



Town Board Meeting of September 12, 2017 East Hampton, New York

I. Call to Order

10:00 AM Meeting called to order on September 12, 2017 at Montauk Firehouse, 12 Flamingo Avenue, Montauk, NY.

Attendee Name	Organization	Title	Status	Arrived
Kathee Burke-Gonzalez	Town of East Hampton	Councilwoman	Present	
Peter Van Scoyoc	Town of East Hampton	Councilman	Present	
Sylvia Overby	Town of East Hampton	Councilwoman	Present	
Fred Overton	Town of East Hampton	Councilman	Present	
Larry Cantwell	Town of East Hampton	Supervisor	Present	
Michael Sendlenski	Town of East Hampton	Town Attorney	Present	
Steve Graham	Town of East Hampton	Deputy Town Clerk	Present	

II. Public Portion

Martin Drew, Springs, posed a question about the bond resolution on the agenda today. He is concerned with the variety of uses that the resolution states, he believes the plan should be focused. He also believes that East Hampton should have a Town wide master plan for the purchasing of development rights. He would like to see the consolidation of the school districts.

Rich Monahan spoke about a Montauk CAC meeting, they would like to see the Ditch Plains main parking lot become a resident only parking lot like Indian Wells. He would also like to see the fee schedule for parking fine amounts revised.

Jim Stavola, would like to praise the Town employees for keeping this town as clean as possible during the busy months.

III. Topics

A. *Showtime Filming Update - Harold Graham*

Deputy Town Clerk Harold Graham reported on the status of the Showtime filming which will be filming for the next three and a half weeks.

IV. Liaison Reports

Councilwoman Burke-Gonzalez, reported that the Hampton shuttle will be here until it is no longer needed. There will also be a health fair at the Montauk Library on October 13th. There will be free blood pressure testing and Flu shots.

Councilman Van Scoyoc reported on the Montauk CAC who had a number of discussions. One of which was about the main parking lot at ditch and making the parking there resident only. Councilman Van Scoyoc is also going to have a conference call with Suffolk County to discuss locations of the wastewater treatment facility in Montauk. He will also be meeting with the friends of the Fowler House to discuss future management for the Fowler House. He also mentioned the Shuttle Program in Montauk was very well attended and supported by the community.

Councilwoman Overby met with the East Hampton Energy Sustainability Committee who met with the Hampton Freeride which started here and has now expanded to five cities nationally. There will be a Car Free day on Long Island. There will also be an electric vehicle expo on Sunday September 17th at the Tanger Mall. The East Hampton Arts Council discussed an event they hosted which discussed copywrites and contracts with guest attorneys. There is also an upcoming Networking Night, September 14th, from 6:00PM - 8:00PM at 144 N. Main Street.

Supervisor Cantwell stated that the shuttlebus program was a success and is hoping that it helps spur the southfork train service and additional funding from the state. He would also like to express his gratitude to the various Fire Departments in East Hampton for the annual 911 memorial which is held at the Village Green. He also reported that there is a new flood map on the Towns website

V. Resolutions

A. *COUNCILWOMAN BURKE-GONZALEZ*

B. *COUNCILMAN VAN SCOYOC*

C. *COUNCILWOMAN OVERBY*

1. Resolution 2017-986

Category: Agreements, Contracts
Sponsors: Councilwoman Sylvia Overby
Department: Housing

Hire Title Company Manor House

WHEREAS, the Town wishes to retain the services of Fidelity National Title Insurance Services, LLC to perform a title search and issue a title report, relating to the Manor House Affordable Housing Project and

WHEREAS, the Town has received an estimate from Fidelity National Title Insurance Co. through the Town's special counsel of CertimanBalin relating to said proceeding in the amount of \$\$905; now therefore be it

RESOLVED, that the Town Board authorizes the retention of Fidelity to conduct a title and related searches in an amount not to exceed \$905 to be paid upon voucher duly submitted from Budget Account CM 8-8681-54520

✓ Vote Record - Resolution RES-2017-986						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
	Kathee Burke-Gonzalez	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Peter Van Scoyoc	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fred Overton	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Larry Cantwell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. COUNCILMAN OVERTON

