057						
		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 2016-1058

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

Appoint Sally Pope to Landmarks and Historic Districts Board

RESOLVED, that Sally Pope is hereby appointed to the Landmarks and Historic Districts Board, to fill the vacancy created by the resignation of Nancy Mullan, effective immediately, and expiring December 31, 2017.

Financial Impact:
 None

Ú Vote Record - Town Board Resolution RES-2016-1058						
		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 2016-1059

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

Authorize the Town of Southampton to Remove Unsafe and Improperly Maintained Conditions at the Premises Located at 11 Bayberry Lane, East Quogue

WHEREAS, the Town of Southampton, by Resolution No. 2016-947, authorized the service of a notice on the property owner of the property known as 11 Bayberry Lane, East Quogue, New York, SCTM #900-317-1-15; and

WHEREAS, said resolution set the date of November 9, 2016 for a public hearing 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 November 9, 2016, where testimony was given regarding the unsafe and improperly maintained 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 secure the structure and cut back vegetation 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 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 11 Bayberry Lane, East Quogue, New York, SCTM #900-317-1-15 and shall be assessed and collected as provided under Chapter 128 of the Southampton Town Code.

Financial Impact:

Costs to be assessed against property.

Ú Vote Record - Town Board Resolution RES-2016-1059						
		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 2016-1060

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

Authorize Waiver of Fees for Dominican Sisters Family Health Service

WHEREAS, the Dominican Sisters Family Health Service operates a Thrift Shop in the Town of Southampton; and

WHEREAS, they are occasionally left with miscellaneous items that require disposal; 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 Dominical Sisters Family Health Service; and be it further

RESOLVED, that all materials shall be brought only to the North Sea Transfer Station 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-2016-1060						
		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 2016-1061

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

Cost Reimbursement Waiver for St. Rosalie’s Church “Our Lady Of Guadalupe Run” on December 12, 2016 from 1:30 P.M. to 3:00 P.M.

WHEREAS, St. Rosalie’s Church has been approved by the Southampton Town Police Department for a Parade Permit for the "Our Lady Guadalupe Run" to be held on December 12, 2016 from 1:30 p.m. to 3:00 p.m. from Dune Road to Montauk Highway, Hampton Bays; and

WHEREAS, the Southampton Town Police Department has issued a report dated October 20, 2016 with regards to a Financial Impact Statement for police services of two Part Time Police Officers to escort the event as it travels through the township impacting Town Police - Part Time Salaries G/L #02-99-3120-02-6105-0000; and

WHEREAS, St. Rosalie's Church has submitted a request for a waiver of the Police Department cost reimbursement to the Southampton Town Board, pursuant to 283-3B of the Town Code; and

WHEREAS, the event is open to the public for their enjoyment and 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 of \$200.00 as requested by St. Rosalie's Church.

Financial Impact:

The source of funding shall be Police Department Part Time Salaries G/L #02-99-3120-02-6105-0000 in the amount of \$200.00.

Ú Vote Record - Town Board Resolution RES-2016-1061						
		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 2016-1062

Category: Miscellaneous
Sponsors: Councilwoman Christine Preston Scalera
Department: Parks and Recreation

Install New Street Light in Flanders

WHEREAS, it has been determined that the installation of a street light is necessary on the southwest corner of Oak Avenue and Arthur Street on pole#50 in Flanders; and

WHEREAS, the location of this additional light is in the existing Flanders Street Lighting District; and

WHEREAS, it is the intent of the residents of this area to have the installation of this street light to improve visibility of Oak Avenue and Arthur Street; now be it

RESOLVED, the source of funding is Flanders Street Lighting Other GL# SL-99-L055-54-6420-0000 in the amount of \$450.00.

Financial Impact:

The source of funding shall be Flanders Street Lighting Other GL# SL-99-L055-54-6420-0000 in the amount of \$450

Ú Vote Record - Town Board Resolution RES-2016-1062						
		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 2016-1063

Category: Miscellaneous
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Recall and Rescind Resolution No. 2013-1226 and Authorize the Subdivision of the Premises Known as 36 Cedar Lane, North Sea

WHEREAS, in 2006, by Resolution 2006-194, the Town Board of the Town of Southampton authorized the acquisition of approximately 10 acres of land from Margaret N. Conklin, located at 36 Cedar Lane, North Sea, New York, SCTM# 900-95-2-43; and

WHEREAS, the joint sources of funding for the acquisition of the property were the Community Preservation Fund and the Community Housing Opportunity Fund; and

WHEREAS, because the property was not subdivided prior to the Town's acquisition in 2006, the Town Board, pursuant to Resolution 2013-1226, determined that the complete preservation of the property was proper and provided that the full development rights should be removed from the property in order to be made available for the development of affordable housing; and

WHEREAS, Resolution 2013-1226 authorized the deposit the of up to 15.13 Development Rights from the property, into the Town of Southampton Development Right Bank, to be utilized for affordable community housing and authorized the Supervisor to execute and record a TDR /Conservation Easement on the subject property and to execute and record an Agreement transferring up to 15.13 Development Rights to the Town of Southampton Housing Authority for the purpose of creating affordable housing, consistent with Town Code Chapter 216; and

WHEREAS, the TDR/Conservation Easement was never recorded and the Agreement transferring the development rights was never executed; and

WHEREAS, the Town Board of the Town of Southampton has now determined that the property may be subdivided; and

WHEREAS, the portion of the property acquired with Community Preservation Funds will remain as open space independent of the lot acquired with the Community Housing Opportunity Funds; and

WHEREAS, the portion of the property acquired with Community Housing Opportunity Funds is appropriate for the subdivision and development of housing and any proceeds derived from the sale of such property shall be deposited into the Community Housing Opportunity Fund to be used in accordance with Town Code Section 216-7 and in a manner consistent with an overall affordable housing strategy; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby recalls and rescinds resolution 2013-1226 and authorizes the subdivision of the premises located at 36 Cedar Lane, North Sea, New York, SCTM# 900-95-2-43 in a manner consistent with the funding used to acquire the premises and authorizes the Supervisor to execute any and all documents necessary for the subdivision of the property; and be it

FURTHER RESOLVED, that the Town Board of the Town of Southampton hereby authorizes a loan in an amount not to exceed \$25,000.00 from the General Fund to the Affordable Housing Opportunity Bank in order to pay for any fees or costs associated with the subdivision process; and be it

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

FURTHER RESOLVED, upon sale of the subdivided lots, the Town Attorney is directed to deposit the proceeds with the Town Comptroller in order to repay the loan in full. The remaining balance of the funds shall be deposited into the Community Housing Opportunity Fund to be used in accordance with Town Code Section 216-7 and in a manner consistent with an overall affordable housing strategy.

