



Regular Town Board Meeting of January 24, 2012 Southampton, New York

I. Call to Order

6:00 PM Meeting called to order on January 24, 2012 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

Attendee Name	Present	Absent	Late	Arrival
Supervisor Anna Throne-Holst	
Councilman James Malone	
Councilwoman Christine Preston Scalera	
Councilwoman Bridget Fleming	
Councilman Chris Nuzzi	

II. Minutes Approval

1. Tuesday, January 10, 2012 1:00 PM – Regular Town Board Meeting

III. Communications

A. Public Notices

1. Suffolk County Legislature

Reso No. 2011-1009, "Enter Into Memorandum of Understanding with Town of Southampton to Install Beach Markers on County Beaches"

Reso No. 2011-1080, "Readjust, Compromise & Grant Refunds and Chargebacks by County Legislature"

Reso No. 2011-1081, "Readjust, Compromise & Grant Refunds and Chargebacks on Real Property by County Legislature"

Reso No. 2011-1082, "Readjust, Compromise & Grant Refunds and Chargebacks by County Treasurer"

Reso No. 2011-1085, "Authorizing Technical Correction to Adopted Reso. No. 2011-574"

Reso No. 2011-1092, "Authorizing Sale of Property to David & Lisa Fox located in

Westhampton Beach"

Reso No. 2011-1104, "Intermunicipal Agreement with the Town of Southampton re:
NYS Fire Prevention & Building Codes within the Airport PDD"

Reso No. 2011-1114, "Acquisition of Lands of Stebbins & Throgs Neck Trading
Group located in the Noyac Greenbelt"

Reso No. 2011-1204, "Appropriating Funds Renovation of 4th Precinct for General
Office Space"

Bond Reso No. 2011-1205, "Authorizing Issuance of \$4,750,000 Bonds to Finance
Renovation of 4th Precinct for General Office Space"

Reso No. 2011-1212, "Amending 2011 Capital Budget Appropriating Funds Alteration
of Criminal Courts Building, Southampton"

Bond Reso No. 2011-1213, "Authorizing Issuance of \$440,000 Bonds to Finance
Alteration of Criminal Courts Building, Southampton"

Reso No. 2011-1216, "Appropriating Funds Public Works Buildings Operation and
Maintenance Equipment"

Bond Reso No. 2011-1217, "Authorizing Issuance of \$100,000 Bonds to Finance
Public Works Buildings Operation and Maintenance Equipment"

2. Village of North Haven

Local Law 2 of 2012, "Extending Temporary Moratorium on Dock Approvals"

Local Law 3 of 2012, Sect 55-4(C) "Procedure for Issuance of Demolition Permits"

3. Liquor License Renewals / Applications

In Line Restaurant Corp. d/b/a Beach Bar; Richwill Italian Restaurant, Inc. d/b/a
LaPizzaiola; Shinnecock Hills Golf Club; Southampton Peconic Beach & Tennis Club

4. Letters / Petitions

Letters / e-mails re: the following:

1. Code Enforcement Issues at 1559 Millstone Road, Sag Harbor
2. Comments to the Draft Solid Waste Management Plan (2 ltrs.)
3. Water Mill CAC re: Opposition to Southampton Village Supermarket HB Zoning
4. Letter of Interest from Stan Glinka re: serving on Audit Committee
5. Letter of Interest from Minerva Perez re: serving on Affirmative Action Task Force
6. E-mail re: the Planning Board Application of the Estates at Remsenburg

B. Reports

1. Various Reports

Town Highway Dept.:

Potholes on East Shore Drive, Southampton

C. Bid Openings

1. Bid Openings - January

RFP Architectural & Engineering Services for Cold Spring Pond - 1/18/12:

Withdrawn & Cancelled Per Town Board Resolution

IV. Public Hearings

1. Public Hearing to Consider a Local Law Amending Southampton Town Code Chapter 298 (Taxation), Article X (Exemption for War Veterans) to Increase the Maximum Exemption Amount Allowed for Cold War Veterans

ü Vote Record - Public Hearing #1					
		Yes/Aye	No/Nay	Abstain	Absent
.. .. Adjourned Closed	Anna Throne-Holst	..	..	..	..
	James Malone	..	..	..	..
	Christine Preston Scalera	..	..	..	..
	Bridget Fleming	..	..	..	..
	Chris Nuzzi	..	..	..	..

2. Public Hearing to Consider a Local Law Amending Southampton Town Code Chapter 298 (Taxation), Article XIII (Exemption for First-Time Home Buyers) to Extend the First-Time Home Buyer Exemption until December 31, 2016

ü Vote Record - Public Hearing #2					
		Yes/Aye	No/Nay	Abstain	Absent
.. .. Adjourned Closed	Anna Throne-Holst	..	..	..	..
	James Malone	..	..	..	..
	Christine Preston Scalera	..	..	..	..
	Bridget Fleming	..	..	..	..
	Chris Nuzzi	..	..	..	..

3. Order Calling Public Hearing in the Matter of the Increase and Improvement of the Facilities of the Hampton Bays Water District in the Town of Southampton

ü Vote Record - Public Hearing #3					
		Yes/Aye	No/Nay	Abstain	Absent
.. .. Adjourned Closed	Anna Throne-Holst	..	..	..	..
	James Malone	..	..	..	..
	Christine Preston Scalera	..	..	..	..
	Bridget Fleming	..	..	..	..
	Chris Nuzzi	..	..	..	..

4. Public Hearing to Consider the Draft Solid Waste Management Plan (SWMP) Update

Adjourned 1/10/2012 1:00 PM

ü Vote Record - Public Hearing #4					
		Yes/Aye	No/Nay	Abstain	Absent
.. .. Adjourned Closed	Anna Throne-Holst	..	..	..	..
	James Malone	..	..	..	..
	Christine Preston Scalera	..	..	..	..
	Bridget Fleming	..	..	..	..
	Chris Nuzzi	..	..	..	..

V. Public Portion

VI. Resolutions

Resolution 2012-2

Category: Budget & Finance
 Sponsors: Councilwoman Bridget Fleming
 Department: Town Attorney

Amend Community Preservation Fund Debt Service Policy

WHEREAS, the Town Board of the Town Southampton adopted a Community Preservation Fund Debt Service Reserve Policy by Resolution 2009-802 on July 14, 2009; and

WHEREAS, as part of that policy, beginning at year end 2011, the designated fund balance restricted to debt service obligations for the CPF Program, shall be equal to the annual debt service obligations for the subsequent year, in accordance with §140-3.1.A(5) and 3.2A(6) of the Town Code; and

WHEREAS, that policy was amended by Resolution 2011-563 on May 19, 2011 to increase the reserve to equal 2011 Debt Service; and

WHEREAS, it is the desire of the Town Board to embark upon a new acquisition program that may be funded through the issuance of debt; and

WHEREAS, to ensure debt payments can be adequately met the Town Board is directing that the debt reserve shall be increased to include equal ten percent (10%) of any debt incurred following January 1, 2012 in connection with the new Acquisition Program; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby amends the Community Preservation Fund Debt Service Reserve Policy to increase the reserve to equal ten percent (10%) of any debt issued after January 1, 2012.

History:

01/03/12 Town Board TABLED Next: 01/24/12
 Town Comptroller Tamara Wright spoke in support of this change in the debt policy language.

Fiscal Impact:

none

Ü Vote Record - Resolution RES-2012-2						
		Yes/Aye	No/Nay	Abstain	Absent	
..	Adopted	Anna Throne-Holst	..	..	..	..
..	Adopted as Amended	James Malone	..	..	..	..
..	Defeated	Christine Preston Scalera	..	..	..	..
..	Tabled	Bridget Fleming	..	..	..	..
..	Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-96

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Town Attorney

2012 Grant Award to Bridgehampton Child Care Center

WHEREAS, the 2012 Town of Southampton Adopted Operating Budget has been amended to reflect an additional allocation of grant monies to the Bridgehampton Child Care Center in the amount of \$25,000.; and

WHEREAS, the Town Board has determined that a grant appropriation to the Bridgehampton Child Care Center is beneficial to the residents of the Town of Southampton in that the Child Care Center provides a necessary service to the community; and

WHEREAS, the Town expects to receive grant funding for this particular service through the 2012-2013 New York State Budget in the amount of \$25,000.; now therefore be it

RESOLVED, that the following 2012 Grant Award is provided with funding advanced from the General Fund with the expectation of reimbursement from the State of New York in the 2012-2013 Budget:

Bridgehampton Child Care Center \$25,000

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

Fiscal Impact:

The source of funding for the Grant shall be Community Services Administration - Grants G/L #01-99-6010-01-6420-0016 to be fully reimbursed from the State of New York.

ü Vote Record - Resolution RES-2012-96					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-97

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: General Services

Amend and Restate the Model Plan

WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the Town of Southampton (the "Model Plan") and offers the Model Plan for adoption by local employers; and

WHEREAS, the Town of Southampton pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Town of Southampton; and

WHEREAS, effective August 26, 2011 the Board amended the Model Plan to adopt provisions:

- Reorganizing and updating sections to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document.
- Including employer elections within the plan document including: suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions.
- Clarifying the first date a participant may make deferrals in compliance with Code Section 457(b) and timing requirements for any subsequent changes to deferral rates or allocations between pre-tax and after-tax deferrals.
- Clarifying compensation available for deferral for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.
- Including provisions related to HEART Act of 2008 regarding treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act, including suspension of deferrals for six months following distribution.
- Making technical recognition of the waiver of RMDs for 2009.
- Clarifying that a beneficiary form must be received in good order to be considered valid.
- Clarifying that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts and amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.
- Clarifying that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.
- Including language allowing for future delivery of participant communications through electronic means, where appropriate.
- Codifying that periodic and lump sum payments must be a minimum of \$100 per

payment, unless the Committee selects a different minimum, and sets a maximum annual number of partial distributions.

- Clarifying that the \$50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.
- Providing guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.
- Allowing a surviving spouse beneficiary to name a beneficiary on their account.
- Including the 5 year option for non-spousal beneficiaries to receive distributions and makes distribution rules consistent for pre- and post-age 70½ deaths.
- Allowing earlier distributions due to severance of employment as long as a balance of \$500 remains in the account for 45 days after a severance from employment.
- Providing that outstanding loans from another New York state 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.
- Removing the Power of Attorney Language since the acceptance of a power of attorney is governed by State law and not required in the Model Plan document.
- Clarifying the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.
- Limiting indemnification to Committee Members only.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the Town of Southampton has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Town of Southampton by adopting the amended Model Plan; NOW, THEREFORE, BE IT

RESOLVED, that the Town of Southampton hereby amends the Deferred Compensation Plan for Employees of the Town of Southampton by adopting the amended Model Plan effective August 26, 2011, including the optional provisions in Schedule A, in the form attached hereto as Schedule A.

Schedule A

Effective date of last completion or amendment of this Schedule A: 8/26/2011

Instructions

This Schedule A and all later amendments to this Schedule A are part of the Plan document and should remain attached to the Plan document.

Schedule A is used by the Committee (1) TO ACTIVATE or TERMINATE optional Plan provisions described below, (2) TO MODIFY the default provisions of the Plan described below or (3) TO INDICATE that the default provisions described below will continue to apply under the Plan.

Each section of this Schedule A must be completed by the Committee in connection with the adoption of this amendment and restatement of the Plan. All selections made shall remain effective until this Schedule A is later amended by the Committee.

All section references refer to the corresponding sections of the Plan and all defined terms have the meanings ascribed to them in the Plan.

Committee Elections - Optional Plan Provisions

3.1(c) ROTH PROGRAM.

Section 3.1(c) of the Plan permits Roth Contributions only if the Committee checks YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that Roth Contributions will not be permitted under the Plan or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.

The Plan shall maintain a Roth Program under which Participants may make Roth Contributions to the Plan, which Roth Contributions will be made and separately accounted for in compliance with the relevant provisions of the Plan and the Code.

- YES
- NO

Effective date: _____

8.4(d) IN-PLAN ROLLOVER TO A ROTH ACCOUNT.

Section 8.4(d) of the Plan permits Roth Contributions only if the Committee has checked YES above (permitting a Roth Program) and checked YES below allowing amounts that otherwise qualify as Eligible Rollover Distributions not attributable to Roth Contributions to be directly contributed to a Roth Account under the Plan. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that Eligible Rollover Distributions may not be directly rolled over to a Roth Account under the Plan or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.