1. Resolution 2017-987

Category: Appointments
Sponsors: Supervisor Larry Cantwell
Department: Human Resources

Appoint Kelly Kampf Assistant Town Director of Public Safety

WHEREAS, Kelly Kampf was appointed provisional Assistant Town Director of Public Safety on Resolution 2016-1145, and,

WHEREAS, The Suffolk County Department of Civil Service has given an examination for Assistant Town Director of Public Safety and Kelly Kampf is reachable on the Suffolk County list (#17SR384), now therefore be it

RESOLVED, that Kelly Kampf be and is hereby appointed to the permanent position of Assistant Town Director of Public Safety with no change in salary or budget account (B3622-51100).

✓ Vote Record - Resolution RES-2017-987						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
	Kathee Burke-Gonzalez	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Peter Van Scoyoc	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fred Overton	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Larry Cantwell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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2. Resolution 2017-988

Category: Issue Check
Sponsors: Councilman Fred Overton
Department: Town Clerk

Refund Parking/Eh Village Ord. Tickets

WHEREAS, the following have overpaid a ticket and/or the ticket has been dismissed, and

WHEREAS, the refund of such payment has been deemed proper by the Justice Court; now, therefore, be it

RESOLVED that the bookkeeper is hereby authorized to issue refund checks in the amounts specified:

Maureen O'Hara
 PO Box 1504
 East Hampton, NY 11937

V3001902 -- \$80.00 Refund

Cathy H. Glosser
 55 E. End Ave., Apt. 4JK
 New York, NY 10028-7928

J1553 -- \$100.00 Refund

John J. Covino
 Nine Woodstork Dr.
 Mt Sinai, NY 11766

J1762 -- \$100.00 Refund

✓ Vote Record - Resolution RES-2017-988						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Kathee Burke-Gonzalez	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Peter Van Scoyoc	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Sylvia Overby	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Fred Overton	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Larry Cantwell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E. SUPERVISOR CANTWELL

1. Resolution 2017-989

Category: Appointments
Sponsors: Councilman Fred Overton
Department: Human Resources

Appont Kent Howie Assistant Town Emergency Preparedness Coordinator

RESOLVED, that Kent Howie be and is hereby appointed assistant town emergency preparedness coordinator at an annual salary of \$9,000.00 to be paid quarterly from budget account A3640-51200, upon proper submission of time records, effective retroactive to September 8, 2017.

✓ Vote Record - Resolution RES-2017-989						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
	Kathee Burke-Gonzalez	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Peter Van Scoyoc	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fred Overton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Larry Cantwell	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Resolution 2017-990

Category: Bond
Sponsors: Supervisor Larry Cantwell
Department: Town Clerk

Bond - \$2,000,000 - Acquisition of Real Property

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED SEPTEMBER 12, 2017, AUTHORIZING THE ACQUISITION OF A PARCEL OF REAL PROPERTY LOCATED IN EAST HAMPTON FOR ONE OR MORE OF THE FOLLOWING PURPOSES: (A) CONSTRUCTION OF AFFORDABLE HOUSING THEREON, (B) LAND PRESERVATION AND/OR (C) USE AS A RECREATION AREA, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,000,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF EAST HAMPTON, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of East Hampton, in the County of Suffolk, New York (herein called the "Town"), is hereby authorized to acquire a parcel of real property located in East Hampton for one or more of the following purposes: (a) construction of affordable housing thereon, (b) land preservation and/or (c) use as a recreation area. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of not to exceed \$2,000,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Debt service on the obligations herein authorized is expected to be paid from the Town's General Fund - Townwide, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$2,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized is in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. The proposed maturity of the bonds authorized by this resolution will not exceed five years.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds

with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and the powers and duties relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in “The East Hampton Star,” which is hereby designated the official newspaper of the Town for such publication.