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 \$25,000.00. The loan shall be fully repaid upon sale of the lots.

Ú Vote Record - Town Board Resolution RES-2016-1063						
		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 2016-1064

Category: Personnel
Sponsors: Supervisor Jay Schneiderman
Department: Personnel

Appoint Juan Becerra to Administrative Assistant Position from Civil Service List

WHEREAS, Juan Becerra has been serving provisionally in the title of Administrative Assistant; and

WHEREAS, the Civil Service Certification of Eligibles has been established by the Department of Civil Service for the title of Administrative Assistant; and

WHEREAS, in accordance with the provisions of Section 65 ¶ 3 of the New York State Civil Service Law and Rule XII ¶ 1 of the Suffolk County Civil Service Rules, the Town must make a determination regarding the appointment of Juan Becerra; therefore be it

RESOLVED, Juan Becerra be and hereby is appointed to the position of Administrative Assistant in the Human Resources Department, from the Civil Service Certification of Eligibles No. 16EL381, effective November 1, 2016; and be it further

RESOLVED, this position will continue to be funded through Human Resources cost center #1430.

Financial Impact:

None, as budgeted in 2016 Adopted Budget.

Ú Vote Record - Town Board Resolution RES-2016-1064						
		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 2016-1065

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

Notice of Public Hearing to Enact Town Code Chapter 162 (Filming) Which Establishes a Permitting Process for Commercial/Educational Filming Done on Public and Private Property Within The Town of Southampton.

BE IT RESOLVED, that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held on November 22, 2016 at 6:00 p.m., at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW enacting Southampton Town Code Chapter 162 (Filming) which regulates the activity of filming or photographing a commercial, movie, documentary, television program, catalog or magazine layout, or any other presentation for commercial or educational purposes." which provides as follows:

LOCAL LAW NO. OF 2016

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

A LOCAL LAW enacting Southampton Town Code Chapter 162 (Filming) which regulates the activity of filming or photographing a commercial, movie, documentary, television program, catalog or magazine layout, or any other presentation for commercial or educational purposes.

SECTION 1. Legislative Intent.

Given its scenic views and beautiful surroundings, Southampton is filled with desirable locations to film a motion picture. Each year numerous motion pictures are filmed in our community. Many of these films are large scale productions, involving film crews that number into the hundreds. Such productions can interrupt neighborhoods, cause traffic problems, compromise the safety, peace and quiet enjoyment of our residents and put tremendous burden on our infrastructure. This Local Law creates a permitting process through which the Town can mitigate the impact of these productions on our community.

SECTION 2. Amendment.

Southampton Town Code Chapter 159 is hereby enacted by adding the underlined words as follows:

Chapter 162

FILMING

§ 162-1 Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this chapter, have the meanings set forth below:

CHIEF FIRE MARSHAL

The Chief Fire Marshal of the Town of Southampton, or designee.

CHIEF OF POLICE

The Chief of Police of the Town of Southampton, or designee.

FILMING

The activity of filming or photographing a commercial, movie, documentary, television program, catalog or magazine layout, or any other presentation for commercial or educational purposes.

FILMING PERMIT

A permit for filming issued under this chapter

PERSON

Any individual, firm, partnership, association, corporation, company or organization of any kind, including a charitable, religious, membership, hospital or not-for-profit corporation.

PUBLIC PROPERTY

Includes Town streets, sidewalks and parking areas, Town beaches and parks, Town buildings and other public facilities.

PUBLIC SAFETY COMMISSION

A commission consisting of five members. The Town Board shall appoint members of the Public Safety Commission and their terms by resolution, as provided for in Town Code Chapter 19. The duties of this Commission shall include holding public hearings to consider appeals based upon the denial of a permit application under this chapter.

SPECIAL EVENT

A Special Event as defined under Chapter 283of the Town Code

TOWN or TOWN OF SOUTHAMPTON

All unincorporated areas within the Town of Southampton.

TOWN BOARD

The Town Board of the Town of Southampton.

TOWN CLERK

The Town Clerk of the Town of Southampton, or designee.

§ 162-2 Licensing.

A. Written permit required.

(A) No owner, lessee or any other person claiming any right or interest in property within the Town of Southampton shall cause, permit or allow any such property to be used for filming, as defined by §162-1, unless, pursuant to an application therefor a written filming permit has been issued by the Chief Fire Marshal.

(B)Exemption. A permit pursuant to this chapter shall not be required if five or fewer individuals constitute the entire cast and crew engaged in filming.

B. Application time frames.

Mandatory time frames. Applications for filming permits shall be on the form available from the office of the Town Clerk, shall contain all of the required information and

material, and shall be filed with the office of the Town Clerk at least 30 days prior to the date the proposed filming will begin.

C. Information and material to be submitted with completed application.

As set forth therein, all applications for a filming permit shall include information and materials regarding the identity of the applicant, the nature of the production, the location of the property and any restrictions on the use thereof, proposed and existing structures, disposal of refuse, sanitary waste and sewage, water, parking, pedestrian and vehicular access, sound, music, lighting, security, fire protection, medical and handicap facilities, tents, signs, generators, inspection, use of Town facilities, and any additional information the Town deems relevant, all as may be amended or modified from time to time.

D. Rejection by Town Clerk. The Town Clerk shall have the authority to reject any application that the Town Clerk finds incomplete.

§ 162-3 Conditions for granting permit.