To

the extent the Committee has resolved to implement and maintain a Roth Program pursuant to Section 3.1(c) of Schedule A, a Participant may elect to have the portion of his or her Eligible Rollover Distribution that is not attributable to Roth Contributions directly rolled over into a Roth Account in the Plan.

- YES (do not check YES unless Roth Program is in effect)
- NO

Effective date: _____

3.1(e) SUSPENSION OF DEFERRALS AND CONTRIBUTIONS FOLLOWING AN UNFORESEEABLE EMERGENCY WITHDRAWAL.

Section 3.1(e) of the Plan allows the Employer automatically to suspend deferrals and contributions for six months following the date a Participant receives an Unforeseeable Emergency withdrawal only if the Committee checks YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that a suspension of deferrals and contributions will not be required or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.

A

Participant's deferrals and contributions will be suspended for a period of six months following a distribution due to an Unforeseeable Emergency withdrawal.

- YES
- NO

Effective date: _____

7.2(b) AUTOMATIC DISTRIBUTION OF SMALL ACCOUNTS FOLLOWING A SEVERANCE FROM EMPLOYMENT.

Section 7.2(b) of the Plan allows the Employer to automatically distribute certain small account balances following a Severance from Employment only if the Committee has checked YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no automatic distribution will occur following a Severance from Employment or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.

With respect to a Participant or an Alternate Payee whose Account or Alternate Payee Account does not exceed the amount set forth in Section 7.2(a) of the Plan, the Committee shall direct the automatic distribution of the Participant's Account and Rollover Account or the Alternate Payee's Alternate Payee Account as soon as practicable following the Participant's Severance from Employment.

- YES
- NO

Effective date: _____

7.2(b) AUTOMATIC DISTRIBUTION OF INACTIVE SMALL ACCOUNTS.

Section 7.2(b) of the Plan allows the Employer to automatically distribute certain small account balances in inactive accounts only if the Committee has checked YES below and indicated the small account amount below. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no automatic distribution of inactive small accounts will occur or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.

7.2(b) Automatic Distributions after a Severance from Employment.

With respect to a Participant or an Alternate Payee whose Account or Alternate Payee

Account does not exceed the amount set forth in Section 7.2(a) of the Plan, upon an Account Participant's Plan Benefit falling below \$_____, **[Insert any whole dollar amount up to the dollar limit under Section 411(a)(11)(A) of the Code]** to the extent that the requirements of Section 7.2(a) of the Plan are met, the Committee shall direct the automatic distribution of the Participant's Account and Rollover Account or the Alternate Payee's Alternate Payee Account in accordance with 7.2(b) of the Plan.

- YES (do not check YES unless a permissible amount is specified above)
- NO

Effective date: _____

7.3 PLAN LOANS FOR ACTIVE EMPLOYEES.

Section 7.3 of the Plan allows active Employees to request a Plan loan only if the Committee has checked YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no Plan loans will be permitted or, at a later time, prospectively (as of a specified effective date) to change a prior election under this section.

Participants who are active Employees shall be eligible to request a Plan loan and may be granted a loan pursuant to the requirements of Section 7.3 of the Plan.

- YES
- NO

Effective date: inception

7.3(a) PLAN LOANS FOR PARTICIPANTS ON AN APPROVED LEAVE OF ABSENCE.

Section 7.3(a) of the Plan allows Participants who are on an approved leave of absence to be eligible to request a Plan loan only if the Committee has checked YES above (permitting Plan loans for active Employees) and checked YES below extending the loan provisions to Participants on an approved leave of absence. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no Plan loans will be permitted for Participants on an approved leave of absence or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.

Participants who are on an approved leave of absence from their Employer shall be eligible to request a Plan loan and may be granted a loan pursuant to the requirements of Section 7.3 of the Plan.

- YES (do not check YES unless Plan Loans are authorized for active Employees)
- NO

Effective date: inception

Committee Elections - Modification of Default Plan Provisions

7.3(f) DURATION OF LOAN GRACE PERIOD.

Section 7.3 of the Plan allows the Committee to permit Plan loans (see elections

above). If the Committee permits Plan loans, the Plan document states that, unless the Committee makes an election below, any such loan will be in default if a Participant fails to make a required loan repayment within 90 days following the due date for such repayment. The Plan document refers to this period as the "Loan Grace Period."

Section 7.3(f) of the Plan allows the Committee to specify a shorter Loan Grace Period by indicating a period of fewer than 90 days below and by indicating that such election will apply to Plan loans made after the effective date specified below. The Committee may, at a later time, indicate (as of a specified effective date) a different Loan Grace Period by making a new election under this section.

The Loan Grace Period for purposes of Section 7.3(f) shall be 90 days following the due date of a Participant's scheduled loan repayment.

Effective date: 8/26/2011

8.1(c)(i) and (iii) MINIMUM LUMP SUM AMOUNT.

Sections 8.1(c)(i) and (iii) of the Plan allow a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum. The Plan document states that, unless the Committee makes an election below, the amount of a partial lump sum distribution cannot be less than \$100. The Plan document refers to this amount as the "Minimum Lump Sum Amount."

Sections 8.1(c)(i) and (iii) of the Plan allow the Committee to specify a different Minimum Lump Sum Amount by indicating a dollar amount below and by indicating that such Minimum Lump Sum Amount will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Minimum Lump Sum Amount by inserting the "none" or "0" below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Minimum Lump Sum Amount by making a new election under this section.

The Minimum Lump Sum Amount shall be \$100.00.

Effective date: 8/26/2011

8.1(c)(ii) MINIMUM INSTALLMENT AMOUNT.

Section 8.1(c)(ii) of the Plan allows a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in periodic monthly, quarterly, semi-annual or annual installments. The Plan document states that, unless the Committee makes an election below, the amount of an installment distribution cannot be less than \$100. The Plan document refers to this amount as the "Minimum Installment Amount."

Section 8.1(c)(ii) of the Plan allows the Committee to specify a different Minimum Installment Amount by indicating a dollar amount below and by indicating that such Minimum Installment Amount will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Minimum Installment Amount by inserting the "none" or "0" below. The

Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Minimum Installment Amount by making a new election under this section.

The Minimum Installment Amount shall be \$100.00.

Effective date: 8/26/2011

8.1(c)(i) and (iii) MAXIMUM ANNUAL NUMBER OF PARTIAL DISTRIBUTIONS PER PLAN YEAR.

Sections 8.1(c)(i) and (iii) of the Plan allow a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum. The Plan document states that, unless the Committee makes an election below, the maximum number of partial lump sum distributions in a Plan Year may not exceed 12. The Plan document refers to this amount as the "Maximum Annual Number of Partial Distributions."

Sections 8.1(c)(i) and (iii) of the Plan allow the Committee to specify a different Maximum Number of Partial Distributions per Plan Year by indicating a different limit below and by indicating that such limit will apply to distributions made after the effective date specified below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Maximum Number of Partial Distributions for a Plan Year by making a new election under this section.

The Maximum Annual Number of Partial Distributions for each Plan Year shall be 12.

Effective date: 8/26/2011

8.1(e) DISTRIBUTION WAITING PERIOD.

Section 8.1(c) of the Plan allows a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum or in installments. Section 8.1(e) of the Plan document also states that, unless the Committee makes an election below, a distribution will be delayed for 45 days if the distribution would result in the Participant having an account balance of less than \$500. The Plan document refers to this period as the "Distribution Waiting Period."

Section 8.1(e) of the Plan allows the Committee to specify a different Distribution Waiting Period by indicating a different limit below and by indicating that such limit will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Distribution Waiting Period by inserting the word "none" below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Distribution Waiting Period for a Plan Year by making a new election under this Schedule A .

The Distribution Waiting Period shall be 45 days.

date: 8/26/2011

Effective

Fiscal Impact:

none

Ü Vote Record - Resolution RES-2012-97					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-98

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Authorize 2012 Hamlet Services Grant for the Bridgehampton Village Improvement Society

WHEREAS, the Town has budgeted funds in the 2012 Operating Budget for the maintenance of certain improvements within the hamlets of the Town; and

WHEREAS, the Bridgehampton Village Improvement Society, Inc., has submitted a letter to the Town dated January 3, 2012 requesting 2012 funding for its ongoing commitment to maintain seasonal plantings to beautify Main Street in Bridgehampton with boxes of geraniums, and plant and maintain trees in the fall on the streets and lanes of the area; now therefore, be it

RESOLVED, that the Bridgehampton Village Improvement Society shall be awarded a grant in the amount of \$1,000.00 to maintain seasonal plantings; and be it further

RESOLVED, that the agreement shall be prepared by the Office of Contracts Administration in the form of a Hamlet Services Agreement and per the Town Comptroller, no payment shall be made without a fully executed agreement. The source of funding for this agreement shall be Contracts - Hamlet Services Supervisor G/L #01-99-1220-01-6401-0001 in an amount not to exceed \$1,000.00.

Fiscal Impact:

The source of funding for this agreement shall be Contracts - Hamlet Services Supervisor G/L #01-99-1220-01-6401-0001 in an amount not to exceed \$1,000.00.

Ü Vote Record - Resolution RES-2012-98					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-99

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Information Technology

Authorize Contract and Purchase for VMWare Upgrade

WHEREAS, the Town's VMWare virtual server infrastructure is in need of an upgrade to expand virtual server hosting capacity and extend its useful life; and

WHEREAS, this upgrade consists of adding memory to three servers at Town Hall and three servers at Town Police as well as upgrading the operating system of these servers and conversion of all virtual machines residing on these hosts; and

WHEREAS the memory needed is available from Hewlett Packard via NYS OGS contract #PT64150; and

WHEREAS, when goods procured under a valid County or State contract exceed the mandatory bidding threshold for goods (i.e. \$20,000), a resolution authorizing the purchase must be submitted and approved by the Town Board; and

WHEREAS, engineering services from Contemporary Computer Services Inc. (CCSI), who installed and maintain the system, will be needed to perform this upgrade; now therefore be it

RESOLVED, that at the recommendation of the Director of Information Management, the Town's Department of Information Technology is hereby authorized to purchase the above mentioned equipment from Hewlett Packard in the amount of \$30,624.54, and the Supervisor is authorized to enter into a professional services agreement with CCSI in the amount of \$9,395.50 to complete the above mentioned upgrade. The source of funding for equipment shall be purchased from Capital Project Network Infrastructure - Computer Hardware G/L #C1-99-C221-00-6300-0001 in the amount of \$30,624.54 and engineering services shall be Capital Project VMWare Server Phase II - Consultants G/L #C1-99-C221-00-6490-0002 in the amount of \$9,395.50.

Fiscal Impact:

The source of funding shall be Capital Project Network Infrastructure - Computer Hardware G/L #C1-99-C221-00-6300-0001 in the amount of \$30,624.54 and Capital Project VMWare Server Phase II - Consultants G/L #C1-99-C221-00-6490-0002 in the amount of \$9,395.50.

Ü Vote Record - Resolution RES-2012-99					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted		..	..	..	..
.. Adopted as Amended	Anna Throne-Holst	..	..	..	..
.. Defeated	James Malone	..	..	..	..
.. Tabled	Christine Preston Scalera	..	..	..	..
.. Withdrawn	Bridget Fleming	..	..	..	..
	Chris Nuzzi	..	..	..	..