✓ Vote Record - Resolution RES-2017-990						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Kathee Burke-Gonzalez	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Peter Van Scoyoc	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Sylvia Overby	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Fred Overton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Larry Cantwell	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Resolution 2017-991

Category: Budget
Sponsors: Supervisor Larry Cantwell
Department: Bookkeeping

Authorize Special Warrant and Budget Modification

Resolved, that the Town Board approves the use of a special warrant of up to \$200,000 (total) for the purpose of allowing the Finance Division and Land Management Department to generate a check from the Capital Fund to Bridgehampton National Bank that will be converted to bank checks as needed to be used for the security payment for the purchase of land (via auction) to be used for affordable housing and land preservation, and be it further

Resolved, that the \$200,000 will be advanced to the Capital Fund for the purpose of making the deposit payment and that the Capital Fund will repay the Whole Town Fund at the time funds are borrowed pursuant to the bond authorization approved by the Town Board for the purchase of the aforementioned land.

✓ Vote Record - Resolution RES-2017-991						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
	Kathee Burke-Gonzalez	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Peter Van Scoyoc	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fred Overton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Larry Cantwell	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VI. Executive Session - Acq.

A motion was made at 10:48 AM by Councilman Van Scoyoc Seconded by Councilwoman Burke-Gonzalez to go into executive session at 1:00PM at Town Hall, 159 Pantigo Road, East Hampton, NY 11937

VII. OPEN SESSION - 3:38 PM

A motion was made at 3:38 PM by Councilman VanScoyoc, seconded by Councilwoman Overby to come out of executive session and go into open session again.

VIII. ADDITIONAL RESOLUTIONS AFTER EXECUTIVE SESSION

1. Resolution 2017-992

Category: Acquisitions
Sponsors: Councilwoman Kathee Burke-Gonzalez
Department: Town Attorney

Resolution Authorizing the Town's Land Acquisition Manager to Participate in Auction for a Parcel of Real Property on Behalf of the Town.

WHEREAS, the Town is desirous of acquiring a certain parcel of property in East Hampton, described as SCTM#300-189-1-4 (hereinafter, "the Property") for purposes of utilizing one-half (50%) of the property as a potential affordable housing site, with the remaining one-half (50%) to be used for recreation and conservation, substantially as set forth on the annexed Map; and,

WHEREAS, the Property is scheduled for sale via auction by the foreclosing mortgage holder on September 19, 2017 and the Town is interested in bidding upon the parcel at the auction sale; and

WHEREAS, the Town's proposed acquisition is an unlisted action pursuant to the New York Environmental Quality Review Act (SEQRA) and Chapter 128 (Environmental Quality Review) of the Town Code the Town Board has prepared and considered an Environmental Assessment which evaluates the potential environmental impact of the proposed action; and

WHEREAS, the Board has determined that the proposed action will not have a significant negative impact upon the environment;

NOW, THEREFORE, BE IT RESOLVED, that a negative declaration is hereby made pursuant to the State Environmental Quality Review Act (SEQRA) and Chapter 128 (Environmental Quality Review) of the Town Code; and be it further

RESOLVED, the Town's Land Acquisition Manager is authorized and directed to attend, participate and bid to acquire the Property at the auction on behalf of the Town of East Hampton; and be it further

RESOLVED, that the Town's down payment funds to be advanced for participation in the auction shall not exceed \$200,000.00.

✓ Vote Record - Resolution RES-2017-992						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> Withdrawn						
	Kathee Burke-Gonzalez	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Peter Van Scoyoc	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Fred Overton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Larry Cantwell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Resolution 2017-993

Category: Warrant Approval
Sponsors: Councilwoman Kathee Burke-Gonzalez
Department: Town Clerk

Special Warrant - \$ 200,000

RESOLVED, that Claims on Special Warrant dated September 12, 2017, in the amount of \$ 200,000.00 Was audited by the Town Board and the Supervisor is hereby directed to pay same.

✓ Vote Record - Resolution RES-2017-993						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Kathee Burke-Gonzalez	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Peter Van Scoyoc	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Sylvia Overby	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Fred Overton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Larry Cantwell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. CLOSE MEETING - 3:41

A motion was made at 3:41 PM by Councilman VanScoyoc, seconded by Councilwoman Overby, to close the meeting.