Town Board Meeting of September 17, 2015
East Hampton, New York

I. Call to Order

6:30 PM Meeting called to order on September 17, 2015 at Town Hall Conference Room, 159 Pantigo Road, East Hampton, NY.

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Present</th>
<th>Absent</th>
<th>Late</th>
<th>Arrived</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councilwoman Kathee Burke-Gonzalez</td>
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<tr>
<td>Councilman Peter Van Scyoc</td>
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<tr>
<td>Councilwoman Sylvia Overby</td>
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<tr>
<td>Councilman Fred Overton</td>
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<tr>
<td>Supervisor Larry Cantwell</td>
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</tr>
</tbody>
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II. Public Hearings

1. Weinberg Grant of Scenic and Conservation Easement
   Schedule Public Hearing and Notice of Public Hearing

2. Behr and Outerbridge Assoc., Inc. Grant of Scenic Easement
   Schedule Public Hearing and Notice of Public Hearing

3. Scheer Grant of Scenic and Conservation Easement
   Schedule Public Hearing and Notice of Public Hearing

III. Public Portion

IV. Resolutions

A. COUNCILMAN VAN SCOYOC

RESOLUTION: 2015-1018
CATEGORY: Warrant Approval
SPONSORED BY: Councilman Peter Van Scyoc
DEPARTMENT: Town Clerk

9B Warrant- Approval of Claims $ 1,177,164.58 Utility $ 171,659.77

RESOLVED, that Claims on Warrant No. 9B/2015, in the amount of $ 1,177,164.58 Were audited by the Town Board and the Supervisor is hereby directed to pay same; and be it
RESOLVED, that Claims on Utility Warrant No. 9B/2015, in the amount of $ 171,659.77 Were audited by the Town Board and the Supervisor is hereby directed to pay same.

RESOLUTION: 2015-1019  
CATEGORY: Appointments  
SPONSORED BY: Councilman Peter Van Scoyoc  
DEPARTMENT: Human Resources

**Appoint Temporary Automotive Equipment Operator Cory Ward Highway Department**

RESOLVED, that Cory Ward be and he is hereby appointed on a temporary basis to the position of Automotive Equipment Operator with the Highway Department for the, at the hourly rate of $20.00, payable biweekly from budget account #DB5110-51200, said appointment to take effect retroactive to September 14, 2015, and be it further

RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the appropriate personnel

RESOLUTION: 2015-1020  
CATEGORY: Personnel Misc.  
SPONSORED BY: Councilman Peter Van Scoyoc  
DEPARTMENT: Human Resources

**Status Change from Seasonal to Part Time Recreation Staff Recreation Department**

WHEREAS, the following were appointed on a Seasonal basis and are now needed on a Part Time basis due to the seasonal nature of our community now therefore be it

RESOLVED that:

- Ian Cooke  Recreation Aide
- James H. Wood  Recreation Specialist
- Renaldo Barnes  Recreation Aide
- Gerald Smith  Assistant Recreation Leader
- Susan Kusanovic Lagos  Recreation Leader
- Richard Statucki  Recreation Aide
- Claudia Kusanovic  Recreation Aide
- Tri Nguyen  Recreation Aide
- Sharon Bacon  Recreation Aide
- Kawana Guerrero  Recreation Aide
- Angelique Hayward  Recreation Aide
- Andrew Payne  Recreation Aide
- Johanna Sebbesse  Recreation Aide
- Julio Tubatan  Recreation Aide
- William Mckee  Recreation Specialist
- Melina Lopez  Recreation Aide

Are hereby changed status from seasonal to part time effective to September 21, 2015 at no change in hourly rates or budget account numbers and be it further
RESOLVED, that the Town Clerks office is hereby instructed to send a copy of this resolution to the appropriate personnel.

RESOLUTION: 2015-1021  
CATEGORY: Personnel Misc.  
SPONSORED BY: Councilman Peter Van Scoyoc  
DEPARTMENT: Human Resources

**Status Change Cheryl Carter Recreation Department**

WHEREAS, Cheryl Carter was appointed on a Seasonal basis as a Recreation Leader and due to the seasonal nature of our community is now needed as a Part Time Recreation Aide now therefore be it

RESOLVED that: Cheryl Carter be appointed as Part Time Recreation Aide at $12.00 per hour from budget account number A7020-51200 effective September 21, 2015 and be it further

RESOLVED, that the Town Clerks office is hereby instructed to send a copy of this resolution to the appropriate personnel.

RESOLUTION: 2015-1022  
CATEGORY: Personnel Misc.  
SPONSORED BY: Councilman Peter Van Scoyoc  
DEPARTMENT: Human Resources

**Status Change Darci Strickland Recreation Department**

WHEREAS, Darci Strickland was appointed on a seasonal basis and her services are now needed on a full time due to the seasonal nature of our community now therefore be it

RESOLVED that Darci Strickland be and is hereby changed status from seasonal to Part Time effective September 21, 2015 and be it further

RESOLVED, that the Town Clerks office is hereby instructed to send a copy of this resolution to the appropriate personnel.

RESOLUTION: 2015-1023  
CATEGORY: Personnel Misc.  
SPONSORED BY: Councilman Peter Van Scoyoc  
DEPARTMENT: Human Resources

**Status Change John Card Laborer Highway Department**

WHEREAS John Card was hired a a seasonal laborer for the Parks Department and the Parks Department no longer requires his assistants, and the Highway Department needs his assistants therefore be

RESOLVED that John Card will now work Part Time with the Highway Department at no change to hourly rate from budget account number DB5110-51200 effective retroactive to September 14, 2015

RESOLUTION: 2015-1024  
CATEGORY: Personnel Misc.  
SPONSORED BY: Councilman Peter Van Scoyoc
**DEPARTMENT:** Human Resources

**Status Change from Seasonal to Part Time Parks Employees Parks Department**

WHEREAS, the following were appointed on a Seasonal basis and are now needed on a Part Time basis due to the seasonal nature of our community now therefore be it

RESOLVED that:

<table>
<thead>
<tr>
<th>Laborer</th>
<th>Laborer</th>
<th>Laborer</th>
<th>Laborer</th>
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</thead>
<tbody>
<tr>
<td>Maurice Barnes</td>
<td>Anthony LaFountain</td>
<td>Aquasi Frazier</td>
<td>Kyle Lynch</td>
</tr>
<tr>
<td>Devlin Webb</td>
<td>Linda Osterberg</td>
<td>Dexter Sareyarsi</td>
<td>Sherry Miller</td>
</tr>
<tr>
<td>Maintenance Mechanic II</td>
<td>Custodial Worker I</td>
<td>Custodial Worker I</td>
<td></td>
</tr>
</tbody>
</table>

are hereby changed status from seasonal to part time effective September 21, 2015 with no change to hourly rates or budget account numbers

and be it further

RESOLVED, that the Town Clerks office is hereby instructed to send a copy of this resolution to the appropriate personnel

<table>
<thead>
<tr>
<th>RESOLUTION:</th>
<th>2015-1025</th>
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</thead>
<tbody>
<tr>
<td>CATEGORY:</td>
<td>Approvals</td>
</tr>
<tr>
<td>SPONSORED BY:</td>
<td>Councilman Peter Van Scoyoc</td>
</tr>
<tr>
<td>DEPARTMENT:</td>
<td>Town Board</td>
</tr>
</tbody>
</table>

**Accept Donation of Bench in Loving Memory of Barry Silverton**

WHEREAS, Catherine Juracich would like to donate a park bench in Loving Memory of Barry Silverton, to be placed in the hamlet of Amagansett; now, therefore be it

RESOLVED, the Town Board hereby gratefully accepts the donation by Catherine Juracich to the Town of East Hampton; and, be it further

RESOLVED, the Town Clerk is hereby requested to forward a copy of this resolution to Tony Littman, Supervisor of Parks/Building Maintenance.