- A. Liability insurance. Prior to the issuance of a filming permit and subject to review by the Town Attorney's office, the applicant shall furnish the Town with a comprehensive liability insurance policy, insuring the applicant and/or property owner against liability for damage to persons or property, with limits of no less than \$1,000,000/\$2,000,000, which policy shall name the Town as an additional insured and shall not be cancelable without at least 30 days' prior written notice to the Town. Additional comprehensive liability insurance policies, naming the Town as an additional insured, may be required.
- B. Cost reimbursement. Where the expected number of cast and crew, the magnitude of the production or the duration of the filming may impact the health, safety and welfare of the public, as a condition to granting the film permit, the Chief Fire Marshal and/or Chief of Police may require the applicant to reimburse the Town for the costs of increased police protection, public safety oversight, and public works facilitation, including any additional equipment, as may be deemed necessary by the Chief Fire Marshal and/or Chief of Police to adequately and safely control and protect the persons involved with the filming, the filming area and traffic in and around the area. Such costs shall include all necessary staffing and shall be provided to the applicant prior to the issuance of the permit.
- C. Security instrument. The Chief Fire Marshal and/or Chief of Police may require the applicant to provide a letter of credit, bond or other suitable security instrument to secure compliance with conditions in the filming permit and to ensure adequate cleanup of the property after the film. In such circumstances, no filming permit shall be issued until the security has been provided to the Town Clerk. If the applicant fails to honor the permit conditions or to adequately clean up the property following the film, the Town may use such portion of the security as is required to remedy the situation.
- D. Permit available on property. The filming permit issued hereunder shall be kept on the property during the filming and shall be presented for inspection by any enforcement officer or other duly authorized official or employee of the Town of Southampton upon request of such official or employee.
- E. Compliance with minimum zoning setbacks. Where concerns exist regarding health, safety and welfare, the Chief Fire Marshal may require the film, including any temporary structures or equipment erected in connection therewith, to comply with all

applicable minimum zoning setbacks pursuant to Chapter 330 of the Town Code of the Town of Southampton. The Town may also, in its discretion, require a buffer zone at a distance greater than the minimum zoning setbacks.

F. Notification of adjoining property owners in residential zoning districts. Upon filing an application for a filming permit, if the property which is the subject of the application is within a residential zoning district, the Chief Fire Marshal may require the applicant to mail, by certified mail, return receipt requested, written notice that a filming permit application has been filed with the Town, to every property owner, as shown on the current Town of Southampton assessment rolls, of parcels abutting and directly opposite (by extension of lot lines through a street or right-of-way) the property which is the subject of the application. Said notice shall include the date, time, and location of the proposed filming, and proof of mailing shall be submitted to the Chief Fire Marshal in the form of an affidavit, with postal receipts annexed, in order to constitute a complete application.

G. If the property is a Town-owned facility, the applicant must obtain a facility use permit from the appropriate Town department before a filming permit may be issued.

§ 162-4 Review of application; issuance or denial, nontransferability and terms and conditions of permit.

A. Review of application. All applications for a filming permit shall be reviewed by the Chief of Police, Chief Fire Marshal, and the Town Planning and Development Administrator. Authorization of the Town Board shall be required if any Town highway or street is to be closed for the filming. The Chief Fire Marshal or Chief of Police may request an advisory report from the Planning Board, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton or from any other Town department or advisory board whose expertise and evaluation may be appropriate.

B. Issuance of permit. The Chief Fire Marshal or Chief of Police shall approve or deny a permit application within 30 days from the submission of a complete application and shall file a copy of the permit or notice of denial with the office of Town Clerk. In determining whether or not to issue a filming permit, the Chief Fire Marshal or Chief of Police shall consider the information provided in the permit application together with all other available information, including but not limited to those factors illustrated below:

(1) The size of the property in relation to the number of people involved in the production.

(2) The sufficiency of arrangements made by the applicant to control traffic, parking, noise, lighting and refuse, including the impact of the event on the safe and orderly movement of traffic within and contiguous to the filming, and the adequacy of emergency plans, including but not limited to a first-aid plan and a firesafety plan.

(3) Possible conflicts with other films, special events and seasonal demands which may overtax or cause an undue burden on Town services.

(4) Impact of the filming on the general health, safety and welfare of the Town

(5) Verification that there are no outstanding violations on the property at which the filming will be held or any outstanding or unsatisfied conditions imposed by the Planning Board or Zoning Board of Appeals, or any other Town agency or department, on such property or any other property owned or leased by applicant.

- (6) The accuracy and completeness of the information contained in the application.
- (7) Verification that there are no restrictions imposed on the property that would preclude or otherwise limit such uses or activities as proposed in the filming application, including the following:
- (a) Requirements and conditions related to a subdivision, site plan or special exception approval by the Planning Board.
- (b) Requirements and conditions related to an action of the Town Board, Board of Trustees, Zoning Board of Appeals or Conservation Board, pursuant to the Town Code.
- (c) Requirements or restrictions contained in any covenants, easements, indentures or other such protective legal instruments.
- (8) If the permit application was submitted to the Town Clerk within the required time frame as specified in § 162-2B.
- C. Reasons for denial of a permit. A permit application may be denied by the Chief Fire Marshal or Chief of Police in relation to any of the factors illustrated above, as well as any reason illustrated below:
- (1) It is determined that there are inadequate Town resources available to ensure public health, safety, and welfare at or during the filming.
- (2) The filming will disturb the public peace and good order of the Town or adversely affect the use and enjoyment of adjoining properties or that the conduct of the filming will not be consistent with or will jeopardize the health, safety, or welfare of neighboring residents and/or the Town at large.
- (3) There are materially false statements or omitted relevant information in the application.
- (4) The applicant has failed to conduct a previously permitted filming and/or special event/parade permitted under Chapter 283 of the Town Code in accordance with the law or the terms of a permit, or both.
- (5) The applicant has not obtained the approval of any other Town or public agency within whose jurisdiction the filming or portion thereof will occur.
- (6) The filming is proposed to take place on property purchased by the Town through use of the Community Preservation Fund.
- D. Site capacity. If permission to hold film is granted, the permit shall set forth the maximum number of persons permitted on site at any given time during the filming. The Chief Fire Marshal, in determining the maximum limit, shall take into consideration the capacity of the site, the facilities at the site and the availability of public highway and other means of transportation to and from the site.
- E. Nontransferable. A filming permit is not transferable and shall expire at the designated time for the close of the event for which it is issued.

- F. Terms and conditions of permit. The issuance of a permit pursuant to this chapter shall be deemed an approval of the application and shall require the applicant to undertake all actions proposed in the application for the control of traffic, parking, noise, lighting, refuse and the like. The filming shall be subject to any other terms or conditions imposed in the permit, or in any permit obtained from other applicable Town departments.
- G. Privilege. The granting of a filming permit is a privilege and not a right and may be denied in the event the applicant fails to comply with any applicable provision of this chapter or for any other reason not prohibited by law.

§ 162-5 Application fees.

