



## **Town Board Meeting of April 16, 2015 East Hampton, New York**

### **I. Call to Order**

6:30 PM Meeting called to order on April 16, 2015 at Town Hall Conference Room, 159 Pantigo Road, East Hampton, NY.

<b>Attendee Name</b>	<b>Organization</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
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	
Carole A. Brennan	Town of East Hampton	Town Clerk	Present	
Elizabeth Vail	Town of East Hampton	Attorney	Present	

### **II. Public Hearings**

#### **1. Nadel and Seminski Grant of Scenic and Conservation Easement Schedule Public Hearing and Notice of Public Hearing**

**RESULT:** **CLOSED [UNANIMOUS]**

**MOVER:** Peter Van Scoyoc, Councilman

**SECONDER:** Sylvia Overby, Councilwoman

**AYES:** Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell

### **III. Public Portion**

Hugh King spoke about this year being the 50th anniversary for the Springs Fire Department. He spoke about airplanes and the noise from years ago. He spoke about the airport's formation in 1934 for approximately 75,000 which was then called Mid Hampton. Work began in 1936 and was open a few years later.

David Gruber, resident of East Hampton states that he has been the chairman of the airport committee. He congratulated this board for taking the steps that they have to try to cure the noise issue from the airport. He says that the committee decided that they could not ban totally the helicopters because it would effect surrounding neighborhoods and townships.

Dr. Vincent Covello says that he and his wife flew in yesterday to address the board. They are now thinking about moving out of East Hampton. Real Estate Agents are telling people not to sell their homes until the issues are solved. The black neighborhoods in Sag Harbor are thinking about a civil rights case against the Town. Please ban the helicopters.

Tom Knobel says he regrets that there is noise from the airport. He wants to speak about comments that are on the Town's website in reference to Councilwoman Kathee Burke-Gonzalez. He spoke about the increase in fees in this year's budget for landing fees and the contingency fund. What is the litigation going to cost the taxpayers.

Jonathan Wallace a resident of Dolphin Drive spoke about the parking changes on his road last year. He says that we are approximately six weeks away from beach season and if a law is not passed soon it is going to be a disaster. This is not a political issue but a matter of common sense.

Greg Mansley spoke about the area that he grew up in. It was right near a landing strip. The jets then were very noisy. Time changes things. There are quieter helicopters but they are expensive, but that is the price of doing business. He asked if all the Board members have actually done their homework. He does not believe they have. Are we setting up for a disaster.

Elaine Jones spoke about some of the rooms that meetings are held in. The Trustees building is so small that when you go to a meeting you are either a sardine or out in the hall where you cannot hear. She thinks that the board should look into using the 555 property in Amagansett for a new Senior Center.

Reg Cornelia says that he feels that these airport issues are being rushed through. He does not believe the numbers given to the public are realistic. He thinks that technology needs to be improved.

Larry Cantwell says that he understands that Mr. Cornelia just went on a trip to Normandy with some World War Veterans. He applauded him for doing that and all the things he does for Veterans.

Jeremy Samuelson, Concerned Citizens of Montauk, says that this is not a magic wand and we will still have a noise problem after the laws are passed but it is a start. Originally his groups had great concerns and are looking forward to the gathering of data over the next year in order to fully figure out a solution for the problem.

Cindy Herbst, Sound Aircraft Services, spoke about her concerns with the proposed laws. She also spoke about the newly proposed legislation on penalties. She believes that all four should go together.

Bruno Shreck, pilot, spoke about the original meaning and intent of the airport. No one has studied who the travelers are that are using these flights. You say this will not effect the small airplane pilot but it will. Your curfew effects just these people, mostly local by restricting times of operation. We are going to pay a price and we do not even know what it is.

Charles Ehren, Quiet Skies Coalition, says that these proposals have been discussed for a long time and it is time to do it. Monitor starting the first day these rules are put in place. He spoke about the diversions to other areas.

Peter Wadsworth complimented Kathee and the board for their hard work on this matter. He spoke about the NOMS system that will be voted on tonight. This will give better information regarding noise from a particular flight.

Tom MacNiven says he thanks our Planning Director for reminding us about our Comprehensive Plan. Each year the problem get worse. He is grateful that we are finally doing something. This topic has been beat around for too many years.

Jeff Smith, Eastern Region Helicopter Counsel, read a statement that was made by Peter Stump the Town's own consultant.

Walter Bragman spoke about airport issues. We don't need the airport to bring people out here. The weekend ban is a great idea. If the ban does not get passed now it should in the near future.

Joan Pulumbo spoke about her earlier days as a private commercial pilot. She wonders if Montauk will receive the overflow after the curfew hours in East Hampton. She spoke about

how Montauk has been impacted by the crowds in the summer. She wonders if anyone has eyes. She spoke about the pollution in the skies from aircraft.

Averill Geus says that the airport was built by the Three C's in the 1900's. It provided many jobs during the deep depression. She says that aircraft fly over her home at two a.m. and she is not happy about it. She urges immediate adoption of the legislation.

Bruno Shreck says that it was the Department of Commerce that paid for the airport being formed.

David Gruber spoke about people saying that this has been rushed. He spoke about the amount of time over the years that he was on boards regarding this issue. He says that the Airport Funds are in good shape right now and if the landing fees have to go up a bit it won't hurt the people coming.

Susan asked how will you be able to track the aircraft if they are leased? Then one pilot can land more than once with different company planes.

## IV. Resolutions

### A. COUNCILWOMAN BURKE-GONZALEZ

#### 1. Resolution 2015-401

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

#### **4B Warrant- Approval of Claims \$ 1,551,348.32 Utility Warrant \$141,310.66**

RESOLVED, that Claims on Warrant No. 4B/2015, in the amount of \$1,551,348.32 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. 4B/2015, in the amount of \$141,310.66 Were audited by the Town Board and the Supervisor is hereby directed to pay same.

✓ Vote Record - Resolution RES-2015-401							
			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"/>	<input type="checkbox"/>
	Peter Van Scoyoc	Seconder	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
	Fred Overton	Voter	<input checked="" type="checkbox"/>	<input 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 2015-402**

**Category:** Appointments  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Human Resources

**Appoint Temporary Mini-Bus Driver Deborah Morici Human Service Department**

RESOLVED that Deborah Morici be and is hereby appointed to the temporary position of mini-Bus Driver with the Human Services Department at the hourly rate of \$13.9806 Per hour payable biweekly with time card properly submitted from budget account #A8991-51200 effective April 20, 2015 and be it further

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

✓ Vote Record - Resolution RES-2015-402						
			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	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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3. Resolution 2015-403**

**Category:** Bond SEQRA  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**SEQRA Determination for Various Bond Resolutions**

WHEREAS, the Town Board has before it for consideration on April 16, 2015, Bond Resolutions for the funding of the following capital projects:

- Acquisition of Equipment- Police Department
- Acquisition of Equipment - Town
- Acquisition of tandem yard semi-tractor
- Acquisition of Heavy Duty Equipment
- Maintenance to various Town Buildings & Structures

WHEREAS, the proposed projects are deemed Type II actions under the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617(c)(1) & (25), maintenance or repair and the purchase of equipment or supplies, and Chapter 128 of the Town Code; now therefore be it

RESOLVED, that the Town Board finds that the above referenced capital projects are classified as Type II Actions under SEQRA pursuant to 6 NYCRR Part 617.5(c)(1) & (25) and Town Code Chapter 128, and as such, no further environmental review of the proposed projects are required.

✓ Vote Record - Resolution RES-2015-403						
			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	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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**4. Resolution 2015-404**

**Category:** Bond SEQRA  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Town Attorney

**SEQRA Determination for Various Bond Resolutions**

WHEREAS, the Town Board has before it for consideration on April 16, 2015, Bond Resolutions for the funding of the following capital projects:

- South Lake Well Replacement, Montauk
- Water Main Replacement Head of Harbor Dock, Springs
- Storage Shed, Buildings & Grounds
- Re-construction of Highway Truck
- Acquisition, Installation of Bleachers

WHEREAS, the proposed projects are deemed Type II actions under the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617(c)(2) & (7), replacement in kind and construction of accessory non-residential structure less than 4,000 square feet and Chapter 128 of the Town Code; now therefore be it

RESOLVED, that the Town Board finds that the above referenced capital projects are classified as Type II Actions under SEQRA pursuant to 6 NYCRR Part 617.5(c)(2) & (7) and Town Code Chapter 128, and as such, no further environmental review of the proposed projects are required.

✓ Vote Record - Resolution RES-2015-404						
			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"/>

**5. Resolution 2015-405**

**Category:** Bids to Notice  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Purchasing

**Notice EH15-017 - Hangar Site Lease @ the East Hampton Airport Bid Available  
 April 16, 2015 - Bid Due April 30, 2015**

WHEREAS, the Town of East Hampton wishes to solicit bids for the Hangar Site Lease at the East Hampton Airport;  
 be it,

RESOLVED, 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, on April 30, 2015 at 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Hangar Site Lease @ the East Hampton Airport

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 April 16, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked " Hangar Site Lease @ the East Hampton Airport "

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:

Bid #	Name	Opening Date
EH15-017	Hangar Site Lease @ the	April 30, 2015

East Hampton Airport

and, be it further

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

✓ Vote Record - Resolution RES-2015-405						
			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	Second	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**6. Resolution 2015-406**

**Category:** Bids Accepted  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Purchasing

**Accept Proposal - EH2015-106 - Noise & Operations Management System for Airport - Vector Airport Systems**

WHEREAS, the Town Board solicited proposals for Noise & Operations Management System for the East Hampton Airport; and

WHEREAS, the proposal of Vector Airport Systems was the proposal received which best met the proposal guidelines and being in proper form; now, therefore be it

RESOLVED, that at the recommendation of the Airport Manager, Jemille Charlton the proposal of Vector Airport Systems in the amount of \$109,732.00 initial pricing plus \$72,250.00 per year from fund SX5610 54500 to provide the services in accordance with their proposal, is hereby accepted, and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to enter into an Agreement with Vector Airport Systems for the provision of services consistent with the Contractor's response to the Request for Proposals, said agreement to be subject to the review and approval of the Town Attorney.

✓ Vote Record - Resolution RES-2015-406						
			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	Second	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**7. Resolution 2015-407**

**Category:** Bids Accepted  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Purchasing

**Accept Bid EH15-013 - Multilateration System Monitoring, Hardware and Maintenance Contract for Airport - Navaid Technical Service, LLC**

WHEREAS, the Town Board solicited a bid for the Multilateration System Monitoring, Hardware and Maintenance Contract for Airport -EH15-013; and

WHEREAS, the bid of Navaid Technical Service, LLC, in the amount of \$49,156.41 was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by the Airport Director, Jemille Charlton and Jeanne Carroza, CPPB the Town's Purchasing Agent; and have recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute any and all documents necessary to memorialize said work for the Multilateration System Monitoring, Hardware and Maintenance Contract for Airport and, now therefore, be it

RESOLVED, that the bid of Navaid Technical Service, LLC, in the amount of \$49,156.41 from airport fund# SX5610 54500 is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor.

✓ Vote Record - Resolution RES-2015-407						
			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	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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**8. Resolution 2015-408**

**Category:** Bids Extended  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Purchasing

**Extend Contract - EH14-006 - Semi-Annual Contract For the Supply & Delivery of Groceries April 2014 - Mivila Foods of NY, Inc.**

WHEREAS, the Town Board solicited bids for the Semi - Annual Contract for the Supply & Delivery of Groceries for Human Services April 2014, Bid No. EH14-006; and

WHEREAS, the bids of Mivila Foods of NY., Inc. And Landmark Foods, DBA Savory Food Corp. Were the lowest bids received meeting the bid specifications and being in proper form; and

WHEREAS, the Town Board accepted the bids of Landmark Foods, D/B/A Savory Food Corp. & Mivila Foods of NY, Inc., and entered into an agreement that is renewable, upon agreement of the parties, for two (2) additional (6) month terms; and

WHEREAS, Mivila Food of NY agreed to extend their agreement; and

WHEREAS, the user Department has recommended extension of the agreement with Mivila Foods of NY, now therefore be it

RESOLVED, that the bid of Mivila Foods of NY, Inc. For Items 1,3-6,8,9,12-23,26,27,29,30,32,33,35-38,43,45,47,48,50-53,55,60,61,63, 64,65,67-69,74,76,78,79-83,85-89,91,93-97,99-101,103-109,111-127,129,134,135,137-140,142-147,150,151,154,155,157-159,165,167,168,172,178-186,188-190,192,194,198-202,204,206-223,225-228,230,233-236,242,244,248-252,254,256-264,266,271,274,280,281,283,285,289-294,296-299,303,306-310,312,313,315,316,318-321 is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor for a period of six months to be effective from April 30, 2015 - October 29, 2015.

✓ Vote Record - Resolution RES-2015-408						
			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	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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**9. Resolution 2015-409**

**Category:** Bids Extended  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Purchasing

**Extend Contract - EH14-042 - Semi-Annual Contract For the Supply & Delivery of Groceries October 2014 - Mivila Foods of NY, Inc.**

WHEREAS, the Town Board solicited bids for the Semi - Annual Contract for the Supply & Delivery of Groceries for Human Services October 2014, Bid No. EH14-042; and

WHEREAS, the bids of Mivila Foods of NY., Inc. And Landmark Foods, DBA Savory Food Corp. Were the lowest bids received meeting the bid specifications and being in proper form; and

WHEREAS, the Town Board accepted the bids of Landmark Foods, D/B/A Savory Food Corp. & Mivila Foods of NY, Inc., and entered into an agreement that is renewable, upon agreement of the parties, for two (2) additional (6) month terms; and

WHEREAS, Mivila Food of NY agreed to extend their agreement; and

WHEREAS, the user Department has recommended extension of the agreement with Mivila Foods of NY, now therefore be it

RESOLVED, that the bid of Mivila Foods of NY, Inc. for Items 1,6,7,9-12, 14,16-19, 21,23,25-28, 35-39,41,43, 45,47-49, 51-56, 59-66,70,71,73-75,78-81,83,85,88-89,91,93,95 is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor for a period of six months to be effective from May 18, 2015 - November 17, 2015.

✓ Vote Record - Resolution RES-2015-409						
			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	Secunder	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**10. Resolution 2015-410**

**Category:** Local Law Public Hearing  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**Notice of Public Hearing to Consider a Local Law Amending Chapter 75 (Airport) of the Town Code Clarifying Penalties Provisions and Definitions in the Law and Providing for Evaluation of the Effectiveness of Restrictions**

WHEREAS, the East Hampton Town Board has considered several local laws to address restrictions on the use of the East Hampton Airport; and

WHEREAS, the proposed local laws have been modified in response to further analysis and public comment; and

WHEREAS, it has been determined that the previously proposed laws inadvertently omitted a definition of the term "season" because the definition appeared only in a proposal for which the Town Board has decided to defer consideration; and

WHEREAS, it is important that the proposed local laws be enforced effectively but that the penalties not be excessive or disproportionate to the offense; and

WHEREAS, the penalties for violation of Section 75-38 should be only as severe as prudent to discourage violations; and

WHEREAS, it is appropriate for penalties for violations to be "violations" under New York law rather than "misdemeanors" and also be subject to civil action as appropriate; and

WHEREAS, the entire study, analysis and public outreach process has demonstrated that there exists considerable reliable data on the impacts of the Airport on residents and visitors but the Town can only predict how people will change their behavior in response to the proposed restrictions; and

WHEREAS, in order to ensure that the restrictions remain effective and as restrictive as necessary to address community noise concerns, it is important for the Town to evaluate the effectiveness of the restrictions following the summer 2015 season; and

WHEREAS that evaluation should reveal valuable information about people's behavior and reaction to the proposed restriction; and

WHEREAS, the Town will consider modifications to the restrictions if warranted based upon the data about the results of the restrictions during the 2015 summer season; NOW THEREFORE

**BE IT RESOLVED**, that the Town Board hereby directs that a public hearing shall be held on May 7, 2015, at 6:30 p.m., or as soon after as can be heard, at the Town Hall Meeting Room, 159 Pantigo Road, East Hampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW amending Chapter 75 (Airport) of the Town Code clarifying penalties provisions and definitions of the law and providing for evaluation of the effectiveness of restrictions" which provides as follows:

LOCAL LAW NO. \_\_\_\_\_ of 2015

A LOCAL LAW amending Chapter 75 (Airport) of the Town Code clarifying penalties provisions and definitions of the law and providing for evaluation of the effectiveness of restrictions.

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

**SECTION 1. Amendment**

Sections 75-38, Airport Use Restrictions, and 75-39, Penalties, of the Code of the Town of East Hampton are hereby amended to state as follows:

**§ 75-38 AIRPORT USE RESTRICTIONS:**

**A. Definitions.**

. . .

- (5) "Season" shall be the months of May, June, July, August and September.

**§ 75-39 PENALTIES:**

A. Section 75-34 shall not apply to violations of Section 75-38 and this Section 75-39 shall apply for all violations of Section 75-38. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of Section 75-38 shall be deemed violations, and, for such purpose only, all provisions of law relating to violations shall apply to such violations.

B. Any Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall be punishable by a fine assessed against any person, organization, corporation, group or other entity which holds an ownership interest in such aircraft, as follows:

(1) For the first violation by an Individual Aircraft, a fine of not more than \$1,000.

(2) For the second violation by an Individual Aircraft, a fine of not more than \$4,000.

(3) For the third violation by an Individual Aircraft, a fine of not more than \$10,000.

(4) For the fourth violation by an Individual Aircraft, a prohibition on any Use of the Airport by the Individual Aircraft involved in such violation for a period of not more than two years.

C. Each Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall constitute a separate violation.

D. In addition, any entity convicted hereunder of not complying with the requirements of Section 75-38 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town and not more than an amount equal to twice said actual costs. Should any person, organization, corporation, group or other entity be found in violation of the provisions of Section 75-38 within five years of a previous violation of this chapter, the minimum additional fine shall be not less than \$2000.

E. In addition to the above penalties, the Town may also maintain a civil action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation Section 75-38 by any person, organization, corporation, group or other entity which holds an ownership interest in the Individual Aircraft.

(1) If a finding is made by a court of competent jurisdiction that the defendants or any of them has caused, permitted or allowed a violation of Section 75-38, a penalty to be jointly and severally included in the judgment may be awarded at the discretion of the court in an amount not to exceed \$10,000.00 for each violation that

the defendants or any one of them individually caused, permitted or allowed the violation.

## **SECTION 2. Authority**

The Town Board is authorized to establish and promulgate rules and regulations regarding use of the East Hampton Airport pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and Town Law §130 and pursuant to its powers as the proprietor of East Hampton Airport under federal statutory and case law and regulations of the Federal Aviation Administration.

## **SECTION 3. Severability.**

If any section or subdivision, paragraph, clause or phrase of this law shall be adjudged invalid, unenforceable, or unconstitutional by any order or judgment of a court of competent jurisdiction, or pursuant to any order of any administrative agency having jurisdiction, whether such judgment or order is temporary or permanent, such judgment or order shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

## **SECTION 4. Interim Evaluation**

The Town shall evaluate the effectiveness of all airport use restrictions set forth in Section 75-38, Airport Use Restrictions, as soon as practical after September 30, 2015. The evaluation shall include assessment of whether the restrictions have been effective in reducing community disturbance and annoyance and of the financial consequences of the restrictions. The results of the evaluation shall be made available to the public and shall be the subject of a public meeting convened by the Town Board. After such public meeting, the Town Board shall consider what modifications, if any, to the restrictions set forth in Section 75-38 are warranted.

## **SECTION 5. Effective Date.**

This local law shall take effect upon filing with the Secretary of State.

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

### **NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on May 7, 2015, at 6:30 p.m., or as soon after as can be heard, at the Town Hall Meeting Room, located at 159 Pantigo Road, East Hampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW amending Chapter 75 (Airport) of the Town Code clarifying penalties provisions and definitions of the law and providing for evaluation of the effectiveness of restrictions"

**SUMMARY OF LOCAL LAW**

The proposed law would clarify the penalties for violations of the airport restrictions at the East Hampton Airport, would add definitions to section 75-38, and would commit to conducting an evaluation of the effectiveness of the airport restrictions following the summer 2015 season

Copies of the proposed local law sponsored by Councilwoman Burke-Gonzalez are on file in the Town Clerk’s Office, Monday through Friday, 9:00 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW YORK  
CAROLE BRENNAN, TOWN CLERK

✓ Vote Record - Resolution RES-2015-410						
			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	Secunder	<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"/>

**11. Resolution 2015-411**

**Category:** Local Law  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**Adopt Local Law- Amending Chapter 75 (Airport) of the Town Code Regulating Nighttime Operation of Aircraft at East Hampton Airport**

WHEREAS, the Town of East Hampton is an established resort community that is renowned for its peaceful, quiet beaches and outdoor areas; and

WHEREAS, the economy of the Town of East Hampton is tied intrinsically to the use and enjoyment of its natural and scenic environment, including its world-renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets; and

WHEREAS, residents and visitors are attracted to the Town and the East End of Long Island to enjoy the area’s unique scenic beauty, its outdoor spaces, and the peaceful and restful atmosphere they provide; and

WHEREAS, peace, quiet, repose, outdoor recreation, sea, air, and a beautiful and unique natural environment are the essential characteristics that make East Hampton and the East End, as a whole, such an attractive and desirable area; and

WHEREAS, the Town and its residents have invested heavily in preserving the rural, quiet pace of life by preserving land and adopting land use policies that are designed to protect

the unique quality of life in East Hampton; and

WHEREAS, in the busy season of May - September, residents and visitors spend a significant portion of time outdoors engaged in recreational activities, entertaining, dining with family and friends, and otherwise enjoying the peaceful, restful atmosphere of the area; and

WHEREAS, the unique quality of life in the Town and entire East End means that residents are particularly susceptible to disturbances to their pastoral lifestyle, especially when those disturbances interfere with the qualities which make this Town a highly desirable place to live and visit; and

WHEREAS, the area surrounding the East Hampton Airport is notably quiet because of the lack of industrial noises, relatively low population density and rural roadway network, which, taken together, accentuates the perception of noise, both in terms of peak levels and also in terms of the duration of the noise events themselves; and

WHEREAS, in the past three decades, noise from aircraft overflights has disrupted outdoor activities and diminished the quality of life in the Town and the entire of the East End; and

WHEREAS, the aircraft noise problem has increased dramatically in recent years, as overall operations increased by 23 percent from 2013 to 2014 and helicopter operations alone increased by 47 percent from 2013 to 2014; and

WHEREAS, noise from loud aircraft and helicopters is particularly disruptive because it interrupts conversations and other ordinary activities and makes it very difficult to enjoy outdoor activities; and

WHEREAS, the sheer frequency of overflights also poses a significant problem because there are extended periods of repeated loud noise events that make it very difficult to enjoy outdoor activities and that destroy the peaceful quiet of this rural area; and

WHEREAS, aircraft noise has been a major source of controversy and community strife for many years, with increasingly strong demands by the public that the Town take action to reduce the disruptive and harmful effects of aircraft noise; and

WHEREAS, the controversy has resulted in a number of lawsuits, and additional threatened lawsuits, aimed at compelling the Town or the federal government to take action to address the problem of aircraft noise; and

WHEREAS, in its capacity as proprietor of the East Hampton Airport, the Town Board has a responsibility to protect residents from the adverse effects of aircraft noise; and

WHEREAS, aircraft noise is not merely annoying and disturbing but threatens the economic vitality of the Town and its brand as a place where people can escape the noise and stresses of urban life in favor of tranquility and rural quiet; and

WHEREAS, that threat could result in lower rates of visitation, reduction in property values, and, more generally, a loss in the attractiveness of the Town; and

WHEREAS, in addition to formal noise complaints, residents and visitors have expressed their anger and frustration about aircraft noise at numerous public meetings, Town Board



meetings, in letters to local papers, and in communications with Town officials; and

WHEREAS, the problem of aircraft noise was a major topic of discussion and debate in the recent Town election; and

WHEREAS, the Town has received numerous communications from residents and officials of neighboring and nearby jurisdictions demanding that the Town take action to reduce the effect of noise from aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town of Southampton, the Town Shelter Island, the Town of Southold, the Village of North Haven, the Village of East Hampton, and the Village of Sag Harbor all have adopted resolutions requesting that the Town Board of the Town of East Hampton adopt a comprehensive aircraft noise limitation policy; and

WHEREAS these other towns and villages, and all residents and visitors to the East End, depend upon the Town to address the aircraft noise problem since the Town operates the East Hampton Airport, which is the destination of many of the noisy aircraft flights; and WHEREAS, for over two decades, the Town has diligently identified and promoted voluntary measures, including helicopter noise abatement procedures and a nighttime curfew, in order to secure relief from the disturbance of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the New York Congressional delegation, to discuss this issue in the hope of finding a federal legislative solution to the problem of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the Federal Aviation Administration (FAA) officials at the local, regional and headquarters level and with the FAA's Air Traffic Organization, to discuss proposed measures and use restrictions, including the use of voluntary measures; and

WHEREAS, the Town worked with the New York Congressional delegation and all levels of the FAA in the implementation of a mandatory North Shore Helicopter Route, which was initially implemented in August 2012 and recently extended through August 2016; and

WHEREAS, the Town has repeatedly tried, unsuccessfully, to convince the FAA to adopt a mandatory helicopter route along the south shore of Long Island or to adopt mandatory transition routes for helicopters transitioning from the mandatory routes to the East Hampton Airport; and

WHEREAS, the Town has spent the last several summer seasons studying various voluntary measures or measures in cooperation with the FAA to address the noise problem but the level of resident concern has actually increased over that time; and

WHEREAS, the Town's past several years of efforts to address the problem of aircraft noise through voluntary measures promoted by the Town combined with mandatory flight tracks for helicopters imposed by FAA have provided some limited relief in certain neighborhoods, but those measures alone have not reduced to an acceptable level the overall intensity of community disturbance from noise associated with aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town's ability to address the problem of aircraft noise has been constrained legally by obligations under certain of its federal grants that the FAA has stated will no

longer be enforced after December 31, 2014; and

WHEREAS, the Town first announced its intent to pursue use restrictions on operations at East Hampton Airport to address the problem of aircraft noise by the adoption of Resolution 2012-832 on August 2, 2012; and