Resolution 2012-100

Category: Agreements, Contracts, Leases
Sponsors: Councilwoman Christine Preston Scaleria
Department: Town Attorney

**Authorize the Execution of an Agreement between the Town Board and the
Highway Superintendent for Expenditures for the Repair and Improvement of
Town Highways**

WHEREAS, pursuant to New York State Highway Law §284, a majority of the members of the Town Board of the Town of Southampton and the Superintendent of Highways are required to enter into a written Agreement which sets forth, (i) the amount of monies levied and collected, (ii) the monies received from the state, and (iii) other such monies the Town Board transferred pursuant to Town Law which will be expended for the repair and improvements of highways, (including sluices, culverts and bridges having a span of less than five feet), and which will be expended during the fiscal year for the repair and improvement of Town highways; and

WHEREAS, the monies recited in such Agreement are monies already reflected in the adopted 2012 Highway Budget; and

WHEREAS, the sum of eighteen thousand five hundred and 00/100 (\$18,500.00) dollars shall be made available for primary work and general repairs upon Town highways, including sluices, culverts and bridges having a span of less than five (5) feet; and

WHEREAS, the sum of three million nine hundred sixty-five thousand seven hundred sixty-two dollars and 00/100 (\$3,965,762.00) shall be made available for the permanent improvement of Town highways, including road drainage, micropaving, overlay and reconstruction of various roadways in the Highway Districts of Bridgehampton, Noyac, North Sea, Hampton Bays, East Quogue and Westhampton during implementation of the 2012 phase of the Roadway Improvement Program, including project design and management; and

WHEREAS, the Town Board and Superintendent of Highways are desirous of entering into such an Agreement; now therefore be it

RESOLVED, that, pursuant to New York State Highway Law §284, members of the Town Board of the Town of Southampton are hereby authorized to execute an Agreement with the Superintendent of Highways for the expenditure of funds in the amount of \$18,500.00, to be made available from Highway Department Cost Center 5110 for primary work and general repairs upon Town highways, including sluices, culverts and bridges having a span of less than five (5) feet, and the amount of \$3,965,762.00, to be made available from the Capital Fund for the permanent improvement of Town highways, including road drainage, micropaving, overlay and reconstruction of various roadways in the Highway Districts of Bridgehampton, Noyac, North Sea, Hampton Bays, East Quogue and Westhampton during implementation of the 2012 phase of the Roadway Improvement Program, including project design and program management; and be it further

RESOLVED, that the Superintendent of Highways is authorized to expend such funds for the

repair and improvement of Town highways as set forth in the Agreement; and be it further RESOLVED, that said Agreement may be amended as necessary.

Fiscal Impact:

Amounts reflected in the 2012 Operating Budget (Cost Center 5110) and Capital Budget.

Ü Vote Record - Resolution RES-2012-100					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-101

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Office of Contracts Administration

Authorize the Supervisor to Execute a Consulting Contract with Peconic Land Trust to Oversee the Hiring of a Farmer for the Aldrich Lane Project

WHEREAS, Peconic Land Trust is very familiar with the farming requirements necessary in the Town of Southampton, under the rules and regulations set forth through the Community Preservation Department (CPF); and

WHEREAS, the CPF department is in the process of preparing an RFP to hire a farmer to farm the land located at Aldrich Lane; and

WHEREAS, at the request of the CPF Department, Peconic Land Trust (PLT) will assist in the preparation of the Specifications contained with the RFP; and

WHEREAS, the services to be provided by PLT include but are not limited to:

- Coordinating with Suffolk County soil Conservation Service for a Management Plan;
- Interfacing with the Village and County to answer any concerns about the farming of this project;
- Place Notice of the RFP in appropriate periodicals and farming conferences, in addition to the required notification in the Southampton Press;
- Review Proposals from irrespective proposers;
- Meet with selected Farmer to discuss contract when applicable;

WHEREAS, the cost of this agreement shall not exceed \$4,065.00, and a proposal has been submitted and reviewed by both the CPF Department and the OCA; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract with Peconic Land Trust for a term of a fully executed contract to expire on December 31, 2012, with an option to renew for an additional term of one (1) year; be it

FURTHER RESOLVED, that this contract shall be prepared by the office of Contracts Administration and per the Town Comptroller's Office, no purchase order shall be issued and no payment shall be made without a fully executed contract. The source of funding for this contract shall be CPF Stewardship (Aldrich Lane Farm Project) G/L # 31-99-1940-31-6442-0000.

Fiscal Impact:

The source of funding for this contract shall be CPF Stewardship (Aldrich Lane Farm Project) G/L #31-99-1940-31-6442-0000 in the amount of \$4,065.00.

Ü Vote Record - Resolution RES-2012-101					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-102

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Throne-Holst, Councilman Malone
Department: Community Preservation

Authorize Supervisor to Execute a Contract Extension with Apple Restoration & Waterproofing, Inc. for the Restoration of the Nathaniel Rogers House

WHEREAS, on December 16, 2010, the Town by Resolution 2010-1043 executed a contract for the Phase I Exterior Stabilization of the historic Nathaniel Rogers House with Apple Restoration & Waterproofing, Inc. at a cost not to exceed \$1,978,106.00; and

WHEREAS, the contract contained a clause which required the work to be completed by September 12, 2011; and

WHEREAS, due to necessary changes, additional structural repairs, weather delays and the contractor's need to retain engineering services, the Contractor received contract extensions to December 31, 2011 and January 31, 2012 respectfully; and

WHEREAS, although the vast majority of the work has been completed, there is still work that needs to be completed, specifically mold remediation work, and the Town will extend said contract to February 29, 2012 for the purposes of completion of mold remediation protocol; and

WHEREAS, Jan Hird Pokorny Associates, Project Manager for this project, has reviewed the

need for an extension, and recommends extending the Contract to February 29, 2012; and WHEREAS, the Community Preservation Department concurs with this recommendation; now therefore, be it

RESOLVED, that per the recommendation of the Project Manager and Community Preservation Department, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a Contract Extension with Apple Restoration & Waterproofing, Inc. for additional time to complete mold remediation at the Nathaniel Rogers House to February 29, 2012, with no additional costs to the Town, be it

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

Fiscal Impact:

None. This is a time extension only.

Ü Vote Record - Resolution RES-2012-102					
		Yes/Aye	No/Nay	Abstain	Absent
..	Adopted	Anna Throne-Holst	..	..	..
..	Adopted as Amended	James Malone	..	..	..
..	Defeated	Christine Preston Scalera	..	..	..
..	Tabled	Bridget Fleming	..	..	..
..	Withdrawn	Chris Nuzzi	..	..	..

Resolution 2012-103

Category: Agreements, Contracts, Leases
 Sponsors: Supervisor Anna Throne-Holst
 Department: Land Management

Authorize the Supervisor to Execute a Contract Extension with Cashin Associates, P.C. for the Completion of the Hampton Bays Hamlet Study GEIS Statement

WHEREAS, pursuant to Resolution 2008-599 adopted on May 8, 2008, the Town of Southampton entered into a contract with Cashin Associates, P.C. for SEQRA Review including the preparation of a Draft and Final Generic Environmental Impact Statement (GEIS) and Findings Statement for an area in Hampton Bays; and

WHEREAS, the original contract expired on December 31, 2009; and

WHEREAS, the contract was extended by Resolution 2011-434 to December 31, 2011; and

WHEREAS, although anticipated, the GEIS has yet to be completed, and there are no further extensions under the original contract of 2008; and

WHEREAS, the Department of Land Management recommends that a new contract be authorized with an expiration of August 31, 2012, at which point the GEIS Statement should be completed; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract amendment with Cashin Associates, P.C. for the continuation and completion of the GEIS Statement for the Hampton Bays Hamlet Study, this contract will be prepared by the Office of Contracts Administration and per the Town Comptroller's Office, no payment shall be made until a fully executed contract is in place. The source of funding for this contract shall be Capital Project - Comprehensive Plan - Hampton Bays Update G/L# C3-99-C909-80-6401-LM00 in an amount not to exceed \$6,011.00.

Fiscal Impact:

The source of funding for this contract shall be Capital Project - Comprehensive Plan - Hampton Bays Update G/L# C3-99-C909-80-6401-LM00 in an amount not to exceed the contract balance of \$6,011

Ü Vote Record - Resolution RES-2012-103					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-104

Category: Agreements, Contracts, Leases
 Sponsors: Supervisor Anna Throne-Holst
 Department: Land Management

Authorize the Supervisor to Execute a Contract Extension with MJM Engineering, PLLC. for Traffic Engineering Services in Connection with the County Road 39 Corridor

WHEREAS, the Town Board of the Town of Southampton, by Resolution No. 2010-1160, dated November 30, 2010, authorized MJM Engineering, PLLC be retained by the Town for Traffic/Engineering services for the County Road 39 Corridor in an amount not to exceed \$9,000; and

WHEREAS, according to the terms of the original Contract, the Scope of Work for the Contract was to be completed by July 31, 2011; and

WHEREAS, additional time is necessary to complete the required Scope of Work; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a no-cost time extension contract amendment with MJM Engineering, PLLC to complete the Traffic/Engineering services for the Country Road 39 Corridor with the remaining balance of said contract in the amount of \$1,800 and the source of funding is Capital Project Comprehensive Plan Update - CR39 G/L #C3-99-C909-80-6401-0003 until July 31, 2012.

Fiscal Impact:

The source of funding shall be Capital Project Comprehensive Plan Update - CR39 G/L #C3-99-C909-80-6401-0003 in the amount of \$1,800.00

Ü Vote Record - Resolution RES-2012-104					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-105

Category: Agreements, Contracts, Leases
Sponsors: Councilman James Malone
Department: Office of Contracts Administration

Authorize the Supervisor to Execute an Amendment with Holzmacher, McLendon & Murrell, P.C. for Engineering Services to be Provided to the Hampton Bays Water District

WHEREAS, pursuant to Resolution 2009-1383, the Town of Southampton entered into a contract with Holzmacher, McLendon & Murrell, P.C. for Water Engineering Services to be Provided to the Hampton Bays Water District; and

WHEREAS, the contract was executed on March 31, 2011 and remains in effect until final sign off by the Department; and

WHEREAS, the Hampton Bays Water District has indicated that they will continue to utilize the services of Holzmacher, McLendon & Murrell, P.C. for the year 2012, however the contract has been capped at an amount of \$50,000 by resolution 2009-1383; and

WHEREAS, due to necessary work on Springville Road in Hampton Bays, authorized through a Capitol Project identified as Water Main Installations, the amount of this contract needs to be increased for the preparation of plans for Springville Road, the cost of the increase shall be limited to \$25,000; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a Contract Amendment with Holzmacher, McLendon & Murrell, P.C. for Engineering Services to be Provided to the Hampton Bays Water District to increase the 2012 contract amount by \$25,000 for a total contract amount of \$75,000 to be utilized in 2012; be it

FURTHER RESOLVED, that the Contract Amendment will be prepared by the Office of Contracts Administration and per the Town Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract being in place, in addition, services shall not be rendered until after a purchase order is prepared.

Fiscal Impact:

The source of funding for this amendment shall be 2012 Capital Project HBWD Water Main Extensions Phase II G/L #CW-99-C240-00-6233-0000 in an amount not to exceed \$25,000.

Ü Vote Record - Resolution RES-2012-105					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-106

Category: Agreements, Contracts, Leases
Sponsors: Councilman Chris Nuzzi
Department: Office of Contracts Administration

Authorize the Supervisor to Execute Contract Extension(s) with Winston Cleaning Service, Inc. for Services Provided for the Department of Municipal Works and to Clean the Public Restrooms located in East Quogue and Bridgehampton

WHEREAS, pursuant to Resolution 2011-377, on July 28, 2011, the Town of Southampton entered into a contract with Winston Cleaning Services, Inc. for services to be provided to the Waste Management Facility; and

WHEREAS, pursuant to Resolution 2011-371, on March 22, 2011, the Town of Southampton entered into a contract with Winston Cleaning Services for services to be provided at the East Quogue and Bridgehampton Public Restrooms; and

WHEREAS, both contract's original term(s) expired on December 31, 2011; and

WHEREAS, both contracts contain a provision allowing the Town to extend the contract(s) for two (2) additional one (1) year terms; and

WHEREAS, the Parks and Recreation Department and the Department of Waste Management are very happy with the services provided by Winston Cleaning Services, Inc. and both departments recommend that the Town extend these contract(s) with Winston Cleaning Services, Inc. to December 31, 2012, the vendor has been contacted and is happy to extend the contract; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute two (2) separate contract extension(s) with Winston Cleaning Services, Inc. to December 31, 2012; be it

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

Fiscal Impact:

The source of funding for this contract shall be various G/L accounts in amounts to not exceed budget.