The application for a permit shall be accompanied by an application fee or a late application fee in the amount(s) established by resolution of the Town Board from time to time and paid by the applicant to the Town Clerk. The Town Clerk shall deposit application fees and late application fees into the general fund. Any contribution to the Town, made part of an application's approval, shall be accepted by the Town Clerk and deposited into a designated fund. Application fees may be waived at any time by and at the discretion of the Town Board.

§ 162-6 Amendment, modification, rescission or termination of permit.

- A. Once a filming permit has been issued, any proposed amendment or modification to the application shall be filed with the Town Clerk at least 15 days prior to the filming if any of the conditions have changed. Such changes may include, but are not limited to, the date of the filming, the location of the filming, the number of production personnel, or the addition of tents.

(1) All changes in conditions necessitating the amendment will be accompanied by the appropriate certificates or permits.

(2) The Chief Fire Marshal and/or Chief of Police shall review the proposed amendment and shall have the discretion to rescind or modify the permit due to changed conditions.

- B. If, after a filming permit is issued, the Chief Fire Marshal and/or Chief of Police determines that any of the representations and/or statements contained in the application or any of the conditions or requirements of the permit or this chapter have not been met, the Chief Fire Marshal and/or Chief of Police may immediately rescind or modify such permit or terminate such filming.
- C. If any conditions are not met during the filming, the Chief of Police, Chief Fire Marshal, or Chief Fire Marshal may terminate the filming or may suspend it until such conditions are met and may authorize his personnel to take all necessary steps to effectuate his determinations.
- D. If conditions exist that endanger the health, safety or welfare of those involved with the filming, the Chief of Police, Chief Fire Marshal, or Chief Fire Marshal may terminate the filming or may suspend the filming until such danger is corrected and may authorize his personnel to take all necessary steps to effectuate his determinations.
- E. In the event that a filming permit is rescinded prior to the scheduled event date, the applicant may appeal such determination pursuant to § 283-9 below.

§ 162-7 Appeals from denial of application or rescission of permit.

- A. If the Chief Fire Marshal or Chief of Police denies an application for a filming permit or rescinds a permit, written notice of such denial or rescission, and the reason or reasons for such determination, shall be mailed by the Chief Fire Marshal or Chief of Police by certified mail, return receipt requested, to the applicant at the address provided in the application. A copy of the notice of denial or rescission shall be filed with the office of Town Clerk and forwarded to all involved Town departments.
- B. The denial of a permit application or the rescission of a permit may be appealed to the Public Safety Commission pursuant to this chapter and Town Code Chapter 19. All requests for an appeal hearing shall be made in writing and shall be filed with the Town Clerk within 10 days from the date of receipt of the written denial or rescission notification. Such request for an appeal shall set forth the grounds for the appeal and shall be accompanied by the appeal fee in the amount(s) established by resolution of the Town Board, which may be amended from time to time.
- C. The Public Safety Commission shall conduct a public hearing or hearings with respect to any appeal. The Public Safety Commission shall fix a time and place for such hearing and shall provide for the giving of notice at least 10 days prior to the date of the hearing as follows:
- (1) By publishing a notice in the official newspaper.
 - (2) By requiring the applicant to erect a white-and-black-lettering sign or signs measuring not less than two feet long and one foot wide, which shall be prominently displayed on the premises facing each public street on which the property abuts, giving notice that an application for a filming permit is pending and the date, time and place where the public hearing will be held. The sign shall not be set back more than 10 feet from the street line and shall not be less than two feet nor more than six feet above the grade at the street line. The sign shall be made of durable material and shall be furnished by the Town Clerk. It shall be displayed for a period of not less than 10 days immediately preceding the public hearing date. No additional posting shall be required for any adjournment date. The applicant shall file an affidavit stating that there has been compliance with the provisions of this section.
 - (3) If the land involved in an application is within 500 feet of the boundary of any other municipality, notice of the public hearing shall also be mailed to the municipal clerk of such other municipality by the applicant.
 - (4) By requiring the applicant to mail written notice of the date, time and place of the hearing, together with a copy of the application, by certified mail, return receipt requested, to every property owner, as shown on the current Town of Southampton assessment rolls, of parcels abutting and directly opposite (by extension of lot lines through a street or right-of-way) the property which is the subject of the application, proof of which shall be submitted to the Public Safety Commission on or before the commencement of the public hearing in the form of an affidavit with postal receipts annexed to it, confirming mailing of the notices at least 10 days prior to the hearing date.
- D. At the public hearing, the Public Safety Commission shall give the appealing party and any other interested party a reasonable opportunity to be heard, in order to show cause why the determination of the Chief Fire Marshal or Chief of Police should not be upheld. The applicant shall provide any relevant information in response to that set

forth in the written notice of denial or rescission. A written report and/or testimony from the Chief Fire Marshal or Chief of Police, detailing the reason or reasons for denial or rescission, shall be made part of the public hearing's record.

E. In determining the appeal, the Public Safety Commission shall consider all of the information provided at the hearing with all other available information, including but not limited to those factors illustrated below:

(1) The size and type of the production;

(2) The duration of the filming;

(3) The potential impacts on Town resources, the public health, safety and welfare, the surrounding community and the Town as a whole, noise, traffic, aesthetics, and the character of the area.

(4) The sufficiency of services or facilities (including but not limited to a parking plan, a first-aid plan, and a firesafety plan) that are reasonably necessary to ensure that the filming will be conducted with due regard for public health and the safety of participants and/or attendees.

F. The Public Safety Commission may sustain the determination of the Chief Fire Marshal or Chief of Police to deny or rescind a permit, or may reverse the determination, with or without additional conditions. A resolution of a majority vote of the Public Safety Commission is required for any such action. The Public Safety Commission shall render its findings in writing, no later than 10 days from the close of the public hearing. The Public Safety Commission shall notify the applicant of its determination by certified mail, return receipt requested, to the address provided in the application, within five days after such determination. A copy of the determination shall be filed with the office of Town Clerk and forwarded to all involved Town departments.

G. The decision of the Public Safety Commission shall be final and shall constitute the exhaustion of the applicant's administrative remedy.

§ 162-8 Penalties for offenses: cost recovery.

A. Any person who shall cause, permit or allow property to be used for a filming without having a written filming permit in accordance with the provisions of this chapter shall be guilty of a violation of this chapter.

B. A violation of any of the provisions of this chapter or of Town conditions, approvals or restrictions issued hereunder shall be a misdemeanor and shall be punishable as follows:

(1) For a first violation of any section of this chapter: by imprisonment not to exceed one year and/or a fine of not more than \$7,000;

(2) For a second or subsequent violation of any section of this chapter within one year, or any third or more violation at any time: by imprisonment not to exceed one year and/or a fine of not less than \$10,000 nor more than 15,000.