<table>
<thead>
<tr>
<th>RESOLUTION:</th>
<th>2015-1026</th>
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<tbody>
<tr>
<td>CATEGORY:</td>
<td>Approvals</td>
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<tr>
<td>SPONSORED BY:</td>
<td>Councilman Peter Van Scoyoc</td>
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<tr>
<td>DEPARTMENT:</td>
<td>Town Board</td>
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</tbody>
</table>

**Accept Donation of Bench to the Town of East Hampton**

WHEREAS, Meryl Stoller would like to donate a park bench to be placed in the hamlet of Amagansett; now, therefore be it

RESOLVED, the Town Board hereby gratefully accepts the donation by Meryl Stoller to the Town of East Hampton; and, be it further

RESOLVED, the Town Clerk is hereby requested to forward a copy of this resolution to Tony Littman, Supervisor of Parks/Building Maintenance.

<table>
<thead>
<tr>
<th>RESOLUTION:</th>
<th>2015-1027</th>
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<tr>
<td>CATEGORY:</td>
<td>Approvals</td>
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<tr>
<td>SPONSORED BY:</td>
<td>Councilman Peter Van Scoyoc</td>
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<tr>
<td>DEPARTMENT:</td>
<td>Town Board</td>
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</tbody>
</table>
Accept Donation of Electric Range for Fort Pond House

WHEREAS, the Concerned Citizens of Montauk ("CCOM") have graciously donated an electric range for Fort Pond House in Montauk; and

WHEREAS, the electric range has been valued at $540.00; now, therefore be it

RESOLVED, the East Hampton Town Board gratefully accepts the donation of an electric range for Fort Pond House.

RESOLUTION: 2015-1028
CATEGORY: Artist Studio
SPONSORED BY: Councilman Peter Van Scoyoc
DEPARTMENT: Town Board

Accept Donation - Bales of Hay for Fort Pond House

WHEREAS, Victoria Bustamante, an active member of our community, has generously donated 10 bales of hay to be placed at Fort Pond House in Montauk; and

WHEREAS, the 10 bales of hay have been valued at $100.00; now, therefore be it

RESOLVED, the East Hampton Town Board gratefully accepts Victoria Bustamante's donation of 10 bales of hay for Fort Pond House.

RESOLUTION: 2015-1029
CATEGORY: Approvals
SPONSORED BY: Councilman Peter Van Scoyoc
DEPARTMENT: Town Attorney

Accept Donation - Hartman's Briney Breezes Path Improvements

WHEREAS, the Town owns a parcel of property (SCTM# 0300-48-3-30) which includes a pathway provides public access to the ocean beach; and

WHEREAS, Hartman's Briney Breezes Motel is immediately adjacent to the pathway to the ocean beach; and

WHEREAS, Hartman's Briney Breezes Motel has offered to donate, install, and maintain the public access pathway to the ocean beach; now, therefore, be it

RESOLVED, that the Town accepts the donation by Hartman's Briney Breezes Motel to restore and maintain the public access pathway located on SCTM #0300-48-3-30' and be it further

RESOLVED, that all work performed upon the pathway shall be subject to the submission and approval of a hold harmless agreement as well as compliance with the requirements of law including payment of prevailing wages and provision of adequate insurance covering any Contractor(s) working upon the pathway, if applicable; and be it further

RESOLVED, that the repair, modification, improvement and/or repair of the pathway shall be subject to the approval of the Town Department of Buildings and Grounds and the Department of Natural Resources, and any proposed improvements shall be reviewed and approved by such Departments prior to the commencement of any work.
RESOLUTION: 2015-1030  
CATEGORY: Approvals  
SPONSORED BY: Councilman Peter Van Scoyoc  
DEPARTMENT: Town Attorney  

Encourage Suffolk County to Join the Energy Improvement Corporation (EIC)  

WHEREAS, the Energy Improvement Corporation (EIC) is a non-profit, local development corporation that provides financing for qualified energy efficiency and renewable energy projects; and  

WHEREAS, EIC is New York State’s Property Accessed Clean Energy (PACE) provider and uses the PACE Model to provide low cost, long term financing for commercial properties to make clean energy improvements; and  

WHEREAS, the New York State Assembly signed legislation into law authorizing local governments to establish sustainable energy loan programs to finance energy efficient improvements to residential, commercial, industrial and public buildings using federal funds; and  

WHEREAS, in order to offer PACE financing to commercial properties and non-profit owners in the Town of East Hampton, Suffolk County must join the EIC as a member; and  

WHEREAS, there are no costs to Suffolk County for membership and in order to facilitate PACE financing, the County would add a tax charge to participating property owner’s annual tax bills and collect the taxes as part of its normal tax collection duties; and  

WHEREAS, enabling PACE financing will provide commercial property owners the opportunity to make valuable improvements that will lower operating costs, provide more local jobs, keep dollars in our regional economy and help the Town meet its energy goals; now therefore be it  

RESOLVED, that the Town of East Hampton encourages Suffolk County to join the Energy Improvement Corporation to make PACE financing available to commercial and non-profit property owners; and be it further  

RESOLVED, that the Town Supervisor is authorized to submit a letter of support to County Executive Steve Bellone and the Suffolk County Legislature encouraging the County to join the Energy Improvement Corporation.  

RESOLUTION: 2015-1031  
CATEGORY: Budget  
SPONSORED BY: Councilman Peter Van Scoyoc  
DEPARTMENT: Bookkeeping  

Budget Modification - Buildings and Grounds  

Resolved, that at the request of the department head the following budget modification be made to fully fund water payments at the Montauk Playhouse:  

From A1620-51200 $300 to A1620-54320
RESOLUTION: 2015-1032
CATEGORY: Bids to Notice
SPONSORED BY: Councilman Peter Van Scoyoc
DEPARTMENT: Purchasing


WHEREAS, the Town of East Hampton wishes to obtain proposals for the Coastal Assessment Resiliency Plan through RFP EH2015-112; now, therefore be it

RESOLVED, that the Purchasing Department be and hereby is authorized to advertise for the Proposal as per the following:

Request for Proposals

TAKE NOTICE, that sealed proposals will be received by the Purchasing Agent at 159 Pantigo Road on Thursday October 8, 2015 no later than 3:00 p.m. prevailing time.

Specifications are available at the Purchasing Department Office and may be picked up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, (except Holidays) beginning September 17, 2015. These proposals have met with approval of the Purchasing Department.