WHEREAS, Town officials and staff have met repeatedly with airport stakeholders, including Eastern Region Helicopter Council, Friends of the East Hampton Airport, the National Business Aviation Association, the Aircraft Owners and Pilots Association, the National Air Transportation Association, and other informal local groups of users and service providers to discuss their respective concerns; and

WHEREAS, the Town held a special public meeting on August 27, 2014, provide the public an opportunity to comment on the problem of aircraft noise and to share views on potential solutions and the meeting was attended by almost 400 people, including 22 elected officials, all of whom expressed support for finding a solution to the noise problem; and

WHEREAS, the Town announced its commitment to finding a solution to disturbance resulting from noise associated with Airport operations; announced its intent to adopt lawful measures to ensure the peace, quiet, tranquility and health of communities affected by Airport noise; resolved to consider the most serious disturbances, the causes of the disturbances, and reasonable and practical solutions tailored to address the source of those disturbances before making a decision; and announced its intent to identify and adopt regulations to address noise and disturbance from Operations at East Hampton Airport before the 2015 season by the adoption of Resolution 2014-1180 on September 18, 2014; and

WHEREAS, FAA's traditional Day/Night Average Sound Level (DNL) noise metric has proved, after considerable study, not to be a useful tool for measuring the impact of noise from operations at East Hampton Airport because it averages noise data over 24 hours, and does not capture the demonstrated community annoyance and disruption from individual aircraft noise events (especially noise events associated with helicopters); and

WHEREAS, beginning in 2014, the Town commissioned a series of comprehensive analyses of the noise and related complaints, including the following:

- Henry Young of Young Environmental Sciences and Les Blomberg of Noise Pollution Clearinghouse: (1) analyzed 2013 operational data collected by the AirScene system, (2) converted that data for use in the Integrated Noise Model (INM), (3) used the INM to develop Day-Night Average Sound Level (DNL) noise contours for 2013 operations (for total annual operations, annual helicopter operations, busiest day total operations, and busiest day helicopter operations), (4) used the INM to calculate the maximum sound level (Lmax) for each modeled flight in 2013 at each

property parcel in a 10-mile radius from the airport, (5) applied the Town Code noise

standards to determine the number of "exceedances" (i.e., the number of times each parcel experienced a noise impact above the Town's limits) by aircraft type and type of operation; and

- Peter Wadsworth analyzed 2014 complaint data collected by the PlaneNoise system; and
- Ted Baldwin of Harris Miller Miller & Hanson Inc. (HMMH) led HMMH analyses of November 1, 2013 - October 31, 2014 data, including: (1) analysis of PlaneNoise complaint data to identify temporal and geographic complaint patterns for different aircraft types (e.g., jet, turboprop, piston prop, seaplane, and helicopter), (2) analysis of Vector operations data to identify patterns of activity by day of year, day of week, hour of day (for each day of the week and for the average annual day), and season; (3) correlated PlaneNoise complaint data and Vector operations data to identify patterns; (4) used the independent and correlated data analyses to develop a refined problem definition and promising alternatives for addressing that definition; (5) analyzed the effect of those alternatives in terms of the historical operations that each would have affected and of the associated noise complaints; and (6) identified and reviewed technical studies in the literature that have attempted to identify the most effective noise metric for understanding response to helicopter noise, whether the metric should include a special "adjustment" for helicopters, and otherwise provide useful information on the best means of assessing helicopter noise and predicting human response; and

WHEREAS, the Town also commissioned several advisory groups to assist in identifying the noise problem with specificity and identifying meaningful, practical and carefully tailored measures that the Town could adopt which would help reduce or eliminate the noise problem; and

WHEREAS, these advisory groups have held many, many public meetings, discussions and debates about how best to address the Town's noise problem; and

WHEREAS, the Town held meetings on October 30, 2014; December 2, 2014; and February 4, 2015; to review the findings of each phase of the recent noise analyses; and

WHEREAS, the Town Board announced four proposed use restrictions for East Hampton Airport on February 10, 2015; and

WHEREAS, the Town Board held public hearings on March 12, 2015, to consider the following four local laws amending Chapter 75 (Airport) of the Town Code: (1) a local law to regulate nighttime operation of aircraft; (2) a local law to regulate nighttime and early morning operation of noisy aircraft; (3) a local law to regulate the operation of helicopters; and (4) a local law to regulate the operation of noisy aircraft; and

WHEREAS, the Town has been soliciting public comment through encouraging comments at Town Board meetings, and emailed comments through a dedicated email address; and

WHEREAS, the Town Board has reviewed all of those comments plus written comments and comments appearing in several local newspapers over the course of the last year; and

WHEREAS, there is no single or simple measure which is certain to solve the Town's noise problem; and

WHEREAS, the Town is committed to testing measures for their practical, real-world effectiveness but needs to have at least one summer season to collect adequate data on real world effects; and

WHEREAS, the Town is committed to collecting data during the summer 2015 season and to assessing all noise control measures in October 2015 for their effectiveness; and

WHEREAS, the Town will modify any restrictions to improve their effectiveness based upon the results of these restrictions during the summer 2015 season; and

WHEREAS, the Town encourages residents, visitors, airport stakeholders, users and all other interested parties to provide the Town with input on the effectiveness of particular measures in addressing, mitigating or eliminating the noise problem; and

WHEREAS, after considering the history of noise disturbance caused by operations at the Airport, reviewing the data provided by the Town's consultants and the comments of the public, and after holding public hearings, the Town Board believes that the enactment of a local law to implement a nighttime curfew at the East Hampton Airport is in the best interests of the Town of East Hampton for the following reasons:

- Disturbance by all types of aircraft is most significant in the evening, nighttime, and early morning hours; and
- Professional studies confirm that nighttime aircraft noise is highly disturbing, that it can disrupt normal sleep patterns, and that it has a particularly serious adverse effect on people's lives; and
- The Town's voluntary curfew has not proven to be sufficiently effective at reducing nighttime noise from aircraft and nighttime operations still generate a significant number of complaints; and

WHEREAS, the proposed local law is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code; and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment; and now, therefore be it

**NOW, THEREFORE, BE IT RESOLVED**, that a negative declaration is hereby made pursuant to the State Environmental Quality Review Act (SEQRA); and

RESOLVED, that said local law is hereby adopted to read as follows:

LOCAL LAW NO. \_\_\_ OF 2015  
INTRODUCTORY NO. \_\_\_ OF 2015

A Local Law providing for the amendment of Chapter 75 ("AIRPORT") of the East Hampton Town Code to read as follows:

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

**SECTION 1. Legislative Intent**

In the past three decades, the residents of the Town of East Hampton have experienced a significant increase in noisy aircraft traffic at the East Hampton Airport. By its extensive complaints to the Town Board and to other governmental entities, the public has made clear, and this Town Board recognizes, the negative impact that this aircraft noise has made to the health and welfare of its citizenry, to wildlife and their habitat, as well as to the peace, quiet, and repose of the region. Aircraft noise has substantially diminished the quiet enjoyment of homes and properties and compromised the pleasures of the woodlands, beaches, fields, and preserved lands that define our community and sense of place.

East Hampton is an established resort community whose entire economy is intrinsically tied to the use and enjoyment of its natural and scenic environment, including its world renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets. Visitors and residents alike enjoy East Hampton's unique scenic beauty and the Town has made significant efforts to preserve the natural environs of the Town, spending a total of \$229,431,502 of Community Preservation Funds to preserve approximately 1,924 acres since 1998.

The Town's Comprehensive Plan has outlined the vital connection between preserving the natural scenic beauty and enjoyment of its community and the Town's economy, stating in its vision statement the goal to

"[t]ake forceful measures to protect and restore the environment, particularly groundwater. Reduce the impacts of human habitation on groundwater, surface water, wetlands, dunes biodiversity, ecosystems, scenic resources, air quality, the night sky, noise and energy consumption."

The 2007 Airport Master Plan Report that then became the basis for the adopted 2010 Airport Master Plan states, at II-73:

"The East Hampton Airport is owned, maintained and operated for the benefit of the Town and its residents. The airport continues to be classified as a General Aviation Airport under federal criteria. Its primary role is the accommodation of light aircraft traffic. Aircraft operating at greater weights will be accommodated on condition [sic] without unjust discrimination. The airport is also managed with the objective of providing emergency access and facilitation of all other public and community responsibilities. The size and operation of the airport takes into consideration the needs of East Hampton and Southampton residents for protection from excessive noise disturbance and adverse environmental impacts."

"Control of noise and adverse environmental impacts at the airport is consistent with current Town goals for improved quality of life and land and water conservation. These goals recognize that protecting the environment is essential for improving the Town's seasonal and year round economy. These

controls are achieved through reasonable, non arbitrary and non discriminatory management practices. These may limit the maximum size of aircraft to be accommodated, regulate excessive peak demand during the summer season and otherwise adjust use patterns such as for helicopter access to minimize community disturbances.”

In an effort to address the impacts of aircraft noise, the Town Board undertook an extensive analysis of the citizenry’s complaints, and of the aircraft traffic itself, by the Town’s aviation consultants and noise engineers, the results of which have only confirmed the seriousness of the community’s noise disturbance. Of 24,000 airport noise complaints logged last year, the latest noise analysis discloses that they are overwhelmingly attributable to helicopters and jets, the noisiest types. Noise complaints at East Hampton Airport far exceed the level of complaints at major airports around the country. This is surely due, not least, to the incongruity of jet and helicopter noise in what is otherwise a very quiet, exurban and rural environment.

Specifically, noise from aircraft operating at the East Hampton Airport disturbs many residents of the East End of Long Island. Disturbance by all types of aircraft is most significant in the evening, nighttime, and early morning hours. Myriad professional studies from airports throughout the world have confirmed what the residents of East Hampton know from personal experience: nighttime aircraft noise is more disturbing, more annoying, can disrupt normal sleep patterns, and, generally, has a particularly seriously adverse effect on people’s lives.

In its capacity as proprietor of the East Hampton Airport, the Town Board has a public policy responsibility to protect residents from the adverse effects of aircraft noise. It has developed a set of restrictions on the use of East Hampton Airport that are reasonable, non-arbitrary, and non-discriminatory. These restrictions address the problems of aircraft noise that are unique to the Town and neighboring communities while preserving for the community the benefits of aviation.

The Town Board recognizes the value of the East Hampton Airport to the community and does not want to impose any greater restriction than is necessary to achieve the Town’s objectives.

To that end, the Town Board recognizes the importance of addressing nighttime noise problems, during sleeping hours when there is a heightened expectation of quiet, by imposing a curfew for nighttime hours. The legislation is intended to restrict aircraft operations during the most sensitive times of the day.

By enacting this legislation, the Town Board seeks to achieve immediate, substantial nighttime noise relief for residents and visitors, maintain the intended and traditional use of the East Hampton Airport by recreational aircraft, and continue sufficient air traffic to maintain a financially self-sustaining Airport.

The Town Board is committed to balancing the need to address the impact of the aircraft noise on the Town’s environment with the equally important need to maintain an economically viable and safe airport for East Hampton.

The proposed legislation expressly excludes from its application aircraft operated by any federal, state or local government, any emergency services, evacuation services, public or private, and any operation by an aircraft in an emergency. The airport will remain open to

such operations at all times without restriction or charge.

These restrictions are adopted on an interim basis. The effects of the legislation on the operations at the Airport for the period May 1 to October 31, 2015 shall be evaluated to determine whether the restrictions should be made permanent or modified. The Town Board will seek public comment throughout the Season and immediately following the Season to determine the success and/or failure of the use restrictions and whether they function the way they were intended or need to be adjusted.

## **SECTION 2. Amendment**

The Code of the Town of East Hampton is hereby amended by adding the following new section to Chapter 75 (Airport).

### **§ 75-38 AIRPORT USE RESTRICTIONS:**

#### **A. Definitions.**

(1) - (2) - *Reserved*

(3) "Individual Aircraft" shall mean an aircraft, of whatever type, with a distinct registration number ("N number" if such registration is issued by the United States Government).

(4) - (5) - *Reserved*

(6) "Use of the Airport" shall mean either one arrival (landing) at, or one departure (takeoff) from, the Airport, shall not include any repositioning of any aircraft on the Airport or any aborted takeoff or landing, but shall include touch-and-go operations that result in use of an Airport runway.

**B. Nighttime Operations.** Use of the Airport is prohibited between the hours of 11:00 pm and 7:00 am (local time).

C. [*Reserved*]

D. [*Reserved*]

**E. Exemptions.** The restrictions of this section 75-38 shall not apply to any aircraft operational emergency, any medical emergency operation, whether by public or private aircraft, or to any operation by a government-owned aircraft, including, without limitation, police, emergency services, and military operations. In the case of an aircraft emergency or medical emergency operation, the operator shall submit a sworn statement to the Airport Manager within 24 hours of such operation attesting to the nature of the emergency and reason for the operation.

### **§ 75-39 PENALTIES:**

A. Section 75-34 shall not apply to violations of Section 75-38 and this Section 75-39 shall apply for all violations of Section 75-38. For the purpose of conferring jurisdiction

upon courts and judicial officers in general, violations of Section 75-38 shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations.

B. Any Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall be punishable by a fine assessed against any person, organization, corporation, group or other entity which holds an ownership interest in such aircraft, as follows:

(1) For the first violation by an Individual Aircraft, a fine of not more than \$1,000.

(2) For the second violation by an Individual Aircraft, a fine of not more than \$4,000.

(3) For the third violation by an Individual Aircraft, a fine of not more than \$10,000.

(4) For the fourth violation by an Individual Aircraft, a prohibition on any Use of the Airport by the Individual Aircraft involved in such violation for a period of not more than two years.

C. Each Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall constitute a separate offense.

D. In addition, any entity convicted hereunder of not complying with the requirements of Section 75-38 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town and not more than an amount equal to twice said actual costs. Should any person, organization, corporation, group or other entity be found in violation of the provisions of Section 75-38 within five years of a previous violation of this chapter, the minimum additional fine shall be not less than \$2000.

E. In addition to the above penalties, the Town may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation Section 75-38 by any person, organization, corporation, group or other entity which holds an ownership interest in the Individual Aircraft.

(1) If a finding is made by a court of competent jurisdiction that the defendants or any of them has caused, permitted or allowed a violation of Section 75-38, a penalty to be jointly and severally included in the judgment may be awarded at the discretion of the court in an amount not to exceed \$10,000.00 for each violation that the defendants or any one of them individually caused, permitted or allowed the violation.

### **SECTION 3. Authority**

The Town Board is authorized to establish and promulgate rules and regulations regarding use of the East Hampton Airport pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and



(12) and Town Law §130 and pursuant to its powers as the proprietor of East Hampton Airport under federal statutory and case law and regulations of the Federal Aviation Administration.

**SECTION 4. Severability**

If any section or subdivision, paragraph, clause or phrase of this law shall be adjudged invalid, unenforceable, or unconstitutional by any order or judgment of a court of competent jurisdiction, or pursuant to any order of any administrative agency having jurisdiction, whether such judgment or order is temporary or permanent, such judgment or order shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**SECTION 5. Effective Date**

This local law shall take effect upon filing with the Secretary of State.

Dated: April 16, 2015

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON  
CAROLE BRENNAN, TOWN CLERK

✓ Vote Record - Resolution RES-2015-411						
			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	Secunder	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**12. Resolution 2015-412**

**Category:** Local Law  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**Adopt Local Law- Amending Chapter 75 (Airport) of the Town Code Regulating Evening, Nighttime and Early Morning Operation of Noisy Aircraft at East Hampton Airport**

WHEREAS, the Town of East Hampton is an established resort community that is renowned for its peaceful, quiet beaches and outdoor areas; and

WHEREAS, the economy of the Town of East Hampton is tied intrinsically to the use and enjoyment of its natural and scenic environment, including its world-renowned ocean

beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets; and

WHEREAS, residents and visitors are attracted to the Town and the East End of Long Island to enjoy the area's unique scenic beauty, its outdoor spaces, and the peaceful and restful atmosphere they provide; and

WHEREAS, peace, quiet, repose, outdoor recreation, sea, air, and a beautiful and unique natural environment are the essential characteristics that make East Hampton and the East End, as a whole, such an attractive and desirable area; and

WHEREAS, the Town and its residents have invested heavily in preserving the rural, quiet pace of life by preserving land and adopting land use policies that are designed to protect the unique quality of life in East Hampton; and

WHEREAS, in the busy season of May - September, residents and visitors spend a significant portion of time outdoors engaged in recreational activities, entertaining, dining with family and friends, and otherwise enjoying the peaceful, restful atmosphere of the area; and

WHEREAS, the unique quality of life in the Town and entire East End means that residents are particularly susceptible to disturbances to their pastoral lifestyle, especially when those disturbances interfere with the qualities which make this Town a highly desirable place to live and visit; and

WHEREAS, the area surrounding the East Hampton Airport is notably quiet because of the lack of industrial noises, relatively low population density and rural roadway network, which, taken together, accentuates the perception of noise, both in terms of peak levels and also in terms of the duration of the noise events themselves; and

WHEREAS, in the past three decades, noise from aircraft overflights has disrupted outdoor activities and diminished the quality of life in the Town and the entire of the East End; and

WHEREAS, the aircraft noise problem has increased dramatically in recent years, as overall operations increased by 23 percent from 2013 to 2014 and helicopter operations alone increased by 47 percent from 2013 to 2014; and

WHEREAS, noise from loud aircraft and helicopters is particularly disruptive because it interrupts conversations and other ordinary activities and makes it very difficult to enjoy outdoor activities; and

WHEREAS, the sheer frequency of overflights also poses a significant problem because there are extended periods of repeated loud noise events that make it very difficult to enjoy outdoor activities and that destroy the peaceful quiet of this rural area; and

WHEREAS, aircraft noise has been a major source of controversy and community strife for many years, with increasingly strong demands by the public that the Town take action to reduce the disruptive and harmful effects of aircraft noise; and

WHEREAS, the controversy has resulted in a number of lawsuits, and additional threatened lawsuits, aimed at compelling the Town or the federal government to take action to address the problem of aircraft noise; and

WHEREAS, in its capacity as proprietor of the East Hampton Airport, the Town Board has a responsibility to protect residents from the adverse effects of aircraft noise; and

WHEREAS, aircraft noise is not merely annoying and disturbing but threatens the economic vitality of the Town and its brand as a place where people can escape the noise and stresses of urban life in favor of tranquility and rural quiet; and

WHEREAS, that threat could result in lower rates of visitation, reduction in property values, and, more generally, a loss in the attractiveness of the Town; and

WHEREAS, in addition to formal noise complaints, residents and visitors have expressed their anger and frustration about aircraft noise at numerous public meetings, Town Board meetings, in letters to local papers, and in communications with Town officials; and

WHEREAS, the problem of aircraft noise was a major topic of discussion and debate in the recent Town election; and

WHEREAS, the Town has received numerous communications from residents and officials of neighboring and nearby jurisdictions demanding that the Town take action to reduce the effect of noise from aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town of Southampton, the Town Shelter Island, the Town of Southold, the Village of North Haven, the Village of East Hampton, and the Village of Sag Harbor all have adopted resolutions requesting that the Town Board of the Town of East Hampton adopt a comprehensive aircraft noise limitation policy; and

WHEREAS these other towns and villages, and all residents and visitors to the East End, depend upon the Town to address the aircraft noise problem since the Town operates the East Hampton Airport, which is the destination of many of the noisy aircraft flights; and

WHEREAS, for over two decades, the Town has diligently identified and promoted voluntary measures, including helicopter noise abatement procedures and a nighttime curfew, in order to secure relief from the disturbance of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the New York Congressional delegation, to discuss this issue in the hope of finding a federal legislative solution to the problem of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the Federal Aviation Administration (FAA) officials at the local, regional and headquarters level and with the FAA's Air Traffic Organization, to discuss proposed measures and use restrictions, including the use of voluntary measures; and

WHEREAS, the Town worked with the New York Congressional delegation and all levels of the FAA in the implementation of a mandatory North Shore Helicopter Route, which was initially implemented in August 2012 and recently extended through August 2016; and

WHEREAS, the Town has repeatedly tried, unsuccessfully, to convince the FAA to adopt a mandatory helicopter route along the south shore of Long Island or to adopt mandatory transition routes for helicopters transitioning from the mandatory routes to the East Hampton Airport; and

WHEREAS, the Town has spent the last several summer seasons studying various voluntary

measures or measures in cooperation with the FAA to address the noise problem but the level of resident concern has actually increased over that time; and

WHEREAS, the Town's past several years of efforts to address the problem of aircraft noise through voluntary measures promoted by the Town combined with mandatory flight tracks for helicopters imposed by FAA have provided some limited relief in certain neighborhoods, but those measures alone have not reduced to an acceptable level the overall intensity of community disturbance from noise associated with aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town's ability to address the problem of aircraft noise has been constrained legally by obligations under certain of its federal grants that the FAA has stated will no longer be enforced after December 31, 2014; and

WHEREAS, the Town first announced its intent to pursue use restrictions on operations at East Hampton Airport to address the problem of aircraft noise by the adoption of Resolution 2012-832 on August 2, 2012; and

WHEREAS, Town officials and staff have met repeatedly with airport stakeholders, including Eastern Region Helicopter Council, Friends of the East Hampton Airport, the National Business Aviation Association, the Aircraft Owners and Pilots Association, the National Air Transportation Association, and other informal local groups of users and service providers to discuss their respective concerns; and

WHEREAS, the Town held a special public meeting on August 27, 2014, provide the public an opportunity to comment on the problem of aircraft noise and to share views on potential solutions and the meeting was attended by almost 400 people, including 22 elected officials, all of whom expressed support for finding a solution to the noise problem; and

WHEREAS, the Town announced its commitment to finding a solution to disturbance resulting from noise associated with Airport operations; announced its intent to adopt lawful measures to ensure the peace, quiet, tranquility and health of communities affected by Airport noise; resolved to consider the most serious disturbances, the causes of the disturbances, and reasonable and practical solutions tailored to address the source of those disturbances before making a decision; and announced its intent to identify and adopt regulations to address noise and disturbance from Operations at East Hampton Airport before the 2015 season by the adoption of Resolution 2014-1180 on September 18, 2014; and

WHEREAS, FAA's traditional Day/Night Average Sound Level (DNL) noise metric has proved, after considerable study, not to be a useful tool for measuring the impact of noise from operations at East Hampton Airport because it averages noise data over 24 hours, and does not capture the demonstrated community annoyance and disruption from individual aircraft noise events (especially noise events associated with helicopters); and

WHEREAS, beginning in 2014, the Town commissioned a series of comprehensive analyses of the noise and related complaints, including the following:

- Henry Young of Young Environmental Sciences and Les Blomberg of Noise Pollution Clearinghouse: (1) analyzed 2013 operational data collected by the AirScene system, (2) converted that data for use in the Integrated Noise Model (INM), (3) used the INM to develop Day-Night Average Sound Level (DNL) noise contours for 2013

operations (for total annual operations, annual helicopter operations, busiest day total operations, and busiest day helicopter operations), (4) used the INM to calculate the maximum sound level (Lmax) for each modeled flight in 2013 at each

property parcel in a 10-mile radius from the airport, (5) applied the Town Code noise

standards to determine the number of "exceedances" (i.e., the number of times each parcel experienced a noise impact above the Town's limits) by aircraft type and type of operation; and

- Peter Wadsworth analyzed 2014 complaint data collected by the PlaneNoise system; and
- Ted Baldwin of Harris Miller Miller & Hanson Inc. (HMMH) led HMMH analyses of November 1, 2013 - October 31, 2014 data, including: (1) analysis of PlaneNoise complaint data to identify temporal and geographic complaint patterns for different aircraft types (e.g., jet, turboprop, piston prop, seaplane, and helicopter), (2) analysis of Vector operations data to identify patterns of activity by day of year, day of week, hour of day (for each day of the week and for the average annual day), and season; (3) correlated PlaneNoise complaint data and Vector operations data to identify patterns; (4) used the independent and correlated data analyses to develop a refined problem definition and promising alternatives for addressing that definition; (5) analyzed the effect of those alternatives in terms of the historical operations that each would have affected and of the associated noise complaints; and (6) identified and reviewed technical studies in the literature that have attempted to identify the most effective noise metric for understanding response to helicopter noise, whether the metric should include a special "adjustment" for helicopters, and otherwise provide useful information on the best means of assessing helicopter noise and predicting human response; and

WHEREAS, the Town also commissioned several advisory groups to assist in identifying the noise problem with specificity and identifying meaningful, practical and carefully tailored measures that the Town could adopt which would help reduce or eliminate the noise problem; and

WHEREAS, these advisory groups have held many, many public meetings, discussions and debates about how best to address the Town's noise problem; and

WHEREAS, the Town held meetings on October 30, 2014; December 2, 2014; and February 4, 2015; to review the findings of each phase of the recent noise analyses; and

WHEREAS, the Town Board announced four proposed use restrictions for East Hampton Airport on February 10, 2015; and

WHEREAS, the Town Board held public hearings on March 12, 2015, to consider the following four local laws amending Chapter 75 (Airport) of the Town Code: (1) a local law to

regulate nighttime operation of aircraft; (2) a local law to regulate nighttime and early morning operation of noisy aircraft; (3) a local law to regulate the operation of helicopters; and (4) a local law to regulate the operation of noisy aircraft; and

WHEREAS, the Town has been soliciting public comment through encouraging comments at Town Board meetings, and emailed comments through a dedicated email address; and

WHEREAS, the Town Board has reviewed all of those comments plus written comments and comments appearing in several local newspapers over the course of the last year; and

WHEREAS, there is no single or simple measure which is certain to solve the Town's noise problem; and

WHEREAS, the Town is committed to testing measures for their practical, real-world effectiveness but needs to have at least one summer season to collect adequate data on real world effects; and

WHEREAS, the Town is committed to collecting data during the summer 2015 season and to assessing all noise control measures in October 2015 for their effectiveness; and

WHEREAS, the Town will modify any restrictions to improve their effectiveness based upon the results of these restrictions during the summer 2015 season; and

WHEREAS, the Town encourages residents, visitors, airport stakeholders, users and all other interested parties to provide the Town with input on the effectiveness of particular measures in addressing, mitigating or eliminating the noise problem; and

WHEREAS, after considering the history of noise disturbance caused by operations at the Airport, reviewing the data provided by the Town's consultants and the comments of the public, and after holding public hearings, the Town Board believes that the enactment of a local law to regulate evening, nighttime and early morning operation of noisy aircraft at the East Hampton Airport is in the best interests of the Town of East Hampton for the following reasons:

- Of the 24,000 airport noise complaints logged last year, the latest noise analysis discloses that they are overwhelmingly attributable to helicopters and jets, the noisiest types of aircraft; and
- Disturbance by all types of aircraft is most significant in the evening, nighttime, and early morning hours; and
- During those hours, noisy aircraft are the most annoying; and
- While all aircraft operations during the nighttime hours are disturbing, noisy aircraft can be especially intrusive during the "shoulder" times of the evening and early morning hours, which are times of the day when residents and visitors typically engage in outdoor activities and are therefore are highly sensitive to disruption by

loud aircraft; and

WHEREAS, the proposed local law is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code; and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment; and now, therefore be it

**NOW, THEREFORE, BE IT RESOLVED**, that a negative declaration is hereby made pursuant to the State Environmental Quality Review Act (SEQRA); and

RESOLVED, that said local law is hereby adopted to read as follows:

LOCAL LAW NO. \_\_\_ OF 2015  
INTRODUCTORY NO. \_\_\_ OF 2015

A Local Law providing for the amendment of Chapter 75 ("AIRPORT") of the East Hampton Town Code to read as follows:

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

### **SECTION 1. Legislative Intent**

In the past three decades, the residents of the Town of East Hampton have experienced a significant increase in noisy aircraft traffic at the East Hampton Airport, chiefly helicopters, jets, and seaplanes. By its extensive complaints to the Town Board and to other governmental entities, the public has made clear, and this Town Board recognizes, the negative impact that this aircraft noise has made to the health and welfare of its citizenry, to wildlife and their habitat, as well as to the peace, quiet, and repose of the region. Aircraft noise has substantially diminished the quiet enjoyment of homes and properties and compromised the pleasures of the woodlands, beaches, fields, and preserved lands that define our community and sense of place.

