



~ Agenda ~

Regular Town Board Meeting of January 10, 2017 Southampton, New York

I. Pledge of Allegiance

II. Call to Order

1:00 PM Meeting called to order on January 10, 2017 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

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

III. Minutes Approval

1. Special Town Board Meeting December 22, 2016 11:00 AM
2. Regular Town Board Meeting December 27, 2016 1:00 PM
3. Organizational Meeting January 4, 2017 11:00 AM

IV. Communications

A. Public Notices

1. Town of Riverhead
 Local Law Adoption, CH 221 (CPF) Amendment to and Extension of Effective Date for Peconic Bay Community Preservation Fund & Authorize a Portion for Water Quality Improvement Projects
2. Town of Southold
 Public Hearing, CH 280 (Zoning) Demolition
3. Liquor License Applications/Renewals
 1. Beach Bar, 58 Foster Ave., Hampton Bays
 2. 1020 Montauk Highway, Water Mill
4. Financial Disclosure Statement Filing
 J. Becerra; T. Tucci

5. Letters/Petitions/Land Use Applications

Letters/E-mails regarding the following:

1. Fairfield Southampton Condominium
2. The Hills MUPDD, East Quogue
3. Tuckahoe Center Change of Zone

Planning Board Application:

1. 6B Laura Court, Speonk/Remsenburg

Zoning Board of Appeals Application:

1. 17 Vail Avenue, East Quogue

V. Public Hearings

1. Public Hearing on the Acquisition of Lands of Fischl-Gornik, North Haven, and Amend the CPF Management and Stewardship Plan to Include Said Properties

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

2. Public Hearing to Consider Amending the Town of Southampton Community Preservation Project Plan, Consider the Donation of Lands of Silliman, Eastport, and Amend the CPF Management and Stewardship Plan to Include the Property

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

3. Public Hearing to Consider Donation of Lands of Gazza, Water Mill, and Amend the CPF Management and Stewardship Plan to Include Said Property

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

4. Public Hearing to Place Parcel in an Additional Target Area and Amend the CPF Management and Stewardship Plan

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

5. Public Hearing to Accept a Conservation Easement on Property located in Water Mill for Open Space in Exchange for One Development Right Certificate Pursuant to Section 244-4A of the Southampton Town Code

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

6. Public Hearing to Consider Amending Town Code 123-16 As It Relates to Updated Certificates of Occupancy

Adjourned 12/27/2016 1:00 PM

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

7. 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

Adjourned 12/13/2016 1:00 PM

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

VI. Public Portion

VII. Town Board Resolutions

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.

HISTORY:

11/09/16	Town Board	TABLED	Next: 11/22/16
11/22/16	Town Board	TABLED	Next: 12/13/16
12/13/16	Town Board	TABLED	Next: 12/27/16
12/27/16	Town Board	TABLED	Next: 01/10/17

Financial Impact:

NONE

Ū 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 2016-1160

Category: Local Laws
Sponsors: Schneiderman, Glinka, Bouvier
Department: Town Attorney

Resolution of Adoption Authorizing Amendments to Town Code Chapter 205 (Waste Management) (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"

WHEREAS, the Town Board of the Town of Southampton is considering amending Town Code Chapter 205 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"; and

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

WHEREAS, the Department of Land Management has advised the Town Board that this proposed local law is considered a "Type II Action" under 6 NYCRR Part 617.5, provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 of the Town Code, and that no further review under New York Conservation Law, Article 8, is necessary; now therefore be it

RESOLVED, that Local Law No. __ of 2016 is hereby adopted 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 (NYS DMV) 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 ~~permittee~~ 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 Adoption:

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that, after a public hearing was held by the Town Board of the Town of Southampton on December 13, 2016, the Town Board, at their meeting of December 13, 2016 adopted LOCAL LAW NO. __ OF 2016 as follows: "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

HISTORY:

12/13/16	Town Board	TABLED	Next: 12/27/16
12/27/16	Town Board	TABLED	Next: 01/10/17

Financial Impact:

None.