C. A separate offense against this chapter shall be deemed committed on each day during or on which a violation occurred or continues. A separate penalty may be imposed for each separate offense.

D. Cost recovery for unlawful filming. Whenever a filming is conducted without a permit when one is required, or filming is conducted in violation of the terms of an issued permit, the applicant shall be responsible for all Town costs incurred. The Chief of Police and/or Chief Fire Marshal shall charge and bill the applicant for personnel and equipment in any public safety response caused by or necessitated by the adverse impacts of the event or the violation of the permit.

§ 162-9 Waiver and indemnification.

A. Notwithstanding anything to the contrary set forth in this chapter, the Town Board may waive or modify any of the requirements set forth herein.

B. The applicant and property owner shall execute a written agreement as part of a permit application to indemnify and hold harmless the Town of Southampton and its officers, employees, and agents from any loss, liability, damage, or cost sustained by any person or property, to the extent any such loss, liability, damage, or cost rises from any activity associated with the filming.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and §10(1)(ii)(d)(3).

SECTION 4. Severability.

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

SECTION 5. 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 authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Southampton on **November 22, 2016 at 6:00 p.m.**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW enacting Southampton Town Code Chapter 162 (Filming) which regulates the activity of filming or photographing a commercial, movie, documentary, television program, catalog or magazine layout, or any other presentation for commercial or educational purposes."

Summary of Proposed Law

This Local Law creates a permitting process through which the Town can mitigate the impact of Filming productions on our community.

Copies of the proposed local law, sponsored by Councilman Christine Preston Scalera 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

Ū Vote Record - Town Board Resolution RES-2016-1065						
		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 2016-1066

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

Notice of Public Hearing to Amend Chapter 283 (Special Events) of the Town Code in Order to Enhance Event Safety and Security and Improve Oversight.

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on November 22, 2016 at 6:00 p.m., at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW amending Sections 283-2 and 283-3 of Town Code Chapter 283 (Special Events) in order to increase special event safety, security and oversight." which provides as follows:

LOCAL LAW NO. OF 2016

A LOCAL LAW amending Sections 283-2 and 283-3 of Town Code Chapter 283 (Special Events) in order to increase special event safety, security and oversight.

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

SECTION 1. Legislative Intent.

Given its scenic beauty and convenient location, Southampton is highly sought after by those looking to host and attend special events such as large parties and parades. Problems arise when such events interfere with the safety, quiet and peaceful enjoyment of others. These amendments to our Special Events Law are designed to close loopholes thereby increasing the Town's regulatory authority and institute enhanced security measures designed to protect both those attending the events and the community at large.

SECTION 2. Amendment.

Section 283-2 and Section 283-3 of the Southampton Town Code are hereby amended by deleting the stricken words and adding the underlined words as follows:

§283-2. Licensing.

A. Written permit required.

(3) Exemptions. The following activities are exempt from the written permit requirement above:

- (a) Events sponsored and conducted entirely by the Town;
- (b) Regular sporting events or tournaments held at a facility intended for that purpose;
- (c) A wedding of a property owner, a member of the property owner's family, or a tenant legally occupying the property pursuant to a written lease agreement establishing tenancy for not less than six consecutive months, provided such tenancy is permitted by ~~to~~ the certificate of occupancy and/or a permit issued under Chapter 270 of the Town Code;

§283-3. Conditions for granting permit.

I. Security Precautions. For all special events or parades anticipating attendance in excess of 250 persons, the applicant must retain the services of a security professional possessing either a private investigators license or a watch, guard or patrol agency license from the State of New York. Said security professional shall submit to the Chief of Police a detailed security plan, in a form acceptable to the Chief of Police, outlining potential security threats affecting the event or parade and plans to mitigate the same. The Chief of Police must approve the security plans in order for the special event or parade permit to be issued.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and §10(1)(ii)(d)(3).

SECTION 4. Severability.

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

SECTION 5. 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 authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing shall be held on **November 22, 2016 at 6:00 p.m.**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any

and all persons either for or against a local law entitled: "A LOCAL LAW amending Sections 283-2 and 283-3 of Town Code Chapter 283 (Special Events) in order to increase special event safety, security and oversight."

Summary of Proposed Law

These amendments to our Special Events Law are designed to close loopholes thereby increasing the Town's regulatory authority and institute enhanced security measures designed to protect both those attending the events and the community at large.

Copies of the proposed local law, sponsored by Councilwoman Christine Preston Scalera 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-2016-1066						
		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 2016-1067

Category: Public Hearings
Sponsors: Supervisor Jay Schneiderman
Department: Central Purchasing and Contracts Compliance

Notice of Public Hearing for 2017 Fire Protection Contracts

BE IT HEREBY RESOLVED, that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held before the Town Board at Town Hall, 116 Hampton Road, Southampton, New York, on **December 13, 2016 at 1:00 p.m.** to hear any and all persons regarding the following proposed Fire Protection Contracts for the year 2017; and

With the Village of Quogue for the Fire Protection District known as N/E Quogue Fire Protection District in the amount of \$58,894, a contract to provide fire protection including fire fighting vehicles, equipment and fire fighting personnel, to the extent maintained by the Village of Quogue Fire Department, to the inhabitants of and properties in the N/E Quogue Fire Protection District; and

With the Village of Sag Harbor for the Fire Protection District known as Bay Point Fire Protection District in the amount of \$53,257, a contract to provide fire protection including fire fighting vehicles, equipment and fire fighting personnel, to the extent maintained by the Village of Sag Harbor Fire Department, and ambulance services including ambulance vehicles, equipment and ambulance personnel to the extent maintained by the Village, to the inhabitants of and properties in the Bay Point Fire Protection District; and

With the Village of Sag Harbor for the Fire Protection District known as Noyac Fire Protection District in the amount of \$741,435, a contract to provide fire protection including fire fighting vehicles, equipment and fire fighting personnel, to the extent maintained by the Village of Sag Harbor Fire Department, and ambulance services including ambulance vehicles, equipment and ambulance personnel to the extent maintained by the Village, to the inhabitants of and properties in the Noyac Fire Protection District.