East Hampton is an established resort community whose entire economy is intrinsically tied to the use and enjoyment of its natural and scenic environment, including its world renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets. Visitors and residents alike enjoy East Hampton's unique scenic beauty and the Town has made significant efforts to preserve the natural environs of the Town, spending a total of \$229,431,502 of Community Preservation Funds to preserve approximately 1,924 acres since 1998.

The Town's Comprehensive Plan has outlined the vital connection between preserving the natural scenic beauty and enjoyment of its community and the Town's economy, stating in its vision statement the goal to

"[t]ake forceful measures to protect and restore the environment, particularly groundwater. Reduce the impacts of

human habitation on groundwater, surface water, wetlands, dunes biodiversity, ecosystems, scenic resources, air quality, the night sky, noise and energy consumption.”

The 2007 Airport Master Plan Report that then became the basis for the adopted 2010 Airport Master Plan states, at II-73:

“The East Hampton Airport is owned, maintained and operated for the benefit of the Town and its residents. The airport continues to be classified as a General Aviation Airport under federal criteria. Its primary role is the accommodation of light aircraft traffic. Aircraft operating at greater weights will be accommodated on condition [sic] without unjust discrimination. The airport is also managed with the objective of providing emergency access and facilitation of all other public and community responsibilities. The size and operation of the airport takes into consideration the needs of East Hampton and Southampton residents for protection from excessive noise disturbance and adverse environmental impacts.”

“Control of noise and adverse environmental impacts at the airport is consistent with current Town goals for improved quality of life and land and water conservation. These goals recognize that protecting the environment is essential for improving the Town’s seasonal and year round economy. These controls are achieved through reasonable, non arbitrary and non discriminatory management practices. These may limit the maximum size of aircraft to be accommodated, regulate excessive peak demand during the summer season and otherwise adjust use patterns such as for helicopter access to minimize community disturbances.”

In an effort to address the impacts of aircraft noise, the Town Board undertook an extensive analysis of the citizenry’s complaints, and of the aircraft traffic itself, by the Town’s aviation consultants and noise engineers, the results of which have only confirmed the seriousness of the community’s noise disturbance. Of 24,000 airport noise complaints logged last year, the latest noise analysis discloses that they are overwhelmingly attributable to helicopters and jets, the noisiest types. Noise complaints at East Hampton Airport far exceed the level of complaints at major airports around the country. This is surely due, not least, to the incongruity of jet and helicopter noise in what is otherwise a very quiet, exurban and rural environment.

Specifically, noise from aircraft operating at the East Hampton Airport disturbs many residents of the East End of Long Island. Disturbance by all types of aircraft is most significant in the evening, nighttime, and early morning hours. During those hours, noisy aircraft are the most disturbing. While all aircraft operations during the nighttime hours are disturbing, noisy aircraft can be especially intrusive during the ‘shoulder’ times of the evening and early morning hours, when people are doing daily activities around their homes, and there is a need to address the particular impacts of these noisy aircraft during these times of the day.

In its capacity as proprietor of the East Hampton Airport, the Town Board has a public policy



responsibility to protect residents from the adverse effects of aircraft noise. It has developed a set of restrictions on the use of East Hampton Airport that are reasonable, non-arbitrary, and non-discriminatory. These restrictions address the problems of aircraft noise that are unique to the Town and neighboring communities while preserving for the community the benefits of aviation.

The Town Board recognizes the value of the East Hampton Airport to the community and does not want to impose any greater restriction than is necessary to achieve the Town's objectives.

To that end, the Town Board recognizes the importance of addressing the impacts of noisy aircraft operations during non-working hours of evenings and early mornings when there is a heightened expectation of quiet, by imposing shorter operating hours for these noisy types of aircraft. The legislation is intended to recognize that noisier aircraft need to be subject to greater restrictions because of the seriousness of their noise contribution to the community disturbance - that is, each aircraft's individual noise generation and the frequency and timing of its airport landings and takeoffs.

By enacting this legislation, the Town Board seeks to achieve immediate, substantial evening and morning noise relief for residents and visitors, maintain the intended and traditional use of the East Hampton Airport by recreational aircraft, and continue sufficient air traffic to maintain a financially self-sustaining Airport.

The Town Board is committed to balancing the need to address the impact of the aircraft noise on the Town's environment with the equally important need to maintain an economically viable and safe airport for East Hampton.

The proposed legislation expressly excludes from its application aircraft operated by any federal, state or local government, any emergency services, evacuation services, public or private, and any operation by an aircraft in an emergency. The airport will remain open to such operations at all times without restriction or charge.

These restrictions are adopted on an interim basis. The effects of the legislation on the operations at the Airport for the period May 1 to October 31, 2015 shall be evaluated to determine whether the restrictions should be made permanent or modified. The Town Board will seek public comment throughout the Season and immediately following the Season to determine the success and/or failure of the use restrictions and whether they function the way they were intended or need to be adjusted.

## **SECTION 2. Amendment**

The Code of the Town of East Hampton is hereby amended by adding the following new section to Chapter 75 (Airport).

### **§ 75-38 AIRPORT USE RESTRICTIONS:**

#### **A. Definitions.**

(1) - (2) - *Reserved*

(3) "Individual Aircraft" shall mean an aircraft, of whatever type, with a distinct registration number ("N number" if such registration is issued by the United States

Government).

(4) "Noisy Aircraft" shall mean any airplane or rotorcraft type classified as a Noisy Aircraft type pursuant to this Section.

(a) The Airport Director is directed to maintain on the Town website a current list of aircraft based upon the noise characteristics published by the Federal Aviation Administration, or (if data is not available from that agency), the European Aviation Safety Agency. Noisy Aircraft shall be defined as any airplane or rotorcraft for which there is a published Effective Perceived Noise in Decibels (EPNdB) approach (AP) level of 91.0 or greater

(b) In lieu of being subject to the definition of "Noisy Aircraft" pursuant to subsection (a) on the basis of the Town's list of types of Noisy Aircraft, the owner of an Individual Aircraft may elect to have the noise classification of such Individual Aircraft determined by the sound levels on the basis of the EPNdB level that is published in the airplane or rotorcraft flight manual for such Individual Aircraft pursuant to 14 C.F.R. 36.1581(a). To obtain a noise classification of an Individual Aircraft, the owner of such aircraft shall provide the Airport Director with a true copy of the relevant pages from such manual showing the noise level data. In the event of a conflict between the Town's list of classifications of Noisy Aircraft types and classification based on the data set forth in the Individual Aircraft airplane or rotorcraft flight manual, the data in the Individual Aircraft airplane or rotorcraft flight manual shall prevail. Once the owner of an Individual Aircraft has provided the Airport Director with such data from the Individual Aircraft airplane or rotorcraft flight manual, and the Airport Director has determined the authenticity thereof, the Airport Director shall keep such data on file so that the owner need not resubmit the data for each Use of the Airport, and compliance by such Individual Aircraft with this Section shall be determined based on such data.

(5) *(Reserved)*

(6) "Use of the Airport" shall mean either one arrival (landing) at, or one departure (takeoff) from, the Airport, shall not include any repositioning of any aircraft on the Airport or any aborted takeoff or landing, but shall include touch-and-go operations that result in use of an Airport runway.

B. *[Reserved]*

C. **Noisy Aircraft Operations.** Use of the Airport by Noisy Aircraft is prohibited as follows:

(1) Between the hours of 8:00 pm and 9:00 am (local time).

D. *[Reserved]*

E. **Exemptions.** The restrictions of this section 75-38 shall not apply to any aircraft

operational emergency, any medical emergency operation, whether by public or private aircraft, or to any operation by a government-owned aircraft, including, without limitation, police, emergency services, and military operations. In the case of an aircraft emergency or medical emergency operation, the operator shall submit a sworn statement to the Airport Manager within 24 hours of such operation attesting to the nature of the emergency and reason for the operation.

**§ 75-39 PENALTIES:**

A. Section 75-34 shall not apply to violations of Section 75-38 and this Section 75-39 shall apply for all violations of Section 75-38. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of Section 75-38 shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations.

B. Any Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall be punishable by a fine assessed against any person, organization, corporation, group or other entity which holds an ownership interest in such aircraft, as follows:

(1) For the first violation by an Individual Aircraft, a fine of not more than \$1,000.

(2) For the second violation by an Individual Aircraft, a fine of not more than \$4,000.

(3) For the third violation by an Individual Aircraft, a fine of not more than \$10,000.

(4) For the fourth violation by an Individual Aircraft, a prohibition on any Use of the Airport by the Individual Aircraft involved in such violation for a period of not more than two years.

C. Each Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall constitute a separate offense.

D. In addition, any entity convicted hereunder of not complying with the requirements of Section 75-38 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town and not more than an amount equal to twice said actual costs. Should any person, organization, corporation, group or other entity be found in violation of the provisions of Section 75-38 within five years of a previous violation of this chapter, the minimum additional fine shall be not less than \$2000.

E. In addition to the above penalties, the Town may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation Section 75-38 by any person, organization, corporation, group or other entity which holds an ownership interest in the Individual Aircraft.

(1) If a finding is made by a court of competent jurisdiction that the defendants or any of them has caused, permitted or allowed a violation of Section 75-38, a penalty to be jointly and severally included in the judgment may be awarded at the discretion of the court in an amount not to exceed \$10,000.00 for each violation that the defendants or any one of them individually caused, permitted or allowed the violation.

**SECTION 3. Authority**

The Town Board is authorized to establish and promulgate rules and regulations regarding use of the East Hampton Airport pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and Town Law §130 and pursuant to its powers as the proprietor of East Hampton Airport under federal statutory and case law and regulations of the Federal Aviation Administration.

**SECTION 4. Severability**

If any section or subdivision, paragraph, clause or phrase of this law shall be adjudged invalid, unenforceable, or unconstitutional by any order or judgment of a court of competent jurisdiction, or pursuant to any order of any administrative agency having jurisdiction, whether such judgment or order is temporary or permanent, such judgment or order shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**SECTION 5. Effective Date**

This local law shall take effect upon filing with the Secretary of State.

Dated: April 16, 2015

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON  
CAROLE BRENNAN, TOWN CLERK

✓ Vote Record - Resolution RES-2015-412						
			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	Secunder	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**13. Resolution 2015-413**

**Category:** Local Law  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**Adopt Local Law- Amending Chapter 75 (Airport) of the Town Code Regulating  
Operation of Noisy Aircraft at East Hampton Airport**

WHEREAS, the Town of East Hampton is an established resort community that is renowned for its peaceful, quiet beaches and outdoor areas; and

WHEREAS, the economy of the Town of East Hampton is tied intrinsically to the use and enjoyment of its natural and scenic environment, including its world-renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets; and

WHEREAS, residents and visitors are attracted to the Town and the East End of Long Island to enjoy the area's unique scenic beauty, its outdoor spaces, and the peaceful and restful atmosphere they provide; and

WHEREAS, peace, quiet, repose, outdoor recreation, sea, air, and a beautiful and unique natural environment are the essential characteristics that make East Hampton and the East End, as a whole, such an attractive and desirable area; and

WHEREAS, the Town and its residents have invested heavily in preserving the rural, quiet pace of life by preserving land and adopting land use policies that are designed to protect the unique quality of life in East Hampton; and

WHEREAS, in the busy season of May - September, residents and visitors spend a significant portion of time outdoors engaged in recreational activities, entertaining, dining with family and friends, and otherwise enjoying the peaceful, restful atmosphere of the area; and

WHEREAS, the unique quality of life in the Town and entire East End means that residents are particularly susceptible to disturbances to their pastoral lifestyle, especially when those disturbances interfere with the qualities which make this Town a highly desirable place to live and visit; and

WHEREAS, the area surrounding the East Hampton Airport is notably quiet because of the lack of industrial noises, relatively low population density and rural roadway network, which, taken together, accentuates the perception of noise, both in terms of peak levels and also in terms of the duration of the noise events themselves; and

WHEREAS, in the past three decades, noise from aircraft overflights has disrupted outdoor activities and diminished the quality of life in the Town and the entire of the East End; and

WHEREAS, the aircraft noise problem has increased dramatically in recent years, as overall operations increased by 23 percent from 2013 to 2014 and helicopter operations alone increased by 47 percent from 2013 to 2014; and

WHEREAS, noise from loud aircraft and helicopters is particularly disruptive because it interrupts conversations and other ordinary activities and makes it very difficult to enjoy

outdoor activities; and

WHEREAS, the sheer frequency of overflights also poses a significant problem because there are extended periods of repeated loud noise events that make it very difficult to enjoy outdoor activities and that destroy the peaceful quiet of this rural area; and

WHEREAS, aircraft noise has been a major source of controversy and community strife for many years, with increasingly strong demands by the public that the Town take action to reduce the disruptive and harmful effects of aircraft noise; and

WHEREAS, the controversy has resulted in a number of lawsuits, and additional threatened lawsuits, aimed at compelling the Town or the federal government to take action to address the problem of aircraft noise; and

WHEREAS, in its capacity as proprietor of the East Hampton Airport, the Town Board has a responsibility to protect residents from the adverse effects of aircraft noise; and

WHEREAS, aircraft noise is not merely annoying and disturbing but threatens the economic vitality of the Town and its brand as a place where people can escape the noise and stresses of urban life in favor of tranquility and rural quiet; and

WHEREAS, that threat could result in lower rates of visitation, reduction in property values, and, more generally, a loss in the attractiveness of the Town; and

WHEREAS, in addition to formal noise complaints, residents and visitors have expressed their anger and frustration about aircraft noise at numerous public meetings, Town Board meetings, in letters to local papers, and in communications with Town officials; and

WHEREAS, the problem of aircraft noise was a major topic of discussion and debate in the recent Town election; and

WHEREAS, the Town has received numerous communications from residents and officials of neighboring and nearby jurisdictions demanding that the Town take action to reduce the effect of noise from aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town of Southampton, the Town Shelter Island, the Town of Southold, the Village of North Haven, the Village of East Hampton, and the Village of Sag Harbor all have adopted resolutions requesting that the Town Board of the Town of East Hampton adopt a comprehensive aircraft noise limitation policy; and

WHEREAS these other towns and villages, and all residents and visitors to the East End, depend upon the Town to address the aircraft noise problem since the Town operates the East Hampton Airport, which is the destination of many of the noisy aircraft flights; and

WHEREAS, for over two decades, the Town has diligently identified and promoted voluntary measures, including helicopter noise abatement procedures and a nighttime curfew, in order to secure relief from the disturbance of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the New York Congressional delegation, to discuss this issue in the hope of finding a federal legislative solution to the problem of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the Federal Aviation Administration

(FAA) officials at the local, regional and headquarters level and with the FAA's Air Traffic Organization, to discuss proposed measures and use restrictions, including the use of voluntary measures; and

WHEREAS, the Town worked with the New York Congressional delegation and all levels of the FAA in the implementation of a mandatory North Shore Helicopter Route, which was initially implemented in August 2012 and recently extended through August 2016; and

WHEREAS, the Town has repeatedly tried, unsuccessfully, to convince the FAA to adopt a mandatory helicopter route along the south shore of Long Island or to adopt mandatory transition routes for helicopters transitioning from the mandatory routes to the East Hampton Airport; and

WHEREAS, the Town has spent the last several summer seasons studying various voluntary measures or measures in cooperation with the FAA to address the noise problem but the level of resident concern has actually increased over that time; and

WHEREAS, the Town's past several years of efforts to address the problem of aircraft noise through voluntary measures promoted by the Town combined with mandatory flight tracks for helicopters imposed by FAA have provided some limited relief in certain neighborhoods, but those measures alone have not reduced to an acceptable level the overall intensity of community disturbance from noise associated with aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town's ability to address the problem of aircraft noise has been constrained legally by obligations under certain of its federal grants that the FAA has stated will no longer be enforced after December 31, 2014; and

WHEREAS, the Town first announced its intent to pursue use restrictions on operations at East Hampton Airport to address the problem of aircraft noise by the adoption of Resolution 2012-832 on August 2, 2012; and

WHEREAS, Town officials and staff have met repeatedly with airport stakeholders, including Eastern Region Helicopter Council, Friends of the East Hampton Airport, the National Business Aviation Association, the Aircraft Owners and Pilots Association, the National Air Transportation Association, and other informal local groups of users and service providers to discuss their respective concerns; and

WHEREAS, the Town held a special public meeting on August 27, 2014, provide the public an opportunity to comment on the problem of aircraft noise and to share views on potential solutions and the meeting was attended by almost 400 people, including 22 elected officials, all of whom expressed support for finding a solution to the noise problem; and

WHEREAS, the Town announced its commitment to finding a solution to disturbance resulting from noise associated with Airport operations; announced its intent to adopt lawful measures to ensure the peace, quiet, tranquility and health of communities affected by Airport noise; resolved to consider the most serious disturbances, the causes of the disturbances, and reasonable and practical solutions tailored to address the source of those disturbances before making a decision; and announced its intent to identify and adopt regulations to address noise and disturbance from Operations at East Hampton Airport before the 2015 season by the adoption of Resolution 2014-1180 on September 18, 2014; and

WHEREAS, FAA's traditional Day/Night Average Sound Level (DNL) noise metric has proved, after considerable study, not to be a useful tool for measuring the impact of noise from operations at East Hampton Airport because it averages noise data over 24 hours, and does not capture the demonstrated community annoyance and disruption from individual aircraft noise events (especially noise events associated with helicopters); and

WHEREAS, beginning in 2014, the Town commissioned a series of comprehensive analyses of the noise and related complaints, including the following:

- Henry Young of Young Environmental Sciences and Les Blomberg of Noise Pollution Clearinghouse: (1) analyzed 2013 operational data collected by the AirScene system, (2) converted that data for use in the Integrated Noise Model (INM), (3) used the INM to develop Day-Night Average Sound Level (DNL) noise contours for 2013 operations (for total annual operations, annual helicopter operations, busiest day total operations, and busiest day helicopter operations), (4) used the INM to calculate the maximum sound level (Lmax) for each modeled flight in 2013 at each

property parcel in a 10-mile radius from the airport, (5) applied the Town Code noise

standards to determine the number of "exceedances" (i.e., the number of times each parcel experienced a noise impact above the Town's limits) by aircraft type and type of operation; and

- Peter Wadsworth analyzed 2014 complaint data collected by the PlaneNoise system; and
- Ted Baldwin of Harris Miller Miller & Hanson Inc. (HMMH) led HMMH analyses of November 1, 2013 - October 31, 2014 data, including: (1) analysis of PlaneNoise complaint data to identify temporal and geographic complaint patterns for different aircraft types (e.g., jet, turboprop, piston prop, seaplane, and helicopter), (2) analysis of Vector operations data to identify patterns of activity by day of year, day of week, hour of day (for each day of the week and for the average annual day), and season; (3) correlated PlaneNoise complaint data and Vector operations data to identify patterns; (4) used the independent and correlated data analyses to develop a refined problem definition and promising alternatives for addressing that definition; (5) analyzed the effect of those alternatives in terms of the historical operations that each would have affected and of the associated noise complaints; and (6) identified and reviewed technical studies in the literature that have attempted to identify the most effective noise metric for understanding response to helicopter noise, whether the metric should include a special "adjustment" for helicopters, and otherwise provide useful information on the best means of assessing helicopter noise and predicting human response; and

WHEREAS, the Town also commissioned several advisory groups to assist in identifying the noise problem with specificity and identifying meaningful, practical and carefully tailored measures that the Town could adopt which would help reduce or eliminate the noise



problem; and

WHEREAS, these advisory groups have held many, many public meetings, discussions and debates about how best to address the Town's noise problem; and

WHEREAS, the Town held meetings on October 30, 2014; December 2, 2014; and February 4, 2015; to review the findings of each phase of the recent noise analyses; and

WHEREAS, the Town Board announced four proposed use restrictions for East Hampton Airport on February 10, 2015; and

WHEREAS, the Town Board held public hearings on March 12, 2015, to consider the following four local laws amending Chapter 75 (Airport) of the Town Code: (1) a local law to regulate nighttime operation of aircraft; (2) a local law to regulate nighttime and early morning operation of noisy aircraft; (3) a local law to regulate the operation of helicopters; and (4) a local law to regulate the operation of noisy aircraft; and

WHEREAS, the Town has been soliciting public comment through encouraging comments at Town Board meetings, and emailed comments through a dedicated email address; and

WHEREAS, the Town Board has reviewed all of those comments plus written comments and comments appearing in several local newspapers over the course of the last year; and

WHEREAS, there is no single or simple measure which is certain to solve the Town's noise problem; and

WHEREAS, the Town is committed to testing measures for their practical, real-world effectiveness but needs to have at least one summer season to collect adequate data on real world effects; and

WHEREAS, the Town is committed to collecting data during the summer 2015 season and to assessing all noise control measures in October 2015 for their effectiveness; and

WHEREAS, the Town will modify any restrictions to improve their effectiveness based upon the results of these restrictions during the summer 2015 season; and

WHEREAS, the Town encourages residents, visitors, airport stakeholders, users and all other interested parties to provide the Town with input on the effectiveness of particular measures in addressing, mitigating or eliminating the noise problem; and

WHEREAS, after considering the history of noise disturbance caused by operations at the Airport, reviewing the data provided by the Town's consultants and the comments of the public, and after holding public hearings, the Town Board believes that the enactment of a local law to limit the number of operations of noisy aircraft at the East Hampton Airport is in the best interests of the Town of East Hampton for the following reasons:

- Noise from the noisiest aircraft operating at the East Hampton Airport is particularly disruptive of the peace and tranquility in and around the Town because their high noise levels contrast with the general peace and quiet of the East End to a much greater degree than quieter aircraft; and
- The relatively high volume of operations by the noisiest aircraft has caused

widespread community disturbance due to the particularly disruptive effect of those aircraft; and

- The proposed restriction would affect 3,443, or 13.4 percent of the total operations but would address roughly 37.6 of the reported complaints; and
- Limiting the noisiest aircraft is the most important during the summer season when residents and visitors have a heightened expectation that they can enjoy the outdoor environment in peace; and

WHEREAS, the proposed local law is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code; and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law 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

RESOLVED, that said local law is hereby adopted to read as follows:

LOCAL LAW NO. \_\_\_ OF 2015  
INTRODUCTORY NO. \_\_\_ OF 2015

A Local Law providing for the amendment of Chapter 75 ("AIRPORT") of the East Hampton Town Code to read as follows:

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

**SECTION 1. Legislative Intent.**

In the past three decades, the residents of the Town of East Hampton have experienced a significant increase in noisy aircraft traffic at the East Hampton Airport, chiefly helicopters, jets, and seaplanes. By its extensive complaints to the Town Board and to other governmental entities, the public has made clear, and this Town Board recognizes, the negative impact that this aircraft noise has made to the health and welfare of its citizenry, to wildlife and their habitat, as well as to the peace, quiet, and repose of the region. Aircraft noise has substantially diminished the quiet enjoyment of homes and properties and compromised the pleasures of the woodlands, beaches, fields, and preserved lands that define our community and sense of place.

East Hampton is an established resort community whose entire economy is intrinsically tied to the use and enjoyment of its natural and scenic environment, including its world renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets. Visitors and residents alike enjoy East Hampton’s unique scenic beauty and the Town has made significant efforts to preserve the natural environs of the Town, spending a total of \$229,431,502 of Community Preservation Funds to preserve approximately 1,924 acres since 1998.