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

And, be it further

RESOLVED, that the following proposals shall be received by the purchasing Agent by 3:00 p.m. on the date noted above, at which time be publicly read aloud:

RFP # Name Opening Date
EH2015-112 Coastal Assessment Resiliency Plan October 8, 2015

B. COUNCILWOMAN OVERBY

RESOLUTION: 2015-1033
CATEGORY: Public Hearing
SPONSORED BY: Councilwoman Sylvia Overby
DEPARTMENT: Housing

Schedule Public Hearing 2016 Community Development Block Grant Funds

WHEREAS, the Town Board desires to hear the comments of the public in regard to citizens' views on local needs to be met with 2016 Community Development Block Grant Funds, now therefore be it

RESOLVED, that the Town Clerk is Hereby Directed to Publish the Annexed Notice of Public Hearing in the September 24, 2015 Edition of the East Hampton Star, and be it Further

RESOLVED, that the Town Clerk is Directed to Forward a Copy of This Resolution to Tom Ruhle, Director, Office of Housing and Community Development.
Notice of Public Hearing

In April 2016 the Town of East Hampton Expects to Receive Approximately $104,400 in Federal Community Development Block Grant Funds. These Funds May be Used, and Have Been Previously Used for a Variety of Projects that Benefit Low and Moderate Income Persons, Aid in the Prevention or Elimination of Slums or Blight And/Or Meet a Need Having a Particular Urgency.

TAKE NOTICE that the Town Board of the Town of East Hampton, Will Hold a Public Hearing at the Meeting Room, Town Hall, 159 Pantigo Road, East Hampton, New York, 11937, on November 5, 2015 at 6:30 Pm or as Soon Thereafter as This Matter May be Heard, to Consider Citizens' Views on Local Housing and Community Development Needs to be Met with the $104,400 in Federal Community Development Block Grant Funds Expected in April of 2016. These Funds May be Used, and Have Been Previously Used for a Variety of Projects to be Selected by Local Officials.

Examples of Eligible Activities Include:

- Housing Rehabilitation
- Elimination of Physical Barriers to the Handicapped
- Public Facilities and Improvements
- Street Improvements
- Public Service Activities
- Neighborhood Improvement Programs

Public Service Activities Are Limited to a Maximum of 15% of the Total Grant Which is Approximately $15,600

The Amount of the Final Funding is Subject to Congressional Appropriation.

All persons wishing to address the Town Board with regard to this matter may do so, in person, by agent, or in writing, addressed to the Town Board, c/o the Town Clerk, 159 Pantigo Road, East Hampton, New York, 11937, said writing to be clearly marked on the outside, "For CDBG Public Hearing 11/5/2015, 6:30 pm", and received on or before the date and time set forth herein for the hearing.

RESOLUTION: 2015-1034
CATEGORY: Public Hearing
SPONSORED BY: Councilwoman Sylvia Overby
DEPARTMENT: Land Acquisition

Letsios SPH NPH CPF Acquisition and Amend 2015 M&S Plan

SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S PLAN
Purported Owner: Michael Letsios
Location: 5 Culloden Place, Montauk
SCTM #: 300-10-7-8

WHEREAS, the Town of East Hampton is considering the purchase of approximately .5 acres of land located on 5 Culloden Place, Montauk which lands are identified on the Suffolk County Tax Map as SCTM #300-10-7-8; and
WHEREAS, the proposed purchase price is $350,000.00, plus survey, title, prorated tax, and recording charges; and

WHEREAS, the purpose of said acquisition is the preservation of Open Space; and

WHEREAS, the Town's proposed funding source is Community Preservation Funds; and

WHEREAS, on January 15, 2015 the Town Board adopted the 2015 Management & Stewardship Plan (M&S Plan) for CPF properties pursuant to Town Law 64-e (6) which requires a property to be included in this Plan in order to expense any management and stewardship costs to the Community Preservation Fund; and

WHEREAS, said M&S Plan shall be in effect for calendar year 2015 with updates permitted from time to time at the discretion of the Town Board after a public hearing; and

WHEREAS, this interest in real property may require management and stewardship activities; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to ? 247 of the General Municipal Law and ? 64-e (8) of the Town Law of the State of New York, the Town Board will hold a public hearing to consider the following:

A) The acquisition of the above described property, reputedly owned by Michael Letsios, at a cost to the Town of East Hampton not to exceed $350,000.00 plus reasonable survey, title, prorated tax, and recording charges

B) An amendment to the 2015 M&S Plan to include said property

Said public hearing to be held in the Town Board Meeting Room, East Hampton Town Hall, 159 Pantigo Road, East Hampton, New York, on October 1, 2015 at 6:30 p.m. or as soon thereafter as this matter may be heard; and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to publish a Notice of Public Hearing in the September 24, 2015 edition of the East Hampton Star.

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of East Hampton will hold a public hearing pursuant to ? 247 of the General Municipal Law and ? 64-e (8) of the Town Law of the State of New York on October 1, 2015 at 6:30 p.m. in the Town Board Meeting Room, Town Hall, 159 Pantigo Road, East Hampton, New York, or as soon thereafter as this matter may be heard, to consider the following:

A) The Town's acquisition for open space purposes, with Community Preservation Funds of property located at 5 Culloden Place, Montauk reputedly owned by Michael Letsios, and consisting of approximately .5 acres of land, at a cost to the Town of East Hampton not to exceed $350,000.00 plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as SCTM #300-10-7-8
B) An amendment to the 2015 CPF Management & Stewardship Plan to include said property

Any person or party wishing to be heard with respect to the foregoing may do so, in person or by agent or by attorney, or by written comment addressed to the East Hampton Town Clerk, 159 Pantigo Road, East Hampton, New York 11937 and actually received by the date and time of the public hearing as set forth herein.

Dated: September 17, 2015
Financial Impact:
No impact for SPH NPH

RESOLUTION: 2015-1035
CATEGORY: Public Hearing
SPONSORED BY: Councilwoman Sylvia Overby
DEPARTMENT: Town Attorney

Notice of Public Hearing to Amend Town Code Chapter 255 (Zoning) and Chapter 220 (Subdivision of Land) to Correct Errors and Omissions

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing be held on October 15, 2015 at 6:30 p.m., or as soon thereafter as can be heard, at East Hampton Town Hall, 159 Pantigo Road, East Hampton, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW amending portions of Town Code Chapter 255 (Zoning) and Chapter 220 (Subdivision of Land) to correct errors and omissions" which provides as follows:

LOCAL LAW NO. OF 2015
Intro. # Of 2015

A LOCAL LAW amending portions of Town Code Chapter 255 (Zoning) and Chapter 220 (Subdivision of Land) to correct errors and omissions.

BE IT ENACTED by the Town Board of the Town of East Hampton as follows:

SECTION 1. Legislative Intent.
The Town of East Hampton has been made aware of certain errors and omissions contained within portions of Chapter 255 (Zoning) and Chapter 220 (Subdivision of Land) of the Town Code. The Town Board wishes to correct said errors and omissions to properly reflect the original intent of the local laws adopting the affected provisions of the Code.