Ú Vote Record - Town Board Resolution RES-2016-1160						
		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 2017-27

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

Authorize Budget Modification to the Community Development Block Grant Program

WHEREAS, the Community Development Block Grant Program ("CDBG"), provides grant funds to local governments to be used to develop decent housing with a suitable living environment and to expand economic opportunities to assist low and moderate income residents; and

WHEREAS, the Town of Southampton Housing Authority ("TSHA") is charged with the administration, management and oversight of the Community Development Block Grant (CDBG) program for the Town of Southampton; and

WHEREAS, the monies that were allocated in 2014, 2015 and 2016 for Home Improvement projects remains unspent; and

WHEREAS, the County of Suffolk is requiring that all past funding be spent prior to the spending of any new funding; and

WHEREAS, The Town of Southampton is committed and focused on providing an opportunity for the Children's Museum of the East End (CMEE) to teach the young residents of the Town art; and

WHEREAS, the Town of Southampton would like to use the funding in order to construct a community building in Ludlam Park; and

WHEREAS, Town of Southampton Housing Authority published a notice on November 23, 2016, to announce a budget modification for the 2014, 2015 and 2016 Home Improvement CDBG Unused Funding to be allocated to Ludlam Park Community Building; and

WHEREAS, a required thirty day public comment period was executed as required, and public hearing held by the TSHA on December 28, 2016; now therefore, be it

RESOLVED, based on the recommendation of the TSHA Board of Directors, the Town Board of the Town of Southampton hereby authorizes the following 2014, 2015 and 2016 project budget modifications in order to modify the 2014, 2015 and 2016 Budget of the Community Development Block Grant Program pending response to the federally required notice and pending approval of the budget modification form by the County of Suffolk; and be it

FURTHER RESOLVED, the Town Board of the Town of Southampton will modify the 2014, 2015 and 2016 Budget of the Community Block Grant Program as follows:

<u>2014</u>	<u>Proposed</u>	<u>Amended</u>	<u>Budget</u>
2014 CDBG Home Improvement Funds	\$46,017.00	-\$46,017.00	\$0.00
Ludlam Park Community Building	\$0.00	+\$46,017.00	\$46,017.00
<u>2015</u>	<u>Proposed</u>	<u>Amended</u>	<u>Budget</u>

2015 CDBG Home Improvement Funds	\$80,000.00	-\$80,000.00	\$0.00
Ludlam Park Community Building	\$0.00	+\$80,000.00	\$80,000.00
<u>2016</u>	<u>Proposed</u>	<u>Amended</u>	<u>Budget</u>
2016 CDBG Home Improvement Funds	\$67,500.00	-\$67,500.00	\$0.00
Ludlam Park Community Building	\$0.00	+\$67,500.00	\$67,500.00

Financial Impact

None

Financial Impact:

None

ü Vote Record - Town Board Resolution RES-2017-27						
		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 2017-28

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Authorize Additional Funds for Bee Ready Fishbein Hatter & Donovan, LLP 2016

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes additional funds for the legal services by Bee Ready Fishbein Hatter & Donovan, LLP, on behalf of the Superintendent of Highways as it relates to the petition filed by the CSEA, Inc., Case No. CP-1469. In an amount not to exceed \$3,055.00. The source of the funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000.

Financial Impact:

The source of funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000 in the amount not to exceed \$3,055.00.

ü Vote Record - Town Board Resolution RES-2017-28						
		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 2017-29

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Authorize Additional Funds for Devitt Spellman Barrett, LLP Index 08-12374, 08-12376, 08-12377 for 2016

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes additional funds for Devitt Spellman Barrett, LLP to represent and defend the Town Board of the Town of Southampton in the legal actions filed in the Supreme Court of the State of New York, County of Suffolk, in the matters of: Town Board of the Town of Southampton v. 1104 North Sea Co. Inc., et. al., Index No. 08-12374; Town Board of the Town of Southampton v. 1110 North Sea Co. Inc., et. al., Index No. 08-12376; and Town Board of the Town of Southampton v. Donald MacPhearson et. al., Index No. 08-12377, in an amount not to exceed \$12,200.00. The source of funding is Town Attorney - Legal Fees, G/L No. 01-99-1420-01-6430-0000.