The Town's Comprehensive Plan has outlined the vital connection between preserving the natural scenic beauty and enjoyment of its community and the Town's economy, stating in its vision statement the goal to

"[t]ake forceful measures to protect and restore the environment, particularly groundwater. Reduce the impacts of human habitation on groundwater, surface water, wetlands, dunes biodiversity, ecosystems, scenic resources, air quality, the night sky, noise and energy consumption."

The 2007 Airport Master Plan Report that then became the basis for the adopted 2010 Airport Master Plan states, at II-73:

"The East Hampton Airport is owned, maintained and operated for the benefit of the Town and its residents. The airport continues to be classified as a General Aviation Airport under federal criteria. Its primary role is the accommodation of light aircraft traffic. Aircraft operating at greater weights will be accommodated on condition [sic] without unjust discrimination. The airport is also managed with the objective of providing emergency access and facilitation of all other public and community responsibilities. The size and operation of the airport takes into consideration the needs of East Hampton and Southampton residents for protection from excessive noise disturbance and adverse environmental impacts."

"Control of noise and adverse environmental impacts at the airport is consistent with current Town goals for improved quality of life and land and water conservation. These goals recognize that protecting the environment is essential for improving the Town's seasonal and year round economy. These controls are achieved through reasonable, non arbitrary and non discriminatory management practices. These may limit the maximum size of aircraft to be accommodated, regulate excessive peak demand during the summer season and otherwise adjust use patterns such as for helicopter access to minimize community disturbances."

In an effort to address the impacts of aircraft noise, the Town Board undertook an extensive analysis of the citizenry's complaints, and of the aircraft traffic itself, by the Town's aviation consultants and noise engineers, the results of which have only confirmed the seriousness of the community's noise disturbance. Of 24,000 airport noise complaints logged last year, the latest noise analysis discloses that they are overwhelmingly attributable to helicopters and jets, the noisiest types. Noise complaints at East Hampton Airport far exceed the level of complaints at major airports around the country. This is surely due, not least, to the incongruity of jet and helicopter noise in what is otherwise a very quiet, exurban and rural environment.

Specifically, noise from aircraft operating at the East Hampton Airport disturbs many residents of the East End of Long Island. Disturbance by the noisiest aircraft is most significant when aircraft operations are most frequent. The Town examined how best to

limit the constant onslaught of air traffic and has determined that an overall limit on operations by the noisiest aircraft is essential to the quality of life to which residents and visitors are entitled.

In its capacity as proprietor of the East Hampton Airport, the Town Board has a public policy responsibility to protect residents from the adverse effects of aircraft noise. It has developed a set of restrictions on the use of East Hampton Airport that are reasonable, non-arbitrary, and non-discriminatory. These restrictions address the problems of aircraft noise that are unique to the Town and neighboring communities while preserving for the community the benefits of aviation.

As the U.S. Court of Appeals for the Second Circuit recognized in the *National Helicopter* case -- that residents have a justified, heightened expectation of quiet during non-working hours, evenings, nights, and weekends -- both year-round and seasonal residents of East Hampton and the East End have a justified, heightened expectation of quiet, yet suffer greater exposure to disturbance from aircraft noise, during the very periods when the East End is sought as a destination for repose and relief from urban ills. That is the reason why the huge influx of seasonal residents and visitors come to East Hampton. It is the reason why year-round residents struggle to stay in East Hampton despite the difficulty of earning a living in a limited economy on the end of a long, narrow peninsula on the tip of a long island. Peace, quiet, repose, outdoor recreation, sea, air, a beautiful and unique natural environment, these are the primary social and economic goods that East Hampton and the East End as a whole have to offer.

The Town Board recognizes the value of the East Hampton Airport to the community and does not want to impose any greater restriction than is necessary to achieve the Town's objectives.

To that end, the Town Board recognizes that limiting the volume and frequency of airport use by noisy aircraft types during the summer season is essential to restoring the peace and quiet that East Hampton residents and visitors have come to expect in this community. The legislation is intended to restrict aircraft according to the seriousness of their noise contribution to the community disturbance - that is, each aircraft's individual noise generation and the frequency and timing of its airport landings and takeoffs. The proposed restrictions are seasonally based, imposing greater limits during the period May 1 to September 30 each year when residents and visitors have a heightened expectation that they can enjoy our magnificent outdoor environment in peace.

By enacting this legislation, the Town Board seeks to achieve immediate, substantial noise relief for residents and visitors during the summertime, provide an incentive for airport users with noisy types of aircraft to transition to quieter types of aircraft, maintain the intended and traditional use of the East Hampton Airport by recreational aircraft, and continue sufficient air traffic to maintain a financially self-sustaining Airport.

The Town Board is committed to balancing the need to address the impact of the aircraft noise on the Town's environment with the equally important need to maintain an economically viable and safe airport for East Hampton.

The proposed legislation expressly excludes from its application aircraft operated by any federal, state or local government, any emergency services, evacuation services, public or private, and any operation by an aircraft in an emergency. The airport will remain open to such operations at all times without restriction or charge.

These restrictions are adopted on an interim basis. The effects of the legislation on the operations at the Airport for the period May 1 to October 31, 2015 shall be evaluated to determine whether the restrictions should be made permanent or modified. The Town Board will seek public comment throughout the Season and immediately following the Season to determine the success and/or failure of the use restrictions and whether they function the way they were intended or need to be adjusted.

## **SECTION 2. Amendment**

Section 75-38, Airport Use Restrictions, of the Code of the Town of East Hampton is hereby amended by adding the following provisions:

### CHAPTER 75, AIRPORT.

#### **§ 75-38 AIRPORT USE RESTRICTIONS:**

##### **A. Definitions.**

- (1) "Calendar Week" shall mean the period beginning at 12:00:00 am on Sunday and ending at 11:59:59 pm on the following Saturday.
- (2) - *Reserved*
- (3) "Individual Aircraft" shall mean an aircraft, of whatever type, with a distinct registration number ("N number" if such registration is issued by the United States Government).
- (4) "Noisy Aircraft" shall mean any airplane or rotorcraft type classified as a Noisy Aircraft type pursuant to this Section.
  - (a) The Airport Director is directed to maintain on the Town website a current list of aircraft based upon the noise characteristics published by the Federal Aviation Administration, or (if data is not available from that agency), the European Aviation Safety Agency. Noisy Aircraft shall be defined as any airplane or rotorcraft for which there is a published Effective Perceived Noise in Decibels (EPNdB) approach (AP) level of 91.0 or greater
  - (b) In lieu of being subject to the definition of "Noisy Aircraft" pursuant to subsection (a) on the basis of the Town's list of types of Noisy Aircraft, the owner of an Individual Aircraft may elect to have the noise classification of such Individual Aircraft determined by the sound levels on the basis of the EPNdB level that is published in the airplane or rotorcraft flight manual for such Individual Aircraft pursuant to 14 C.F.R. 36.1581(a). To obtain a noise classification of an Individual Aircraft, the owner of such aircraft shall provide the Airport Director with a true copy of the relevant pages from such manual showing the noise level data. In the event of a conflict between the Town's list of classifications of Noisy Aircraft types and classification based on the data set forth in the Individual Aircraft airplane or rotorcraft flight manual, the data in the Individual Aircraft airplane or rotorcraft flight manual shall

prevail. Once the owner of an Individual Aircraft has provided the Airport Director with such data from the Individual Aircraft airplane or rotorcraft flight manual, and the Airport Director has determined the authenticity thereof, the Airport Director shall keep such data on file so that the owner need not resubmit the data for each Use of the Airport, and compliance by such Individual Aircraft with this Section shall be determined based on such data.

(6) "Use of the Airport" shall mean either one arrival (landing) at, or one departure (takeoff) from, the Airport, shall not include any repositioning of any aircraft on the Airport or any aborted takeoff or landing, but shall include touch-and-go operations that result in use of an Airport runway.

B. [Reserved]

**C. Noisy Aircraft Operations.** Use of the Airport by Noisy Aircraft is prohibited as follows:

(1) [Reserved]

(2) More than two Uses of the Airport by an Individual Aircraft during a Calendar Week, or portion of a Calendar Week, that falls within the Season.

D. [Reserved]

**E. Exemptions.** The restrictions of this section 75-38 shall not apply to any aircraft operational emergency, any medical emergency operation, whether by public or private aircraft, or to any operation by a government-owned aircraft, including, without limitation, police, emergency services, and military operations. In the case of an aircraft emergency or medical emergency operation, the operator shall submit a sworn statement to the Airport Manager within 24 hours of such operation attesting to the nature of the emergency and reason for the operation.

#### **§ 75-39 PENALTIES:**

A. Section 75-34 shall not apply to violations of Section 75-38 and this Section 75-39 shall apply for all violations of Section 75-38. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of Section 75-38 shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations.

B. Any Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall be punishable by a fine assessed against any person, organization, corporation, group or other entity which holds an ownership interest in such aircraft, as follows: (1) For the first violation by an Individual Aircraft, a fine of not more than \$1,000.

(2) For the second violation by an Individual Aircraft, a fine of not more than

\$4,000.

(3) For the third violation by an Individual Aircraft, a fine of not more than \$10,000.

(4) For the fourth violation by an Individual Aircraft, a prohibition on any Use of the Airport by the Individual Aircraft involved in such violation for a period of not more than two years.

C. Each Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall constitute a separate offense.

D. In addition, any entity convicted hereunder of not complying with the requirements of Section 75-38 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town and not more than an amount equal to twice said actual costs. Should any person, organization, corporation, group or other entity be found in violation of the provisions of Section 75-38 within five years of a previous violation of this chapter, the minimum additional fine shall be not less than \$2000.

E. In addition to the above penalties, the Town may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation Section 75-38 any person, organization, corporation, group or other entity which holds an ownership interest in the Individual Aircraft.

(1) If a finding is made by a court of competent jurisdiction that the defendants or any of them has caused, permitted or allowed a violation of Section 75-38, a penalty to be jointly and severally included in the judgment may be awarded at the discretion of the court in an amount not to exceed \$10,000.00 for each violation that the defendants or any one of them individually caused, permitted or allowed the violation.

### **SECTION 3. Authority**

The Town Board is authorized to establish and promulgate rules and regulations regarding use of the East Hampton Airport pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and Town Law §130 and pursuant to its powers as the proprietor of East Hampton Airport under federal statutory and case law and regulations of the Federal Aviation Administration.

### **SECTION 4. Severability.**

If any section or subdivision, paragraph, clause or phrase of this law shall be adjudged invalid, unenforceable, or unconstitutional by any order or judgment of a court of competent jurisdiction, or pursuant to any order of any administrative agency having jurisdiction, whether such judgment or order is temporary or permanent, such judgment or order shall not affect the validity of this law as a whole or any part thereof other than the part or

provision so adjudged to be invalid or unconstitutional.

**SECTION 5. Effective Date.**

This local law shall take effect upon filing with the Secretary of State.

Dated: April 16, 2015

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON  
CAROLE BRENNAN, TOWN CLERK

✓ <b>Vote Record - Resolution RES-2015-413</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Secunder	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Larry Cantwell	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**14. Resolution 2015-414**

**Category:** Agreements, Contracts  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**Amend 2015 Grant Agreement with Family Service League**

WHEREAS, the Town has entered into a grant agreement with the Family Service League; and,

WHEREAS, the contract does not reflect the updated budget for the Family Service League for the grant award; and,

WHEREAS, the updated budget does not increase the amount of the total budget but allocates the grant across budget lines in a different manner than reflected in the contract; now therefore be it

RESOLVED, that the Supervisor is authorized and directed to execute an amendment to the Grant Agreement contract with the Family Service League to reflect the updated budget allocations.

✓ <b>Vote Record - Resolution RES-2015-414</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted						



<input type="checkbox"/> Adopted as Amended	Kathee Burke-Gonzalez	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Peter Van Scoyoc	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Sylvia Overby	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	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"/>

**15. Resolution 2015-415**

**Category:** Approvals  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**Authorize Order on Consent - Suffolk County Health Services Ref #10675**

WHEREAS, the Suffolk County Department of Health Services has issued a notice that certain conditions were found at the Town Airport at Daniel's Hole Road, Wainscott, in violation of the Suffolk County Sanitary Code Article 12 under Docket #EE-15-773, Reference No. 10675; And

WHEREAS, the Suffolk County Department of Health Services has offered the Town an opportunity to enter into a consent order settling the violations upon payment of a civil penalty in the amount of \$2,250.00 and correction of the violations; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the Consent Order with the Suffolk County Department of Health Services for violations at the East Hampton Town Airport; and be it further

RESOLVED, the Bookkeeping office shall issue payment in the amount of \$2,250 in payment of the civil penalty to the Suffolk County Department of Health Services from airport budget account SX 5610-54990.

✓ Vote Record - Resolution RES-2015-415						
			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	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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**16. Resolution 2015-416**

**Category:** Issue Check  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Human Services

**Pay Prior Year Invoice**

WHEREAS, the Department of Human Services has been presented an invoice to pay a missed 2014 invoice dated 12/10/2014 for dishwasher rental in the Senior Nutrition Program, now be it

RESOLVED, that the Town will pay the outstanding 2014 invoice to Ecolab in the amount of \$122.95 from budget Account # A6772.54420 upon properly submitted voucher, and, be it further

RESOLVED, that the Town Clerk is hereby requested to forward a copy of this resolution to the appropriate individuals.

✓ Vote Record - Resolution RES-2015-416						
			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	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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**17. Resolution 2015-417**

**Category:** Prof. Services (Attorney, Eng., Appraisers, Cons.)  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**Authorize Appraisals - Industrial Park & Airport**

WHEREAS, the Town has need of updated appraisals for certain properties within the Town Industrial Park whose leases are subject to re-negotiation and pursuant to Resolution #2015-219 the Town retained Clark & Marshall Real Estate Appraisers (Clark & Marshall) to prepare appraisals on up to five (5) parcels; and

WHEREAS, the Town now requires four (4) additional appraisals of Town properties at the Industrial Park and Airport and Clark and Marshal has agreed to provide the appraisals a cost of \$1,000 per parcel for appraisals of sale and lease values of three (3) Industrial Park parcels and \$1,200 for the lease value of the airport site; now therefore be it

RESOLVED, that Clark and Marshall Real Estate Appraisers is retained to provide the Town with updated appraisals for four (4) additional lots, three (3) in the Industrial Park at a cost of \$1,000 per lot for each updated appraisal, and \$1,200.00 for the appraisal of fair market value lease rates at the airport, with a maximum total expenditure not to exceed \$4,200.00; and be it further

RESOLVED, that payment for the same shall be made from budget account SX5610-54520 (Outside Professional Airport).

✓ Vote Record - Resolution RES-2015-417							
			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	Second	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**18. Resolution 2015-418**

**Category:** Approvals  
**Sponsors:** Councilwoman Kathee Burke-Gonzalez  
**Department:** Town Attorney

**Resolution Memorializing Goals for the East Hampton Airport**

Whereas, the Town Board committed to studying and resolving the disturbance from noise associated with East Hampton Airport ("Airport") operations for the 2015 calendar season; and

Whereas, the Town Board, in furtherance of its commitment, adopted three local laws restricting the use of the Airport in an effort to address noise disturbance; and

Whereas, the Town Board recognizes that the adoption of these local laws represents only an initial step in the Town's commitment to studying and resolving Airport matters; and now, therefore be it

Resolved, that in furtherance of these commitments the Town Board hereby adopts the following goals regarding the Airport:

- 1. Maintain the Airport as Safe and Efficient.** The Town Board as proprietor and operator of the Airport, shall commit to implementing a methodical capital and maintenance plan for Airport facilities to operate a safe and properly maintained self-sufficient facility without burdening taxpayers; The Town shall work closely with the Airport engineer to identify priorities for maintenance and capital improvements, with a focus on maintaining and enhancing safety.
- 2. Local Laws.** The enactment of the three local laws amending Chapter 75 shall address restrictions on the use of the Airport to ensure peace and quiet at night and in the evening and morning hours, limit the number of noisy helicopters and jets while still allowing reasonable access to the Airport.
- 3. Study the Effectiveness of the New Laws.** The Town shall professionally study and evaluate the effectiveness of our initial efforts - including the new local laws - following the 2015 summer season. These studies will include analysis of the financial impact of the restrictions, their effect on noise and complaints, the diversion of traffic to other airports, and the effects of the restrictions on aircraft operators. The Town shall convene a public meeting after the 2015 season to present the

results of these studies and to hear from the public to determine whether any changes are required in the restrictions for the 2016 season.

- 4. Airport Management Advisory Committee.** The Town Board shall appoint an Airport Management Advisory Committee to be responsible for advising the Town Board and the Airport Director on the operation, maintenance, finances, capital improvements, and preservation of the East Hampton Airport. The Committee will consolidate the several existing advisory committees into a single advisory group.
- 5. Coordinate with the Congressional Delegation.** The Town shall continue to work closely with Congressman Zeldin in his efforts to convince the FAA to require helicopters to maintain a minimum altitude in their flights from New York City to the East End. The Town will also seek assistance from Senators Schumer and Gillibrand and other interested Members of Congress to ensure that our concerns are part of Congress' debate over reauthorization of the FAA.
- 6. Partner with Eastern Region Helicopter Council.** The Town Board shall continue to work with the Eastern Region Helicopter Council and other industry stakeholders to pursue its offer to develop voluntary procedures to mitigate helicopter noise in the short-term.
- 7. Work with the FAA on Flight Tracks.** The Town shall invite the FAA, airport users, and industry groups, to join it in finding long-term solutions to noise problems that can be resolved by addressing flight tracks, altitudes, and flight procedures. The Town shall request and work with the FAA to establish a regional task force to review problems throughout the East End in furtherance of a regional solution.
- 8. Improved Technology.** The Town shall improve its ability to record and track airport operations and noise problems through installation of an Airport Noise and Operations Monitoring System (ANOMS) and will work with the Air Traffic Control Tower, our operations billing contractor, Vector, and the operator of our complaint system, PlaneNoise, to ensure the Town has the best data available on airport operations.

✓ Vote Record - Resolution RES-2015-418						
			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	Secunder	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## **B. COUNCILMAN VAN SCOYOC**

### **1. Resolution 2015-419**

**Category:** Bond  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Clerk

#### **BOND - \$91,000 Various Capital Improvements**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING VARIOUS PROJECTS IN AND FOR THE TOWN, STATING THE ESTIMATED TOTAL COST THEREOF IS \$91,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$91,000 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 (a) acquire radios for use by the Town's Buildings and Grounds Department, at the estimated maximum cost of \$17,500,000; (b) acquire a line painter, at the estimated maximum cost of \$6,500; (c) acquire and install bleachers, at the estimated maximum cost of \$15,000; (d) acquire and install a storage shed for the Town's Buildings and Grounds Department, at the estimated maximum cost of \$20,000; (e) replacement of the South Lake well located on South Lake Road in Montauk, at the estimated maximum cost of \$7,000; and (f) replacement of the water main serving the public boat slips at the Head of the Harbor dock in Springs, at the estimated maximum cost of \$25,000. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$91,000 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 \$91,000 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 \$91,000 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. (a) The period of probable usefulness applicable to the objects or purposes for which \$39,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years, and

(b) The period of probable usefulness applicable to the object or purpose for which \$52,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 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.

✓ Vote Record - Resolution RES-2015-419						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Secunder	<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 2015-420**

**Category:** Bond  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Clerk

**BOND - \$50,000 Tandem Yard Semi-Tractor**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF a TANDEM YARD SEMI-TRACTOR, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$50,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000 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 Tandem Yard semi-tractor. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000 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 \$50,000 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 Sanitation Fund, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$50,000 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 to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) 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 April 16, 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 April 16, 2015, authorizing the acquisition of a Tandem Year semi-tractor, stating the estimated maximum cost thereof is \$50,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$50,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of a Tandem Year semi-tractor; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000; 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 \$50,000 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 Town's Sanitation Fund, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$50,000 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 object or purpose for which said bonds are authorized to be issued, is fifteen (15) 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 \$50,000 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: April 16, 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.

✓ Vote Record - Resolution RES-2015-420						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**3. Resolution 2015-421**

**Category:** Bond  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Clerk

**BOND - \$150,000 Reconstruct Heavy Duty Truck Highway Dept.**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE RECONSTRUCTION OF A HEAVY DUTY TRUCK FOR THE HIGHWAY DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$150,000 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 reconstruct a heavy duty truck for the Highway Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 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 \$150,000 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 Highway Fund, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$150,000 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 to be issued, within the limitations of Section 11.00 a. 35 of the Law, is fifteen (15) 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 April 16, 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 April 16, 2015, authorizing the reconstruction of a heavy duty truck for the Highway Department, stating the estimated maximum cost thereof is \$150,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$150,000 to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the reconstruction of a heavy duty truck for the Highway Department; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000; 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 \$150,000 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 Town's Highway Fund, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$150,000 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 object or purpose for which said bonds are authorized to be issued, is fifteen (15) 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 \$150,000 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: April 16, 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.

✓ Vote Record - Resolution RES-2015-421						
			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	Mover	<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"/>

**4. Resolution 2015-422**

**Category:** Bond  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Clerk

**BOND - \$135,000 - Construction & Improvements Various Town Buildings**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS TOWN BUILDINGS AND STRUCTURES, STATING THE ESTIMATED TOTAL COST THEREOF IS \$135,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$135,000 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 (a) replace windows at Town Hall, at the estimated maximum cost of \$50,000, (b) construct improvements to the Maidstone lower comfort station, at the estimated maximum cost of \$25,000, (c) construct roof and chimney improvements at Town Hall, at the estimated maximum cost of \$35,000, and (d) replace the furnace at the Highway Department garage in Montauk, at the estimated maximum cost of \$25,000. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$135,000 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 \$135,000 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 \$135,000 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), 13, 12(a)(2) and 90 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 April 16, 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 April 16, 2015, authorizing the construction of improvements to various Town buildings and structures, stating the estimated total cost thereof is \$135,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$135,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING (a) the replacement of windows at Town Hall, at the estimated maximum cost of \$50,000, (b) construction of improvements to the Maidstone lower comfort station, at the estimated maximum cost of \$25,000, (c) construction of roof and chimney improvements at Town Hall, at the estimated maximum cost of \$35,000, and (d) replacement of the furnace at the Highway Department garage in Montauk, at the estimated maximum cost of \$25,000; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$135,000; 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 \$135,000 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 Town's General Fund - Townwide, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$135,000 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 \$135,000 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: April 16, 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.

✓ Vote Record - Resolution RES-2015-422						
			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	Mover	<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"/>

**5. Resolution 2015-423**

**Category:** Bond  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Clerk

**BOND - \$255,000 Acquisition of Heavy Duty Equipment**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF HEAVY DUTY EQUIPMENT FOR USE BY THE TOWN, STATING THE ESTIMATED TOTAL COST THEREOF IS \$255,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$255,000 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: (i) a 3500 diesel truck, at the estimated maximum cost of \$50,000; (ii) a packer garbage truck, at the estimated maximum cost of \$115,000; and (iii) an 8-yard dump truck with Bobcat tow, at the estimated maximum cost of \$90,000. The estimated total cost thereof, including preliminary costs and costs



incidental thereto and the financing thereof, is \$255,000 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 \$255,000 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 \$255,000 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 to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) 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 April 16, 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 April 16, 2015, authorizing the acquisition of heavy duty equipment for use by the Town, stating the estimated total cost thereof is \$255,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$255,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of (i) a 3500 diesel truck, at the estimated maximum cost of \$50,000; (ii) a packer garbage truck, at the estimated maximum cost of \$115,000; and (iii) an 8-yard dump truck with Bobcat tow, at the estimated maximum cost of \$90,000; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$255,000; 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 \$255,000 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 Town's General Fund - Townwide, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$255,000 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 object or purpose for which said bonds are authorized to be issued, is fifteen (15) 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 \$255,000 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: April 16, 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.

✓ Vote Record - Resolution RES-2015-423						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**6. Resolution 2015-424**

**Category:** Appointments  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Human Resources

**Appoint Part Time Recreation Aides Recreation Department**

RESOLVED that following be and are hereby appointed to the part time position of Recreation Aides with the Recreation Department at the following hourly rates per hour payable biweekly with time card properly submitted from budget account #A7020-51200 effective retroactive to April 18,2015

Richard Statucki \$12.01 per hour  
 Kawana Guerero \$9.50 per hour

And be it further

RESOLVE that on May 11, 2015 Richard Statucki and Kawana Guerero change status from Part Time to Seasonal with no change to hourly rate or budget account number, and be it further

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

✓ Vote Record - Resolution RES-2015-424						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**7. Resolution 2015-425**

**Category:** Appointments  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Human Resources

**Appoint Temporary Maintenance Mechanic II Timothy Webber Parks Department**

RESOLVED that Timothy Webber be and is hereby appointed to the temporary position of Maintenance Mechanic II with the Parks Department at the hourly rate of \$21.498 Per hour payable biweekly with time card properly submitted from budget account #A7110.51200 Effective May 11, 2015 and be it further

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

✓ Vote Record - Resolution RES-2015-425						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**8. Resolution 2015-426**

**Category:** Budget  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Bookkeeping

**Highway Budget Adjustment**

Whereas, the Town receives payments from the Suffolk County Water Authority for overseeing repaving related to water main installations and most of the money was received and originally recorded in 2014 as deferred revenue for 2015, and

Whereas, that revenue should be properly recognized as revenue in the 2015 budget and the expense in the expenditure part of the budget, now therefore be it

Resolved, an adjustment needs to be made to the 2015 Highway Department operating budget by the Budget Office as follows:

Add \$327,434.44 to DB0-42231 (Repair and Restoration Payments)  
 Add \$327,434.44 to DB5112-54743 (Road Surfacing - Water Mains)

✓ Vote Record - Resolution RES-2015-426						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**9. Resolution 2015-427**

**Category:** Budget  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Bookkeeping

**Budget Modification - Highway**

Resolved, that the following modifications be made to the Highway Department budget at the request of the Highway Superintendent:

Move \$19,500.00

From: DB 1990-51990 Contingency  
 To: DB5130-52400 Radio Line

and \$6,000.00

From: DB5140-54741 Line Striping  
 To: DB5130-52400 Radio Line

✓ Vote Record - Resolution RES-2015-427						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**10. Resolution 2015-428**

**Category:** Budget  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Bookkeeping

**Budget Adjustment - Insurance Recovery Ft. Hill Cemetery**

Whereas, damage was done to the roadway at the Fort Hill Cemetery in Montauk for which damages were recovered in the amount of \$2,100, and

Whereas, the recovered funds are to be used to make repairs at the cemetery, now therefore be it

Resolved, that the Budget Office is directed to adjust the 2015 budget as follows.