Ü Vote Record - Resolution RES-2012-106					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-107

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Information Technology

Authorize the Supervisor to Enter into an Agreement with MHC Software Inc, for Paperless Payroll

WHEREAS, the Town of Southampton is constantly looking at ways to improve operational efficiency and provide cost savings; and

WHEREAS, Human Resources, Comptroller and Information Technology Staff have reviewed a software solution by MHC Software, Inc., called Document Express, that will provide paperless payroll functionality by providing payroll advice documents in electronic format, and

WHEREAS, using a paperless payroll solution will result in operational efficiencies for payroll processing and payroll distribution, as well as cost savings for paper, envelope and printer toner usage, and

WHEREAS, Document Express interfaces with the Town's Great Plains financial system, therefore be it

RESOLVED, at the recommendation of the Town Comptroller and the Town Management Services Administrator, that the Supervisor shall enter into an agreement with MHC Software, Inc. for the purchase, installation and implementation of the Document Express paperless payroll solution at a cost of \$3,995.00, with an annual maintenance fee of \$719.10 to be invoiced 90 days after software purchase. The source of funding shall be Capital Project Paperless Payroll G/L #C1-99-C216-00-6202-0006 in an amount not to exceed \$5,000.00.

Fiscal Impact:

Decrease Capital Project Paperless Payroll G/L #C1-99-C216-00-6202-0006 in an amount not to exceed \$5,000.00

ü Vote Record - Resolution RES-2012-107					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-108

Category: Agreements, Contracts, Leases
Sponsors: Councilman Nuzzi, Councilwoman Fleming
Department: Public Works

Resolution Authorizing the Filing of an Application for the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract under the Appropriate Laws of New York State

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Town of Southampton, herein called the "Municipality" has examined and duly considered the applicable laws of the State of New York, and the Municipality deems it to be in the public interest and benefit to file an application under these laws for its 2011 expenditures; and

WHEREAS, it is necessary that a contract by and between the People of the State of New York, herein called the "State", and the Municipality be executed for such State aid; now therefore be it

RESOLVED by the Town Board of the Town of Southampton that:

The filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and

That Christine Fetten, Director of Facilities Management and Department Head, Department of Municipal Works, Division of Waste Management, or her designee is directed and authorized as the official representative of the Municipality to act in connection with the application and to provide such additional information as may be required; and

That the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute any resulting contract and other necessary documents is said application is approved by the State; and

That the Municipality agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs; and

That the Town Clerk is hereby directed to prepare five (5) certified copies of this Resolution and forward same to the Department of Waste Management, Attn: Terri Costanza which will then be forwarded to the NYSDEC together with a completed application; and

That this resolution shall take effect immediately.

Fiscal Impact:

No Financial Impact in 2012. Reimbursement from NYSDEC not expected for 2 to 3 years per past practice.

Ú Vote Record - Resolution RES-2012-108					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-109

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Office of Contracts Administration

Recall and Amend Res 2011-1072 Authorizing the Supervisor to Execute Contract Extensions for the Supply of Paper Products to the Town

WHEREAS, on November 9, 2011, by resolution 2011-1072, the Town Board of the Town of Southampton authorized the Supervisor to Execute Contract Extension(s) with Mivila Foods, Central Poly, Corp. and W.B. Mason, Inc. for the Supply of Paper Products to the Town; and

WHEREAS, in response to the Town sending an extension to Central Poly, Corp to provide supplies for 2012, Central Poly, Corp. has returned a letter stating that they wish to increase all of their prices by 20%, although the increase still makes Central Poly, Corp. the lowest bidder for the items they were awarded under resolution 2011-505, several departments have not utilized and/or are not satisfied with the level of services provided by Central Poly, Corp.; and

WHEREAS, the extension shall hereby be recalled and the items previously awarded to Central Poly, Corp will now be awarded to W.B. Mason, Inc., the next lowest bidder; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby accepts these changes to be made to Resolution 2011-1072, while all other content of Resolution 2011-1072 shall remain the same.

Fiscal Impact:

The source of funding shall be various Departmental Budgets in amounts not to exceed the 2012 Adopted Budget.

ü Vote Record - Resolution RES-2012-109					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-110

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

Recall and Amend Resolution 2011-1319 to Withdraw and Cancel Requests for Proposals for Architectural and Engineering Services for Cold Spring Pond Park Preserve

WHEREAS Resolution 2011-1319 was adopted by the Southampton Town Board at their meeting of December 22, 2011; and

WHEREAS, pursuant to Resolution 2011-1319, the Town Clerk was directed to notice a Request For Proposal for Architectural and Engineering Services for Cold Spring Pond Park Preserve; and

WHEREAS, the Town has retained the services of the firm of Ashley McGraw Architects, P.C., pursuant to Resolution 2011-961, as modified by Resolution 2011-1202, to provide the development of a space program which will include Trustee and Community input, creating Conceptual Plans, Exterior Elevations, a Narrative describing Grant opportunities and a Budgetary Cost Estimate for Cold Spring Pond Park Preserve; and

WHEREAS, Ashley McGraw Architects, P.C., have yet to substantially complete their services at this time; and

WHEREAS, numerous firms have inquired to the Town Clerk and the Office of Contracts Administration regarding the Town's notice of a Request For Proposal for Architectural and Engineering Services for Cold Spring Pond Park Preserve seeking clarification as to the Town's concept plan; and

WHEREAS, the Town cannot properly respond to these inquiries prior to the substantial completion of the services to be provided pursuant to Resolutions 2011-961 and 2011-1202; now therefore let it be

RESOLVED, that the Town determines that it is in the best interests of the Town to have Ashley McGraw, P.C. complete or substantially complete the services they are to provide prior to moving forward with Requesting Proposals for Architectural and Engineering Services; and let it be further

RESOLVED, that Resolution 2011-1319 is hereby Recalled and Amended to withdraw and cancel the Requests for Proposals for Architectural and Engineering Services for Cold Spring Pond Park Preserve; and let it be further

RESOLVED, that the Town Clerk is hereby directed to return any and all responses received in response to the Request For Proposal for Architectural and Engineering Services for Cold Spring Pond Park Preserve to the parties that have submitted them along with a copy of this resolution.

Fiscal Impact:

None

Ü Vote Record - Resolution RES-2012-110					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-111

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Office of Contracts Administration

Authorize the Supervisor to Execute a Contract with W. B. Mason, Inc. for Printer and Fax Supplies

WHEREAS, on November 9, 2011, by Resolution No. 2011-1076, the Town Board of the Town of Southampton authorized and directed the Town Clerk to advertise a public bid for Printer and Fax Supplies for use in all Town Departments; and

WHEREAS, the first bids were rejected and the Town Board of the Town of Southampton by Resolution No. 2011-1261 authorized and directed the Town Clerk to advertise a second public Notice to Bidders for Printer and Fax Supplies for use in all Town Departments; and

WHEREAS, three (3) bids were received, opened and read aloud on December 28, 2011; and

WHEREAS, the bids were reviewed by the Department of Information Systems and it was determined that W. B. Mason, Inc. had the highest total of lowest items and therefore is the lowest responsible bidder in accordance with General Municipal Law Section 103 and in accordance with the provision entitled "Method of Award" contained within section 4 of the bid package submitted to the public, the Department of Information Systems has decided to award the contract to one (1) vendor; and

WHEREAS, based on the recommendation of the Department of Information Systems, the contract for printer and fax Supplies to be provided to all Town Departments should be awarded to W.B. Mason, Inc. in accordance with the prices submitted within their bid; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract with W.B. Mason, Inc. for printer and fax supplies to be

provided to the Town, the term of this contract will be from a date of a fully executed contract to December 31, 2012. The Town shall have the option to renew the contract for two (2) additional one (1) year terms upon agreement of the parties; be it

FURTHER RESOLVED, that the contract will be prepared by the Office of Contracts Administration and, per the Town Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract being in place, in addition, services shall not be rendered until after a purchase order is prepared. The source of funding for this contract shall be Central Printing and Mailing - Computer Supplies G/L# 01-99-1670-01-6439-0000 in an amount not to exceed 2012 Adopted Budget of \$60,000.00

Fiscal Impact:

The source of funding for this contract shall be Central Printing and Mailing - Computer Supplies G/L# 01-99-1670-01-6439-0000 in an amount not to exceed 2012 Adopted Budget of \$60,000.00

Ü Vote Record - Resolution RES-2012-111					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-112

Category: Agreements, Contracts, Leases
 Sponsors: Councilwoman Fleming, Councilman Nuzzi
 Department: Office of Contracts Administration

Authorize the Supervisor to Execute a Contract with Waste Zero, Inc. to Supply and Distribute Garbage Bags to the Town

WHEREAS, on November 29, 2011, by Resolution No. 2011-1205, the Town Board of the Town of Southampton authorized and directed the Town Clerk to advertise a public bid to Supply and Distribute Garbage Bags to the Town; and

WHEREAS, one (1) bid was received, opened and read aloud on December 21, 2011; and

WHEREAS, the bid was reviewed by the Department of Municipal Works, Division of Waste Management and it was determined that the prices submitted by Waste Zero, Inc. were compatible to industry standards and therefore they are the lowest responsible bidder in accordance with General Municipal Law Section 103; and

WHEREAS, that based on the recommendation of the Department of Municipal Works, Division of Waste Management that the contract to Supply and Distribute Garbage Bags to the Town for 2012 be awarded to Waste Zero, Inc. in accordance with the prices submitted in their bid; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the

Supervisor to execute a contract with Waste Zero, Inc. to Supply and Distribute Garbage Bags to the Town, this contract shall commence upon the date of a fully executed contract and shall contain an expiration date of December 31, 2014, with the option to extend for two (2) additional one (1) year terms; be it

FURTHER RESOLVED, that this contract will be prepared by the Office of Contracts Administration and, per the Town Comptroller, no purchase order shall be issued and no payment shall be made without a fully executed contract being in place, in addition, services shall not be rendered until after a purchase order is prepared. The source of funding for this project shall be Waste Management Recycling Centers - Contracts G/L #20-99-8161-20-6401-0000 in an amount not exceed 2012 Adopted Budget of \$72,000.00

Fiscal Impact:

The source of funding for this project shall be Waste Management Recycling Centers – Contracts G/L #20-99-8161-20-6401-0000 in an amount not exceed 2012 Adopted Budget of \$72,000.00

Ü Vote Record - Resolution RES-2012-112					
		Yes/Aye	No/Nay	Abstain	Absent
..	Adopted	Anna Throne-Holst	..	..	..
..	Adopted as Amended	James Malone	..	..	..
..	Defeated	Christine Preston Scalera	..	..	..
..	Tabled	Bridget Fleming	..	..	..
..	Withdrawn	Chris Nuzzi	..	..	..

Resolution 2012-113

Category: Bidding
 Sponsors: Councilman Nuzzi, Councilwoman Fleming
 Department: Office of Contracts Administration

Dispose and Recycle Bulk Scrap Metal, and Sale of Five (5) Existing Lighter Amphibious Re-Supply Cargo (LARC) Vehicles - Notice to Bidders

WHEREAS, on November 29, 2011, the Town Board of the Town of Southampton by Resolution Number 2011-1203, authorized and directed the Town Clerk to advertise a public bid for Dispose and Recycle Bulk Scrap Metal, Sale of Steel Trailers and Sale of Five (5) Existing Lighter Amphibious Re-Supply Cargo (LARC) Vehicles; and

WHEREAS, on December 28, 2011, all bids were opened and read aloud; and

WHEREAS, the Town of Southampton reserves the right to reject any and all bids; now therefore, be it

RESOLVED, that based upon the recommendation of the Department of Municipal Works, Division of Waste Management, that the Town Board of the Town of Southampton rejects all of the bids for the Dispose and Recycle Bulk Scrap Metal, Sale of Steel Trailers and Sale of Five (5) Existing Lighter Amphibious Re-Supply Cargo (LARC) Vehicles as not being in the best interest of the Town; be it

FURTHER RESOLVED, as per the request of the Department of Municipal Works, Division of Waste Management, that the Town Clerk be and is hereby authorized and directed to advertise a second time for public bid per the following:

SECOND NOTICE TO BIDDERS

RESOLVED, as per the request of Department of Municipal Works, Division of Waste Management that the Town Clerk be and hereby is authorized to advertise for public bid as per the following:

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received by the Town Clerk, Southampton Town Hall, on February 15, 2012 at 2:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Dispose and Recycle Bulk Scrap Metal, and Sale of Five (5) Existing Lighter Amphibious Re-Supply Cargo (LARC) Vehicles

Specifications are available beginning on Thursday, February 2, 2012 at 8:30 a.m. online at www.southamptontownny.gov/TownClerk 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 the Office of Contracts Administration.

Each proposal must be submitted in a sealed envelope clearly marked "Dispose and Recycle Bulk Scrap Metal, and Sale of Five (5) Existing Lighter Amphibious Re-Supply Cargo (LARC) Vehicles."