SECTION 2. Amendment.
Chapter 220 (Subdivision of Land), Section 220-3.02 (Streets, common driveways and driveways) and Chapter 255 (Zoning), Sections 255-3-10 (Overlay districts established), 255-2-12 (Specific requirements for individual land use districts), 255-11-67 (Additional regulations), 255-11-10 (Residence Districts- Table of Dimensional Regulations, Part I), 255-11-23 (Limitation
on Accessory Buildings), and 255-1-83 (General Lighting Standards) are hereby amended by deleting those words that are stricken and adding those words underlined as follows:

§ 220-3.02. Streets, common driveways and driveways.
F. (1) (c) Common driveway for three lots. The width of a common driveway serving three lots shall be as follows:

<table>
<thead>
<tr>
<th>Length of Driveway (feet)</th>
<th>Right-of-Way Width (feet)</th>
<th>Cleared Width (feet)</th>
<th>Improved Roadway Width (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>501 to 750 up to 750</td>
<td>25 (minimum)</td>
<td>20</td>
<td>16</td>
</tr>
<tr>
<td>751 or greater</td>
<td>25 (minimum)</td>
<td>22</td>
<td>18</td>
</tr>
</tbody>
</table>

§ 255-3-10. Overlay districts established.
For the purpose of applying additional uniform land use regulations to specific categories of land sharing certain important characteristics, there are hereby established the following overlay districts:

A. Affordable Housing Overlay District (AHO).
B. Agricultural Overlay District (AGO).
C. Flood Hazard Overlay District (FHO).
D. Limited Business Overlay District (LBO).
E. Water Recharge Overlay District (WRO).
F. Harbor Protection Overlay District (HPO).
   [Added 10-6-1995 by L.L. No. 12-995]
G. Coastal Erosion Overlay District (CEO).
   [Added 4-13-2007 by L.L. No-14-2007]
H. Recreational Overlay District (ROD).
   [Added 7-1-2005 by L.L. No. 19-2005]

§ 255-2-12. Specific requirements for individual land use districts.
A. (2) Notwithstanding the provisions of Paragraphs (1) and (6) of § 255-6-30 of this chapter, the Building Inspector, without site plan approval from the Planning Board, may grant a permit for the construction of one storage building for each commercial-service use on a lot, said storage building not to exceed 200 square feet in gross floor area, and not to exceed a height of 20 feet, and containing no plumbing facilities. Such permit shall also specify the clearing and grading reasonably necessary to allow for access to and construction of such storage building, and no other clearing or grading shall be done without site plan approval.

A. (8) The length **width** of an enclosed hallway, breezeway or other design that functionally separates living space in a single-family dwelling cannot exceed \( \frac{1}{4} \) of its width. **Must be equal to or greater than one-half its length.**

§ 255-11-10. III. Residence Districts- Table of Dimensional Regulations, Part I.
Note 6. Excepting the following structures, for which no minimum yards are required: driveways, walkways, below-ground wastewater disposal devices, fences and walls less than six feet in height, stoops, outdoor showers, Bilco doors, open cellar stairways, and furnace flues.

The term “accessory building” may include a private garage, garden shed, private greenhouse or other similar building conforming to the definition of “accessory building,” but no accessory building **on any residential property** shall have a gross floor area equal to or greater than 600 square feet except an artist’s studio meeting the requirements of this chapter. No accessory building **on any residential property**, other than a pool house of less than 200 square feet in gross floor area or an artist’s studio meeting the requirements of this chapter, shall contain any bath, shower or plumbing facilities.

§ 255-1-83. General Lighting Standards
D. Prohibited lighting. The following types of lighting are prohibited:
(9) **Any light source with a color temperature greater than 3000 Kelvin (K).**

**SECTION 3.** Authority.

The proposed local law is enacted pursuant to NYS Town Law, Article 16, Municipal Home Rule Law §10(1)(ii)(a)(11) and (12).

**SECTION 4.** Severability.

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

**SECTION 5.** Effective Date

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.
AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING
Intro. # of 2015

PLEASE TAKE NOTICE that a public hearing shall be held on October 15, 2015 at 6:30p.m., or as soon thereafter as can be heard, at East Hampton Town Hall, 159 Pantigo Road, East Hampton, New York, to hear any and all persons either for or against a local law entitled: “A LOCAL LAW amending portions of Town Code Chapter 255 (Zoning) and Chapter 220 (Subdivision of Land) to correct errors and omissions."

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

RESOLUTION: 2015-1036
CATEGORY: Approvals
SPONSORED BY: Councilwoman Sylvia Overby
DEPARTMENT: Town Attorney

Accept Funds for Road Improvements - Whalebone Woods

WHEREAS, the Town of East Hampton improved all of the roads in the Whalebone Woods subdivision to Town standards as part of its construction of an affordable housing development; and

WHEREAS, Whalebone Woods is within the Town's Urban Renewal (Old Filed Map) Study Area; and as such, properties located within the area are required to make road improvements in accordance with the requirements of the Urban Renewal regulations; and

WHEREAS, the road improvement costs were included within the costs of the houses constructed by the Town, but not all properties within Whalebone Woods were owned or developed by the Town; and

WHEREAS, individual owners of lots which were not developed by the Town were required to make their contribution to the costs of Whalebone Woods road improvements by contributing funds to the Town in lieu of performing actual work within the subdivision, and the Town received and accepted contributions towards road improvements as set forth below; now, therefore, be it

RESOLVED, that the road improvement contributions received as set forth below are hereby authorized to the transferred to the Town's A fund:

<table>
<thead>
<tr>
<th>NAME OF PRINCIPAL (Applicant)</th>
<th>UR PARCEL (SCTM #)</th>
<th>AMOUNT</th>
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<tbody>
<tr>
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**RESOLUTION:** 2015-1037  
**CATEGORY:** Approvals  
**SPONSORED BY:** Councilwoman Sylvia Overby  
**DEPARTMENT:** Town Board

**Adopt Revised By-Laws - East Hampton Town Anti-Bias Task Force**

WHEREAS, the East Hampton Town Anti-Bias Task Force ("ABTF") created By-laws in 2001; and

WHEREAS, the ABTF has revised these By-laws to include contemporary issues not prevalent during that time; and

WHEREAS, the East Hampton Town Board believes that adoption of the "Anti-Bias Task Force of the Town of East Hampton Revised By-Laws (July 2015)" will further the goals of the ABTF to address modern issues of bias, prejudice and discrimination and to promote diversity, unity and understanding in our community; now, therefore be it

RESOLVED, the attached ABTF Revised By-Laws (July 2015) is hereby adopted by the East Hampton Town Board; and, be it further

RESOLVED, the Town Clerk is hereby requested to forward a copy of this resolution to Rosa Scott, Chair. of the ABTF.