Financial Impact:

The source of funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000 in the amount not to exceed \$12,200.00

ü Vote Record - Town Board Resolution RES-2017-29						
		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 2017-30

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Authorize Additional Funds Legal Services Vincent Toomey, Esq. 2016

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes additional funds for legal services by Vincent Toomey, Esq., of counsel to the Town Attorney, in an amount not to exceed \$20,000. The source of the funding shall be Town Attorney Legal Fees G/L #01-99-1420-01-6430-0000.

Financial Impact:

The source of the funding shall be Town Attorney Legal Fees, G/L #01-99-1420-01-6430-0000 in the amount not to exceed \$20,000.

Ú Vote Record - Town Board Resolution RES-2017-30						
		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 2017-31

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Authorize the Town Attorney to Reimburse NYMIR for Deductibles for Claims Paid in the Second Half of 2016

BE IT RESOLVED, that the Town Attorney's Office is hereby authorized to reimburse New York Municipal Reciprocal Insurance Company in the amount of \$13,369.00 pursuant to the deductible per occurrence as stated in the Town's policy of settlement of the following claims where liability was adverse to the Town;

<u>Claimant</u>	<u>Amount</u>
Lorraine Vassallo	\$12,500
Requerdo Company	\$ 869

The source of funding shall be Town Attorney - Judgments and Claims Account G/L #01-99-1420-01-6498-0003.

Financial Impact:
 Judgments & Claims G/L #01-99-1420-01-6498-0003

Ú Vote Record - Town Board Resolution RES-2017-31						
		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 2017-32

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Continuation Legal Services by Devitt, Spellman & Barrett, LLP

BE IT HEREBY RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the continuation of legal services by Devitt, Spellman & Barrett, LLP, of counsel

to the Town Attorney, in the amount not to exceed \$180,000.00. The source of funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000.

Financial Impact:

The source of funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000 in an amount not to exceed \$180,000.00.

ü Vote Record - Town Board Resolution RES-2017-32						
		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 2017-33

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Continuation of Legal Services by Cahn & Cahn, PC

BE IT HEREBY RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the continuation of legal services by Cahn & Cahn, PC of counsel to the Town Attorney, in the amount not to exceed \$30,000.00. The source of funding shall be Town Attorney Legal Fees, G/L No. 01-99-1420-01-6430-0000.

Financial Impact:

The source of funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000 in the amount not to exceed \$30,000.00.

ü Vote Record - Town Board Resolution RES-2017-33						
		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 2017-34

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Continuation of Legal Services by Steven Leventhal, Esq. for Ethics Matters

BE IT HEREBY RESOLVED, that Steven Leventhal, Esq. is hereby retained as special counsel to assist the Town of Southampton in ethics matters, not to exceed \$7,000.00. The source of funding shall be Town Attorney - Legal Fees G/L No. 01-99-1420-01-6430-0000.

Financial Impact:

The source of funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000 in the amount not to exceed \$7,000.00.

ü Vote Record - Town Board Resolution RES-2017-34						
		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 2017-35

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Continuation of Legal Services by Vincent Toomey, Esq.

BE IT HEREBY RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the continuation of legal services by Vincent Toomey, Esq., of counsel to the Town Attorney, in an amount not to exceed \$70,000.00. The source of the funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000.

Financial Impact:

The source of the funding shall be Town Attorney Legal Fees, G/L No. 01-99-1420-01-6430-0000 in the amount not to exceed \$70,000.00.

ü Vote Record - Town Board Resolution RES-2017-35						
		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 2017-36

Category: Legal Actions
Sponsors: Supervisor Jay Schneiderman
Department: Town Attorney

Continuation of Legal Services of Law Offices Beveridge & Diamond, P.C.

BE IT HEREBY RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the legal services by the Law Offices Beveridge & Diamond, P.C., of counsel to the Town Attorney, in an amount not to exceed \$3,000.00. The source of the funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000.