Add \$2,100 to revenue line A042680 (Recoveries)  
 Add \$2,100 to expense line A8850.54550 (Repairs Ft. Hill Cemetery)

✓ <b>Vote Record - Resolution RES-2015-428</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**11. Resolution 2015-429**

**Category:** Budget  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Bookkeeping

**Pay Previous Year Invoice FPM**

Resolved, that the Budget Office is authorized to pay an invoice from Fanning, Phillips and Molnar for monitoring work performed at the Montauk and Fireplace Road landfill caps during the month of December 2014 totaling \$9,583.90.

✓ <b>Vote Record - Resolution RES-2015-429</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**12. Resolution 2015-430**

**Category:** Issue Check  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Parks and Recreation

**Authorize Payment - Lowe's 2014 Invoice - Parks & Recreation**

WHEREAS, it has been ascertained by the Parks and Recreation Department records and verified by the Town Clerk's Office, that a November 2014 Invoice for supplies was never paid to Lowe's - Atlanta, GA; now, therefore be it

RESOLVED, the Town will pay the outstanding 2014 invoice in the amount of \$110.60, payable from Budget Account #A1620-54550 upon properly submitted voucher, and, be it further

RESOLVED, that the Town Clerk is hereby requested to forward a copy of this resolution to the appropriate individuals.

✓ Vote Record - Resolution RES-2015-430						
			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	Mover	<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"/>

**13. Resolution 2015-431**

**Category:** Approvals  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Board

**Authorize Payment of 2013 Simplex Grinnell, LP Invoices - Sanitation Department**

WHEREAS, it has been ascertained by the Town Sanitation Department records and verified by the Town Clerk's Office, that three (3) Simplex Grinnell, LP fire alarm service invoices for October, November and December 2013 were never paid; now, therefore be it

RESOLVED, that the Town will pay the outstanding three (3) 2013 invoices in the amount of \$249.70 each, a total of \$749.10, to be taken from Budget Account #SR8160.54520 upon properly submitted voucher; and, be it further

RESOLVED, that the Town Clerk is hereby requested to forward a copy of this resolution to Sanitation Director Craig Fick.

✓ Vote Record - Resolution RES-2015-431						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Secunder	<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"/>

**14. Resolution 2015-432**

**Category:** Agreements, Contracts  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Natural Resources

**Memorandum of Agreement Between Town of East Hampton and Cornell Cooperative Extension of Suffolk**

WHEREAS, the Town of East Hampton has been awarded \$150,000 to implement the Accabonac Harbor Storm Water Remediation project by the New York State Department of State (NYS DOS); and

WHEREAS, the Town of East Hampton partnered with Cornell Cooperative Extension (CCE) of Suffolk County to conduct several of the tasks to mitigate stormwater and groundwater contribution into Pussy's pond; and

WHEREAS, nitrogen pollution of surface waters in the Town of East Hampton are a vital concern to the environment and economy of the Town and its residents or businesses; and

WHEREAS, Cornell Cooperative Extension of Suffolk County has developed new techniques and technologies and has the capability to conduct the research services in accordance to the protocol agreed upon by the Town of East Hampton and CCE; and

WHEREAS, the Town and CCE will enter into a financial agreement not to exceed \$13,000; and

WHEREAS, the Town will utilize a portion of the awarded amount to implement the Accabonac Harbor Storm Water Remediation project and there will be no financial impact to the Town; Now therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to execute the Memorandum of Agreement to conduct research and remediation of Accabonac Harbor and implement opportunities as identified by the NYS DOS, the Town of East Hampton, CCE as described in the Accabonac Harbor Storm Water Remediation project.



✓ Vote Record - Resolution RES-2015-432						
			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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Away
	Peter Van Scoyoc	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Secunder	<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"/>

**15. Resolution 2015-433**

**Category:** Agreements, Contracts  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Natural Resources

**Green Reach Infrastructure Demonstration (GRID) Nitrogen and Stormwater Abatement Project**

WHEREAS, the Town of East Hampton has been awarded \$125,000 to implement a Green Reach Infrastructure Demonstration (GRID) Nitrogen and Stormwater Abatement Project at Town Docks in Three Mile Harbor by the Suffolk County Water Quality Protection Review Program (WQPRP) Review Committee, and

WHEREAS, the Town of East Hampton will be required to enter into a Intermunicipal Agreement with Suffolk County, and

WHEREAS, the Town was previously awarded \$250,000 from the New York State Department of State to implement a GRID Project in an Accabonac Harbor Stormwater Abatement Project, and

WHEREAS, the Natural Resources Department has identified the State funded Accabonac Stormwater Abatement Project as the source of match for the GRID Project at the Town Dock in Three Mile Harbor, and

WHEREAS, the proposed project is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code, and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed project and

WHEREAS, the Board has determined that the implementation of this project will not have a significant negative impact upon the environment; and now, therefore be it

RESOLVED, that a negative declaration is hereby adopted pursuant to the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, the Town of East Hampton authorizes the Supervisor to enter into a Intermunicipal Agreement with Suffolk County, for implementation of the GRID Project at the Town Dock in Three Mile Harbor.

✓ <b>Vote Record - Resolution RES-2015-433</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Away
	Peter Van Scoyoc	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**16. Resolution 2015-434**

**Category:** Agreements, Contracts  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Attorney

**Authorize Continuation of Downtown Montauk Recycling Bin Project**

WHEREAS, The Montauk Chamber of Commerce is interested in continuing a program, approved pursuant to Resolution 2013-441, to provide recycling containers at various locations in downtown Montauk for recycling of glass, plastic and aluminum; and

WHEREAS, the Chamber proposes to provide these containers, to be paid for by local businesses, throughout the summer season, from May 20th through October 31st; and

WHEREAS, the Chamber has requested that the Town collect the recyclables and bring them to the Town Recycling facilities and the Town Department of Parks has agreed to monitor and empty the bins and replace the liners while collecting the trash from the Town's trash disposal containers; now, therefore, be it

RESOLVED, that the Town Board hereby supports continuing the Montauk Chamber of Commerce Recycling Program to recycle glass, plastic and aluminum in the downtown Montauk business District area during the summer season; and be it further

RESOLVED, that the Town Department of Parks is hereby authorized to monitor the recycling containers, empty and replace the liners and dispose of the recyclables at the Town's recycling facilities for the duration of the program.

✓ <b>Vote Record - Resolution RES-2015-434</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sylvia Overby	Second	<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"/>

**17. Resolution 2015-435**

**Category:** Bids Accepted  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Purchasing

**Accept Bid EH15-006 - GPS for Town Highway Department- Vehicle Tracking Solutions, LLC**

WHEREAS, the Town Board solicited bids for a GPS for the Town Highway Department, EH15-006; and

WHEREAS, the bid of Vehicle Tracking Solutions, LLC was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by the Town Highway Department and Jeanne Carroza, CPPB the Town's Purchasing Agent; and have recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the bid of Vehicle Tracking Solutions, LLC., for the lease option of the hardware & service in the amount of \$2,099.30 per month plus the cost of accessory items listed in Bid EH15-006 from budget DB5130 52400 is hereby accepted, and the Purchasing Agent is hereby authorized to issue a purchase order in accordance with the Town's bid specifications and the bid submission of the contractor.

✓ Vote Record - Resolution RES-2015-435						
			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	Mover	<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"/>

**18. Resolution 2015-436**

**Category:** Approvals  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Attorney

**Authorize Order on Consent - East Hampton Highway Facility @ Industrial Road SCDHS Ref. #12224**

WHEREAS, the Suffolk County Department of Health Services has issued a notice that certain conditions were found at the East Hampton Town Highway Department facility at Industrial Road, Montauk, in violation of the Suffolk County Sanitary Code Article 12; and

WHEREAS, the Suffolk County Department of Health Services has offered the Town an opportunity to enter into a consent order settling the violations upon payment of a civil penalty in the amount of \$650.00 and correction of the violations; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the Consent Order with the Suffolk County Department of Health Services; and be it further

RESOLVED, the Bookkeeping office shall issue payment in the amount of \$650.00 in payment of the civil penalty to the Suffolk County Department of Health Services from A5010.54580.

✓ Vote Record - Resolution RES-2015-436						
			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	Mover	<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"/>

**19. Resolution 2015-437**

**Category:** Agreements, Contracts  
**Sponsors:** Councilman Peter Van Scoyoc  
**Department:** Town Attorney

**Accept Donation of Labyrinth for Eddie Ecker Park Montauk**

WHEREAS, the Town owns a parcel of property (SCTM#300-26-1-1.1) in the CPF program that is part of Eddie Ecker Park in Montauk; and,

WHEREAS, a civic group, commonly known as, "Twelve Women", has offered to donate, install, and maintain a natural cobble stone labyrinth of approximately 50 feet in diameter; and,

WHEREAS, the installation of the labyrinth will require no clearing of the property and will require very limited maintenance; and,

WHEREAS, the public use and enjoyment of the property will be enhanced by the labyrinth installation as it is compatible with the natural, scenic, historic and open space character of such property; now therefore be it

RESOLVED, that the Town hereby accepts the donation of the installation and maintenance of a natural cobble stone labyrinth on the parcel of property (SCTM#300-26-1-1.1) in the CPF program that is part of Eddie Ecker Park in Montauk; and, be it further

RESOLVED, that the Supervisor is authorized and directed to execute all necessary documents, including a donation agreement if required, to accept the donation, installation and maintenance of a stone labyrinth on the Town owned parcel of property (SCTM#300-26-1-1.1) in the CPF program, that is part of Eddie Ecker Park in Montauk.

✓ <b>Vote Record - Resolution RES-2015-437</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Mover	<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"/>

**C. COUNCILWOMAN OVERBY**

**1. Resolution 2015-438**

**Category:** Local Law Public Hearing  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Land Acquisition

**Fireplace Road Corp., SPH NPH CPF Project Plan Addition**

**BE IT RESOLVED**, that a public hearing is hereby scheduled to be held on a proposed Local Law adopting a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include parcels of land reputedly owned by **Fireplace Road Corp.** and identified on the Suffolk County Tax Map as **300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40.** All as set forth in the text of the Local Law, said hearing to be held in the Town Board Meeting Room, East Hampton Town Hall, 159 Pantigo Road, East Hampton, on **Thursday May 7, 2015, at 6:30 p.m.** or as soon thereafter as this matter may be heard, and said proposed Local Law to read as follows:

LOCAL LAW NO. OF 2015  
 INTRODUCTORY NO. OF 2015

A Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include 11 parcels of land reputedly owned by **Fireplace Road Corp.**, and identified on the Suffolk County Tax Map as **300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40.** As more fully set forth in the text of the Local Law, said Local Law to read as follows:

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

**SECTION I. - FINDINGS AND OBJECTIVES:**

This local law adopts a revised "Community Preservation Project Plan" pursuant to Section 64-e of the New York Town Law. The revised plan supplants the Community

Preservation Project Plan which was first adopted by the Town Board on August 4, 1998 and adopted as revised on July 7, 2011 and which continues to list all properties whose preservation is necessary to the preservation of the community character of the Town of East Hampton.

**The Town Board would like to amend the plan as most recently adopted on July 7, 2011 to add 11 parcels consisting of approximately 6.5 acres of land reputedly owned by Fireplace Road Corp. located on 124, 122, 103 & 101 Sycamore, 124, 118, 84, 72, 68, 31 & 29 Cedar Drive, Springs, and identified on the Suffolk County Tax Map as 300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40 for the following reasons: All these parcels are adjacent to or near preserved lands allowing the Town to build on existing holdings, and expand our overall inventory of Open Space. If acquired, these parcels will remain pocket wildlife reserve areas. For these reasons, these parcels meet the criteria set forth in Town Law 64-e (4) that establishes and helps define what the preservation of community character involves.**

#### **SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED:**

For the reasons set forth in Section I hereof, the Town Board hereby approves and adopts the addition of this parcel consisting of **approximately 6.5 Acre** of land in **Springs**, reputedly owned by **Fireplace Road Corp.**, and identified on the Suffolk County Tax Map as **300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40** to the list of Open Space Recommendations in the "Community Preservation Project Plan" prepared by the Town Planning Department and dated July 7, 2011, said plan being intended to constitute, in its revised form, the community preservation project plan which is required by Section § 64-e of the New York Town Law and Article I ("Community Preservation Fund") of the East Hampton Town Code.

#### **SECTION III. - SEVERABILITY:**

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

#### **SECTION IV. - EFFECTIVE DATE:**

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is directed to publish a Notice of Public Hearing in the **April 23, 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 on **May 7, 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, on a proposed Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include 11 parcels consisting of approximately 6.5 acres of land reputedly owned by **Fireplace Road Corp.**, and identified on the Suffolk County Tax Map as **300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40.**

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: **April 16, 2015**

✓ <b>Vote Record - Resolution RES-2015-438</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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"/>

**2. Resolution 2015-439**

**Category:** Local Law Public Hearing  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Land Acquisition

**Foster SPH NPH CPF Project Plan Addition**

**BE IT RESOLVED**, that a public hearing is hereby scheduled to be held on a proposed Local Law adopting a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include a parcel of land reputedly owned by **Marilee Foster** and identified on the Suffolk County Tax Map as **300-132-1-14.1**. All as set forth in the text of the Local Law, said hearing to be held in the Town Board Meeting Room, East Hampton Town Hall, 159 Pantigo Road, East Hampton, on **Thursday May 7, 2015, at 6:30 p.m.** or as soon thereafter as this matter may be heard, and said proposed Local Law to read as follows:

LOCAL LAW NO. OF 2015  
 INTRODUCTORY NO. OF 2015

A Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include a parcel of land reputedly owned by **Marilee Foster**, and identified on the Suffolk County Tax Map as **300-132-1-14.1**. As more fully set forth in the text of the Local Law, said Local Law to read as follows:

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

**SECTION I. - FINDINGS AND OBJECTIVES:**

This local law adopts a revised "Community Preservation Project Plan" pursuant to Section 64-e of the New York Town Law. The revised plan supplants the Community Preservation Project Plan which was first adopted by the Town Board on August 4, 1998 and adopted as revised on July 7, 2011 and which continues to list all properties whose preservation is necessary to the preservation of the community character of the Town of East Hampton.

**The Town Board would like to amend the plan as most recently adopted on July 7, 2011 to add a parcel consisting of approximately 5 acre of land reputedly owned by Marilee Foster located on 345 Town Line Rd., Wainscott and identified on the Suffolk County Tax Map as 300-132-1-14.1 for the following reasons: This forested parcel is contiguous to over 130 acres of Open Space, and its preservation will reduce forest edge fragmentation, allowing it to remain a viable habitat for forest interior birds. Furthermore, the parcel is located in the Pine Barrens, the South Fork Special Groundwater Protection Area, a Town designated Water Recharge Overlay District, and is located over our deepest and best groundwater source. For these reasons, this parcel meets the criteria set forth in Town Law 64-e (4) that establishes and helps define what the preservation of community character involves.**

**SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED:**

For the reasons set forth in Section I hereof, the Town Board hereby approves and adopts the addition of this parcel consisting of **approximately 5 acre** of land in **Wainscott**, reputedly owned by **Marilee Foster**, and identified on the Suffolk County Tax Map as **300-132-1-14.1** to the list of Open Space Recommendations in the "Community Preservation Project Plan" prepared by the Town Planning Department and dated July 7, 2011, said plan being intended to constitute, in its revised form, the community preservation project plan which is required by Section § 64-e of the New York Town Law and Article I ("Community Preservation Fund") of the East Hampton Town Code.

**SECTION III. - SEVERABILITY:**

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.



**SECTION IV. - EFFECTIVE DATE:**

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is directed to publish a Notice of Public Hearing in the **April 23, 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 on **May 7, 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, on a proposed Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include a parcel consisting of approximately **5 acre** of land reputedly owned by **Marilee Foster**, and identified on the Suffolk County Tax Map as **300-132-1-14.1**.

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: **April 16, 2015**

<b>✓ Vote Record - Resolution RES-2015-439</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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"/>

**3. Resolution 2015-440**

**Category:** Public Hearing  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Land Acquisition

**Fireplace Road Corp., SPH NPH CPF Acquisition and Amend 2015 M&S Plan**

**SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S PLAN**

**Purported Owner: Fireplace Road Corp.**

**Location:** 124, 122, 103 & 101 Sycamore, 124, 118, 84, 72, 68, 31 & 29 Cedar Drive, Springs

**SCTM #:** 300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40

**WHEREAS**, the Town of East Hampton is considering the purchase of approximately **6.5 acres** of land located on **124, 122, 103 & 101 Sycamore, 124, 118, 84, 72, 68, 31 & 29 Cedar Drive, Springs** which lands are identified on the Suffolk County Tax Map as **SCTM #300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40**; and

**WHEREAS**, the proposed purchase price is **\$2,607,000.00**, 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 **Fireplace Road Corp.**, at a cost to the Town of East Hampton not to exceed **\$2,607,000.00** 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 **May 7, 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 **April 23, 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 **May 7, 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 **124, 122, 103 & 101 Sycamore, 124, 118, 84, 72, 68, 31 & 29 Cedar Drive, Springs** reputedly owned by **Fireplace Road Corp.**, and consisting of approximately **6.5** acres of land, at a cost to the Town of East Hampton not to exceed **\$2,607,000.00** plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as **SCTM # 300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40**

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: **April 16, 2015**

✓ Vote Record - Resolution RES-2015-440						
			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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Sylvia Overby	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Fred Overton	Secunder	<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"/>

**4. Resolution 2015-441**

**Category:** Public Hearing  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Land Acquisition

**Foster SPH NPH CPF Acquisition and Amend 2015 M&S Plan**

**SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S PLAN**

**Purported Owner: Marilee Foster**  
**Location: 345 Town Line Rd., Wainscott**  
**SCTM #: 300-132-1-14.1**

**WHEREAS**, the Town of East Hampton is considering the purchase of approximately **5** acres of land located on **345 Town Line Rd., Wainscott** which lands are identified on the Suffolk County Tax Map as **SCTM #300-132-1-14.1**; and

**WHEREAS**, the proposed purchase price is **\$600,000.00**, 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 **Marilee Foster**, at a cost to the Town of East Hampton not to exceed **\$600,000.00** 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 **May 7, 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 **April 23, 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 **May 7, 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 **345 Town Line Rd., Wainscott** reputedly owned by **Marilee Foster**, and consisting of approximately **5** acres of land, at a cost to the Town of East Hampton not to exceed **\$600,000.00** plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as **SCTM #300-132-1-14.1**

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: **April 16, 2015**

✓ <b>Vote Record - Resolution RES-2015-441</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Second	<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"/>

**5. Resolution 2015-442**

**Category:** Public Hearing  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Land Acquisition

**Vernazza SPH NPH CPF Acquisition and Amend 2015 M&S Plan**

**SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S PLAN**

**Purported Owner:** Mark Vernazza  
**Location:** 78 Lincoln Ave., Montauk  
**SCTM #:** 300-32-1-2.10

**WHEREAS**, the Town of East Hampton is considering the purchase of approximately **.42** acres of land located on **78 Lincoln Ave., Montauk** which lands are identified on the Suffolk County Tax Map as **SCTM #300-32-1-2.10**; and

**WHEREAS**, the proposed purchase price is **\$295,000.00**, 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 **Mark Vernazza**, at a cost to the Town of East Hampton not to exceed **\$295,000.00** 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 **May 7, 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 **April 23, 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 **May 7, 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 **78 Lincoln Ave., Montauk** reputedly owned by **Mark Vernazza**, and consisting of approximately **.42** acres of land, at a cost to the Town

of East Hampton not to exceed **\$295,000.00** plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as **SCTM #300-32-1-2.10**

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: **April 16, 2015**

✓ Vote Record - Resolution RES-2015-442						
			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"/>

**6. Resolution 2015-443**

**Category:** Public Hearing  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Land Acquisition

**Marin SPH NPH CPF Acquisition and Amend 2015 M&S Plan**

SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S PLAN

Purported Owner: Mary Marin  
 Location: 54 Lincoln Rd., Montauk  
 SCTM #: 300-70-4-23

WHEREAS, the Town of East Hampton is considering the purchase of approximately .3 acres of land located on 54 Lincoln Rd., Montauk which lands are identified on the Suffolk County Tax Map as SCTM #300-70-4-23; and

WHEREAS, the proposed purchase price is \$250,000.00, 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 Mary Marin, at a cost to the Town of East Hampton not to exceed \$295,000.00 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 May 7, 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 April 23, 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 May 7, 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 54 Lincoln Rd., Montauk reputedly owned by Mary Marin, and consisting of approximately .3 acres of land, at a cost to the Town of East Hampton not to exceed \$250,000.00 plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as SCTM #300-70-4-23

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: April 16, 2015

✓ <b>Vote Record - Resolution RES-2015-443</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Seconded	<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"/>

**7. Resolution 2015-444**

**Category:** Local Law Public Hearing  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Town Attorney

**Florist or Flower Shop in LBO NPH**

**Florist or Flower Shop in LBO**

**BE IT RESOLVED**, that a public hearing is hereby scheduled to be held on a proposed Local Law amending Chapter 255 of the East Hampton Town Code order to create a florist or flower shop use definition and to allow said use in a Limited Business Overlay District, as more fully set forth in the text of the Local Law, said hearing to be held at the Town Hall Meeting Room, East Hampton Town Hall, 159 Pantigo Road, East Hampton, on May 7, 2015, at 6:30 p.m. or as soon thereafter as this matter may be heard, and said proposed Local Law to read as follows:

Introductory No. of 2015

Local Law No. of 2015

A Local Law providing for the amendment of Chapter 255 ("ZONING") of the East Hampton Town Code to read as follows:

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

**SECTION I. Findings and Objectives**

The Town Board would like to amend the Town Code to allow a florist or flower shop in a Limited Business Overlay District. Pursuant to the Town Code, a flower shop is considered a retail store, which is prohibited in Limited Business Overlay Districts. Retail stores were prohibited from this district because it was felt that this category may include a large number of uses which are high intensity uses. A Limited Business Overlay District should only permit uses that are low intensity uses that generate low amounts of foot and vehicular traffic. Moreover, these uses must be designed and must function so as to protect nearby residences and the essential residential character of the district and community as a whole. The Town Board finds that a flower shop is a low intensity use and should not be generalized under the retail store category.

**SECTION II. Town Code Amended**

**§ 255-1-20. Definitions.**

**FLORIST OR FLOWER SHOP**

A business use primarily conducted indoors, which provides prepackaged and custom flower and plant arrangements by special order at retail along with accompanying goods such as vases, decorative pottery and similar container items. Items are not grown on site and are not sold wholesale. Usually includes indoor refrigeration units to keep flowers fresh, and delivery vans. Compare “Garden Center”.

**§255-5-50 Specific safeguards and standards.**

**FLORIST OR FLOWER SHOP**

- (1) Outdoor sale of items shall be prohibited.
- (2) The sale of outdoor display items shall be prohibited.

**Town of East Hampton  
Section 255-11-10  
II. Use Table Commercial Uses; Part 1**

Use Codes: P = Permitted use  
 SP = Special permit use  
 X = Prohibited use

Use	Residential Districts									Commercial Districts					Commercial Service	Special District
	A10	A5	A3	A2	A	B	MF	AHO	LBO	RS	NB	CB	WF	CI	CS	PC
A. Business uses																
(X) Florist or Flower Shop	X	X	X	X	X	X	X	X	SP	SP	P	P	SP	X	X	X

**§ 255-11-45. Schedule of off-street parking requirements.**

**Schedule of Off-Street Parking Requirements**

<b>Use</b>	<b>Number of Spaces Required</b>
Commercial	
(X) Florist or Flower Shop	1 per 180 square feet of gross floor area

**SECTION III. Severability**

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

**SECTION IV. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State as required by law.

now, therefore, be it

RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Public Hearing in the April 23, 2015 edition of the EAST HAMPTON STAR:

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of East Hampton will hold a public hearing at Town Hall, 159 Pantigo Road, East Hampton, New York, on Thursday, May 7, 2015, at 6:30 p.m., or as soon thereafter as this matter may be heard, to consider comments of all persons regarding the amendment of Chapter 255 ("ZONING") of the East Hampton Town Code in order to create a florist or flower shop use definition and to allow said use in a Limited Business Overlay district.

Any person who wishes to be heard with regard to the proposed local law may appear in person or by agent at the time of the hearing or by correspondence addressed to the East Hampton 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 the hearing.

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

**LOCAL LAW ABSTRACT**

Intro. # of 2015

This proposed local law amends Chapter 255 (ZONING) of the East Hampton Town Code in

order to create a florist or flower shop use definition and to allow said use in a Limited Business Overlay District.