FIRE PROTECTION DISTRICT	AMOUNT TO BE EXPENDED
Bay Point	\$ 53,257.00
N/E Quogue	\$ 58,894.00
Noyac	\$ 741,435.00

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Southampton at Town Hall, 116 Hampton Road, Southampton, New York, on **December 13, 2016 at 1:00 p.m.** to hear any and all persons regarding the following proposed Fire Protection Contracts for the year 2017:

With the Village of Quogue for the Fire Protection District known as N/E Quogue Fire Protection District in the amount of \$58,894.00, a contract to provide fire protection including fire fighting vehicles, equipment and fire fighting personnel, to the extent maintained by the Village of Quogue Fire Department, to the inhabitants of and properties in the N/E Quogue Fire Protection District; and

With the Village of Sag Harbor for the Fire Protection District known as Bay Point Fire Protection District in the amount of \$53,257.00, a contract to provide fire protection including fire fighting vehicles, equipment and fire fighting personnel, to the extent maintained by the Village of Sag Harbor Fire Department, and ambulance services including ambulance vehicles, equipment and ambulance personnel to the extent maintained by the Village, to the inhabitants of and properties in the Bay Point Fire Protection District; and

With the Village of Sag Harbor for the Fire Protection District known as Noyac Fire Protection District in the amount of \$741,435.00, a contract to provide fire protection including fire fighting vehicles, equipment and fire fighting personnel, to the extent maintained by the Village of Sag Harbor Fire Department, and ambulance services including ambulance vehicles, equipment and ambulance personnel to the extent maintained by the Village, to the inhabitants of and properties in the Noyac Fire Protection District.

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-2016-1067						
		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 2016-1068

Category: Public Hearings
Sponsors: Supervisor Jay Schneiderman
Department: Community Preservation

Notice of Public Hearing to Consider Amending the Town of Southampton CPF Project Plan, Consider the Acquisition of Lands of Krizek, Flanders, and Amend the CPF Management and Stewardship Plan to Include the Property

WHEREAS, The Town Board of the Town of Southampton has adopted the Town of Southampton Community Preservation Project Plan which identifies target areas and eligible properties for acquisition via the Community Preservation Fund (CPF); and

WHEREAS, Irene A. Krizek is the purported owner of approximately 0.28 acres of land located on Pine Avenue in the hamlet of Flanders, New York, identified as SCTM# 900-123-2-18.1 which afford the opportunity to increase wetland protection within the Town of Southampton; and

WHEREAS, said property should be designated in the Wetland Preservation Target Area, which is an indispensable and fragile natural resource that is immensely important to both the environmental and economic health of the Town. The rich assemblage and complex variety of wetlands, ranging from small wet depressions, interdunal swales and vernal ponds, to expansive marshes, swamps, bays, creeks and ponds, sustain a multitude of natural functions and values, making them essential to maintaining the ecology and biodiversity of the Town. They also perform important flood protection and pollution control functions, as well as provide a great expanse of scenic natural open space; and

WHEREAS, it is appropriate to add this parcel to the Town of Southampton Community Preservation Project Plan in the Wetlands Target Preservation Area, as eligible sites for park and recreation purposes; and

WHEREAS, Irene A. Krizek has expressed an interest in selling the property to the Town of Southampton; and

WHEREAS, pursuant to §140-5A of Town Code and §247 of the General Municipal Law, a public hearing must be held before the Town of Southampton may acquire an interest in said property; and

WHEREAS, the source of funding to be the Community Preservation Fund Account, GL 31-99-1940-31-6208-0001; and

WHEREAS, on November 12, 2014, the Town Board adopted the Town of Southampton Management and Stewardship Plan 2015 for the Community Preservation Fund pursuant to

Town Law 64-e (6) which requires a property to be included in this Plan in order to expense any management and stewardship costs to the Community Preservation Fund; and

WHEREAS, said Management and Stewardship Plan shall be in effect for three (3) years with updates permitted from time to time at the discretion of the Town Board after a public hearing; and

WHEREAS, this interest in real property should be included in the Plan as it may require management and stewardship activities; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby directs that a Public Hearing shall be held on December 13, 2016 at 1 p.m., at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against the acquisition of the Krizek property in Flanders; and

BE IT FURTHER RESOLVED, the Town Clerk is 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 **Tuesday, December 13, 2016 at 1 p.m.** at Southampton Town Hall, 116 Hampton Road, Southampton, New York to consider whether to amend the Town of Southampton CPF Project Plan, as well as the CPF Management and Stewardship Plan to include said property, and also to consider the acquisition of lands from Irene A. Krizek totaling approximately 0.28 acres of vacant land located on Pine Avenue in the hamlet of Flanders, New York, shown as SCTM# 900-123-2-18.1 for preservation of open space as identified in the Town of Southampton Community Preservation Project Plan, pursuant to the provisions of Chapter 140 of the Town Code and §247 of the General Municipal Law of the State of New York, the source of funding is the Community Preservation Fund Account GL 31-99-1940-31-6208-0001.

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-2016-1068						
		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 2016-1069

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

Notice of Public Hearing to Consider Amending Town Code Chapter 205 (Waste Management) by (i) Repealing §205-6(D)(3) as it Relates to Disclosure Requirements, and (ii) Replacing References to "Permit" or "License" in Chapter 205 with "Registration"

RESOLVED, that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held on December 13, 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 a local law entitled, "A LOCAL LAW amending Town Code Chapter 205 (Waste Management), by (i) repealing section 205-6(D)(3) and (ii) replacing references to "permit" or "license" with "registration", which provides as follows:

LOCAL LAW NO. OF 2016

A LOCAL LAW amending Town Code Chapter 205 (Waste Management), by (i) repealing section 205-6(D)(3) requiring applicants to disclose prior convictions and (ii) replacing references to "permit" or "license" with "registration".

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

SECTION 1. Legislative Intent.

In April, 2015, the Town Board of the Town of Southampton updated Town Code Chapter 205, which addresses the Town's landfills and transfer stations, to reflect both present practices as well as the requirements of Solid Waste Management within the Town of Southampton. In re-writing the chapter, the Town sought to protect and promote the health, safety, and welfare of its residents by: (i) controlling the storage and disposal of solid waste generated within the Town, (ii) implementing the Town of Southampton Solid Waste Management Plan, (iii) complying with the requirements and furthering the purposes of the New York State Solid Waste Management Act, and (iv) protecting the surface waters and drinking water supply in the Town of Southampton.