The bidder awarded a contract for the Scrap Metal portion of this bid will be required to submit a performance bond at the time of execution of the contract.

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

Fiscal Impact:
NONE

Ü Vote Record - Resolution RES-2012-113					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-114

Category: Bidding
Sponsors: Supervisor Anna Throne-Holst
Department: Office of Contracts Administration

Request for Proposals for Farming at 300 North Sea Rd and 61 Aldrich Lane on behalf of the Community Preservation Department

RESOLVED, as per the request of Community Preservation Department that the Town Clerk be and hereby is authorized to advertise a public Request for Proposals as per the following:

REQUEST FOR PROPOSALS

TAKE NOTICE, that sealed proposals will be received by the Town Clerk, Southampton Town Hall, on February 15, 2012 at 2:00 p.m., prevailing time, these proposals will **NOT** be publicly opened and read aloud, they will be reviewed by the Department of Community Preservation.

Farming at 300 North Sea Rd and 61 Aldrich Lane

The Scope of Work is available beginning on Thursday, February 2, 2012 at 8:30 a.m. online at www.southamptontownny.gov/TownClerk 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 the Office of Contracts Administration.

Each proposal must be submitted in a sealed envelope clearly marked " **Farming at 300 North Sea Rd and 61 Aldrich Lane.** "

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

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

Fiscal Impact:

The source of funding for this proeject shall be CPF Stewardship GI# 31-99-1940-31-6442-0000 in an amount not to exceed budget.

Ü Vote Record - Resolution RES-2012-114					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-115

Category: Budget & Finance
Sponsors: Supervisor Anna Throne-Holst
Department: Comptroller

Amend 2012 Adopted Budget Land Management Planning Division Overtime

WHEREAS, there is a need for overtime in the Land Management Current Planning Division to have staff coverage at Planning Board meetings during none business hours; and

WHEREAS, funding is available to cover anticipated overtime from a vacant funded position in the Environment Division; and

WHEREAS, it is the recommendation of the Acting Town Planning and Development Administrator to transfer \$750.00 from the Land Management Environment Division to the Current Planning Division to cover anticipated overtime expenses related to staff coverage at Planning Board meeting during none business hours; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby approves the transfer of \$750.00 from Land Management Environment Division to the Current Planning Division to cover anticipated overtime; and be it further

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

Fiscal Impact:

DECREASE Environment Division Compensation and related Benefits, all G/L Codes to be determined by Town Comptroller, in the amount of \$750.00

INCREASE Current Planning Division Compensation and related Benefits, all G/L Codes to be determined by Town Comptroller, in the amount of \$750.00

Ú Vote Record - Resolution RES-2012-115						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-116

Category: Budget & Finance
Sponsors: Supervisor Anna Throne-Holst
Department: Comptroller

Amend Resolution 2011-1268 - Amend 2011-2016 Capital Program for Restoration of the Nathaniel Rogers House Project

WHEREAS, Resolution 2011-1268, authorized a loan from the Community Preservation Fund to the Capital Project Nathaniel Rogers House Restoration in the amount of \$231,859 until a grant reimbursement is received; and

WHEREAS, Resolution 2011-1268 authorized a budget transfer from the CPF Land Purchase account to fund the loan; and

WHEREAS, the Resolution needs to be amended to reflect an appropriation of CPF Fund Balance and not a budget transfer from the CPF Land Purchase G/L; now therefore be it

RESOLVED, Resolution 2011-1268 is hereby amended to remove the budget transfer from the CPF Land Purchase account and authorize an appropriation of CPF Fund Balance in the amount of \$231,859 to the Capital Project Nathaniel Rogers House to be fully reimbursed upon receipt of the grant and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Fiscal Impact:

Appropriation of CPF Fund Balance in the amount of \$231,859 to the Capital Project Nathaniel Rogers House, to be fully reimbursed when the grant is received.

Vote Record - Resolution RES-2012-116					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-117

Category: Committees & Advisory Boards
Sponsors: Supervisor Throne-Holst, Councilwoman Fleming
Department: Supervisor

Appoint Anti-Bias Task Force for 2012

RESOLVED, that the following persons are hereby appointed as members of the Town of Southampton Anti-Bias Task Force for the year 2012:

Esther S. Adler-O'Keefe
 Brad Bender

Todd Bennett
 Paul Davin
 Anthony DeBlasio
 Mardythe DiPirro - Co-Chair
 Irene Donohue
 Myron Glucksman
 Thelma Harris
 Sr. Mary Harvey
 Karin Johnson
 Sgt. Michael Joyce
 Rev. Jack K. King
 Ava Mack
 Rev. Gerald Martin - Co-Chair
 Ronald M. Masera
 Gretchen Mead
 Sr. Mary Beth Moore
 Norman Remler
 Lydia Ritchie
 Dianne M. Rulnick
 Rabbi William Siemers
 Edward Stateman
 Lisa Votino-Tarrant
 Lucius Ware
 Lorry T. Werner
 Jessie Lorraine F. Woo
 John Wyche
 Brian Zahn
 Robert Zellner

Ex-Officio:

Supervisor Anna Throne-Holst - Town Board Liaison
 Councilwoman Bridget Fleming - Town Board Liaison

Fiscal Impact:

None

Ü Vote Record - Resolution RES-2012-117					
		Yes/Aye	No/Nay	Abstain	Absent
..	Adopted	..	..	..	..
..	Adopted as Amended	..	..	..	..
..	Defeated	..	..	..	..
..	Tabled	..	..	..	..
..	Withdrawn	..	..	..	..
	Anna Throne-Holst				
	James Malone				
	Christine Preston Scalera				
	Bridget Fleming				
	Chris Nuzzi				

Resolution 2012-118

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Architectural Review Board Members for 2012

RESOLVED, that the following persons are appointed to the Architectural Review Board for the year 2012:

- Michael Charrier
- Tim Rumph
- Thomas Downing Jr.
- William Wright
- Theodore Jankowski

Fiscal Impact:
None

Ü Vote Record - Resolution RES-2012-118					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-119

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Michael Charrier Chair of Architectural Review Board for 2012

RESOLVED, that Michael Charrier is hereby appointed Chair of the Architectural Review Board for 2012.

Fiscal Impact:
None

Ü Vote Record - Resolution RES-2012-119					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-120

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Re-Appoint Members to the Conservation Board

RESOLVED, that the following members of the Conservation Board are hereby re-appointed for two year terms, expiring December 31, 2013:

Harry Ludlow
 Tom Rickenbach
 Scott Horowitz

Fiscal Impact:

As provided for in the 2012 Adopted Budget

ü Vote Record - Resolution RES-2012-120					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-121

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Harry Ludlow Chair of Conservation Board

RESOLVED, that Harry Ludlow is hereby appointed Chair of the Conservation Board for 2012.

Fiscal Impact:

As provided for in the 2012 Adopted Budget

ü Vote Record - Resolution RES-2012-121					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-122

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Members to the Ethics Board

RESOLVED, that the following individuals are hereby re-appointed to the Southampton Town Ethics Board:

Maureen Sutton, four-year term, expiring December 31, 2015
 Michele Le-Moal Gray, four-year term, expiring December 31, 2015
 Sgt. Susan Ralph (employee representative), one-year term, expiring December 31, 2012.

Fiscal Impact:
 None

ü Vote Record - Resolution RES-2012-122					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-123

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Members to the Historic Districts and Landmarks Board

RESOLVED, that the following persons are appointed to the Historic Districts and Landmarks Board for terms as outlined below:

Susan Sherry Clark	3 year term	Expiring December 31, 2014
Edward Wesnofske	3 year term	Expiring December 31, 2014
Nancy Mullan	3 year term	Expiring December 31, 2014

Janice Jay Young 1 year term (to complete the unexpired term of
 Lisa Votino-Tarrant, who has resigned)
 Expiring December 31, 2012

Fiscal Impact:
 None

Ü Vote Record - Resolution RES-2012-123					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-124

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Sally Spanburgh Chair of the Historic Districts and Landmarks Board

RESOLVED, that Sally Spanburgh is hereby appointed Chair of the Historic Districts and Landmarks Board for 2012.

Fiscal Impact:
 None

Ü Vote Record - Resolution RES-2012-124					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-125

Category: Committees & Advisory Boards
Sponsors: Councilwoman Bridget Fleming
Department: Town Council

Appoint Sally Spanburgh as Liaison to the Community Preservation Fund Advisory Board

WHEREAS, the CPF Advisory Board was established to review and make recommendations on proposed acquisitions of interests in real property using monies from the fund; and

WHEREAS, pursuant to Town Law 64-e and Chapter 140 of the Southampton Town Code, Community Preservation includes "preservation of historic places and properties listed on the New York State Register of Historic Places and/or protected under a Town historic preservation local law;" and

WHEREAS, as this is consistent with the Town Landmarks and Historic Districts Board vision goals for historic resources which includes maintaining the historic character of the Town's hamlets through the preservation and protection of historic landscapes, settings, and structures, communication between the two Boards when reviewing such properties may be of mutual benefit; now therefore be it

RESOLVED, that Sally Spanburgh, Chair of the Landmarks and Historic Districts Board, be appointed as a liaison to the Community Preservation Fund Advisory Board; and be it further

RESOLVED, that the Community Preservation Fund Advisory Board shall notify her, as liaison, when properties of historical significance are being considered for acquisition; and be it further

RESOLVED, all matters concerning potential acquisitions of land or interests in real property shall be held in strict confidence.

Fiscal Impact:

None

Ü Vote Record - Resolution RES-2012-125					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-126

Category: Committees & Advisory Boards
 Sponsors: Supervisor Anna Throne-Holst
 Department: Supervisor

Appoint Cultural Resources Sub-Committee of the Landmarks and Historic Districts Board

WHEREAS, the Cultural Resources Sub-Committee of the Landmarks and Historic Districts Board was created on August 12, 2008, through the enactment of Town Code section 330-320G; and now therefore be it

RESOLVED, that upon the recommendation of the Landmarks and Historic Districts Board,

Elizabeth Haile is appointed to the Cultural Resources Sub-Committee of the Landmarks and Historic Districts Board, for a three year term to expire on December 31, 2015; and be it further

RESOLVED, that upon the recommendation of the Landmarks and Historic Districts Board, John Strong is appointed to the Cultural Resources Sub-Committee of the Landmarks and Historic Districts Board, for a two year term to expire on December 31, 2014; and be it further

RESOLVED, that upon the recommendation of the Landmarks and Historic Districts Board, Tom Edmonds is appointed to the Cultural Resources Sub-Committee of the Landmarks and Historic Districts Board, for a two year term to expire on December 31, 2014; and be it further

RESOLVED, that based upon the recommendation of the Landmarks and Historic Districts Board, David Bunn Martine is appointed to the Cultural Resources Sub-Committee of the Landmarks and Historic Districts Board, for a one year term to expire on December 31, 2013; and be it further

RESOLVED, that upon the recommendation of the Landmarks and Historic Districts Board, Zach Studenroth, the Town Historian, is appointed as an ex-officio member to the Cultural Resources Sub-Committee of the Landmarks and Historic Districts Board, for a one year term to expire on December 31, 2013.

Fiscal Impact:

None

Ü Vote Record - Resolution RES-2012-126					
		Yes/Aye	No/Nay	Abstain	Absent
..	Adopted	Anna Throne-Holst	..	..	..
..	Adopted as Amended	James Malone	..	..	..
..	Defeated	Christine Preston Scalera	..	..	..
..	Tabled	Bridget Fleming	..	..	..
..	Withdrawn	Chris Nuzzi	..	..	..