Financial Impact: none
BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED SEPTEMBER 17, 2015, AUTHORIZING THE ACQUISITION OF COMPUTER HARDWARE AND SOFTWARE FOR THE NEW TIME AND ATTENDANCE SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $120,000, APPROPRIATING $30,000 IN ADDITION TO THE $90,000 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $30,000, IN ADDITION TO THE $90,000 BONDS HERETOFORE AUTHORIZED

Recitals

WHEREAS, the Town Board of the Town of East Hampton, in the County of Suffolk, New York (the "Town"), has heretofore duly authorized the acquisition of computer hardware and software for the new time and attendance system, at the estimated maximum cost of $90,000, which amount was appropriated for such purpose pursuant to the bond resolution duly adopted on June 4, 2015; and

WHEREAS, due to an increase in the scope of said project, it is necessary and in the public interest to increase the appropriation for the project by $30,000 and to authorize an additional $30,000 in bonds of the Town to finance said additional appropriation;

Now, therefore,

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 computer hardware and software for the new time and attendance system. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $120,000, and $30,000 is hereby appropriated for such purpose, in addition to the $90,000 heretofore appropriated. The plan of financing includes the issuance of the $30,000 bonds to finance said additional appropriation, in addition to the $90,000 bonds heretofore authorized pursuant to the bond resolution duly adopted by the Town Board on June 4, 2015, 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 General Fund - Part Town, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed $30,000 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 additional appropriation.
Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

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.
RESOLUTION: 2015-1040  
CATEGORY: Conference  
SPONSORED BY: Councilman Fred Overton  
DEPARTMENT: Town Board  

Authorize McKissock Appraisal Continuing Education Online - Three Courses Totaling 14 Hours- Jill Massa

BE IT RESOLVED, Town Assessor Jill Massa is hereby authorized to take the above Online education given by McKissock Appraisal Continuing Education; and, be it further RESOLVED, that all allowable expenses incurred (cost $259.90) shall be paid out of Budget Account #1355.54200 upon vouchers duly submitted. Financial Impact: $229.85 total taken from Budget Account #1355.54200  

D. SUPERVISOR CANTWELL

RESOLUTION: 2015-1041  
CATEGORY: Bond SEQRA  
SPONSORED BY: Supervisor Larry Cantwell  
DEPARTMENT: Town Attorney  

SEQRA Determination for Bond Resolution, Repair to Emergency Operations Building

WHEREAS, the Town Board has before it for consideration on September 17, 2015, a Bond Resolution for the funding of improvements and maintenance to the Emergency Operations Center Building; and

WHEREAS, the proposed project is deemed a Type II action under the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617.5(c)(1), maintenance or repair involving no substantial in an existing structure or facility and Chapter 128 of the Town Code; now therefore be it

RESOLVED, that the Town Board finds that the above referenced action is classified as Type II Action under SEQRA pursuant to 6 NYCRR Part 617.5(c)(1) and Town Code Chapter 128, and as such, no further environmental review of the proposed project is required.

RESOLUTION: 2015-1042  
CATEGORY: Bond  
SPONSORED BY: Supervisor Larry Cantwell  
DEPARTMENT: Town Clerk  

BOND - $90,000 Emergency Operations Center Building

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED SEPTEMBER 17, 2015, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE EMERGENCY OPERATIONS CENTER BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $90,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND
AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $90,000 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 construct improvements to the Emergency Operations Center building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $90,000 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 $90,000 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 the (a) Town's General Fund - Townwide and (b) Town's General Fund - Part-Town, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed $90,000 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 objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a)(3) of the Law, is ten (10) years.

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 exceed five (5) 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 of the Law 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 is subject to a permissive referendum and the Town Clerk of said Town of East Hampton is hereby authorized and directed to cause to be published, in full, within ten (10) days after the adoption of this resolution, in "The East Hampton Star" which is hereby designated the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

LEGAL NOTICE
TOWN OF EAST HAMPTON, NEW YORK

PLEASE TAKE NOTICE that on September 17, 2015, the Town Board of the Town of East Hampton, in the County of Suffolk, New York, adopted a bond resolution entitled:
"Bond Resolution of the Town of East Hampton, Suffolk County, New York, adopted September 17, 2015, authorizing the construction of improvements to the Emergency Operations Center building, stating the estimated maximum cost thereof is $90,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed $90,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the construction of improvements to the Emergency Operations Center building; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $90,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds of the Town in the principal amount of not to exceed $90,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon; and STATING that debt service on the obligations herein authorized is expected to be paid from the (a) Town's General Fund - Townwide and (b) Town's General Fund - Part-Town, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed $90,000 bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;
THIRD: DETERMINING and STATING the period of probable usefulness applicable to the objects or purposes for which said bonds are authorized to be issued, is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said $90,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof, and other related powers; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: September 17, 2015

CAROLE A. BRENNAN
Town Clerk

Section 10. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper(s) referred to in Section 9 hereof, and hereby designated the official newspaper(s) for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

RESOLUTION: 2015-1043
CATEGORY: Public Hearing
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Town Attorney

NOPH East Hampton Road (Sag Harbor) Fire Protection Dist.

BE IT RESOLVED, that a public hearing is hereby scheduled to be held, said hearing to be held at the Town Hall Court Room, East Hampton Town Hall, 159 Pantigo Road, East Hampton, on Thursday, October 15, 2015 at 6:30 p.m. or as soon thereafter as this matter may be heard on a proposed contract with Sag Harbor Village for fire protection and emergency ambulance service to be furnished by the Village on behalf of the fire protection district known as East Hampton Fire Protection District for the calendar year 2016 upon the following general terms:

(1) The Fire Department shall answer and attend all calls in said Fire District and shall furnish fire fighting vehicles and equipment and fire fighting personnel;

(2) The Fire Department shall furnish emergency ambulance service, including vehicles and equipment and ambulance personnel to the District;

(3) For fire protection services during the 12 month period of 2016, Sag Harbor Village shall be paid on or before February 1, 2016 the total sum of $22,018.59, and for ambulance protection services during the 12 month period of 2016, Sag Harbor Village shall be paid on
or before February 2016, $11,564.25; and from such funds the Fire Department shall be paid directly the total sum of $4,484.25, on or before February 1, 2016, and the Ambulance Corps shall be paid directly the total sum of $1,362.79, on or before February 1, 2016. The Town's total costs for fire protection and ambulance services under the Contract $33,582.84.

AND BE IT FURTHER RESOLVED, that the Town Clerk is directed to publish a Notice of Public Hearing in the next available edition of the East Hampton Star;

NOTICE HEREBY GIVEN, that the Town Board of the Town of East Hampton will hold at Town Hall, 159 Pantigo Road, East Hampton, New York on Thursday, October 15, 2015, at 6:30 p.m. or as soon thereafter as this matter may be heard, for the purpose of considering a proposed contract with the Village of Sag Harbor for fire protection and emergency ambulance service to be furnished by the Village on behalf of the fire protection district known as the East Hampton Fire Protection District for the calendar year 2016, upon the following general terms:

(1) The Fire Department shall answer and attend all calls in said Fire District and shall furnish fire fighting vehicles and equipment and fire fighting personnel;

(2) The Fire Department shall furnish emergency ambulance service, including vehicles and equipment and ambulance personnel to the District;

(3) For fire protection services during the 12 month period of 2016, Sag Harbor Village shall be paid on or before February 1, 2016 the total sum of $22,018.59, and for ambulance protection services during the 12 month period of 2016, Sag Harbor Village shall be paid on or before February 2016, $11,564.25; and from such funds the Fire Department shall be paid directly the total sum of $4,484.25, on or before February 1, 2016, and the Ambulance Corps shall be paid directly the total sum of $1,362.79, on or before February 1, 2016. The Town's total costs for fire protection and ambulance services under the Contract $33,582.84.

Any individuals wishing to be heard on this matter may appear in person or by agent at the time of hearing, or by correspondence addressed to the Town Board, c/o Town Clerk, 159 Pantigo Road, East Hampton, New York 11937, said correspondence to be received before the date and time of hearing.