In doing so, the Town Board found it necessary to also introduce a program to track and monitor disposal information from those refuse haulers or carters who are engaged in the business of collection, pick-up, transfer, removal, and/or the disposal of solid waste and/or recyclables within the Town. By requiring such information, the Town, and in particular, the Department of Waste Management, would be better able more effectively develop future solid waste management policy with an improved understanding of the needs and best interests of the Southampton Community. The permit program enacted in Chapter 205 required the provision of certain information from applicant companies, including, a vehicle list, vehicle registrations, names of officers, a list of prior criminal convictions of applicants, total estimated weight of the past year's collections, types of materials to be hauled.

The stated purpose and intent of the new Waste Management permitting section (§205-6) is to track and monitor disposal information. Collecting information concerning prior convictions of applicants does not further this purpose. Therefore, in keeping with the purpose and intent of the chapter, the requirement currently codified in section 205-6(D)(3) will be deleted. In addition, in order to clarify that the program provides for registration,

not discretionary licensing, of all applicant firms that provide the required information, references in the chapter to "permit" or "license" will be amended to read "registration".

SECTION 2. Amendment.

Town Code §205-2 (Definitions) of Chapter 205 (Waste Management) is hereby amended by deleting the stricken words in the following definitions, and inserting the underlined words as follows:

§205-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

COLLECTION VEHICLE

Any vehicle ~~licensed~~ registered by the Town of Southampton Waste Management Division to operate commercially within the Town for the purpose of collecting and transporting garbage, rubbish, ashes, refuse, liquid waste or recyclable material or any other waste material, except hazardous waste, as defined pursuant to regulations promulgated under the New York State Environmental Conservation Law, Article 27, and/or the Federal Resource Conservation Recovery Act (RCRA) of 1976.

~~PERMITTED~~ REGISTERED CARTER

Any individual, association, partnership, firm, corporation, not-for-profit organization, or any other person ~~permitted by~~ registered with the Town of Southampton to operate within the Town for the purposes of collection, pick-up, transfer, removal and/or disposal of Solid Waste and/or Recyclables.

SECTION 3. Amendment.

Town Code §205-6 (Permit required for commercial and/or private waste haulers/carters) of Chapter 205 (Waste Management) is hereby amended by deleting the stricken words and adding the underlined words as follows:

§205-6. ~~Permit~~ Registration required for commercial and/or private waste haulers/carters.

Pursuant to New York State Department of Environmental Conservation (DEC) requirements:

- A. All Commercial haulers/carters must obtain a solid waste collection ~~permit~~ registration from the Town of Southampton. A fee for such ~~permit~~ registration shall be set by the Town Board on an annual basis, and all ~~permits~~ registrations shall be issued for the calendar year or such portion thereof. There shall be no reduction in the fee for a ~~permit~~ registration issued after the beginning of any calendar year.
- B. No person, company, corporation, partnership, or other entity, except as hereinafter provided, shall remove any solid waste, garbage, refuse, recyclable material, or rubbish of any kind from the premises of any person, firm, or corporation, or cart or transport the same through or upon any street, avenue, parkway, or highway within the Town unless such person shall have first obtained a ~~permit~~ registration from the Town of Southampton Division of Waste Management, as hereinafter provided. No such ~~permit~~ registration shall be required for persons under contract with the Town

who, pursuant to such contract, are transporting solid waste from a Town facility outside the Town to a recycling facility.

- C. ~~Permitted~~ Registered and authorized haulers/carters shall offer collection services for all recyclable materials to all residential customers for whom they provide household solid waste collection services.
- D. An application form with information required for a hauler's/carter's ~~permit~~ registration shall be provided by the Town. The applicant shall complete the form either online and/or in writing; the application shall contain such information as requested by the Town Board but, at a minimum, shall include:
1. A list of all vehicles, including vehicle license numbers, the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the Town of Southampton;
 2. The names and addresses of all partners, limited or otherwise, if the applicant is a partnership, or of all officers and directors and shareholders, if the applicant is a corporation;
 3. A detailed account of the total estimated weight of refuse and recyclables by type within the last 12 months collected by the applicant within the Town of Southampton;
 - ~~4. The applicant shall provide a record of a prior conviction or convictions of any crime for which the applicant plead or was found guilty. If the applicant is a corporation, partnership or other business entity, it shall also provide a record of a prior conviction or convictions of any crime for which it plead or was found guilty.~~
 - ~~5~~ 4. Written certification by the Owner that all vehicles have passed New York State Department of Motor Vehicle (NYSDMV) Inspection and that compacting collection vehicles are completely enclosed and water tight.
 - ~~6~~ 5. The make, year, model of chassis, body style, volume, tonnage capacity, color and state vehicle registration number of each such vehicle.
 - ~~7~~ 6. The hamlet or area in which the applicant intends to operate within the Town of Southampton.
 - ~~8~~ 7. The type of material(s) intended to be hauled by the applicant (i.e., MSW, Recyclables, Construction and Demolition Debris)
- E. The Division of Waste Management shall issue the applicant a carter ~~permit~~ registration so long as the application is deemed complete and the applicant is deemed by the Division of Waste Management to be in compliance with all applicable laws and provisions herein. Applicant shall provide a certified check or credit card payment in the amount of the ~~permit~~ registration fee as determined by the Division of Waste Management. The Division of Waste Management shall issue a plate or tag for each truck used by a ~~permitter~~ registrant hereunder. Such plate or tag shall be securely fastened and displayed at all times in a conspicuous location on each such truck. Failure to display said tag or plate in a conspicuous place on any truck shall be deemed a violation of this section.

- F. The renewal of a hauler/carter ~~permit(s)~~ registration(s) shall be in the same manner and subject to the same conditions as the issuance of the original hauler/carter ~~permit(s)~~ registration(s), and shall be subject to any additional requirements in effect at the time an application for renewal is filed.
- G. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed herein. Said rules and regulations may be amended or supplemented from time to time by the Town Board.
- H. The name of the Carter shall be readily visible on all vehicles and containers utilized for the collection of Solid Waste and/or Recyclables generated within the Town.
- I. Any hauler/carter ~~permit~~ registration issued pursuant to this chapter shall be a privilege, subject to the terms and conditions set forth herein and as amended or supplemented by the Town, and shall not be deemed to create a property interest therein.

SECTION 4. Amendment.

Town Code §205-8 (Refuse Hauler/Carter Permit Fees) of Chapter 205 (Waste Management) is hereby amended by deleting the stricken words and adding the underlined words as follows:

§205-8. Refuse Hauler/Carter ~~Permit~~ Registration Fees.