DATED: APRIL 16, 2015

BY ORDER OF THE TOWN BOARD  
 TOWN OF EAST HAMPTON, NEW YORK  
 CAROLE BRENNAN, TOWN CLERK

✓ Vote Record - Resolution RES-2015-444						
			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	Secunder	<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"/>

**8. Resolution 2015-445**

**Category:** Bids to Notice  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Purchasing

**Notice to Bidders -EH15-016 - Camp Hero Wastewater Systems Operations & Maintenance Services Bid Available April 16, 2015 - Bid Due April 30, 2015**

WHEREAS, the Town of East Hampton wishes to solicit bids for Camp Hero Wastewater Systems Operations & Maintenance Services ;  
 be it,

RESOLVED, 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, on April 30, 2015 at 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Camp Hero Wastewater Systems  
 Operations & Maintenance Services

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 April 16, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked "Camp Hero Wastewater Systems Operations & Maintenance Services "

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:

Bid #	Name	Opening Date
EH15-016	Camp Hero Wastewater Systems Operations & Maintenance Services	April 30, 2015

and, be it further

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

✓ Vote Record - Resolution RES-2015-445						
			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"/>

**9. Resolution 2015-446**

**Category:** Agreements, Contracts  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Town Attorney

**Change Order#1 - Camp Hero Emergency Upgrades**

WHEREAS, the Town Board solicited bids for Camp Hero Wastewater Management System Emergency Upgrades, Bid No. EH14-047, and awarded the work to Clear River Environmental, Inc. by Resolution #2014-1490; and

WHEREAS, total costs for such work pursuant to such bid is \$18,740.00; and

WHEREAS, long term repair work is anticipated to occur at the facility in the coming months and as a result, part of the work included in the specifications for Bid Bo. EH14-047 will be rendered unnecessary, and the Town's Consulting Engineer, Lombardo Associates, Inc. has recommended Change Order #1 to delete such work, consisting of item #1, Upper Pump Station New Floats and Wiring, at a cost savings to the Town of \$3,500.00; now, therefore, be it

RESOLVED, that Change Order #1 is hereby approved by the Town Board, and the Specifications for Bid No. EH14-047 are hereby amended to delete Item #1, Upper Pump Station New Floats and Wiring; and be it further

RESOLVED that Supervisor is hereby authorized to execute Change Order #1 on behalf of the Town of East Hampton; and be it further

RESOLVED, that the total contract cost for Bid No. EH-14-047 is hereby amended to \$15,240.00 to be paid from Budget line SS1 8130 54550.

✓ Vote Record - Resolution RES-2015-446						
			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	Secunder	<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"/>

**10. Resolution 2015-447**

**Category:** Easement  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Town Attorney

**Accept Road Widening Easement**

Accept Road Widening Easement

WHEREAS, pursuant to Local Law No. 2 of 1976, the Town Board of the Town of East Hampton adopted Urban Renewal Plans covering lot layout and improvements for old filed maps; and

WHEREAS, said plan calls for submission of easements by certain property owners to the Town for the purpose of permitting widening and other improvements to specified roads in the subdivision which are to be used to provide access to the urban renewal parcels located therein; and

WHEREAS, in accordance with the plans, property owners have submitted road widening easements set forth below; and

WHEREAS, Counsel to the Planning Board and the Town Attorney have reviewed and approved these road widening easements, now, therefore, be it

RESOLVED, that the Town Board approves and accepts these easements and directs the Town Clerk to return the easements to the grantors for recording in the Office of the Suffolk County Clerk, and be it further

RESOLVED, that the Grantor is to return a conformed copy of said easement to the Town Clerk for disbursement prior to issuance of a building permit.

UR MAP NAME                      ROAD NAME    TYPE                      DATE

GRANTOR	AND NUMBER	LOCATION
Catherine E. Trembley Michael Trembley 125 Stephens Hand Path East Hampton, NY 11937	URP 9A in EH-5 Map 480, Sec. 1A Lots 97-104 TM-0300-116-3-13.2	Montauk Ave. Rd widening 12/13/07

✓ Vote Record - Resolution RES-2015-447						
			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	Secunder	<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"/>

**11. Resolution 2015-448**

**Category:** Approvals  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Town Attorney

**Retain Engineer-FPM, Group, Ltd. Methane Monitoring at Springs Fireplace Road and Montauk Landfill 2015**

WHEREAS, the Town of East Hampton has installed various methane monitoring wells at and around the Springs-Fireplace Road Landfill and the Montauk Landfill; and

WHEREAS, in accordance with the current New York State Department of Environmental Conservation (NYSDEC) approved monitoring schedule, the Town must retain the services of a licensed professional engineer to perform quarterly monitoring of the wells; and

WHEREAS, FPM Group, Ltd. has performed the monitoring of these wells for many years and are fully familiar with the requirements of the DEC as well as the specific circumstances of each landfill, and has submitted proposals to conduct the methane monitoring for both the Springs-Fireplace Road Landfill and the Montauk Landfill for 2015; and

WHEREAS, the Town Board wishes to retain the services of FPM Group, Ltd. to perform the required monitoring for 2015; now, therefore, be it

RESOLVED, that FPM Group, Ltd. is hereby retained to perform methane monitoring services for the Springs-Fireplace Road Landfill and the Montauk Landfill for the 2015 calendar year, at a cost not to exceed \$60,191.99 For the Montauk Landfill and \$62,872.45 For the Springs-Fireplace Road landfill, said costs to be paid from budget account # SR8160-54900.

✓ Vote Record - Resolution RES-2015-448						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						

<input type="checkbox"/> Defeated	Kathee Burke-Gonzalez	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Peter Van Scoyoc	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	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 2015-449**

**Category:** Bond  
**Sponsors:** Councilman Fred Overton  
**Department:** Town Clerk

**BOND - \$8,000 Acquisition of Boat for Marine Patrol**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF a BOAT FOR THE MARINE PATROL UNIT, INCLUDING APPARATUS AND EQUIPMENT USED IN CONNECTION THEREWITH, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$8,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$8,000 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 boat for the Marine Patrol Unit, including apparatus and equipment use in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,000 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 \$8,000 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 \$8,000 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 to be issued, within the limitations of Section 11.00 a. 26 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 April 16, 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 April 16, 2015, authorizing the acquisition of a boat for the Marine Patrol Unit, including apparatus and equipment used in connection therewith, stating the estimated maximum cost thereof is \$8,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$8,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of a boat for the Marine Patrol Unit, including apparatus and equipment used in connection therewith; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,000; 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 \$8,000 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 Town's General Fund - Townwide, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$8,000 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 object or purpose 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 \$8,000 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: April 16, 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.

✓ <b>Vote Record - Resolution RES-2015-449</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Secunder	<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"/>

**2. Resolution 2015-450**

**Category:** Bond  
**Sponsors:** Councilman Fred Overton  
**Department:** Town Clerk

**BOND - \$75,000 Additional Monies Record Digitization System**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF A RECORD DIGITIZATION SYSTEM FOR USE BY THE TOWN'S BUILDING DEPARTMENT AND FIRE MARSHALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING \$75,000 IN ADDITION TO THE \$75,000 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$75,000, IN ADDITION TO THE \$75,000 BONDS HERETOFORE AUTHORIZED

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 record digitization system for use by the Town's Building Department and Fire Marshall. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and \$75,000 is hereby appropriated for such purpose, in addition to the \$75,000 heretofore appropriated. The plan of financing includes the issuance of the \$75,000 bonds to finance said additional appropriation, in addition to the \$75,000 bonds heretofore authorized pursuant to the bond resolution duly adopted by the Town Board on June 20, 2013, 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, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$75,000 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.

✓ <b>Vote Record - Resolution RES-2015-450</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Second	<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"/>

**3. Resolution 2015-451**

**Category:** Permits - Gatherings  
**Sponsors:** Councilman Fred Overton  
**Department:** Town Clerk

**Approval of Various Gathering Permits**

RESOLVED, that the following gathering permits are hereby approved with the conditions agreed upon by the reviewing committee:

- Montauk Lions Club Arts & Crafts Fair - September 5 & 6
- Devon Yacht Club - Sailing Regatta - August 12
- American Heart Assoc. - Ride - May 16
- Devon Yacht Club - End of Season - September 26
- Devon Yacht Club - Dinner - July 25
- Devon Yacht Club - 4th of July Fireworks - July 4
- East Hampton Rotary - Run - August 1
- Wounded Warrior - Soldier Ride - July 18
- Montauk Sports - Triathlon - June 13
- National MS Society - Bike Ride - September 12
- Ross School - Starlight Ball - May 9
- Farmers Market - Nick & Toni's - Fridays May 22 - Sept. 4

✓ <b>Vote Record - Resolution RES-2015-451</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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	Second	<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"/>

**4. Resolution 2015-452**

**Category:** Fees  
**Sponsors:** Councilman Fred Overton  
**Department:** Town Attorney

**Amend Building Permit Fees**

WHEREAS, pursuant to Town Code sections 102-9 and 102-15D the Town Board may, by resolution, establish fees to obtain Building Permits and Certificates of Occupancy; and,

WHEREAS, building department fees are based upon estimated costs of construction and have not been amended since July of 2008 (See Resolution 2008-817) despite market increases in costs of construction; now therefore be it

RESOLVED, that the following schedule of estimated costs of construction shall be used by the Building Department in computing fees which shall be payable with respect to Building permits:

Accessory Apartment	\$25.00 sq. ft.
Accessory Buildings. (tool shed, storage building, etc.)	\$25.00 sq. ft.
Alterations, major or minor, of any structure	\$35.00 sq. ft.
Berms	\$3000.00 each
Breezeway, Enclosed Porch, etc.	\$30.00 sq. ft.
Clubhouse, Membership Club	\$150.00 sq. ft.
Deck, Patio, or similar	\$15.00 sq. ft.
Demolition of any structure	\$15.00 sq. ft.
Fireplace or Chimney	\$3000.00 each
Garage, Residential, Attached	\$30.00 sq. ft.
Detached	\$30.00 sq. ft.
Greenhouse, Residential or Commercial	\$25.00 sq. ft.
Hospital, Museum, Semi-Public Facility	\$100.00 sq. ft.
Installation of Storage Tank (Heating Oil, Fuel Oil, etc.)	\$5,000.00 each
Mobile Home Installation	\$5,000.00 each

Move any building, (Relocation)	\$40.00 sq. ft.
Office Building	\$100.00 sq. ft.
Pool House	\$50.00 sq. ft.
Retail Business: Restaurant, Store, Service Station	\$100.00 sq. ft.
Residence: Single family (Less than 3,500 sq. ft. )	
First Floor	\$75.00 sq. ft.
Second Floor	\$50.00 sq. ft.
Residence: Single family (3,500 sq. ft. and greater)	
First Floor	\$125.00 sq. ft.
Second Floor	\$75.00 sq. ft.
Residence: Multiple	
First Floor	\$125.00 sq. ft.
Second Floor	\$75.00 sq. ft.
Riding Academy, Barn, Stables	\$30.00 sq. ft.
School, Church, Public Library	No Charge
Studio, Artist or Craftsmen	\$30.00 sq. ft.
Swimming Pool, Residential or Commercial (vinyl)	\$40.00 sq. ft.
Swimming Pool, Residential or Commercial (Gunite or concrete)	Contract price of construction
Tennis Court or Sports Court	\$46,000 per court
Warehouse, Factory, Hanger, etc.	\$100.00 sq. ft.

and therefore be it further

RESOLVED, that these estimated costs of construction shall be effective immediately upon adoption of this Resolution; and be it further,

RESOLVED, that the fee charged for building permits shall remain at \$50.00 for the first \$1,000 of estimated construction costs plus \$10.00 for each additional \$1,000.00 of estimated construction costs; and be it further

RESOLVED, that the fee for requesting an extension of a building permit shall be the same fee as the original permit fee reduced by the Certificate of Occupancy Fee collected as if (only two extensions permitted); and be it further,

RESOLVED, that the fee for amending a building permit shall be \$50 dollars plus the estimated construction cost fee calculation of any additional square footage or other features added to the project; and be it further,

RESOLVED, that the fee for obtaining a Certificate of Occupancy shall be \$200 dollars; and be it further,

RESOLVED, that the fee for requesting a Letter of Buildability shall be \$100 dollars; and be it further,

RESOLVED, that the fee for a building permit application for construction work that has already commenced shall be double the amount of the fee that would be applicable if permit issued prior to work commencing.

✓ Vote Record - Resolution RES-2015-452						
			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	Second	<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"/>

**5. Resolution 2015-453**

**Category:** Bids Accepted  
**Sponsors:** Councilman Fred Overton  
**Department:** Purchasing

**Accept Bid - EH15-009 - Annual Contract for the Supply & Delivery of International Truck Parts 2015 - Syosset Truck Sales, Inc.**

WHEREAS, the Town Board solicited bids for the supply & delivery of International Truck Parts, EH15-009 ; and

WHEREAS, the bid of Syosset Truck Sales, Inc. was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by Jeanne Carroza, CPPB the Town's Purchasing Agent; and she has recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the bid of Syosset Truck Sales, Inc. is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor.



✓ Vote Record - Resolution RES-2015-453						
			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"/>

**6. Resolution 2015-454**

**Category:** Bids Accepted  
**Sponsors:** Councilman Fred Overton  
**Department:** Purchasing

**Accept Bid EH15-011, Annual Contract for the Supply & Delivery of Hino Truck Parts 2015 - Gabrielli Truck Sales, LTD**

WHEREAS, the Town Board solicited bids for the supply & delivery of Hino Truck Parts, EH15-011 ; and

WHEREAS, the bid of Gabrielli Truck Sales LTD, was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by Jeanne Carroza, CPPB the Town's Purchasing Agent; and she has recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the bid of Gabrielli Truck Sales LTD, is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor.

✓ Vote Record - Resolution RES-2015-454						
			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"/>

**7. Resolution 2015-455**

**Category:** Bids Accepted  
**Sponsors:** Councilman Fred Overton  
**Department:** Purchasing

**Accept Bid EH15-010, Annual Contract for The Supply & Delivery of Mitsubishi Truck Parts 2015 - Syosset Truck Parts**

WHEREAS, the Town Board solicited bids for the supply & delivery of Mitsubishi Truck Parts 2015, EH15-010 ; and

WHEREAS, the bid of Syosset Truck Sales, Inc. was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by Jeanne Carroza, CPPB the Town's Purchasing Agent; and she has recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the bid of Syosset Truck Sales, Inc. is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor.

✓ Vote Record - Resolution RES-2015-455						
			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	Secunder	<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"/>

**E. SUPERVISOR CANTWELL**

**1. Resolution 2015-456**

**Category:** Bond SEQRA  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Town Attorney

**SEQRA for Bond Resolution- Acquisition of Property, Montauk**

WHEREAS, the Town Board of the Town of East Hampton seeks, upon the issuance of bonds therefore, to authorize the purchase of 84 South Euclid Avenue, Montauk for general municipal purposes; and

WHEREAS, pursuant to the recommendations from the Planning Board and Planning Department, the purchase of the 13,176 square foot property is intended for the creation of a municipal parking lot; and

WHEREAS, the purchase of the subject property constitutes an Unlisted Action pursuant to the New York State Environmental Quality Review Act ("SEQRA") and Chapter 128 of the Town Code; and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed action; and

WHEREAS, the Board has determined that the purchase of this property for the municipal use of establishing a parking lot will not have a significant negative impact upon the environment; and now, therefore be it

RESOLVED, that a negative declaration is hereby made pursuant to SEQRA.

✓ Vote Record - Resolution RES-2015-456						
			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 2015-457**

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

**BOND - \$20,000 Body Armor Police Department**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF BODY ARMOR FOR USE BY THE POLICE DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$20,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000 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 body armor for the use by Police Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$20,000 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 \$20,000 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 - Part Town, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$20,000 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 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.

✓ Vote Record - Resolution RES-2015-457						
			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"/>

**3. Resolution 2015-458**

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

**BOND - \$535,000 Acquisition of Montauk Property for Public Use**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF A PARCEL OF REAL PROPERTY LOCATED IN MONTAUK FOR PUBLIC USE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$535,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$535,000 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 Montauk (Section 49, Block 1, and Lot 18) for public use. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$535,000 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 \$535,000 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 \$535,000 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 to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) 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 April 16, 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 April 16, 2015, authorizing the acquisition of a parcel of real property located in Montauk for public use, stating the estimated maximum cost thereof is \$535,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$535,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of a parcel of real property located in Montauk (Section 49, Block 1, and Lot 18) for public use; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$535,000; 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 \$535,000 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 Town's General Fund - Townwide, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$535,000 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 purpose for which said bonds are authorized to be issued is thirty (30) 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 \$535,000 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: April 16, 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.

✓ Vote Record - Resolution RES-2015-458						
			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"/>

**4. Resolution 2015-459**

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

**BOND - \$102,000 Acquisition of Equipment for Police Dept.**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE POLICE DEPARTMENT, STATING THE ESTIMATED TOTAL COST THEREOF IS \$102,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$102,000 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 various equipment for use by the Police Department, including: (i) computers and radios for police cars, at the estimated maximum cost of \$65,000; and (ii) tower equipment for the radio system, at the estimated maximum cost of \$37,000. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$102,000 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 \$102,000 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 - Part Town, as determined by the Town Board.



Section 2. Bonds of the Town in the principal amount of not to exceed \$102,000 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 to be issued, within the limitations of Section 11.00 a. 25 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 April 16, 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 April 16, 2015, authorizing the acquisition of various equipment for use by the Police Department, stating the estimated total cost thereof is \$102,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$102,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of various equipment for use by the Police Department, including: (i) computer and radios for police cars, at the estimated maximum cost of \$65,000; and (ii) tower equipment for the radio system, at the estimated maximum cost of \$37,000; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$102,000; 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 \$102,000 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 Town's General Fund - Part Town, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$102,000 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 object or purpose 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 \$102,000 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: April 16, 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.

✓ Vote Record - Resolution RES-2015-459						
			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"/>

**5. Resolution 2015-460**

**Category:** Local Law Public Hearing  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Town Attorney

**Notice of Public Hearing to Consider Amending Chapter 255 (Zoning), Section 255-11-38 (Fences and Walls), of the Town Code to Regulate Deer Fencing and Exempt Certain Deer Fencing from Architectural Review Board Approval Requirements**

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on May 7, 2015 at 6:30 p.m., 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 Sections 255-11-38 (Fences and Walls) to regulate deer fencing and exempt certain deer fencing from Architectural Review Board approval requirements and provide for administrative approval for those fences through the Building Department":

LOCAL LAW NO. OF 2015

LOCAL LAW amending Sections 255-11-38 (Fences and Walls) to regulate deer fencing and exempt certain deer fencing from Architectural Review Board approval requirements and provide for administrative approval for those fences through the Building Department.

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

**SECTION 1.** Legislative Intent.

This legislation is intended to exempt certain deer fencing from review by the Architectural Review Board and instead provide administrative approval of said fencing by the Building Department provided the fencing meets certain requirements.

**SECTION 2.** Amendment.

Section 255-11-38, (Fences and Walls), of the East Hampton Town Code is hereby amended by deleting the stricken words and adding the underlined words as follows:

The following regulations shall apply to all fences and walls in all districts unless otherwise indicated:

A. Building permits. The erection, enlargement, alteration or removal of the following types of fences and walls shall require a building permit:

- (1) A fence or wall greater than four feet in height and located within the required front yard area of any lot;
- (2) A fence or wall over six feet in height, in any location;
- (3) Any fence or wall for which site plan approval is required.

B. Architectural review. Architectural and design review shall be required for any fence or wall for which a building permit is required by this section except that Architectural Review Board review and approval shall not be required for fences that are in compliance with all other requirements of this Chapter and meet all of the following criteria:

- 1) the fence is constructed of either 2" square black wire field fencing between 6 and 8 feet in height or black wire farm and field agricultural fencing; and,
- 2) the fence posts are made of 2" black metal poles; and,
- 3) the area enclosed by the fence is less than 50% of the area of the parcel; and,
- 4) the fence will be installed along only two property lines and is more than 20 feet away from running along the remaining property lines; and,
- 5) the installation of the fence is not subject to site plan review

The provisions of § 255-11-34D and E regarding review of berms shall apply to such walls and fences.

C. Height limits.

(1) The height of a fence or wall shall be the vertical distance from any point on the top of the fence or wall (exclusive of plantings) to the existing natural grade at the base of the fence or wall at that point. A fence located on the top of a wall shall for all purposes be deemed to be part of the wall.

(2) Fences and walls shall not exceed eight feet in height, but upon a written finding by the Architectural Review Board of exceptional circumstances related to high levels of ambient noise, light, or property damage from animals which cannot be abated by the landowner and from which protection is needed, or of public interest considerations, fences and walls of up to 10 feet in height may be authorized. Notwithstanding the preceding sentence, no fence or wall located on a residential property in a yard fronting on a public street shall

exceed six feet in height.

D. Setbacks for fences and walls. No wall or fence for which a building permit is required by this section, wherever located, shall violate the setback limitations of § 255-11-74A and B (setbacks from scenic easements and setbacks on corner lots), but fences and walls need not comply with § 255-11-72D, Pyramid law.

**SECTION 6.** Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3) and Town Law §261.

**SECTION 7.** 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 8.** Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

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

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing shall be held on **May 7, 2015 at 6:30 p.m.**, or as soon thereafter as may 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: "LOCAL LAW amending Sections 255-11-38 (Fences and Walls) to regulate deer fencing and exempt certain deer fencing from Architectural Review Board approval requirements and provide for administrative approval for those fences through the Building Department."

Summary of Proposed Law

This proposed local law will exempt certain deer fencing from Architectural Review Board approval requirements and provide for administrative approval for those fences meeting certain criteria by the Building Department

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

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW YORK  
CAROLE BRENNAN, TOWN CLERK

✓ Vote Record - Resolution RES-2015-460						
			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	Secunder	<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"/>

**6. Resolution 2015-461**

**Category:** Local Law Public Hearing  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Town Attorney

**Notice of Public Hearing to Amend the Effective Date of Section 82-5 (Alcohol Restricted Beach Areas) of the Town Code to Prohibit Alcohol at Indian Wells Beach, Amagansett for 2015**

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on May 7, 2015 at 6:30 p.m., 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 the effective date of section 82-5 (Alcohol Restricted Beach Areas) of Town Code Chapter 82 (Peace and Good Order) in order to restrict alcohol at Indian Wells beach for 2015" which provides as follows:

LOCAL LAW NO. OF 2015

A LOCAL LAW amending the effective date of section 82-5 (Alcohol Restricted Beach Areas) of Town Code Chapter 82 (Peace and Good Order) in order to restrict alcohol at Indian Wells beach for 2015.

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

**SECTION 1.** Legislative Intent.

The Town Board of the Town of East Hampton restricted alcohol at Indian Wells within 1,000 feet of the road endings, during the hours of lifeguard protection on Saturdays, Sundays and holidays until September 30, 2014. While the Town Code does provide, in Chapter 82, that alcohol consumption is prohibited in public places, a beach has to be specifically posted to indicate that alcohol is prohibited. Additionally, the Town Board wished to provide the public with adequate notice by codifying the specific bathing beaches, areas, days and hours within which alcohol and alcohol consumption was prohibited. This local law provides that the restriction on alcohol at Indian Wells beach shall be extended for the upcoming summer season until September 30, 2015.

**SECTION 2.** Amendment.

**SECTION 3.** Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12), Town Law §130(11), NYS Constitution Article IX, Section2(c)(10) and Town Law §64.

**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 shall terminate on **September 30, 2015.**

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

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing shall be held on **May 7, 2015 at 6:30 p.m.**, 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 the effective date of section 82-5 (Alcohol Restricted Beach Areas) of Town Code Chapter 82 (Peace and Good Order) in order to restrict alcohol at Indian Wells beach for 2015."

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

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW YORK  
CAROLE BRENNAN, TOWN CLERK

✓ Vote Record - Resolution RES-2015-461						
			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"/>

**7. Resolution 2015-462**

**Category:** Budget  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Bookkeeping

**Amend Police Budget for Small Tools and Equipment**

Whereas, the Police Department needs purchase small supply items for that were budgeted for in Other Equipment when it is more appropriate to charge these items to Small Tools ; and now be it

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

From:

Budget Line: B3120.526000 Other Equipment in the amount of \$ 309.04

To:

Budget Line: B3120.54850 Small Tools and Equip. In the amount of \$ 309.04

✓ Vote Record - Resolution RES-2015-462						
			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"/>

**8. Resolution 2015-463**

**Category:** Approvals  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Bookkeeping

**Amend Resolution 2015-277 HR- CPI Benefits Advisors- ACA Compliance**

WHEREAS, the Town is required to comply with the provisions of the Federal Affordable Care Act (ACA) and must establish policies and procedures to implement this requirement; and

WHEREAS, HR -CPI Benefits Advisors have been retained to assist the town with the ACA implementation and compliance, and as Phase II of the implementation will provide an annual subscription to web based software that will allow the town to monitor employee eligibility and prepare IRS reporting, therefore, be it



RESOLVED, that the contract with HR-CPI Benefits Advisors is hereby amended to include the annual software subscription contract for the term 5/1/2015-4/30/2016, at an additional cost not to exceed \$8,000.00 which will be paid in 2016; and be it further

RESOLVED, the Supervisor is hereby authorized to sign the agreement for these services

RESOLVED, that payment to HR CPI Benefits Consultants shall be made upon review and approval from the 2016 Budget Account #A 1315 54520

✓ Vote Record - Resolution RES-2015-463						
			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"/>

**9. Resolution 2015-464**

**Category:** Appointments  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Police Department

**Appoint John Clafin Lieutenant of East Hampton Town Police**

WHEREAS, Suffolk County Department of Civil Service has given an examination for Police Lieutenant and **John Clafin** is immediately reachable, on said list, now therefore be it,

RESOLVED, that **John Clafin** be and he is hereby appointed to the full-time position of Lieutenant with the Town Police Department, at an annual salary of **\$136,862.82** Payable biweekly from budget account #**B3120-51100**, said appointment to take effect **April 19, 2015** and be it further

RESOLVED, that the probationary period for this appointment be for the period of 6 Months and be it further

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

✓ Vote Record - Resolution RES-2015-464						
			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"/>

**10. Resolution 2015-465**

**Category:** Bids Rejected  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Purchasing

**Reject Bid #EH15-008 - Mobile Concessions for Select Town Beaches 2015**

WHEREAS, the Town Board did solicit bids for Mobile Concessions for Select Town Beaches 2015; and

WHEREAS, the Town Board of the Town of East Hampton reserves the right to waive any informalities in bids received, and/or reject any and all bids; now, therefore, be it

RESOLVED, that the Town Board hereby rejects all bids submitted in response to the Purchasing Agent's Notice to Bidders dated March 12, 2015 and the Purchasing Agent is directed to send a copy of this resolution to all parties submitting bids.