Dated: September 17, 2015

BY ORDER OF THE TOWN BOARD

Town of East Hampton

Carole Brennan
Town Clerk

RESOLUTION: 2015-1044
CATEGORY: Personnel Misc.
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Human Resources

Status Change Marine Patrol Personnel Town Police Department

WHEREAS, the following individuals were appointed on a seasonal basis and their services are now needed on a Part Time basis due to the seasonal nature of our community now therefore be it
RESOLVED, that the following individuals be and they are hereby appointed as Part Time Harbor Masters and Bay Constables with change in hourly rate or budget account number, said appointments to take September 21, 2015

Christopher Pennisi    Nicholas Pupo
James Jahoda     Mitchell Savino     Thomas Lambert
Keith McMahon     Jason Charron -Bay Constable
Richard Vish     Matthew Zukosky - (Bay Constable)
John Behan Jr

and be it further

RESOLVED, the following individuals be and they are hereby appointed as call-In Harbormasters & Boat Operator with no change to budget account number or hourly rates,

Joe Dryer     Charles Kamensky     John Lascari
Daryl Michels Boat- Operator

RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the appropriate personnel.

RESOLUTION: 2015-1045
CATEGORY: Personnel Misc.
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Human Resources

Extend Seasonal Traffic Control Officers Town Police Department

WHEREAS, the Police Department has received permission to extend the Traffic Control Officers and Police Officer seasonal appointment beyond the regular season end date of 9/21/2015 now therefore be it

RESOLVED, that the following individuals end date be extended to November 1, 2015

Michael Krauss    Patrick Story    Bradley Hughes
Alexis Serna     Gunnar Jacobs    Robert Vecchio
Lewis Palmer     Caitllyn McAulliffe   Amanda Vecchio

and be it further

RESOLVED, that the following Seasonal Police Officers end date be extended to November 1, 2015

Andrea Kess     Eduardo Nava
Justin Solof    Leonard Lynott

and be it further

RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the appropriate personal.

RESOLUTION: 2015-1046
CATEGORY: Approvals
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Town Attorney

Waive Building Permit and Certificate of Occupancy Fees - Montauk Historical Society
Whereas, the Montauk Point Lighthouse Committee of the Montauk Historical Society has filed a Site Plan application for the construction of a barn to be situated adjacent to the 1838 Keeper's Dwelling at the Lighthouse; and

Whereas, a barn was situated at the same site in the 1800s and shall be reconstructed in connection with the restoration of the 1838 Keeper's Dwelling; and

Whereas, the Montauk Point Lighthouse Museum Committee on behalf of the Montauk Historical Society has requested the fees associated with the issuance of a building permit and certificate of occupancy for the above referenced project be waived; and now, therefore be it

RESOLVED, that the Town Board of the Town of East Hampton hereby waives all Building and Planning Department fees associated with the building permit and certificate of occupancy, including inspection fees, for the construction of the proposed barn situate adjacent to the 1838 Keeper's Dwelling at the Lighthouse in Montauk.

RESOLUTION: 2015-1047
CATEGORY: Budget
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Bookkeeping

Amend Resolution 2015-944 Travel Authorization

Resolved, resolution 2015-944, travel authorization for Len Bernard to attend the ICMA national meeting, includes the reimbursement to Mr. Bernard of travel to and from the conference daily and between the conference and the airport with the not to exceed amount of $1,100 changing to $1,200.

RESOLUTION: 2015-1048
CATEGORY: Budget
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Town Attorney

Amend Authorization for D and B Engineers to Increase Authorized Amount

WHEREAS, the Town entered into a contract with D and B Engineers and Architects, P.C. to provide "on call" engineering services on the construction project to be performed to the downtown Montauk Beach area, pursuant to Resolution 2015-144; and,

WHEREAS, the original authorization was in the amount of $25,000 dollars pursuant to Resolution 2015-144; and,

WHEREAS, the initial authorization needs to be increased to accommodate additional engineering services needed by the Town; now therefore be it

RESOLVED, that the $25,000 limit amount authorized in Resolution 2015-144 be increased by $15,000 to a total authorized amount not to exceed $40,000; and be it further

RESOLVED, that this increased funding shall be from accounts HA162052001-12032 and A8790-54500 and the finance department is hereby authorized and directed to make any and all necessary modifications to effectuate the same.
**RESOLUTION:** 2015-1049  
**CATEGORY:** Budget  
**SPONSORED BY:** Supervisor Larry Cantwell  
**DEPARTMENT:** Bookkeeping  

**Amend Police Budget for Retroactive Pay for Dispatchers Contract Settlement**

Whereas, the Police Department needs to cover expenses for the payment of Retroactive Pay for 2013-2014 resulting from the settlement of the Dispatchers Contract in the amount of $96,712.00

Whereas, Budgeted increases for Dispatchers Salaries for 2013 and 2014 which were unspent at year end, rolled into B Fund Surplus to be funded with Appropriated Surplus; now therefore it be:

Resolved, that the Town Board directs the Budget Office to make the following budget modification:

Budget Amendment:

<table>
<thead>
<tr>
<th>INCREASE:</th>
<th>B0 41775 Appropriated Surplus</th>
<th>in the amount of $96,800</th>
</tr>
</thead>
<tbody>
<tr>
<td>INCREASE:</td>
<td>B3120.51500 Retroactive Pay</td>
<td>in the amount of $96,800</td>
</tr>
</tbody>
</table>

**Financial Impact:**  
Total Budget Modification $96,800 Funded by Surplus Budgeted Salary (2013 and 2014)

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**RESOLUTION:** 2015-1050  
**CATEGORY:** Conference  
**SPONSORED BY:** Supervisor Larry Cantwell  
**DEPARTMENT:** Purchasing  


WHEREAS, the State Association of Municipal Purchasing Officials are conducting the Annual Long Island Regional Conference in Wading River, NY, October 27-29, 2015; and be it further

RESOLVED, that Jeanne Carroza, is hereby authorized to attend said conference October 27-29, 2015 and Lisa Valcich on October 29, 2015; and, be it further

RESOLVED, all costs for Jeanne Carroza and Lisa Valcich are paid for by SAMPO.  

**Financial Impact:**  
No cost to the Town

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**RESOLUTION:** 2015-1051  
**CATEGORY:** Agreements, Contracts  
**SPONSORED BY:** Supervisor Larry Cantwell  
**DEPARTMENT:** Town Attorney  

**Agreement with County - AAA Transportation**

WHEREAS, a AAA Transportation Program has been designated in the Suffolk County Operating Budget to receive funding; and
WHEREAS, AAA Transportation Program expands essential transportation activities for the elderly by providing assistance in meeting the transportation operating expenses related to serving the elderly, as part of the required supportive services of the IIIC Nutrition Program for the Elderly or other such programs for the elderly that provide transportation services; and

WHEREAS, the enhancement of transportation services is considered to be in the best interest of the County and the elderly residents of Suffolk County and ensures the best possible outcome; now therefore be it

RESOLVED, that the Town of East Hampton is hereby authorized to enter into an agreement with the Suffolk County Office for the Aging to provide transportation services for the Elderly Program and Case Management, and the Supervisor is authorized to execute all documents required in connection therewith.