Resolution 2012-127

Category: Committees & Advisory Boards
 Sponsors: Supervisor Anna Throne-Holst
 Department: Supervisor

Re-Appoint Steven Kenny as a Member of the Southampton Town Housing Authority

WHEREAS, the Town of Southampton Housing Authority has been established and is currently operating pursuant to Chapter 611 of the laws of 2002 of New York (Section 466 of the Public Housing Law); and

WHEREAS, The Town Board of the Town of Southampton desires to re-appoint a member to the Town of Southampton Housing Authority;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Southampton hereby re-appoints Steven Kenny as a member of the Town of Southampton Housing Authority for a five (5) year term, expiring December 31, 2016; and

BE IT FURTHER RESOLVED, immediately following the adoption of this resolution, the Town Board shall execute and certify the Certificate of Appointment for filing with the Commissioner of Housing and Urban Renewal, Office of Legal Affairs at the New York State Division of Housing and Community Renewal and the Secretary of State of New York; and

BE IT FURTHER RESOLVED, within thirty (30) days of execution and certification of the Certificate of Appointment, Steven Kenny shall execute the Oath of Office with the Town Clerk of the Town of Southampton. The Town Clerk of the Town of Southampton shall certify the filing of said oath with the Town Clerk's Office and forward a copy of said oath as so certified along with the Certificate of Appointment for filing with the Commissioner of Housing and Urban Renewal, Office of Legal Affairs at the New York State Division of Housing and Community Renewal and Secretary of State of New York. Each member of the Town of Southampton Housing Authority shall be subject to the Undertaking provisions of the Code of the Town of Southampton.

Fiscal Impact:

None

Ú Vote Record - Resolution RES-2012-127					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-128

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Licensing Review Board Members for 2012

RESOLVED, that the following persons are appointed to the Licensing Review Board for the year 2012:

- Anthony D'Italia
- Thomas Kerr
- Steven Halsey
- Edmund Moore
- Ann Marie Fullam

Fiscal Impact:

As provided for in the 2012 Adopted Budget

ü Vote Record - Resolution RES-2012-128					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-129

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Anthony D'Italia Chair of Licensing Review Board for 2012

RESOLVED, that Anthony D'Italia is hereby appointed Chair of the Licensing Review Board for 2012.

Fiscal Impact:

As provided for in the 2012 Adopted Budget

ü Vote Record - Resolution RES-2012-129					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-130

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Dennis Finnerty Chair of Planning Board for 2012

RESOLVED, that Dennis Finnerty is hereby appointed Chair of the Planning Board for 2012.

Fiscal Impact:

As provided for in the Adopted 2012 Budget

ü Vote Record - Resolution RES-2012-130					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-131

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Re-Appoint George Skidmore to Planning Board

WHEREAS, Local Law No. 52 of 2009, was adopted by the Town Board of the Town of Southampton on November 24, 2009, and filed with the Secretary of State on December 7, 2009; and

WHEREAS, by its terms, said law provides that all new appointments, re-appointments, or appointments to a vacancy on the Planning Board shall not exceed four years; now therefore be it

RESOLVED, that George Skidmore is hereby appointed to the Southampton Town Planning Board for a term of four years, effective immediately and through December 31, 2015.

Fiscal Impact:

As provided for in the 2012 Adopted Budget

ü Vote Record - Resolution RES-2012-131					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-132

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Appoint Herb Phillips Chair of Zoning Board of Appeals for 2012

RESOLVED, that Herb Phillips is hereby appointed Chair of the Zoning Board of Appeals for 2012.

Fiscal Impact:

As provided for in the 2012 Adopted budget

Û Vote Record - Resolution RES-2012-132						
		Yes/Aye	No/Nay	Abstain	Absent	
..	Adopted	Anna Throne-Holst	..	..	..	..
..	Adopted as Amended	James Malone	..	..	..	..
..	Defeated	Christine Preston Scalera	..	..	..	..
..	Tabled	Bridget Fleming	..	..	..	..
..	Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-133

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: Supervisor

Re-Appoint Denise O'Brien to the Zoning Board of Appeals

WHEREAS, Local Law No. 56 of 2009, was adopted by the Town Board of the Town of Southampton on November 24, 2009, and filed with the Secretary of State on December 7, 2009; and

WHEREAS, by its terms, said law provides that all new appointments, re-appointments, or appointments to a vacancy on the Zoning Board of Appeals shall not exceed four years; now therefore be it

RESOLVED, that Denise O'Brien is hereby appointed to the Southampton Town Zoning Board of Appeals for a term of four years, effective immediately and through December 31, 2015.

Fiscal Impact:

As provided for in the 2012 Adopted Budget

Û Vote Record - Resolution RES-2012-133						
		Yes/Aye	No/Nay	Abstain	Absent	
..	Adopted	Anna Throne-Holst	..	..	..	..
..	Adopted as Amended	James Malone	..	..	..	..
..	Defeated	Christine Preston Scalera	..	..	..	..
..	Tabled	Bridget Fleming	..	..	..	..
..	Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-134

Category: Committees & Advisory Boards
Sponsors: Supervisor Anna Throne-Holst
Department: General Services

Appoint Safety and Risk Management Committee for the Year 2012

RESOLVED, that the following persons are appointed to the Safety and Risk Management Committee for the year 2012:

- Russell Kratoville, Town Management Services Administrator
- Tamara Wright, Town Comptroller, or designee
- Chris Bean, Superintendent of Parks and Recreation or designee
- Tiffany Scarlato, Town Attorney, or designee
- Cheryl Kraft, Chief Fire Marshal
- Paul Rubano, General Services Risk Management
- John Ryan, Employee Safety
- Alex Gregor, Highway Superintendent or designee
- Representative, Southampton Police Department
- Representative, Town PBA
- Representative, CSEA
- Representative, Insurance Carrier/Representative

Fiscal Impact:

none

Ü Vote Record - Resolution RES-2012-134					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-135

Category: Local Laws
Sponsors: Throne-Holst, Fleming, Nuzzi, Scalera, Malone
Department: Town Attorney

Resolution Adopting Local Law Amending Southampton Town Code Chapter 298 (Taxation), Article X (Exemption for War Veterans) to Increase the Maximum Exemption Amount Allowed for Cold War Veterans

WHEREAS, the Town Board is considering a local law amending Town Code Chapter 298 (Taxation), Article X (Exemption for War Veterans) to increase the maximum exemption amount allowed for Cold War Veterans; and

WHEREAS, a public hearing was held on January 24, 2012, at which time all persons either

for or against said local law 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 2012 is hereby adopted as follows:

LOCAL LAW NO. OF 2012

A LOCAL LAW Amending Southampton Town Code Chapter 298 (Taxation), Article X (Exemption for War Veterans) to Increase the Maximum Exemption Amount Allowed for Cold War Veterans.

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

SECTION 1. Legislative Intent.

The New York State Legislature has enacted a new maximum tax exemption allowable for veterans of the Cold War who served for more than one year, active duty in the United States armed forces between September 2, 1945 and December 26, 1991. The purpose of this legislation is to amend the Code of the Town of Southampton to be consistent with State Law by providing, to the full extent, the maximum exemption benefit allowable under the State Law to veterans of the Cold War.

SECTION 2. Amendment.

Chapter 298 (Taxation), Article X (Exemption for War Veterans) of the Code of the Town of Southampton is hereby amended by deleting the stricken words and adding the underlined words as follows:

§298-28.1. Cold War exemption granted.

A. Pursuant to Real Property Tax Law § 458-b, qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided however, that such exemption shall not exceed ~~\$12,000~~ \$54,000 or the product of ~~\$12,000~~ \$54,000 multiplied by the latest uniform percentage of value established by the Southampton Town Board, whichever is less.

B. In addition to the exemption provided by Subsection A of this section, where the Cold War veteran received a compensation rating from the United States Veteran's Affairs or from the United States Department of Defense because of a service-connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by 50% of the cold war veteran disability rating; provided, however, that such exemption shall not exceed ~~\$40,000~~ \$180,000 or the product of ~~\$40,000~~ \$180,000 multiplied by the latest uniform percentage of value established by the Southampton Town Board, whichever is less.

C. If a Cold War veteran receives the exemption provided under §298-28, the ~~eCold w~~War veteran shall not be eligible to receive the exemption under this section. The

exemption provided by Subsection A of this section shall be granted for a period of ten years. The commencement of such ten-year period shall be governed pursuant to Real Property Tax Law §458-b(2)(c)(iv).

SECTION 3. Authority.

The Town Board is authorized to establish and promulgate rules and regulations regarding tax exemptions for veterans pursuant to New York State Real Property Tax Law §458-b.

SECTION 4. Severability.

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

SECTION 5. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to the Municipal Home Rule Law and pursuant to Real Property Tax Law §458-b, shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2012.

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

NOTICE OF ADOPTION

TAKE NOTICE, that after a public hearing was held by the Town Board of the Town of Southampton on January 24, 2012 the Town Board, at its meeting of January 24, 2012, adopted LOCAL LAW NO. ____ of 2012, as follows: "A LOCAL LAW Amending Southampton Town Code Chapter 298 (Taxation), Article X (Exemption for War Veterans) to Increase the Maximum Exemption Amount Allowed for Cold War Veterans."

Copies of the local law sponsored by Supervisor Anna Throne-Holst, Councilwoman Bridget Fleming, Councilman Chris Nuzzi, Councilman James Malone, and 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

Fiscal Impact:

None

ü Vote Record - Resolution RES-2012-135					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-136

Category: Local Laws
Sponsors: Throne-Holst, Fleming, Nuzzi, Scalera, Malone
Department: Town Attorney

Resolution Adopting Local Law Amending Southampton Town Code Chapter 298 (Taxation), Article XIII (Exemption for First-Time Home Buyers) to Extend the First-Time Home Buyer Exemption Until December 31, 2016

WHEREAS, the Town Board is considering a local law amending Town Code Chapter 298 (Taxation), Article XIII (Exemption for First-Time Home Buyers) to extend the first-time home buyer exemption until December 31, 2016; and

WHEREAS, a public hearing was held on January 24, 2012, at which time all persons either for or against said local law 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 2012 is hereby adopted as follows:

LOCAL LAW NO. OF 2012

A LOCAL LAW Amending Southampton Town Code Chapter 298 (Taxation), Article XIII (Exemption for First-Time Home Buyers), to Extend the First-Time Home Buyers Exemption until December 31, 2016.

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

SECTION 1. Legislative Intent.

Pursuant to New York State Real Property Law Section 457, the Town of Southampton has offered a partial tax exemption for first time home buyers based on income. The New York State Legislature recently amended New York State Real Property Tax Law Section 457 to allow the local option of extending the date at which a contract of sale must be signed by first time home buyer to be eligible for the program and receive a partial tax exemption to December 31, 2016. The purpose of this local law is to amend the Code of the Town of Southampton to exercise the local option and extend the first-time home buyer exemption until December 31, 2016.

SECTION 2. Amendment.

Chapter 298 (Taxation), Article XIII (Exemption for First-Time Home Buyers), Section 298-36(E) of the Code of the Town of Southampton is hereby amended by deleting the stricken words and adding the underlined words as follows:

§298-36. Exemption for first-time home buyers of newly constructed homes.

E. No exemption shall be allowed pursuant to this section for any newly constructed primary residential property purchased by a first-time home buyer on or after December 31, 2016 ~~2010~~, unless such purchase is pursuant to a binding written contract entered into prior to December 31, 2016 ~~2010~~; provided, however, that any first-time home buyer who is allowed an exemption pursuant to this section prior to such date shall continue to be allowed further exemptions pursuant to Subsection A of this section.

SECTION 3. Authority.

The Town Board is authorized to establish and promulgate rules and regulations regarding tax exemptions for first-time home buyers pursuant to New York State Real Property Tax Law 457.

SECTION 4. Severability.

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

SECTION 5. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to the Municipal Home Rule Law and pursuant to Real Property Tax Law §457, shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2012.

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

NOTICE OF ADOPTION

TAKE NOTICE, that after a public hearing was held by the Town Board of the Town of Southampton on January 24, 2012, the Town Board, at its meeting of January 24, 2012, adopted LOCAL LAW NO. ____ of 2012, as follows: "A LOCAL LAW Amending Southampton Town Code Chapter 298 (Taxation), Article XIII (Exemption for First-Time Home Buyers), to Extend the First-Time Home Buyers Exemption until December 31, 2016."

Copies of the local law sponsored by Supervisor Anna Throne-Holst, Councilwoman Bridget Fleming, Councilman Chris Nuzzi, Councilman James Malone, and 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

Fiscal Impact:

None

Vote Record - Resolution RES-2012-136					
		Yes/Aye	No/Nay	Abstain	Absent
..	Adopted	Anna Throne-Holst	..	..	..
..	Adopted as Amended	James Malone	..	..	..
..	Defeated	Christine Preston Scalera	..	..	..
..	Tabled	Bridget Fleming	..	..	..
..	Withdrawn	Chris Nuzzi	..	..	..