Financial Impact:

The source of funding shall be Town Attorney Legal Fees G/L No. 01-99-1420-01-6430-0000 in the amount not to exceed \$3,000.00.

Ü Vote Record - Town Board Resolution RES-2017-36						
		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 2017-37

Category: Miscellaneous
Sponsors: Supervisor Jay Schneiderman
Department: Community Preservation

Change Target Area of Parcel and Amend the CPF Management and Stewardship Plan

WHEREAS, on January 14, 2003, the Town Board of the Town of Southampton conducted a public hearing and adopted a resolution authorizing the acquisition of approximately 3.9 acres of land owned by KGR Realty Inc, a parcel designated in the Cow Neck Target Preservation Area of the Community Preservation Project Plan as an appropriate site for preservation due to its high value estuarine complex, including coastal marshes and natural resources; and

WHEREAS, the Town of Southampton acquired this parcel on January 24, 2003 as part of Conscience Point and it included an existing marina for Town resident use and accessory buildings intended to be removed from the land; and

WHEREAS, an accessory building previously used as a nightclub located on this parcel has since been identified as having historical value and worthy of renovation, specifically, the building now called the "Tupper Boathouse;" and

WHEREAS, the Town Board wishes to include this building in the Historical Properties and Places Target Preservation Area of the CPF Management and Stewardship Plan so that CPF monies may be used to restore the building; and

WHEREAS, the structure known as the "Tupper Boathouse" has been designated a landmark on April 14, 2015 and therefore is protected, a pre-requisite to eligibility in the Historical Properties and Places Target Preservation Area of the Community Preservation Project Plan; and

WHEREAS, a public hearing was held before the Town of Southampton on January 10, 2017, pursuant to §247 of the General Municipal Law; and

NOW, THEREFORE BE IT RESOLVED that the target area of the Town of Southampton owned and CPF acquired parcel containing the "Tupper Boathouse" parcel is hereby amended in the CPF Management and Stewardship Plan to include it in the Historic Places and Properties Target Preservation Area.

Financial Impact:

None

Ú Vote Record - Town Board Resolution RES-2017-37						
		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 2017-38

Category: Personnel
Sponsors: Supervisor Schneiderman, Councilwoman Scalera
Department: Justice Court

Authorize Justice Court Personnel to Attend NYS Magistrates Association & NYS Association of Magistrates Court Clerks Inc. Annual Conference

WHEREAS, the Association of Towns of the State of New York holds an annual meeting in New York; and

WHEREAS, this is an educational opportunity for Town officials; and

WHEREAS, Town Justice Deborah Kooperstein, Town Justice Andrea Schiavoni, Town Justice Barbara Wilson, Town Justice Gary Weber, Justice Court Clerk Jackie McKay, and Justice Court Clerk Victoria Sardegna, and Court Clerk Donna Bullock will be attending the Association of Towns meeting in New York City, New York from February 19th through February 22nd, 2017; and

WHEREAS, it is the Town of Southampton's practice to pay for Town Officials who attend the Association of Towns annual meetings for the registration fee, travel, food and lodging;
 NOW BE IT

RESOLVED, the Town Board authorizes reimbursement to the Justice Court personnel for the above-listed approved expenses, not to exceed \$5,000; and be it further

RESOLVED, these expenses shall be funded through Justice Court - Travel G/L #01-99-1110-01-6416-0000.