RESOLUTION: 2015-1052  
CATEGORY: Agreements, Contracts  
SPONSORED BY: Supervisor Larry Cantwell  
DEPARTMENT: Town Attorney

Authorize Emergency Repair - Lazy Point Boat Ramp

WHEREAS, the Town of East Hampton provides boat access to Napeague Bay by way of a boat launching ramp at Lazy Point Road, Amagansett; and

WHEREAS, it has come to the Town Board's attention that the ramp has sustained damage and become potentially dangerous for use by the public due to above surface and sub-surface conditions, and closure of the ramp until repairs have been made has been difficult to enforce; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to make emergency repairs to the boat ramp to eliminate the potential hazards to the Town's citizens due to potentially dangerous and unsafe conditions existing at the boat launching ramp; now, therefore, be it

RESOLVED, that DJ Whelan Corp., Is hereby retained to make repairs to the boat launching ramp pursuant to his proposal dated September 10, 2015 at a cost not to exceed the sum of $24,000.00 and the Supervisor is authorized to enter into an agreement for such work; and be it further

RESOLVED, that payment for such work shall be made upon properly authorized and approved invoices from budget account HA 5110 52606 13056.

RESOLUTION: 2015-1053  
CATEGORY: Approvals  
SPONSORED BY: Supervisor Larry Cantwell  
DEPARTMENT: Town Attorney

Request Permission from NYSDOT to Prohibit Parking on the South Side of Montauk Highway on Portions of the Napeague Stretch
WHEREAS, the Town Board has been made aware of safety issues and concern among members of the community regarding with parking, traffic congestion, and pedestrian safety along Montauk Highway (Route 27) in the vicinity of Cyril’s Fish House, located at 2167 Montauk Highway, Amagansett; and

WHEREAS, Montauk Highway (Route 27) is a state highway at this location, and, pursuant to New York Vehicle & Traffic Law § 1684, the Town may not restrict parking along this highway without approval in writing from the New York State Department of Transportation; and

WHEREAS, the Town of East Hampton Police Department has expressed its concern for the safety of the vehicular and pedestrian traffic in this area, particularly due to patrons of Cyril’s Fish House frequently parking on the south side of the highway and attempting to cross the highway to travel to and from the establishment; and

WHEREAS, the East Hampton Fire Marshal’s Office has also expressed its concern about the danger of people parking on the south side of Montauk highway and crossing traffic to travel to and from Cyril’s Fish House, as well as about the fact that all fire hydrants in the vicinity are located on the south side of the highway, and a lineup of parked cars, even if not parked directly in front of a hydrant, could make it difficult for rapid and effective Fire Department access and response in the event of an emergency; and

WHEREAS, the Town Board concurs with the concerns of the Police Department and the Fire Marshal regarding the need for improvement of safety conditions along this stretch of Montauk Highway, and believes the best method of improving safety in this area is to prohibit parking along the south side of Montauk Highway from the westerly boundary line of Suffolk County Tax Map parcel #300-110-2-20.3 (2118 Montauk Highway) to 500 feet east of the easterly boundary line of SCTM #300-110-1-13 (2178 Montauk Highway); now, therefore, be it

RESOLVED, that the Town Board hereby requests that the New York State Department of Transportation give approval for the Town to prohibit parking on the south side of Montauk Highway between the westerly boundary line of SCTM #300-110-2-20.3 and a point 500 feet east of the easterly boundary line of SCTM #300-110-1-13; and be it further

RESOLVED, that a copy of this resolution be forwarded to the New York State Department of Transportation Regional Traffic Office, 250 Veterans Memorial Highway, Hauppauge, New York 11778.

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RESOLUTION: 2015-1054
CATEGORY: Bids to Notice
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Purchasing
Notice EH15-053 - Navy Road Pier Repair Re-Bid Bid Available 9/17/15 - Bid Due 9/25/15

WHEREAS, the Town of East Hampton wishes to perform public works in excess of $35,000.00; and
WHEREAS, pursuant to GML 103 all public works projects that will exceed $35,000.00 shall be formally bid; now, therefore, be it

RESOLVED, as per the request of the Harbors & Docks Department, that the Purchasing Department 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 Purchasing Agent, 159 Pantigo Road on Friday September 25, 2015 at 1:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Navy Road Pier Repair Re-Bid

Specifications are available at the purchasing Department office and may be picked up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, (except Holidays) beginning September 17, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked "Navy Road Pier Repair Re-Bid".

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

And, be it further

RESOLVED, that the following bid shall be received by the purchasing Agent by 1:00 p.m. on the date noted above, at which time they will be opened and publicly read aloud.

<table>
<thead>
<tr>
<th>Bid #</th>
<th>Name</th>
<th>Opening Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>EH15-053</td>
<td>Navy Road Pier Repair Re-Bid</td>
<td>September 25, 2015</td>
</tr>
</tbody>
</table>

; and, be it further

RESOLVED, that the Town reserves the right to reject any and all bids.

------------------------------------------
RESOLUTION: 2015-1055
CATEGORY: Bids to Notice
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Purchasing

Notice EH15-054 - Annual Sidewalk Contract Bid Available 9/17/15 - Bid Due 10/1/15

WHEREAS, the Town of East Hampton wishes to perform public works in excess of $35,000.00; and

WHEREAS, pursuant to GML Section 103 all public works projects that will exceed $35,000.00 shall be formally bid; now, therefore, be it
RESOLVED, as per the request of the Highway Department, that the Purchasing Department 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 Purchasing Agent, Purchasing Department, Town Hall on October 1, 2015 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Annual Sidewalk Contract

Specifications are available at the purchasing Department Office and may be picked up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, (except Holidays) beginning on September 17, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked "Annual Sidewalk Contract ".

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

And, be it further

RESOLVED, that the following bid shall be received by the Purchasing Agent by 3:00 p.m. on the date noted, at which time they will be opened and publicly read aloud:

<table>
<thead>
<tr>
<th>Bid #</th>
<th>Name</th>
<th>Opening Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>EH15-054</td>
<td>Annual Sidewalk Contract</td>
<td>October 1, 2015</td>
</tr>
</tbody>
</table>

and, be it further

RESOLVED, that the Town reserves the right to reject any and all bids.

RESOLUTION: 2015-1056
CATEGORY: Approvals
SPONSORED BY: Supervisor Larry Cantwell
DEPARTMENT: Town Attorney
Decision After Hearing Pursuant to Chapter 117 of the Town Code Regarding Ciao Restaurant Located at 21 Fort Pond Road, Montauk

WHEREAS, the Town Board adopted Resolution 2015-840 which noticed a public hearing pursuant to Chapter 117-60 of the Town Code regarding the Music Entertainment Permit of a certain restaurant, Fort Pond Restaurant, LLC, doing business as Ciao, (hereinafter referred to as "Ciao" or "permittee") located at 21 Fort Pond Road in Montauk; and

WHEREAS, the Board adjourned the original public hearing on August 18th at the request of the permittee Ciao, and held a public hearing on September 1, 2015; and

WHEREAS, testimony was received on September 1, 2015 after which the hearing was closed with the record being left open for the submission of written comments through the
close of business on September 8, 2015; and,

WHEREAS, section 117-60 (C) the Town Board is required to make a written determination after said hearing; now therefore be it

RESOLVED, that the Town Board, based upon the entirety of the record and all the testimony received during the public hearing, the Town Board hereby finds and determines as follows:

1.) The Town Board finds that Ciao Restaurant has a valid Music Entertainment Permit issued on March 24, 2015.