Resolution 2012-137

Category: Miscellaneous
Sponsors: Supervisor Anna Throne-Holst
Department: Town Attorney

Memorializing Resolution in Support of Assembly and Senate Bills Addressing Payment for a Separation Incentive Program

WHEREAS, in 2011, the Town Board of the Town of Southampton offered all eligible employees a cash bonus to retire before the end of the year with a \$1,000 per year of service stipend; and

WHEREAS, this incentive resulted in measurable and long-term savings to the Town; and

WHEREAS, the 2012 Operating Budget proposed an amortization of these costs through New York State enabling legislation to help defray these costs, allowing for the financing thereof; and

WHEREAS, as anticipated, recent bills introduced in the State Legislature, that is, Assembly Bill A. 8843-A and Senate Bill S. 6058-A, provide for a period of probable usefulness of ten years for the payment of a separation incentive program offered by the Town of Southampton; and

WHEREAS, specifically, Assembly Bill A. 8843-A and Senate Bill S. 6058-A propose to amend paragraph (a) of New York State Local Finance Law §11.00 by adding a new subdivision 106 to allow for a period of ten years for the financing of a local separation incentive program by the Town of Southampton; and

WHEREAS, the Town Board is supportive of such a measure; and

WHEREAS, in addition, the Town seeks to include the following additional language within Section 2 of the proposed bill: "The Town of Southampton may use the proceeds of obligations issued for the purposes described in subdivision 106 of paragraph a of section 11.00 of the local finance law to reimburse expenditures made for said purposes after the adoption of a resolution by the favorable vote of at least four town board members

declaring the intent to finance said expenditures;" now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby supports Assembly Bill A. 8843-A and Senate Bill S. 6058-A as they relate to payment for a separation incentive program by the Town of Southampton and, in particular, the addition of subdivision 106 to paragraph (a) of New York State Local Finance Law §11.00; and be it further

RESOLVED, that the Town Board also seeks to include the following additional language within Section 2 of the proposed bill: "The Town of Southampton may use the proceeds of obligations issued for the purposes described in subdivision 106 of paragraph a of section 11.00 of the local finance law to reimburse expenditures made for said purposes after the adoption of a resolution by the favorable vote of at least four town board members declaring the intent to finance said expenditures;" now therefore be it

RESOLVED, that the Town Clerk shall forward of a copy of this resolution to Assemblyman Fred Thiele and Senator Kenneth P. LaValle.

Fiscal Impact:

See resolution text.

Ú Vote Record - Resolution RES-2012-137					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-138

Category: Miscellaneous
 Sponsors: Supervisor Anna Throne-Holst
 Department: Town Attorney

Memorializing Resolution in Support of Assembly Bill A. 8186 and Senate Bill S. 5597 as it Relates to Increasing Maximum Exemptions Under the Alternative Veteran's Exemption

WHEREAS, Chapter 477 of the Laws of 1996 amended the alternative veteran's exemption to permit higher municipal caps on said exemption; and

WHEREAS, at the same time however, the equalization factor, used to assure inter-jurisdictional equity, was restored, resulting, in some localities, in lower exemptions even where the highest authorization cap was newly implemented; and

WHEREAS, in order to correct these unintended consequences, Chapter 417 of the Laws of 1997 was adopted, to maintain local control of the administration of the veteran's alternative exemption; and

WHEREAS, in addition, Chapter 417 of the Laws of 1997 created three new higher

exemptions that a municipality could adopt, and established a special set of exemptions for the City of New York that allowed for even higher exemption limits; and

WHEREAS, with the dramatic rise in the value of real property over the years, veterans in several municipalities articulated their dissatisfaction with the administration of the veteran's exemption, noting that the benefit was diminished to such a level that it no longer provided adequate compensation; and

WHEREAS, in order to address these concerns, the exemptions were then increased by Chapter 256 of the Laws of 2005; and

WHEREAS, but as real property values continue to rise, municipalities should be afforded the opportunity to elect to increase the maximum exemptions allowed under the alternative veteran's exemption to restore its original intent, that is, to provide a viable means by which to help war-time veterans maintain home ownership; and

WHEREAS, Assembly Bill A. 8186 and Senate Bill S. 5597 seek to accomplish this goal by amending subparagraph (ii) of paragraph (d) of subdivision 2 of §458-a of the Real Property Tax Law; and

WHEREAS, the Town Board of the Town of Southampton supports the changes to New York State Real Property Tax Law proposed by the legislature; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby supports Assembly Bill A. 8186 and Senate Bill S. 5597 as it relates to increasing the maximum exemptions allowable under the alternative veteran's exemption through the amendment of subparagraph (ii) of paragraph (d) of subdivision 2 of §458-a of the Real Property Tax Law; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Assemblyman Fred W. Thiele, Jr. and Senator Kenneth P. LaValle.

Fiscal Impact:

See resolution text.

ü Vote Record - Resolution RES-2012-138						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-139

Category: Personnel
 Sponsors: Supervisor Anna Throne-Holst
 Department: Personnel

Accept Retirement of Anthony Tenaglia, Town of Southampton Police Captain

WHEREAS, the Town Board adopted a Local Retirement Incentive Program on September 27, 2011; and

WHEREAS, the retirement incentive was offered to all full-time, active employees of the Town who are Police Officers or Superior Police Officers represented by the Patrolman's Benevolent Association of Southampton Town, Inc. or the Southampton Town Police Superior Officers Association, Inc. bargaining units, and who: (i) are or will be eligible to retire and do retire on or before April 30, 2012, based on a service retirement under their respective tiers of the New York State Police and Firefighters Retirement System in which they participate; and (ii) have completed ten (10) or more years of service in the New York State Police and Firefighters Retirement System, excluding any leaves of absence, as a full-time employee of the Town, as of December 31, 2011; and (iii) are employed as a full-time employee on the effective date of retirement; and

WHEREAS, the incentive is a lump-sum payment equal to \$1,000 for each completed year of continuous full-time service (excluding any leaves of absence) as credited by the New York State Police and Firefighters Retirement System as of the effective date of the retirement, less applicable taxes and withholdings; and

WHEREAS, eligible employees who wished to participate in the Retirement Incentive Program were required to indicate their election on or before close of business November 1, 2011, and to retire from Town service on a date acceptable to the Town between November 1, 2011 and April 30, 2012; and

WHEREAS, Anthony Tenaglia, Police Captain in the Southampton Town Police Department, meets the eligibility requirements for the Retirement Incentive; has opted to participate in the Town of Southampton's Retirement Incentive Program; and has applied for retirement effective February 29, 2012; therefore be it

RESOLVED, the Town Board hereby accepts the retirement of Anthony Tenaglia, Police Captain in the Southampton Town Police Department, effective February 29th, 2012; and be it further

RESOLVED, that Mr. Tenaglia has 38 years of full-time service with the New York State Police and Firefighters Retirement Systems and will be entitled to a lump sum payment of \$38,000, said incentive payment being separate and apart from any payment(s) that a participant in the Program may otherwise be eligible to receive in connection with retirement pursuant to any collective bargaining agreement or Town policy; and be it further

RESOLVED, funding for the lump sum payment of \$38,000 and the payment for compensable accruals will be funded from 2012 expected bond proceeds approved by New York State legislation and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Fiscal Impact:

To be determined by Town Comptroller upon receipt of accrual data from Police Department.

ü Vote Record - Resolution RES-2012-139					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-140

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: Personnel

Accept Retirement of Barbara Huffman, Clerk Typist in the Southampton Town Police Department

WHEREAS, the Town Board adopted a Local Retirement Incentive Program on September 27, 2011; and

WHEREAS, the retirement incentive was offered to all full-time, active employees of the Town of Southampton, other than elected officials or members of appointed boards, who: (i) are or will be eligible to retire and do retire from Town service on or before April 30, 2012, based on a service retirement under their respective tiers of the New York State Retirement System in which they participate; and (ii) have completed ten (10) or more years of service in the New York State Retirement System, excluding any leaves of absence, as a full-time employee, as of December 31, 2011; and (iii) are employed as a full-time employee on the day prior to the effective date of retirement; and

WHEREAS, the incentive is a lump-sum payment equal to \$1,000 for each completed year of continuous full-time service (excluding any leaves of absence) as credited by the New York State Retirement System as of the effective date of the retirement, less applicable taxes and withholdings; and

WHEREAS, eligible employees who wished to participate in the Retirement Incentive Program were required to indicate their election on or before close of business November 1, 2011, and to retire from Town service on a date acceptable to the Town between November 1, 2011 and April 30, 2012; and

WHEREAS, Barbara Huffman, Clerk Typist in the Southampton Town Police Department, meets the eligibility requirements for the Retirement Incentive; has opted to participate in the Town of Southampton's Retirement Incentive Program; and has applied for retirement effective February 29, 2012; therefore be it

RESOLVED, the Town Board hereby accepts the retirement of Barbara Huffman, Clerk Typist in the Southampton Town Police Department, effective February 29th, 2012; and be it further

RESOLVED, that Ms. Huffman has 27 years of full-time service with the New York State Retirement Systems and will be entitled to a lump sum payment of \$27,000, said incentive payment being separate and apart from any payment(s) that a participant in the Program

may otherwise be eligible to receive in connection with retirement pursuant to any collective bargaining agreement or Town policy; and be it further

RESOLVED, funding for the lump sum payment of \$27,000 and the payment for compensable accruals will be funded from 2012 expected bond proceeds approved by New York State legislation and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Fiscal Impact:

Total compensable accruals to be paid are \$6,451.15, and the \$27,000 incentive retirement payment, for a total payment at retirement of \$33,451.15, plus payroll liabilities.

Ü Vote Record - Resolution RES-2012-140					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-141

Category: Personnel
 Sponsors: Councilman James Malone
 Department: Personnel

Amend 2012 Police Department Staffing Budget

WHEREAS, Town Board Resolution 2011-1382 adopted on December 22, 2011 authorized a memorandum of agreement with the between the Town and the Patrolmen's Benevolent Association (PBA); and

WHEREAS, Town Board Resolution 2012-78 adopted on January 10, 2012 addresses the PBA Officers who are continuing service after 20 years; and

WHEREAS, it is necessary to amend the 2012 Staffing Budget to reflect the aforementioned resolutions; therefore be it

RESOLVED, that the 2012 Police Staffing budget is amended to eliminate three (3) budgeted vacant Police Officer 3 positions with a start date of January 1, 2012 and creates one (1) Police Officer Start position as of January 1, 2012 and one (1) Police Officer Start position as of February 1, 2012, with a net decrease in Town Police Department Employee Compensation and Benefits of \$14,000; and be it further

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

Fiscal Impact:

DECREASE Town Police Department Employee Compensation and Benefits, all G/L Codes to be determined by Town Comptroller, in the amount of \$14,000

DECREASE Town Police Department Appropriated Fund Balance - \$14,000

Ü Vote Record - Resolution RES-2012-141					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-142

Category: Personnel
 Sponsors: Supervisor Anna Throne-Holst
 Department: Personnel

Amend Town Administrative Employee Vacation Policy

WHEREAS, the Town’s Employee Handbook and Administrative Employee Handbook include policies pertaining to vacation entitlement for Town employees; and

WHEREAS, the policies as currently written require Department Heads to submit resolutions requesting that the Town Board approve the “carry over” of vacation time for certain Town employees who, upon showing of good cause, were unable to exhaust their earned vacation time during the course of the year; and

WHEREAS, the Town Board each year is presented at year’s end with numerous such “vacation carry over” resolutions for both Administrative and Union employees; and

WHEREAS, the Town’s policies regarding vacation entitlements have resulted in a situation where certain employees who are permitted to carry over time year after year never have the opportunity to exhaust their leave balances, and so repeatedly request that leave balances be carried over; and

WHEREAS, in addition to these other issues, the current policies appear to create a disincentive on the part of some employees to take vacation time during the year, resulting in a workforce that has not enjoyed the benefits of appropriate respite from work; and

WHEREAS, for these many reasons, the Town Board has determined the Town’s policies with respect to vacation carry over and vacation payout need to be revised; now, therefore, be it

RESOLVED, that the Town’s Vacation Leave Policy for Administrative Employees, as set forth in the “Vacation” section of the Town’s Administrative Handbook is stricken in its entirety, and replaced with the following:

Vacation

Administrative employees shall be entitled to vacation as follows, based on the employee's years of service with the Town:

Employees with 20 or less years of service = 20 days

Employees with more than 20 years of service = 25 days

Vacation entitlement will be credited on the first day of employment, on a pro-rated basis in the first year of service depending upon employee start date, and annually thereafter on the first business day of each year for each and every subsequent year of employment.