The fees for Refuse Hauler/Carter ~~permits~~ registrations working within the Town of Southampton shall be determined, and amended from time to time as needed, by Town Board resolution.

SECTION 5. Amendment.

Town Code §205-9 (Penalties for offenses) of Chapter 205 (Waste Management) is hereby amended by deleting the stricken words and adding the underlined words as follows:

§205-9. Penalties for offenses.

- A. In the event of a violation of this chapter, the Town may order compliance and issue a written notice of violation, to be served personally or by certified mail on the violator.
- B. Upon a finding of a violation, the Town shall have the power to impose a civil penalty, suspend, or revoke a hauler/carter ~~permit~~ registration granted or renewed pursuant to this chapter for any violation of any provision herein or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling, or disposal of Solid Waste and/or Recyclables.
- C. An appeal of any of the actions described in (B) above shall be governed by Article II of Town Code Chapter 143 to the Licensing Review Board.
- D. In addition to, or as an alternative to any penalty provided herein or by law, any person who violates a provision(s) of this chapter shall be guilty of a violation punishable by a fine not exceeding \$1,500, or imprisonment for a period not to exceed six months, or both for a conviction of a first offense; for a conviction of a

second offense, both of which were committed within a period of five years, punishable by a fine not less than \$1,500 nor more than \$3,000, or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine of not less than \$3,000 nor more than \$5,000, or imprisonment for a period not to exceed six months, or both. However for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed unclassified misdemeanors, and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each days continued violation shall constitute a separate additional violation.

SECTION 6. Authority.

The Town Board hereby amends Town Code Chapter 205 pursuant to General Municipal Law §120-aa and Municipal Home Rule Law §§10(1)(ii)(a)(11) and (12), as well as §10(1)(ii)(d)(3).

SECTION 7. 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 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 Municipal Home Rule Law.

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

NOTICE OF PUBLIC HEARING

RESOLVED, that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held on **December 13, 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 a local law entitled: "A LOCAL LAW amending Town Code Chapter 205 (Waste Management), by (i) repealing section 205-6(D)(3) requiring applicants to disclose prior convictions and (ii) replacing references to "permit" or "license" with "registration".

Summary of Proposed Law

The purpose of this local law is (i) to clarify the purpose of the carter registration program for those refuse haulers or carters who are engaged in the business of the collection, pick-up, transfer, removal, and/or the disposal of solid waste and/or recyclables within the Town of Southampton and (ii) update requirements necessary for carters to register with the Town of Southampton.

Copies of the proposed law, sponsored by Supervisor Jay Schneiderman, Councilman Stan Glinka 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:

None.

Ū Vote Record - Town Board Resolution RES-2016-1069						
		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 2016-1070

Category: Real Estate & Easements
Sponsors: Supervisor Jay Schneiderman
Department: Community Preservation

Authorize Acquisition of Lands of Rebman Family Trust, Hampton Bays, and Amend the CPF Management and Stewardship Plan to Include Said Property

WHEREAS, The Town Board of the Town of Southampton has resolved to acquire certain property for preservation in the Town of Southampton Community Preservation Project Plan which identifies target areas and eligible properties for acquisition via the Community Preservation Fund (CPF); and

WHEREAS, the Rebman Family Trust is the purported owner of a parcel of land totaling approximately 0.10 acres located on Dune Road in Hampton Bays, New York, shown as SCTM# 900-386-1-19; and

WHEREAS, said property is designated in the Shinnecock Bay Target Preservation Area. This undeveloped stretch of barrier and marshland edging the Shinnecock Bay is a key component of the South Shore Reserve Estuary system, one of the largest and most valuable estuaries along the Atlantic seaboard. A land of shimmering waters, expansive salt hay meadows and pristine maritime dunes, the area is of paramount importance to birds, especially wintering waterfowl and migratory raptors, songbirds and shorebirds traveling along the Atlantic Flyway. The bayside mudflats, eelgrass beds and spartina marshes are, in particular, recognized as critical, as these habitats serve as major nesting and refueling areas for countless birds. They are also a haven for fin and shellfish and thus are of vital economic importance to the community. Sea turtles have been known to reside in these shallow coastal bays, including several federally endangered and threatened species. This stretch of wetlands is also crucial to preserving surface water quality, as these marshlands serve as natural filters for water running through the Shinnecock Bay; and

WHEREAS, the Rebman Family Trust has expressed an interest in selling the property to the Town of Southampton at a total cost not to exceed \$725,000.00; and

WHEREAS, a public hearing was held before the Town of Southampton on November 9, 2016 as part of the Community Preservation Project Plan to determine if the subject interests in real property should be acquired pursuant to §247 of the General Municipal Law and it is felt that this acquisition is the best alternative for the protection of community

character of all the reasonable alternatives available to the town, and it was determined that said interests in real property should be purchased.

WHEREAS, on November 2, 2014, the Town Board adopted the Town of Southampton Management and Stewardship Plan 2015 for the Community Preservation Fund pursuant to Town Law 64-e (6) which requires a property to be included in this Plan in order to expense any management and stewardship costs to the Community Preservation Fund; and

WHEREAS, said Management and Stewardship Plan shall be in effect for three (3) years with updates permitted from time to time at the discretion of the Town Board after a public hearing; and

WHEREAS, this interest in real property should be included in the Plan as it may require management and stewardship activities; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Southampton is hereby authorized to purchase the lands of the Rebman Family Trust totaling approximately 0.10 acres of land located on Dune Road in Hampton Bays, New York, shown as SCTM# 900-386-1-19 at a total cost not to exceed \$725,000.00, plus closing expenses including an accurate survey, title insurance and other related adjustments; the source of the funding to be the Community Preservation Fund G/L #31-99-1940-31-6208-0001, and also hereby amends the CPF Management and Stewardship Plan to include said property.

BE IT FURTHER RESOLVED, that the 0.50 development right acquired with this real property, subject to Planning Department conditions, shall be banked for potential transfer of development rights (TDR) use; and

BE IT FURTHER RESOLVED, that the Supervisor be authorized to enter into a Contract of Sale and execute any documents necessary to close title for said property.

Financial Impact:

Community Preservation Fund GL 31-99-1940-31-6208-0001 \$725,000.00

ü Vote Record - Town Board Resolution RES-2016-1070						
		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