2.) Based upon the unrefuted testimony at the hearing detailing the observations, time and noise readings taken by officers of the East Hampton Town Police, the Town Board finds that Ciao Restaurant, on at least five occasions, was issued summonses for violating Chapter 185 of the East Hampton Town Code, to wit:
   a. That on June 26, 2015 at 10:48 PM, Ciao was summonsed for violating Chapter 185 (Noise) of the Town Code by creating and causing to be emitted noise from outdoor music which registered at 70.6 dBA at or about the property line when the legal maximum limit for that time and place is 55 dBA;
   b. That on July 3, 2015 at 8:56 PM, that Ciao was summonsed for violating Chapter 185 (Noise) of the Town Code by creating and causing to be emitted noise from outdoor music which registered at 65.3 dBA at or about the property line when the legal maximum limit for that time and place is 55 dBA;
   c. That on July 5, 2015 at 9:17 PM, that Ciao was summonsed for violating Chapter 185 (Noise) of the Town Code by creating and causing to be emitted noise from outdoor music which registered at 65.1 dBA at or about the property line when the legal maximum limit for that time and place is 55 dBA;
   d. That on July 10, 2015 at 9:05 PM, that Ciao was summonsed for violating Chapter 185 (Noise) of the Town Code by creating Noise Pollution as defined in said chapter by using loudspeakers for the playing of outdoor amplified music after 9 p.m.
   e. That on July 17, 2015 at 9:45 PM, that Ciao was summonsed for violating Chapter 185 (Noise) of the Town Code by creating Noise Pollution as defined in said chapter by using loudspeakers for the playing of outdoor amplified music after 9 p.m.

3.) As a result of said finding set forth in the preceding paragraph that the permittee was summonsed for violating Chapter 185 of the Town Code on at least 5 occasions, Section 117-60 provides that the Town Board may suspend, revoke, modify, limit or take no action relating to the Music Entertainment Permit of the permittee.
4.) Based upon the police reports of the violations, and the testimony taken at the hearing, the Town Board finds that all of the noise concerns were directly related to and created by the utilization of outdoor areas by the permittee for the playing of musical entertainment or the permittee using amplified loudspeakers outside of the structures on the premises.

5.) Having identified the source and contributing factors to the cause of summonses being issued for such violations, the Town Board is empowered pursuant to 117-60 to require mitigation measures to address noise concerns. Counsel for the permittee, Tina Piette Esq., advised that the permittee had already taken the mitigation measure of terminating their professional relationship with a promoter who was in control of the musical entertainment at the premises during the first three violations on June 26th, July 3rd and July 5th. This was the only mitigation measure offered on behalf of the permittee.

6.) The Town Board determines that such mitigation is inadequate to address noise concerns, ensure compliance with the Town Code and prevent future noise violations by this permittee. This inadequacy is demonstrably evidenced by the two instances of summonses being issued for violations occurring after the promoter was no longer engaged by the permittee.

7.) Without any further offer of mitigation to address noise concerns and prevent or reduce the probability of future summonses for violations, the Town Board hereby determines that modification of the Music Entertainment Permit is warranted to institute mitigation measures to ensure compliance with the Town Code and prevent future noise violation summonses.

8.) The Town Board determines that Ciao’s Music Entertainment Permit shall be modified to prohibit the use of any outside loudspeakers at the premises for a period of one year.

9.) The Town Board determines that Ciao’s Music Entertainment Permit shall be further modified to prohibit the use of any outside space at the premises for the playing of musical entertainment for the period of one year.

RESOLVED, that the Town Clerk is hereby authorized and directed to forward a copy of this resolution containing the findings and determinations of the Town Board to the permittee and their counsel forthwith and maintain a copy on file in the office of the Town Clerk.

E. ADDITIONAL RESOLUTIONS

RESOLUTION: 2015-1057
CATEGORY: Easement
SPONSORED BY: Councilwoman Sylvia Overby
DEPARTMENT: Town Attorney
Weinberg Accept Grant of Scenic and Conservation Easement

WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on September 17, 2015, on proposed grant of a scenic and conservation easement to the Town pursuant to Section 247 of the General Municipal Law and Chapter 16 of the Town Code; and

WHEREAS, acceptance of the easement as submitted and heard is hereby found to be in the best interest of the Town; now, therefore, be it

RESOLVED, that the Town hereby accepts the easement listed below and authorizes and directs the Supervisor to execute same on behalf of the Town and the Town Clerk is directed to return it to the applicant for recording pursuant to the Zoning Board's Resolution, and record same in the Office of the Suffolk County Clerk.

GRANTOR: Barry Weinberg
TYPE OF EASEMENT: Scenic and Conservation
DATE OF EASEMENT: July 7, 2015
LOCATION: 163 Old Stone Highway
SCTM #300-80-04-4.1
REVIEWING AGENCY: Zoning Board of Appeals

RESOLUTION: 2015-1058
CATEGORY: Easement
SPONSORED BY: Councilwoman Sylvia Overby
DEPARTMENT: Town Attorney

Behr and Outerbridge Assoc., Inc. Accept Grant of Scenic and Conservation Easement

WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on September 17, 2015, on proposed grant of a grant of scenic and conservation easement to the Town pursuant to Section 247 of the General Municipal Law and Chapter 16 of the Town Code; and

WHEREAS, acceptance of the easement as submitted and heard is hereby found to be in the best interest of the Town; now, therefore, be it

RESOLVED, that the Town hereby accepts the easement listed below and authorizes and directs the Supervisor to execute same on behalf of the Town and the Town Clerk is directed to return it to the applicant for recording pursuant to the Planning Board's Resolution, and record same in the Office of the Suffolk County Clerk.

GRANTOR: Glenn Behr and Outerbridge Assoc., Inc.
TYPE OF EASEMENT: Scenic and Conservation Easement
DATE OF EASEMENT: August 11, 2015
LOCATION: Handy Lane, Amagansett
SCTM #300-170-3-5, 6, 7, & 33
REVIEWING AGENCY: Planning Board

RESOLUTION: 2015-1059
CATEGORY: Easement
WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on September 17, 2015, on proposed grant of a scenic and conservation easement to the Town pursuant to Section 247 of the General Municipal Law and Chapter 16 of the Town Code; and

WHEREAS, acceptance of the easement as submitted and heard is hereby found to be in the best interest of the Town; now, therefore, be it

RESOLVED, that the Town hereby accepts the easement listed below and authorizes and directs the Supervisor to execute same on behalf of the Town and the Town Clerk is directed to return it to the applicant for recording pursuant to the Zoning Board's Resolution, and record same in the Office of the Suffolk County Clerk.

GRANTOR: Carole Scheer and Alex Scheer
TYPE OF EASEMENT: Scenic and Conservation
DATE OF EASEMENT: Scenic and Conservation
LOCATION: 28 East Lake Drive, Montauk
SCTM #300-20-3-16
REVIEWING AGENCY: Zoning Board of Appeals