Financial Impact:

The source of funding shall be Justice Court - Travel G/L #01-99-1110-01-6416-0000 in amount not to exceed \$5000.00

Ú Vote Record - Town Board Resolution RES-2017-38						
		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 2017-39

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

Notice of Public Hearing on the Acquisition of Enhanced Development Rights of Lands of 40 Narrow Lane LP, Sagaponack, and Amend the CPF Management and Stewardship Plan to Include Said 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, 40 Narrow Lane LP is the purported owner of approximately 9.5 acres of land located on Narrow Lane in the Village of Sagaponack, New York, identified as SCTM# 908-2-1-2; and

WHEREAS, 40 Narrow Lane LP has expressed an interest in selling enhanced farmland development rights on approximately 7.5 acres of 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 Tuesday, February 14, 2017 at 1:00 p.m., at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or

against the acquisition of the enhanced development rights of the 40 Narrow Lane LP property in Water Mill; 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, February 14, 2017 at 1:00 p.m.** at Southampton Town Hall, 116 Hampton Road, Southampton, New York to consider whether to amend the CPF Management and Stewardship Plan to include said property, and also to consider the acquisition of enhanced development rights of lands from 40 Narrow Lane LP totaling approximately 7.5 acres of land located on Narrow Lane in the Village of Sagaponack, New York, shown as SCTM# 908-2-1-2 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

ü Vote Record - Town Board Resolution RES-2017-39						
		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 2017-40

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

Notice of Public Hearing to Consider the Acquisition of Development Rights of Peconic Land Trust as Contract Vendee for the Mary G. Raynor Dibble Irrevocable Trust, Eastport, and Amend the CPF Management and Stewardship Plan to Include Properties

WHEREAS, The Town Board of the Town of Southampton has adopted the Town of Southampton Community Preservation Project Plan which identifies target areas and properties for acquisition for agricultural lands and open space; and

WHEREAS, the Peconic Land Trust is the contract vendee for the Mary G. Raynor Dibble Irrevocable Trust for the development rights of approximately 14 acres of land located on North Bay Avenue in the hamlet of Eastport, New York, shown as SCTM #900-349-2-19,

20.1 & 31.1; and

WHEREAS, said properties are designated in the Farmland Preservation Target Area of the Community Preservation Project Plan, as an eligible site for preservation and open space. The Farmland Preservation Target Area has been labeled under the Community Preservation Project Plan as a high priority for preservation and/or acquisition; and

WHEREAS, the Peconic Land Trust (contract vendee) has expressed an interest in selling the Development Rights of said properties 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 will be the Community Preservation Fund Account, GL 31-99-1940-31-6208-0001; and

WHEREAS, on November 9, 2011, the Town Board adopted the Town of Southampton Management and Stewardship Plan 2012 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 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 February 14, 2017 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 Development Rights of the Peconic Land Trust (contract vendee) property in Eastport; 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, February 14, 2017 at 1 p.m.** at Southampton Town Hall, 116 Hampton Road, Southampton, New York to consider the acquisition of Development Rights from Peconic Land Trust (contract vendee), totaling approximately 14 acres located on North Bay Ave in Eastport, New York, shown as SCTM #900-349-2-19, 20.1 and 31.1 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 and also to consider whether to amend the Town of Southampton Management and Stewardship Plan to include the properties. 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

Ü Vote Record - Town Board Resolution RES-2017-40						
		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 2017-41

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

Accept Donation of Gazza Property, Water Mill, 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 properties for acquisition for park, recreation, open space and conservation purposes; and

WHEREAS, approximately 0.02 acres of land purportedly owned by Blair Katherine Gazza and identified by SCTM #900-35-2-44 affords the opportunity to increase open space protection within the Town of Southampton; and

WHEREAS, said property is designated in the Eastern GEIS area of the Community Preservation Project Plan, as an appropriate site for preservation and open space. The Eastern GEIS is a stretch of the South Fork Pine Barrens that includes a cornucopia of glacial forested knolls and kettles, as well as the fabled Camps Pond region where the endangered tiger salamander still survives. A critical aquifer recharge area, the Eastern GEIS lands are crucial to the future quality and well being of the Town; and

WHEREAS, Blair Katherine Gazza has expressed an interest in donating the property to the Town of Southampton without development rights intact; and

WHEREAS, on November 12, 2008, the Town Board adopted the Town of Southampton Management and Stewardship Plan 2008 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 may require management and stewardship activities within the Plan's three (3) year period; and

WHEREAS, a public hearing was held before the Town of Southampton on January 10, 2017, pursuant to §247 of the General Municipal Law; and