✓ Vote Record - Resolution RES-2015-465						
			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"/>

**11. Resolution 2015-466**

**Category:** Bids to Notice  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Purchasing

**Notice to Bidders - Mobile Food Concessions for Select Town Beaches 2015 Re-Bid - Bid # EH15-018 - Specs Available April 16, 2015- Bid Opening April 23, 2015**

WHEREAS, the Town of East Hampton wishes to solicit bids for Mobile Food Concessions; be it,

RESOLVED, 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, on April 23, 2015 at 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Mobile Food Concessions for Select Town Beaches 2015 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 on April 16, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked "Mobile Food Concessions for Select Town Beaches 2015 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 3:00 p.m. on the date noted, at which time they will be opened and publicly read aloud:

Bid #	Name	Opening Date
EH15-018	Mobile Food Concessions for Select Town Beaches 2015 Re-Bid	April 23, 2015

and, be it further

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

✓ Vote Record - Resolution RES-2015-466						
			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"/>

**12. Resolution 2015-467**

**Category:** Bids to Notice  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Purchasing

**Notice to Bidders - EH15-015 - Supply, Delivery & Install Roof Mounted Scene Light for Interceptor Van Bid Available April 16, 2015 - Bid Due April 30, 2015**

WHEREAS, the Town of East Hampton wishes to purchase equipment and/or supplies in excess of \$20,000.00; and

WHEREAS, pursuant to GML 103 all purchases of similar equipment and supplies that will exceed \$20,000.00 shall be formally bid, now, therefore, be it

RESOLVED, 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, on April 30, 2015 at 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Supply, Delivery & Install  
Roof Mounted Scene Light for Interceptor Van

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 April 16, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked "Supply, Delivery & Install Roof Mounted Scene Light for Interceptor Van"

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:

Bid #	Name	Opening Date
EH15-015	Supply, Delivery & Install Roof Mounted Scene Light for Interceptor Van	April 30, 2015

and, be it further

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

✓ Vote Record - Resolution RES-2015-467						
			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"/>

**13. Resolution 2015-468**

**Category:** Conference  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Purchasing

**Attend SAMPO (NYS Association of Municipal Purchasing Officials) Conference - May 11-15, 2015, Albany, NY - Jeanne Carroza**

WHEREAS, the State Association of Municipal Purchasing Officials are conducting the Annual Spring Conference in Lake George, NY, May 11-15, 2015; and be it further

RESOLVED, that Jeanne Carroza, is hereby authorized to attend said conference; and, be it further

RESOLVED, that all expenses are to be paid by the Association and no costs are to be incurred by the Town.

✓ Vote Record - Resolution RES-2015-468						
			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"/>

**14. Resolution 2015-469**

**Category:** Approvals  
**Sponsors:** Supervisor Larry Cantwell  
**Department:** Town Attorney

**Refund CPF - First Time Home Buyer Exemption**

WHEREAS, on August 23, 2013 premises located at 149 Mulford Lane, Amagansett in the Town of East Hampton, was conveyed to a First-Time Homebuyer who erroneously paid the Community Preservation Fund transfer tax, being unaware of the availability of the First-Time Homebuyer exemption; and

WHEREAS, an amended Peconic Bay Region Community Preservation fund form has been submitted to the Town together with proof of payment of the Community Preservation Fund tax previously paid to the County; and

WHEREAS, the same has been reviewed by the Town Attorney, and a refund of the Community Preservation Fund tax paid is found appropriate based upon the information provided by the property owner and the amended form; now, therefore, be it

RESOLVED, that the Town Bookkeeping Department is hereby authorized to issue payment from account CAO-41092, to Vashali M. Aggarwal in the amount of \$5,200.00, said payment to be forwarded to Vashali M. Aggarwal at P.O. Box 1778, Amagansett, N.Y. 11930

✓ Vote Record - Resolution RES-2015-469						
			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"/>

## V. ADDITIONAL RESOLUTIONS

### 1. Resolution 2015-470

**Category:** Easement  
**Sponsors:** Councilwoman Sylvia Overby  
**Department:** Town Attorney

#### Nadel and Seminski Accept Grant of Scenic and Conservation Easement

WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on April 16, 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: Matthew Nadel and Amy Seminski  
 TYPE OF EASEMENT: Scenic and Conservation Easement  
 DATE OF EASEMENT: February 18, 2015  
 LOCATION: 18 Sandpiper Lane, Amagansett  
 SCTM #300-175-04-7  
 REVIEWING AGENCY: Zoning Board of Appeals

✓ Vote Record - Resolution RES-2015-470						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
	Kathee Burke-Gonzalez	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn	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"/>

**2. Resolution 2015-471**

**Category:** Prof. Services (Attorney, Eng., Appraisers, Cons.)  
**Sponsors:** Councilman Fred Overton  
**Department:** Town Board

**Retain George Walbridge Surveyors, P.C. for Professional Services to Define Property Line - South Flora Nature Preserve**

WHEREAS, the Town has need of an updated survey to locate the eastern edge of pavement along Dolphin Drive and define the property line every 125' and depict the distance from the stakes to the edge of pavement on a portion of the South Flora Nature Preserve (SCTM #300-130-2-2.1); now, therefore be it

RESOLVED, that the firm of George Walbridge Surveyors, P.C. is hereby retained to perform the required survey as referenced above for a cost not to exceed \$2,000.00, to be taken from Budget Account #A1940.54102; and, be it further

RESOLVED, the Town Clerk is hereby requested to forward a copy of this resolution to Walbridge Surveyors, P.C.

✓ Vote Record - Resolution RES-2015-471						
			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	Seconder	<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"/>



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-401**

Meeting: 04/16/15 06:30 PM  
Department: Town Clerk  
Category: Warrant Approval  
Prepared By: Carole A. Brennan  
Initiator: Carole A. Brennan  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15280

**4B Warrant- Approval of Claims \$ 1,551,348.32 Utility  
Warrant \$141,310.66**

RESOLVED, that Claims on Warrant No. 4B/2015, in the amount of \$1,551,348.32 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. 4B/2015, in the amount of \$141,310.66 Were audited by the Town Board and the Supervisor is hereby directed to pay same.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-402**

Meeting: 04/16/15 06:30 PM  
Department: Human Resources  
Category: Appointments  
Prepared By: Kathleen Keller  
Initiator: Kathleen Keller  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15219

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**Appoint Temporary Mini-Bus Driver Deborah Morici Human Service Department**

RESOLVED that Deborah Morici be and is hereby appointed to the temporary position of mini-Bus Driver with the Human Services Department at the hourly rate of \$13.9806 Per hour payable biweekly with time card properly submitted from budget account #A8991-51200 effective April 20, 2015 and be it further

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

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kathee Burke-Gonzalez, Councilwoman  
**SECONDER:** Peter Van Scoyoc, Councilman  
**AYES:** Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-403**

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Bond SEQRA  
Prepared By: Elizabeth Vail  
Initiator: Elizabeth Vail  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15223 A

**SEQRA Determination for Various Bond Resolutions**

WHEREAS, the Town Board has before it for consideration on April 16, 2015, Bond Resolutions for the funding of the following capital projects:

- Acquisition of Equipment- Police Department
- Acquisition of Equipment - Town
- Acquisition of tandem yard semi-tractor
- Acquisition of Heavy Duty Equipment
- Maintenance to various Town Buildings & Structures

WHEREAS, the proposed projects are deemed Type II actions under the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617(c)(1) & (25), maintenance or repair and the purchase of equipment or supplies, and Chapter 128 of the Town Code; now therefore be it

RESOLVED, that the Town Board finds that the above referenced capital projects are classified as Type II Actions under SEQRA pursuant to 6 NYCRR Part 617.5(c)(1) & (25) and Town Code Chapter 128, and as such, no further environmental review of the proposed projects are required.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-404**

Meeting: 04/16/15 06:30 PM

Department: Town Attorney

Category: Bond SEQRA

Prepared By: Elizabeth Vail

Initiator: Elizabeth Vail

Sponsors: Supervisor Larry Cantwell

DOC ID: 15263

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## SEQRA Determination for Various Bond Resolutions

WHEREAS, the Town Board has before it for consideration on April 16, 2015, Bond Resolutions for the funding of the following capital projects:

- South Lake Well Replacement, Montauk
- Water Main Replacement Head of Harbor Dock, Springs
- Storage Shed, Buildings & Grounds
- Re-construction of Highway Truck
- Acquisition, Installation of Bleachers

WHEREAS, the proposed projects are deemed Type II actions under the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617(c)(2) & (7), replacement in kind and construction of accessory non-residential structure less than 4,000 square feet and Chapter 128 of the Town Code; now therefore be it

RESOLVED, that the Town Board finds that the above referenced capital projects are classified as Type II Actions under SEQRA pursuant to 6 NYCRR Part 617.5(c)(2) & (7) and Town Code Chapter 128, and as such, no further environmental review of the proposed projects are required.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids to Notice  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15237

**ADOPTED**

**RESOLUTION 2015-405**

**Notice EH15-017 - Hangar Site Lease @ the East Hampton Airport Bid Available April 16, 2015 - Bid Due April 30, 2015**

WHEREAS, the Town of East Hampton wishes to solicit bids for the Hangar Site Lease at the East Hampton Airport;  
be it,

RESOLVED, 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, on April 30, 2015 at 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Hangar Site Lease @ the East Hampton Airport

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 April 16, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked " Hangar Site Lease @ the East Hampton Airport "

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:

Bid #	Name	Opening Date
EH15-017	Hangar Site Lease @ the East Hampton Airport	April 30, 2015

and, be it further

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

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Kathee Burke-Gonzalez, Councilwoman  
**SECONDER:**   Peter Van Scoyoc, Councilman  
**AYES:**         Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-406**

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Accepted  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15262

**Accept Proposal - EH2015-106 - Noise & Operations Management System for Airport - Vector Airport Systems**

WHEREAS, the Town Board solicited proposals for Noise & Operations Management System for the East Hampton Airport; and

WHEREAS, the proposal of Vector Airport Systems was the proposal received which best met the proposal guidelines and being in proper form; now, therefore be it

RESOLVED, that at the recommendation of the Airport Manager, Jemille Charlton the proposal of Vector Airport Systems in the amount of \$109,732.00 initial pricing plus \$72,250.00 per year from fund SX5610 54500 to provide the services in accordance with their proposal, is hereby accepted, and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to enter into an Agreement with Vector Airport Systems for the provision of services consistent with the Contractor's response to the Request for Proposals, said agreement to be subject to the review and approval of the Town Attorney.

**FINANCIAL IMPACT:**

SX5610 54500 - Initial Project Pricing - \$109,732.00

Ongoing Pricing includes year one - \$72,250.00

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Accepted  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15241

**ADOPTED**

**RESOLUTION 2015-407**

**Accept Bid EH15-013 - Multilateration System Monitoring,  
Hardware and Maintenance Contract for Airport - Navaid  
Technical Service, LLC**

WHEREAS, the Town Board solicited a bid for the Multilateration System Monitoring, Hardware and Maintenance Contract for Airport -EH15-013; and

WHEREAS, the bid of Navaid Technical Service, LLC, in the amount of \$49,156.41 was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by the Airport Director, Jemille Charlton and Jeanne Carroza, CPPB the Town's Purchasing Agent; and have recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute any and all documents necessary to memorialize said work for the Multilateration System Monitoring, Hardware and Maintenance Contract for Airport and, now therefore, be it

RESOLVED, that the bid of Navaid Technical Service, LLC, in the amount of \$49,156.41 form airport fund# SX5610 54500 is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor.

**FINANCIAL IMPACT:**

SX5610 54500 - \$49,156.41

Repair Services Hourly - \$187.00

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Extended  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15242

**ADOPTED**

**RESOLUTION 2015-408**

**Extend Contract - EH14-006 - Semi-Annual Contract For the Supply & Delivery of Groceries April 2014 - Mivila Foods of NY, Inc.**

WHEREAS, the Town Board solicited bids for the Semi - Annual Contract for the Supply & Delivery of Groceries for Human Services April 2014, Bid No. EH14-006; and

WHEREAS, the bids of Mivila Foods of NY., Inc. And Landmark Foods, DBA Savory Food Corp. Were the lowest bids received meeting the bid specifications and being in proper form; and

WHEREAS, the Town Board accepted the bids of Landmark Foods, D/B/A Savory Food Corp. & Mivila Foods of NY, Inc., and entered into an agreement that is renewable, upon agreement of the parties, for two (2) additional (6) month terms; and

WHEREAS, Mivila Food of NY agreed to extend their agreement; and

WHEREAS, the user Department has recommended extension of the agreement with Mivila Foods of NY, now therefore be it

RESOLVED, that the bid of Mivila Foods of NY, Inc. For Items 1,3-6,8,9,12-23,26,27,29,30,32,33,35-38,43,45,47,48,50-53,55,60,61,63, 64,65,67-69,74,76,78,79-83,85-89,91,93-97,99-101,103-109,111-127,129,134,135,137-140,142-147,150,151,154,155,157-159,165,167,168,172,178-186,188-190,192,194,198-202,204,206-223,225-228,230,233-236,242,244,248-252,254,256-264,266,271,274,280,281,283,285,289-294,296-299,303,306-310,312,313,315,316,318-321 is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor for a period of six months to be effective from April 30, 2015 - October 29, 2015.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Extended  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15243

**ADOPTED**

**RESOLUTION 2015-409**

**Extend Contract - EH14-042 - Semi-Annual Contract For the Supply & Delivery of Groceries October 2014 - Mivila Foods of NY, Inc.**

WHEREAS, the Town Board solicited bids for the Semi - Annual Contract for the Supply & Delivery of Groceries for Human Services October 2014, Bid No. EH14-042; and

WHEREAS, the bids of Mivila Foods of NY., Inc. And Landmark Foods, DBA Savory Food Corp. Were the lowest bids received meeting the bid specifications and being in proper form; and

WHEREAS, the Town Board accepted the bids of Landmark Foods, D/B/A Savory Food Corp. & Mivila Foods of NY, Inc., and entered into an agreement that is renewable, upon agreement of the parties, for two (2) additional (6) month terms; and

WHEREAS, Mivila Food of NY agreed to extend their agreement; and

WHEREAS, the user Department has recommended extension of the agreement with Mivila Foods of NY, now therefore be it

RESOLVED, that the bid of Mivila Foods of NY, Inc. for Items 1,6,7,9-12, 14,16-19, 21,23,25-28, 35-39,41,43, 45,47-49, 51-56, 59-66,70,71,73-75,78-81,83,85,88-89,91,93,95 is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor for a period of six months to be effective from May 18, 2015 - November 17, 2015.

**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Kathee Burke-Gonzalez, Councilwoman  
**SECONDER:** Peter Van Scoyoc, Councilman  
**AYES:** Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Local Law Public Hearing  
Prepared By: Elizabeth Vail  
Initiator: Elizabeth Vail  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15254

**ADOPTED**

**RESOLUTION 2015-410**

**Notice of Public Hearing to Consider a Local Law Amending Chapter 75 (Airport) of the Town Code Clarifying Penalties Provisions and Definitions in the Law and Providing for Evaluation of the Effectiveness of Restrictions**

WHEREAS, the East Hampton Town Board has considered several local laws to address restrictions on the use of the East Hampton Airport; and

WHEREAS, the proposed local laws have been modified in response to further analysis and public comment; and

WHEREAS, it has been determined that the previously proposed laws inadvertently omitted a definition of the term "season" because the definition appeared only in a proposal for which the Town Board has decided to defer consideration; and

WHEREAS, it is important that the proposed local laws be enforced effectively but that the penalties not be excessive or disproportionate to the offense; and

WHEREAS, the penalties for violation of Section 75-38 should be only as severe as prudent to discourage violations; and

WHEREAS, it is appropriate for penalties for violations to be "violations" under New York law rather than "misdemeanors" and also be subject to civil action as appropriate; and

WHEREAS, the entire study, analysis and public outreach process has demonstrated that there exists considerable reliable data on the impacts of the Airport on residents and visitors but the Town can only predict how people will change their behavior in response to the proposed restrictions; and

WHEREAS, in order to ensure that the restrictions remain effective and as restrictive as necessary to address community noise concerns, it is important for the Town to evaluate the effectiveness of the restrictions following the summer 2015 season; and

WHEREAS that evaluation should reveal valuable information about people's behavior and reaction to the proposed restriction; and

WHEREAS, the Town will consider modifications to the restrictions if warranted based upon the data about the results of the restrictions during the 2015 summer season; NOW THEREFORE

**BE IT RESOLVED**, that the Town Board hereby directs that a public hearing shall be held on May 7, 2015, at 6:30 p.m., or as soon after as can be heard, at the Town Hall Meeting Room, 159 Pantigo Road, East Hampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW amending Chapter 75 (Airport) of the Town Code clarifying penalties provisions and definitions of the law and providing for evaluation of the effectiveness of restrictions" which provides as follows:

## LOCAL LAW NO. \_\_\_\_\_ of 2015

A LOCAL LAW amending Chapter 75 (Airport) of the Town Code clarifying penalties provisions and definitions of the law and providing for evaluation of the effectiveness of restrictions.

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

**SECTION 1. Amendment**

Sections 75-38, Airport Use Restrictions, and 75-39, Penalties, of the Code of the Town of East Hampton are hereby amended to state as follows:

**§ 75-38 AIRPORT USE RESTRICTIONS:****A. Definitions.**

. . .

(5) "Season" shall be the months of May, June, July, August and September.

**§ 75-39 PENALTIES:**

A. Section 75-34 shall not apply to violations of Section 75-38 and this Section 75-39 shall apply for all violations of Section 75-38. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of Section 75-38 shall be deemed violations, and, for such purpose only, all provisions of law relating to violations shall apply to such violations.

B. Any Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall be punishable by a fine assessed against any person, organization, corporation, group or other entity which holds an ownership interest in such aircraft, as follows:

(1) For the first violation by an Individual Aircraft, a fine of not more than \$1,000.

(2) For the second violation by an Individual Aircraft, a fine of not more than \$4,000.

(3) For the third violation by an Individual Aircraft, a fine of not more than \$10,000.

(4) For the fourth violation by an Individual Aircraft, a prohibition on any Use of the Airport by the Individual Aircraft involved in such violation for a period of not more than two years.

C. Each Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall constitute a separate violation.

D. In addition, any entity convicted hereunder of not complying with the requirements of Section 75-38 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town and not more than an amount equal to twice said actual costs. Should any person, organization, corporation, group or other entity be found in violation of the provisions of Section 75-38 within five years of a previous violation of this chapter, the minimum additional fine shall be not less than \$2000.

E. In addition to the above penalties, the Town may also maintain a civil action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation Section 75-38 by any person, organization, corporation, group or other entity which holds an ownership interest in the Individual Aircraft.

(1) If a finding is made by a court of competent jurisdiction that the defendants or any of them has caused, permitted or allowed a violation of Section 75-38, a penalty to be jointly and severally included in the judgment may be awarded at the discretion of the court in an amount not to exceed \$10,000.00 for each violation that the defendants or any one of them individually caused, permitted or allowed the violation.

## **SECTION 2. Authority**

The Town Board is authorized to establish and promulgate rules and regulations regarding use of the East Hampton Airport pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and Town Law §130 and pursuant to its powers as the proprietor of East Hampton Airport under federal statutory and case law and regulations of the Federal Aviation Administration.

## **SECTION 3. Severability.**

If any section or subdivision, paragraph, clause or phrase of this law shall be adjudged invalid, unenforceable, or unconstitutional by any order or judgment of a court of competent jurisdiction, or pursuant to any order of any administrative agency having jurisdiction, whether such judgment or order is temporary or permanent, such judgment or order shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

## **SECTION 4. Interim Evaluation**

The Town shall evaluate the effectiveness of all airport use restrictions set forth in Section 75-38, Airport Use Restrictions, as soon as practical after September 30, 2015. The

evaluation shall include assessment of whether the restrictions have been effective in reducing community disturbance and annoyance and of the financial consequences of the restrictions. The results of the evaluation shall be made available to the public and shall be the subject of a public meeting convened by the Town Board. After such public meeting, the Town Board shall consider what modifications, if any, to the restrictions set forth in Section 75-38 are warranted.

**SECTION 5. Effective Date.**

This local law shall take effect upon filing with the Secretary of State.

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

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on May 7, 2015, at 6:30 p.m., or as soon after as can be heard, at the Town Hall Meeting Room, located at 159 Pantigo Road, East Hampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW amending Chapter 75 (Airport) of the Town Code clarifying penalties provisions and definitions of the law and providing for evaluation of the effectiveness of restrictions"

**SUMMARY OF LOCAL LAW**

The proposed law would clarify the penalties for violations of the airport restrictions at the East Hampton Airport, would add definitions to section 75-38, and would commit to conducting an evaluation of the effectiveness of the airport restrictions following the summer 2015 season

Copies of the proposed local law sponsored by Councilwoman Burke-Gonzalez are on file in the Town Clerk's Office, Monday through Friday, 9:00 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW YORK  
CAROLE BRENNAN, TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Local Law  
Prepared By: Elizabeth Vail  
Initiator: Elizabeth Vail  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15229 A

**ADOPTED**

**RESOLUTION 2015-411**

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## **Adopt Local Law- Amending Chapter 75 (Airport) of the Town Code Regulating Nighttime Operation of Aircraft at East Hampton Airport**

WHEREAS, the Town of East Hampton is an established resort community that is renowned for its peaceful, quiet beaches and outdoor areas; and

WHEREAS, the economy of the Town of East Hampton is tied intrinsically to the use and enjoyment of its natural and scenic environment, including its world-renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets; and

WHEREAS, residents and visitors are attracted to the Town and the East End of Long Island to enjoy the area’s unique scenic beauty, its outdoor spaces, and the peaceful and restful atmosphere they provide; and

WHEREAS, peace, quiet, repose, outdoor recreation, sea, air, and a beautiful and unique natural environment are the essential characteristics that make East Hampton and the East End, as a whole, such an attractive and desirable area; and

WHEREAS, the Town and its residents have invested heavily in preserving the rural, quiet pace of life by preserving land and adopting land use policies that are designed to protect the unique quality of life in East Hampton; and

WHEREAS, in the busy season of May - September, residents and visitors spend a significant portion of time outdoors engaged in recreational activities, entertaining, dining with family and friends, and otherwise enjoying the peaceful, restful atmosphere of the area; and

WHEREAS, the unique quality of life in the Town and entire East End means that residents are particularly susceptible to disturbances to their pastoral lifestyle, especially when those disturbances interfere with the qualities which make this Town a highly desirable place to live and visit; and

WHEREAS, the area surrounding the East Hampton Airport is notably quiet because of the lack of industrial noises, relatively low population density and rural roadway network, which, taken together, accentuates the perception of noise, both in terms of peak levels and also in terms of the duration of the noise events themselves; and

WHEREAS, in the past three decades, noise from aircraft overflights has disrupted outdoor activities and diminished the quality of life in the Town and the entire of the East End; and

WHEREAS, the aircraft noise problem has increased dramatically in recent years, as overall operations increased by 23 percent from 2013 to 2014 and helicopter operations alone increased by 47 percent from 2013 to 2014; and

WHEREAS, noise from loud aircraft and helicopters is particularly disruptive because it interrupts conversations and other ordinary activities and makes it very difficult to enjoy

outdoor activities; and

WHEREAS, the sheer frequency of overflights also poses a significant problem because there are extended periods of repeated loud noise events that make it very difficult to enjoy outdoor activities and that destroy the peaceful quiet of this rural area; and

WHEREAS, aircraft noise has been a major source of controversy and community strife for many years, with increasingly strong demands by the public that the Town take action to reduce the disruptive and harmful effects of aircraft noise; and

WHEREAS, the controversy has resulted in a number of lawsuits, and additional threatened lawsuits, aimed at compelling the Town or the federal government to take action to address the problem of aircraft noise; and

WHEREAS, in its capacity as proprietor of the East Hampton Airport, the Town Board has a responsibility to protect residents from the adverse effects of aircraft noise; and

WHEREAS, aircraft noise is not merely annoying and disturbing but threatens the economic vitality of the Town and its brand as a place where people can escape the noise and stresses of urban life in favor of tranquility and rural quiet; and

WHEREAS, that threat could result in lower rates of visitation, reduction in property values, and, more generally, a loss in the attractiveness of the Town; and

WHEREAS, in addition to formal noise complaints, residents and visitors have expressed their anger and frustration about aircraft noise at numerous public meetings, Town Board meetings, in letters to local papers, and in communications with Town officials; and

WHEREAS, the problem of aircraft noise was a major topic of discussion and debate in the recent Town election; and

WHEREAS, the Town has received numerous communications from residents and officials of neighboring and nearby jurisdictions demanding that the Town take action to reduce the effect of noise from aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town of Southampton, the Town Shelter Island, the Town of Southold, the Village of North Haven, the Village of East Hampton, and the Village of Sag Harbor all have adopted resolutions requesting that the Town Board of the Town of East Hampton adopt a comprehensive aircraft noise limitation policy; and

WHEREAS these other towns and villages, and all residents and visitors to the East End, depend upon the Town to address the aircraft noise problem since the Town operates the East Hampton Airport, which is the destination of many of the noisy aircraft flights; and  
WHEREAS, for over two decades, the Town has diligently identified and promoted voluntary measures, including helicopter noise abatement procedures and a nighttime curfew, in order to secure relief from the disturbance of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the New York Congressional delegation, to discuss this issue in the hope of finding a federal legislative solution to the problem of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the Federal Aviation Administration (FAA) officials at the local, regional and headquarters level and with the FAA's Air Traffic Organization, to discuss proposed measures and use restrictions, including the use of voluntary measures; and

WHEREAS, the Town worked with the New York Congressional delegation and all levels of the FAA in the implementation of a mandatory North Shore Helicopter Route, which was initially implemented in August 2012 and recently extended through August 2016; and