Administrative employees may carry over any and all vacation time that remains unused at year end without Town Board approval.

Administrative employees cannot use more than half of their annually accrued vacation time prior to June 30th of any year. A Town Board resolution is required for approval of requests to use more than half of annually accrued vacation prior to June 30th, or to use 15 or more consecutive vacation days at any time during the year (note that this requirement does not apply to Administrative employees on approved Family Medical Leave Act (FMLA) leaves).

Since Administrative employees will no longer risk the loss of vacation time that cannot be carried over, the Town will no longer compensate Administrative employees for unused vacation time prior to the employee's separation from Town service.

Upon separation from Town service, Administrative employees will receive payment for their accrued vacation time, at the employee's current pay rate at the time of separation, up to a maximum of 280 hours (35 days).

And be it further

RESOLVED, that the Town's Vacation Leave Policy, as set forth in Chapter 800, section 802 ("Vacation Leave") of the Town's Employee Handbook, is amended in part as follows (deleted words stricken and inserted words underlined):

Carry-Over - ~~An~~ Union employee, upon showing of good cause and approval of the Department Head ~~and Town Board~~, may request permission to carry over up a maximum of ten vacation days via submission of a Town Board resolution. The Department Head must state in the carry over resolution the reason or reasons the employee was unable to use the vacation days during the course of the year. Such When authorized by Town Board resolution, carried over vacation days must be used in the ensuing calendar year.

Administrative employees may carry over any vacation time that remains unused at year end without Town Board approval.

Termination of Employment - ~~An~~ Union employee who resigns, retires, is terminated, or is laid off will receive cash payment for unused vacation leave to which the employee is properly entitled at the employee's then current rate of pay. An Administrative employee who resigns, retires, is terminated, or is laid off will receive cash payment for unused vacation leave to which the employee is properly entitled at the employee's then current rate of pay, up to a maximum of 280 hours (35 days).

To be eligible to receive this payment, a Town Board resolution accepting the employee's resignation, retirement, termination, or layoff must be adopted. In cases of death of an employee, the Town will pay the employee's designated beneficiary for any unused vacation

~~time, subject to the maximums and conditions set forth in the previous paragraph. Additionally, with respect to the use of unearned vacation time, vacation days used in excess of those earned shall be deducted from final pay should an employee terminate employment with the Town.~~

Any employee who uses vacation time in excess of what s/he has earned, who then resigns, retires, is terminated by, or is laid off by the Town, shall have the value of those unearned days deducted from his/her final paycheck.

Fiscal Impact:

None

Ü Vote Record - Resolution RES-2012-142					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-143

Category: Personnel
 Sponsors: Supervisor Anna Throne-Holst
 Department: Human Services

Amend Town Board Resolution 2011-1359 Human Services Vacation Carry Over to 2012

RESOLVED, that the adopted Town Board Resolution 2011-1359 regarding Human Services vacation carry over is hereby amended as follows:

Nancy Fraser Senior Citizens Nutrition Center Manager increase to 26 from 22
 Debra Miller Senior Citizens Nutrition Center Manager increase to 20 from 12

and include

Eddie Jeffries Mini Bus Driver 56 hours

Fiscal Impact:

None

Ü Vote Record - Resolution RES-2012-143					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-144

Category: Personnel
 Sponsors: Supervisor Anna Throne-Holst
 Department: Town Attorney

Resolution Authorizing the Town Attorney’s Office to Attend Association of Towns 2012 Training School and Annual Meeting with Continuing Education

WHEREAS, the Association of Towns of the State of New York is holding its 2012 Training School and Annual Meeting in New York City, New York from February 19th through the 22nd; and

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

WHEREAS, it is the Town of Southampton's practice to pay for Town Officials who attend the Association of Towns' annual meetings; now be it

RESOLVED, the Town Board hereby authorizes Town Attorney Tiffany Scarlato, and Assistant Town Attorneys Kathryn Garvin, Elizabeth Vail and Michael Sendlenski to attend the 2012 Training School and Annual Meeting of the Association of Towns and to attend continuing legal education courses given by the Association of Towns; and be it further

RESOLVED, the Town Board authorizes an amount not to exceed \$1,400.00 for expenses incurred in connection with registration and attorney certifications, to be funded through the Town Attorney Schools and Training Account G/L #01-99-1420-01-6450-0000.

Fiscal Impact:

The source of funding shall be Town Attorney Schools and Training Account G/L # 01-99-1420-01-6450-0000 in an amount not to exceed \$1,400.00

Ü Vote Record - Resolution RES-2012-144					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-145

Category: Public Hearings
 Sponsors: Supervisor Anna Throne-Holst
 Department: Community Preservation

Notice of Public Hearing to Consider the Acquisition of Development Rights of Lands of Corwith North Lot, LLC, Water Mill

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, Corwith North Lot, LLC is the owner of approximately 63 acres of land located on Seven Ponds Road in the hamlet of Water Mill, New York, shown as SCTM# 900-113-1-20.1; and

WHEREAS, said property is 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, said property is also 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, Corwith North Lot, LLC has expressed an interest in selling the Development Rights of approximately 49.3 acres of the 63 acres 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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby directs that a Public Hearing shall be held on February 28, 2012 at 6 p.m. at Southampton Town Hall, 116 Hampton Road, Southampton, NY, to hear any and all persons either for or against the acquisition of the Development Rights of the Corwith North Lot, LLC 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 28, 2012, at 6 p.m.** at Southampton Town Hall, 116 Hampton Road, Southampton, New York to consider the acquisition of Development Rights from Corwith North Lot, LLC, totaling approximately 49.3 acres located on Seven Ponds Road in Water Mill, New York, shown as SCTM# 900-113-1-p/o 20.1 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

Fiscal Impact:

None

Vote Record - Resolution RES-2012-145					
		Yes/Aye	No/Nay	Abstain	Absent
..	Adopted	Anna Throne-Holst	..	..	..
..	Adopted as Amended	James Malone	..	..	..
..	Defeated	Christine Preston Scalera	..	..	..
..	Tabled	Bridget Fleming	..	..	..
..	Withdrawn	Chris Nuzzi	..	..	..

Resolution 2012-146

Category: Real Estate & Easements
Sponsors: Councilwoman Bridget Fleming
Department: Town Engineer

Road Review Application for Fenner Family Ventures, LLC 900-380-01-30.4 Situate in Remsenburg, is Accepted

WHEREAS, at the regular Road Review Committee meeting on **January 10, 2012** the Road Review Committee reviewed the application of **Fenner Family Ventures, LLC 900-380-01-30.4** for the purpose of granting permission to build on a lot fronting on or accessing **Remsen Lane**, Pursuant to the provisions of Article III Chapter 123 of the Code of the Town of Southampton § 280-A; and

WHEREAS, the Road Review Committee recommends that permission be granted to Fenner Family Ventures, LLC to build one house on the property located on the east side of Remsen Lane, approximately 50 feet south of Cross Road, situate in Remsenburg, as shown on a survey map prepared by David H. Fox, L.S., dated October 3, 2011, comprising 51,068 sq. ft. **SUBJECT TO:**

1. It is recommended that the Town Engineer’s office be contacted for a pre-construction site meeting prior to entering into a contract for the specified improvements. The Town Engineer’s office (702-1750) shall also be notified 48 hours prior to the commencement of any specified work, especially the installation of drainage structures, construction of road base or laying of asphalt. Failure to contact the Town Engineer’s office may lead to delays or additional costs in obtaining a sign-off to the Building Department for issuance of a Certificate of Occupancy.
2. The applicant shall be responsible for working around all utilities. It is recommended that all underground utilities be installed and major construction completed prior to paving.
3. Upon completion of substantial building construction, call the Town Engineer’s office for an inspection. Sawcut and excavate all potholes and broken edges of asphalt along the entire private segment of Remsen Lane, as directed by the Town Engineer.

- Compact a minimum of 4" of RCA in all excavated areas.
4. Pave all sawcut areas with NYS Type 6 Top Mix asphalt to a minimum compacted thickness of 2", as directed by the Town Engineer.
 5. Seal the seams where new and existing asphalt pavements meet with asphaltic sealant, as directed by the Town Engineer.
 6. Completely restore the shoulders along Remsen Lane upon the completion of road improvement work by placing topsoil and seed or ground up wood chips, as directed by the Town Engineer.
 7. Submission of an executed Special Assessment District Covenant. It is recommended that you do not wait until the road work is completed to complete this document; it may be completed now, or prior to your road work being done.

This determination is valid for a period of one (1) year and imposing the normal conditions of obtaining a building permit within one year of approval is recommended.

NOW, THEREFORE BE IT RESOLVED, that for the purpose of granting permission to build on a lot fronting on a private road, the specifications recommended by the Road Review Committee for a portion of **Remsen Lane**, situate in **Remsenburg**, in connection with the application of **Fenner Family Ventures, LLC** are approved, pursuant to the provisions of Article III Chapter 123 of the Code of the Town of Southampton.

Fiscal Impact:

NONE

Ú Vote Record - Resolution RES-2012-146					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

Resolution 2012-147

Category: Real Estate & Easements
Sponsors: Councilwoman Bridget Fleming
Department: Town Engineer

Road Review Application for Katherine Ringwood 900-271-01-52 Situate in Shinnecock Hills, is Accepted

WHEREAS, at the regular Road Review Committee meeting on **January 10, 2012** the Road Review Committee reviewed the application of **Katherine Ringwood 900-271-01-52** for the purpose of granting permission to build on a lot fronting on or accessing **Phillips Lane, in Shinnecock Hills**, Pursuant to the provisions of Article III Chapter 123 of the Code of the Town of Southampton § 280-A; and

WHEREAS, the Road Review Committee recommends that permission be granted to Katherine Ringwood to build one house on the property located on the south side of Phillips Lane, approximately 165 feet east of Sweet Briar Road, situate at Shinnecock Hills, as

shown on a survey map prepared by William G. Lowe L.S., dated July 26, 2010, comprising 11,197 sq. ft. SUBJECT TO:

1. It is recommended that the Town Engineer's office be contacted for a pre-construction site meeting prior to entering into a contract for the specified improvements. The Town Engineer's office (702-1750) shall also be notified 48 hours prior to the commencement of any specified work, especially the installation of drainage structures, construction of road base or laying of asphalt. Failure to contact the Town Engineer's office may lead to delays or additional costs in obtaining a sign-off to the Building Department for issuance of a Certificate of Occupancy.
2. The applicant shall be responsible for working around all utilities. It is recommended that all underground utilities be installed and major construction completed prior to paving.
3. Upon completion of substantial building construction, power sweep Phillips Lane to expose the entire width of the existing pavement and call the Town Engineer's office for an inspection. Sawcut and excavate all potholes and broken asphalt along Phillips Lane from the intersection with Sweet Briar Road to the dead end, as directed by the Town Engineer. Compact a minimum of 4" of RCA in all excavated areas.
4. Pave all sawcut areas with NYS Type 6 Top Mix asphalt to a minimum compacted thickness of 2", as directed by the Town Engineer.
5. Seal the seams where new and existing asphalt pavements meet with asphaltic sealant, as directed by the Town Engineer.
6. Trim overhanging vegetation back to a height of 14' and a width of 14', as directed by the Town Engineer.
7. Completely restore the shoulders along Phillips Lane upon the completion of road improvement work by placing topsoil and seed or ground up wood chips, as directed by the Town Engineer.
8. Submission of an executed Special Assessment District Covenant. It is recommended that you do not wait until the road work is completed to complete this document; it may be completed now, or prior to your road work being done.

This determination is valid for a period of one (1) year and imposing the normal conditions of obtaining a building permit within one year of approval is recommended.

NOW, THEREFORE BE IT RESOLVED, that for the purpose of granting permission to build on a lot fronting on a private road, the specifications recommended by the Road Review Committee for a portion of **Phillips Lane**, situate in **Shinnecock Hills** in connection with the application of **Katherine Ringwood** are approved, pursuant to the provisions of Article III Chapter 123 of the Code of the Town of Southampton.

Fiscal Impact:

NONE

Ü Vote Record - Resolution RES-2012-147					
		Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	James Malone	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Chris Nuzzi	..	..	..	..

VII. Closing