NOW, THEREFORE, BE IT RESOLVED, the Town of Southampton hereby amends the Management and Stewardship Plan and accepts the donation of the Blair Katherine Gazza property located in Bridgehampton, shown as #900-35-2-44, for open space preservation and conservation purposes, for no consideration, except incidental title and recording expenses; the source of the funding to be the Community Preservation Fund Land Purchase Account, G/L #31-99-1940-99-6208-0001; and

BE IT FURTHER RESOLVED, said donation is contingent upon the landowner's providing clear and marketable title; and

BE IT FURTHER RESOLVED that the Community Preservation Program Manager is authorized to execute any documents necessary to close title for said property.

Financial Impact:

Community Preservation Fund GL 31-99-1940-31-6208-0001 \$5,000.00

Ū Vote Record - Town Board Resolution RES-2017-41						
		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 2017-42

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

Accept Donation of Lands of Silliman, Eastport, and Amend the Community Preservation Project Plan and 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, approximately 0.23 acres of land purportedly owned by Mark Joseph Silliman and identified by SCTM #900-300-1-49 affords the opportunity to increase open space protection within the Town of Southampton; and

WHEREAS, it is appropriate to add this property to the Town of Southampton Community Preservation Project Plan in the Central Pine Barrens Core Target Preservation Area, as an eligible site for open space preservation; and

WHEREAS, Mark Joseph Silliman has expressed an interest in donating the property without development rights intact to the Town of Southampton; 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

WHEREAS, a public hearing was held before the Town of Southampton on January 10, 2017, pursuant to §247 of the General Municipal Law; and

NOW, THEREFORE, BE IT RESOLVED, the Town of Southampton hereby amends the Community Preservation Project Plan and the CPF Management and Stewardship Plan to include this property and accepts the donation of the property located in Eastport shown as #900-300-1-49, for open space preservation and conservation purposes, for no consideration, except incidental title and recording expenses; the source of the funding to be the Community Preservation Fund Land Purchase Account, G/L #31-99-1940-99-6208-0001; and

BE IT FURTHER RESOLVED, said donation is contingent upon the landowner's providing clear and marketable title; and

BE IT FURTHER RESOLVED that the Community Preservation Program Manager is authorized to execute any documents necessary to close title for said property.

Financial Impact:

Community Preservation Fund GL 31-99-1940-31-6208-0001 \$5,000.00

ü Vote Record - Town Board Resolution RES-2017-42						
		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 2017-43

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

Authorize Acquisition of Lands of Fischl-Gornik, North Haven, and Amend the CPF Management and Stewardship Plan to Include Said Properties

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, approximately 26 acres purportedly owned by Erik K. Fischl and April Gornik and

identified by SCTM #901-5-1-3.1 thru 3.7 afford the opportunity to increase open space protection within the Town of Southampton; and

WHEREAS, said properties are designated in the Village and Hamlet Greens, Parks, Recreation and Open Space Target Preservation Area of the Community Preservation Project Plan as appropriate sites for open space preservation purposes; and

WHEREAS, Erik K. Fischl and April Gornik have expressed an interest in selling the property to the Town of Southampton at a total cost not to exceed \$3,500,000.00; and

WHEREAS, a public hearing was held before the Town of Southampton on January 10, 2017 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 12, 2014, the Town Board adopted the Town of Southampton CPF 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 Erik K. Fischl and April Gornik totaling approximately 26 acres of vacant land located on Fair Oaks Lane in North Haven, New York, shown as SCTM #901-5-1-3.1 thru 3.7 at a total cost not to exceed \$3,500,000.00, plus closing expenses including an accurate survey, title insurance and other related adjustments; the source of the funding to be the Community Preservation Fund Land Purchase Account G/L #31-99-1940-31-6208-0001, and also hereby amends the CPF Management and Stewardship Plan to include said properties.

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 properties.

Financial Impact:

Community Preservation Fund GL 31-99-1940-31-6208-0001 \$3,500,000.00

Ū Vote Record - Town Board Resolution RES-2017-43					
		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					

VIII. Closing