WHEREAS, the Town has repeatedly tried, unsuccessfully, to convince the FAA to adopt a mandatory helicopter route along the south shore of Long Island or to adopt mandatory transition routes for helicopters transitioning from the mandatory routes to the East Hampton Airport; and

WHEREAS, the Town has spent the last several summer seasons studying various voluntary measures or measures in cooperation with the FAA to address the noise problem but the level of resident concern has actually increased over that time; and

WHEREAS, the Town's past several years of efforts to address the problem of aircraft noise through voluntary measures promoted by the Town combined with mandatory flight tracks for helicopters imposed by FAA have provided some limited relief in certain neighborhoods, but those measures alone have not reduced to an acceptable level the overall intensity of community disturbance from noise associated with aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town's ability to address the problem of aircraft noise has been constrained legally by obligations under certain of its federal grants that the FAA has stated will no longer be enforced after December 31, 2014; and

WHEREAS, the Town first announced its intent to pursue use restrictions on operations at East Hampton Airport to address the problem of aircraft noise by the adoption of Resolution 2012-832 on August 2, 2012; and

WHEREAS, Town officials and staff have met repeatedly with airport stakeholders, including Eastern Region Helicopter Council, Friends of the East Hampton Airport, the National Business Aviation Association, the Aircraft Owners and Pilots Association, the National Air Transportation Association, and other informal local groups of users and service providers to discuss their respective concerns; and

WHEREAS, the Town held a special public meeting on August 27, 2014, provide the public an opportunity to comment on the problem of aircraft noise and to share views on potential solutions and the meeting was attended by almost 400 people, including 22 elected officials, all of whom expressed support for finding a solution to the noise problem; and

WHEREAS, the Town announced its commitment to finding a solution to disturbance resulting from noise associated with Airport operations; announced its intent to adopt lawful measures to ensure the peace, quiet, tranquility and health of communities affected by Airport noise; resolved to consider the most serious disturbances, the causes of the disturbances, and reasonable and practical solutions tailored to address the source of those disturbances before making a decision; and announced its intent to identify and adopt



regulations to address noise and disturbance from Operations at East Hampton Airport before the 2015 season by the adoption of Resolution 2014-1180 on September 18, 2014; and

WHEREAS, FAA's traditional Day/Night Average Sound Level (DNL) noise metric has proved, after considerable study, not to be a useful tool for measuring the impact of noise from operations at East Hampton Airport because it averages noise data over 24 hours, and does not capture the demonstrated community annoyance and disruption from individual aircraft noise events (especially noise events associated with helicopters); and

WHEREAS, beginning in 2014, the Town commissioned a series of comprehensive analyses of the noise and related complaints, including the following:

- Henry Young of Young Environmental Sciences and Les Blomberg of Noise Pollution Clearinghouse: (1) analyzed 2013 operational data collected by the AirScene system, (2) converted that data for use in the Integrated Noise Model (INM), (3) used the INM to develop Day-Night Average Sound Level (DNL) noise contours for 2013 operations (for total annual operations, annual helicopter operations, busiest day total operations, and busiest day helicopter operations), (4) used the INM to calculate the maximum sound level (Lmax) for each modeled flight in 2013 at each

property parcel in a 10-mile radius from the airport, (5) applied the Town Code noise

standards to determine the number of "exceedances" (i.e., the number of times each parcel experienced a noise impact above the Town's limits) by aircraft type and type of operation; and

- Peter Wadsworth analyzed 2014 complaint data collected by the PlaneNoise system; and
- Ted Baldwin of Harris Miller Miller & Hanson Inc. (HMMH) led HMMH analyses of November 1, 2013 - October 31, 2014 data, including: (1) analysis of PlaneNoise complaint data to identify temporal and geographic complaint patterns for different aircraft types (e.g., jet, turboprop, piston prop, seaplane, and helicopter), (2) analysis of Vector operations data to identify patterns of activity by day of year, day of week, hour of day (for each day of the week and for the average annual day), and season; (3) correlated PlaneNoise complaint data and Vector operations data to identify patterns; (4) used the independent and correlated data analyses to develop a refined problem definition and promising alternatives for addressing that definition; (5) analyzed the effect of those alternatives in terms of the historical operations that each would have affected and of the associated noise complaints; and (6) identified and reviewed technical studies in the literature that have attempted to identify the most effective noise metric for understanding response to helicopter noise, whether the metric should include a special "adjustment" for helicopters, and otherwise

provide useful information on the best means of assessing helicopter noise and predicting human response; and

WHEREAS, the Town also commissioned several advisory groups to assist in identifying the noise problem with specificity and identifying meaningful, practical and carefully tailored measures that the Town could adopt which would help reduce or eliminate the noise problem; and

WHEREAS, these advisory groups have held many, many public meetings, discussions and debates about how best to address the Town's noise problem; and

WHEREAS, the Town held meetings on October 30, 2014; December 2, 2014; and February 4, 2015; to review the findings of each phase of the recent noise analyses; and

WHEREAS, the Town Board announced four proposed use restrictions for East Hampton Airport on February 10, 2015; and

WHEREAS, the Town Board held public hearings on March 12, 2015, to consider the following four local laws amending Chapter 75 (Airport) of the Town Code: (1) a local law to regulate nighttime operation of aircraft; (2) a local law to regulate nighttime and early morning operation of noisy aircraft; (3) a local law to regulate the operation of helicopters; and (4) a local law to regulate the operation of noisy aircraft; and

WHEREAS, the Town has been soliciting public comment through encouraging comments at Town Board meetings, and emailed comments through a dedicated email address; and

WHEREAS, the Town Board has reviewed all of those comments plus written comments and comments appearing in several local newspapers over the course of the last year; and

WHEREAS, there is no single or simple measure which is certain to solve the Town's noise problem; and

WHEREAS, the Town is committed to testing measures for their practical, real-world effectiveness but needs to have at least one summer season to collect adequate data on real world effects; and

WHEREAS, the Town is committed to collecting data during the summer 2015 season and to assessing all noise control measures in October 2015 for their effectiveness; and

WHEREAS, the Town will modify any restrictions to improve their effectiveness based upon the results of these restrictions during the summer 2015 season; and

WHEREAS, the Town encourages residents, visitors, airport stakeholders, users and all other interested parties to provide the Town with input on the effectiveness of particular measures in addressing, mitigating or eliminating the noise problem; and

WHEREAS, after considering the history of noise disturbance caused by operations at the Airport, reviewing the data provided by the Town's consultants and the comments of the public, and after holding public hearings, the Town Board believes that the enactment of a local law to implement a nighttime curfew at the East Hampton Airport is in the best

interests of the Town of East Hampton for the following reasons:

- Disturbance by all types of aircraft is most significant in the evening, nighttime, and early morning hours; and
- Professional studies confirm that nighttime aircraft noise is highly disturbing, that it can disrupt normal sleep patterns, and that it has a particularly serious adverse effect on people's lives; and
- The Town's voluntary curfew has not proven to be sufficiently effective at reducing nighttime noise from aircraft and nighttime operations still generate a significant number of complaints; and

WHEREAS, the proposed local law is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code; and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment; and now, therefore be it

**NOW, THEREFORE, BE IT RESOLVED**, that a negative declaration is hereby made pursuant to the State Environmental Quality Review Act (SEQRA); and

RESOLVED, that said local law is hereby adopted to read as follows:

LOCAL LAW NO. \_\_\_ OF 2015  
INTRODUCTORY NO. \_\_\_ OF 2015

A Local Law providing for the amendment of Chapter 75 ("AIRPORT") of the East Hampton Town Code to read as follows:

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

### **SECTION 1. Legislative Intent**

In the past three decades, the residents of the Town of East Hampton have experienced a significant increase in noisy aircraft traffic at the East Hampton Airport. By its extensive complaints to the Town Board and to other governmental entities, the public has made clear, and this Town Board recognizes, the negative impact that this aircraft noise has made to the health and welfare of its citizenry, to wildlife and their habitat, as well as to the peace, quiet, and repose of the region. Aircraft noise has substantially diminished the quiet enjoyment of homes and properties and compromised the pleasures of the woodlands, beaches, fields, and preserved lands that define our community and sense of place.

East Hampton is an established resort community whose entire economy is intrinsically tied to the use and enjoyment of its natural and scenic environment, including its world renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic

hamlets. Visitors and residents alike enjoy East Hampton's unique scenic beauty and the Town has made significant efforts to preserve the natural environs of the Town, spending a total of \$229,431,502 of Community Preservation Funds to preserve approximately 1,924 acres since 1998.

The Town's Comprehensive Plan has outlined the vital connection between preserving the natural scenic beauty and enjoyment of its community and the Town's economy, stating in its vision statement the goal to

"[t]ake forceful measures to protect and restore the environment, particularly groundwater. Reduce the impacts of human habitation on groundwater, surface water, wetlands, dunes biodiversity, ecosystems, scenic resources, air quality, the night sky, noise and energy consumption."

The 2007 Airport Master Plan Report that then became the basis for the adopted 2010 Airport Master Plan states, at II-73:

"The East Hampton Airport is owned, maintained and operated for the benefit of the Town and its residents. The airport continues to be classified as a General Aviation Airport under federal criteria. Its primary role is the accommodation of light aircraft traffic. Aircraft operating at greater weights will be accommodated on condition [sic] without unjust discrimination. The airport is also managed with the objective of providing emergency access and facilitation of all other public and community responsibilities. The size and operation of the airport takes into consideration the needs of East Hampton and Southampton residents for protection from excessive noise disturbance and adverse environmental impacts."

"Control of noise and adverse environmental impacts at the airport is consistent with current Town goals for improved quality of life and land and water conservation. These goals recognize that protecting the environment is essential for improving the Town's seasonal and year round economy. These controls are achieved through reasonable, non arbitrary and non discriminatory management practices. These may limit the maximum size of aircraft to be accommodated, regulate excessive peak demand during the summer season and otherwise adjust use patterns such as for helicopter access to minimize community disturbances."

In an effort to address the impacts of aircraft noise, the Town Board undertook an extensive analysis of the citizenry's complaints, and of the aircraft traffic itself, by the Town's aviation consultants and noise engineers, the results of which have only confirmed the seriousness of the community's noise disturbance. Of 24,000 airport noise complaints logged last year, the latest noise analysis discloses that they are overwhelmingly attributable to helicopters and jets, the noisiest types. Noise complaints at East Hampton Airport far exceed the level of complaints at major airports around the country. This is surely due, not least, to the

incongruity of jet and helicopter noise in what is otherwise a very quiet, exurban and rural environment.

Specifically, noise from aircraft operating at the East Hampton Airport disturbs many residents of the East End of Long Island. Disturbance by all types of aircraft is most significant in the evening, nighttime, and early morning hours. Myriad professional studies from airports throughout the world have confirmed what the residents of East Hampton know from personal experience: nighttime aircraft noise is more disturbing, more annoying, can disrupt normal sleep patterns, and, generally, has a particularly seriously adverse effect on people's lives.

In its capacity as proprietor of the East Hampton Airport, the Town Board has a public policy responsibility to protect residents from the adverse effects of aircraft noise. It has developed a set of restrictions on the use of East Hampton Airport that are reasonable, non-arbitrary, and non-discriminatory. These restrictions address the problems of aircraft noise that are unique to the Town and neighboring communities while preserving for the community the benefits of aviation.

The Town Board recognizes the value of the East Hampton Airport to the community and does not want to impose any greater restriction than is necessary to achieve the Town's objectives.

To that end, the Town Board recognizes the importance of addressing nighttime noise problems, during sleeping hours when there is a heightened expectation of quiet, by imposing a curfew for nighttime hours. The legislation is intended to restrict aircraft operations during the most sensitive times of the day.

By enacting this legislation, the Town Board seeks to achieve immediate, substantial nighttime noise relief for residents and visitors, maintain the intended and traditional use of the East Hampton Airport by recreational aircraft, and continue sufficient air traffic to maintain a financially self-sustaining Airport.

The Town Board is committed to balancing the need to address the impact of the aircraft noise on the Town's environment with the equally important need to maintain an economically viable and safe airport for East Hampton.

The proposed legislation expressly excludes from its application aircraft operated by any federal, state or local government, any emergency services, evacuation services, public or private, and any operation by an aircraft in an emergency. The airport will remain open to such operations at all times without restriction or charge.

These restrictions are adopted on an interim basis. The effects of the legislation on the operations at the Airport for the period May 1 to October 31, 2015 shall be evaluated to determine whether the restrictions should be made permanent or modified. The Town Board will seek public comment throughout the Season and immediately following the Season to determine the success and/or failure of the use restrictions and whether they function the way they were intended or need to be adjusted.

## **SECTION 2. Amendment**

The Code of the Town of East Hampton is hereby amended by adding the following new

section to Chapter 75 (Airport).

**§ 75-38 AIRPORT USE RESTRICTIONS:**

**A. Definitions.**

(1) - (2) - *Reserved*

(3) "Individual Aircraft" shall mean an aircraft, of whatever type, with a distinct registration number ("N number" if such registration is issued by the United States Government).

(4) - (5) - *Reserved*

(6) "Use of the Airport" shall mean either one arrival (landing) at, or one departure (takeoff) from, the Airport, shall not include any repositioning of any aircraft on the Airport or any aborted takeoff or landing, but shall include touch-and-go operations that result in use of an Airport runway.

**B. Nighttime Operations.** Use of the Airport is prohibited between the hours of 11:00 pm and 7:00 am (local time).

C. [*Reserved*]

D. [*Reserved*]

**E. Exemptions.** The restrictions of this section 75-38 shall not apply to any aircraft operational emergency, any medical emergency operation, whether by public or private aircraft, or to any operation by a government-owned aircraft, including, without limitation, police, emergency services, and military operations. In the case of an aircraft emergency or medical emergency operation, the operator shall submit a sworn statement to the Airport Manager within 24 hours of such operation attesting to the nature of the emergency and reason for the operation.

**§ 75-39 PENALTIES:**

A. Section 75-34 shall not apply to violations of Section 75-38 and this Section 75-39 shall apply for all violations of Section 75-38. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of Section 75-38 shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations.

B. Any Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall be punishable by a fine assessed against any person, organization, corporation, group or other entity which holds an ownership interest in such aircraft, as follows:

(1) For the first violation by an Individual Aircraft, a fine of not more than

\$1,000.

(2) For the second violation by an Individual Aircraft, a fine of not more than \$4,000.

(3) For the third violation by an Individual Aircraft, a fine of not more than \$10,000.

(4) For the fourth violation by an Individual Aircraft, a prohibition on any Use of the Airport by the Individual Aircraft involved in such violation for a period of not more than two years.

C. Each Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall constitute a separate offense.

D. In addition, any entity convicted hereunder of not complying with the requirements of Section 75-38 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town and not more than an amount equal to twice said actual costs. Should any person, organization, corporation, group or other entity be found in violation of the provisions of Section 75-38 within five years of a previous violation of this chapter, the minimum additional fine shall be not less than \$2000.

E. In addition to the above penalties, the Town may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation Section 75-38 by any person, organization, corporation, group or other entity which holds an ownership interest in the Individual Aircraft.

(1) If a finding is made by a court of competent jurisdiction that the defendants or any of them has caused, permitted or allowed a violation of Section 75-38, a penalty to be jointly and severally included in the judgment may be awarded at the discretion of the court in an amount not to exceed \$10,000.00 for each violation that the defendants or any one of them individually caused, permitted or allowed the violation.

### **SECTION 3. Authority**

The Town Board is authorized to establish and promulgate rules and regulations regarding use of the East Hampton Airport pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and Town Law §130 and pursuant to its powers as the proprietor of East Hampton Airport under federal statutory and case law and regulations of the Federal Aviation Administration.

### **SECTION 4. Severability**

If any section or subdivision, paragraph, clause or phrase of this law shall be adjudged

invalid, unenforceable, or unconstitutional by any order or judgment of a court of competent jurisdiction, or pursuant to any order of any administrative agency having jurisdiction, whether such judgment or order is temporary or permanent, such judgment or order shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**SECTION 5. Effective Date**

This local law shall take effect upon filing with the Secretary of State.

Dated: April 16, 2015

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON  
CAROLE BRENNAN, TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Local Law  
Prepared By: Elizabeth Vail  
Initiator: Elizabeth Vail  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15230 A

**ADOPTED**

**RESOLUTION 2015-412**

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**Adopt Local Law- Amending Chapter 75 (Airport) of the  
Town Code Regulating Evening, Nighttime and Early Morning  
Operation of Noisy Aircraft at East Hampton Airport**

WHEREAS, the Town of East Hampton is an established resort community that is renowned for its peaceful, quiet beaches and outdoor areas; and

WHEREAS, the economy of the Town of East Hampton is tied intrinsically to the use and enjoyment of its natural and scenic environment, including its world-renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets; and

WHEREAS, residents and visitors are attracted to the Town and the East End of Long Island to enjoy the area’s unique scenic beauty, its outdoor spaces, and the peaceful and restful atmosphere they provide; and

WHEREAS, peace, quiet, repose, outdoor recreation, sea, air, and a beautiful and unique natural environment are the essential characteristics that make East Hampton and the East End, as a whole, such an attractive and desirable area; and

WHEREAS, the Town and its residents have invested heavily in preserving the rural, quiet pace of life by preserving land and adopting land use policies that are designed to protect the unique quality of life in East Hampton; and

WHEREAS, in the busy season of May - September, residents and visitors spend a significant portion of time outdoors engaged in recreational activities, entertaining, dining with family and friends, and otherwise enjoying the peaceful, restful atmosphere of the area; and

WHEREAS, the unique quality of life in the Town and entire East End means that residents are particularly susceptible to disturbances to their pastoral lifestyle, especially when those disturbances interfere with the qualities which make this Town a highly desirable place to live and visit; and

WHEREAS, the area surrounding the East Hampton Airport is notably quiet because of the lack of industrial noises, relatively low population density and rural roadway network, which, taken together, accentuates the perception of noise, both in terms of peak levels and also in terms of the duration of the noise events themselves; and

WHEREAS, in the past three decades, noise from aircraft overflights has disrupted outdoor activities and diminished the quality of life in the Town and the entire of the East End; and

WHEREAS, the aircraft noise problem has increased dramatically in recent years, as overall operations increased by 23 percent from 2013 to 2014 and helicopter operations alone increased by 47 percent from 2013 to 2014; and

WHEREAS, noise from loud aircraft and helicopters is particularly disruptive because it interrupts conversations and other ordinary activities and makes it very difficult to enjoy

outdoor activities; and

WHEREAS, the sheer frequency of overflights also poses a significant problem because there are extended periods of repeated loud noise events that make it very difficult to enjoy outdoor activities and that destroy the peaceful quiet of this rural area; and

WHEREAS, aircraft noise has been a major source of controversy and community strife for many years, with increasingly strong demands by the public that the Town take action to reduce the disruptive and harmful effects of aircraft noise; and

WHEREAS, the controversy has resulted in a number of lawsuits, and additional threatened lawsuits, aimed at compelling the Town or the federal government to take action to address the problem of aircraft noise; and

WHEREAS, in its capacity as proprietor of the East Hampton Airport, the Town Board has a responsibility to protect residents from the adverse effects of aircraft noise; and

WHEREAS, aircraft noise is not merely annoying and disturbing but threatens the economic vitality of the Town and its brand as a place where people can escape the noise and stresses of urban life in favor of tranquility and rural quiet; and

WHEREAS, that threat could result in lower rates of visitation, reduction in property values, and, more generally, a loss in the attractiveness of the Town; and

WHEREAS, in addition to formal noise complaints, residents and visitors have expressed their anger and frustration about aircraft noise at numerous public meetings, Town Board meetings, in letters to local papers, and in communications with Town officials; and

WHEREAS, the problem of aircraft noise was a major topic of discussion and debate in the recent Town election; and

WHEREAS, the Town has received numerous communications from residents and officials of neighboring and nearby jurisdictions demanding that the Town take action to reduce the effect of noise from aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town of Southampton, the Town Shelter Island, the Town of Southold, the Village of North Haven, the Village of East Hampton, and the Village of Sag Harbor all have adopted resolutions requesting that the Town Board of the Town of East Hampton adopt a comprehensive aircraft noise limitation policy; and

WHEREAS these other towns and villages, and all residents and visitors to the East End, depend upon the Town to address the aircraft noise problem since the Town operates the East Hampton Airport, which is the destination of many of the noisy aircraft flights; and  
WHEREAS, for over two decades, the Town has diligently identified and promoted voluntary measures, including helicopter noise abatement procedures and a nighttime curfew, in order to secure relief from the disturbance of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the New York Congressional delegation, to discuss this issue in the hope of finding a federal legislative solution to the problem of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the Federal Aviation Administration (FAA) officials at the local, regional and headquarters level and with the FAA's Air Traffic Organization, to discuss proposed measures and use restrictions, including the use of voluntary measures; and

WHEREAS, the Town worked with the New York Congressional delegation and all levels of the FAA in the implementation of a mandatory North Shore Helicopter Route, which was initially implemented in August 2012 and recently extended through August 2016; and

WHEREAS, the Town has repeatedly tried, unsuccessfully, to convince the FAA to adopt a mandatory helicopter route along the south shore of Long Island or to adopt mandatory transition routes for helicopters transitioning from the mandatory routes to the East Hampton Airport; and

WHEREAS, the Town has spent the last several summer seasons studying various voluntary measures or measures in cooperation with the FAA to address the noise problem but the level of resident concern has actually increased over that time; and

WHEREAS, the Town's past several years of efforts to address the problem of aircraft noise through voluntary measures promoted by the Town combined with mandatory flight tracks for helicopters imposed by FAA have provided some limited relief in certain neighborhoods, but those measures alone have not reduced to an acceptable level the overall intensity of community disturbance from noise associated with aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town's ability to address the problem of aircraft noise has been constrained legally by obligations under certain of its federal grants that the FAA has stated will no longer be enforced after December 31, 2014; and

WHEREAS, the Town first announced its intent to pursue use restrictions on operations at East Hampton Airport to address the problem of aircraft noise by the adoption of Resolution 2012-832 on August 2, 2012; and

WHEREAS, Town officials and staff have met repeatedly with airport stakeholders, including Eastern Region Helicopter Council, Friends of the East Hampton Airport, the National Business Aviation Association, the Aircraft Owners and Pilots Association, the National Air Transportation Association, and other informal local groups of users and service providers to discuss their respective concerns; and

WHEREAS, the Town held a special public meeting on August 27, 2014, provide the public an opportunity to comment on the problem of aircraft noise and to share views on potential solutions and the meeting was attended by almost 400 people, including 22 elected officials, all of whom expressed support for finding a solution to the noise problem; and

WHEREAS, the Town announced its commitment to finding a solution to disturbance resulting from noise associated with Airport operations; announced its intent to adopt lawful measures to ensure the peace, quiet, tranquility and health of communities affected by Airport noise; resolved to consider the most serious disturbances, the causes of the disturbances, and reasonable and practical solutions tailored to address the source of those disturbances before making a decision; and announced its intent to identify and adopt

regulations to address noise and disturbance from Operations at East Hampton Airport before the 2015 season by the adoption of Resolution 2014-1180 on September 18, 2014; and

WHEREAS, FAA's traditional Day/Night Average Sound Level (DNL) noise metric has proved, after considerable study, not to be a useful tool for measuring the impact of noise from operations at East Hampton Airport because it averages noise data over 24 hours, and does not capture the demonstrated community annoyance and disruption from individual aircraft noise events (especially noise events associated with helicopters); and

WHEREAS, beginning in 2014, the Town commissioned a series of comprehensive analyses of the noise and related complaints, including the following:

- Henry Young of Young Environmental Sciences and Les Blomberg of Noise Pollution Clearinghouse: (1) analyzed 2013 operational data collected by the AirScene system, (2) converted that data for use in the Integrated Noise Model (INM), (3) used the INM to develop Day-Night Average Sound Level (DNL) noise contours for 2013 operations (for total annual operations, annual helicopter operations, busiest day total operations, and busiest day helicopter operations), (4) used the INM to calculate the maximum sound level (Lmax) for each modeled flight in 2013 at each

property parcel in a 10-mile radius from the airport, (5) applied the Town Code noise

standards to determine the number of "exceedances" (i.e., the number of times each parcel experienced a noise impact above the Town's limits) by aircraft type and type of operation; and

- Peter Wadsworth analyzed 2014 complaint data collected by the PlaneNoise system; and
- Ted Baldwin of Harris Miller Miller & Hanson Inc. (HMMH) led HMMH analyses of November 1, 2013 - October 31, 2014 data, including: (1) analysis of PlaneNoise complaint data to identify temporal and geographic complaint patterns for different aircraft types (e.g., jet, turboprop, piston prop, seaplane, and helicopter), (2) analysis of Vector operations data to identify patterns of activity by day of year, day of week, hour of day (for each day of the week and for the average annual day), and season; (3) correlated PlaneNoise complaint data and Vector operations data to identify patterns; (4) used the independent and correlated data analyses to develop a refined problem definition and promising alternatives for addressing that definition; (5) analyzed the effect of those alternatives in terms of the historical operations that each would have affected and of the associated noise complaints; and (6) identified and reviewed technical studies in the literature that have attempted to identify the most effective noise metric for understanding response to helicopter noise, whether the metric should include a special "adjustment" for helicopters, and otherwise

provide useful information on the best means of assessing helicopter noise and predicting human response; and

WHEREAS, the Town also commissioned several advisory groups to assist in identifying the noise problem with specificity and identifying meaningful, practical and carefully tailored measures that the Town could adopt which would help reduce or eliminate the noise problem; and

WHEREAS, these advisory groups have held many, many public meetings, discussions and debates about how best to address the Town's noise problem; and

WHEREAS, the Town held meetings on October 30, 2014; December 2, 2014; and February 4, 2015; to review the findings of each phase of the recent noise analyses; and

WHEREAS, the Town Board announced four proposed use restrictions for East Hampton Airport on February 10, 2015; and

WHEREAS, the Town Board held public hearings on March 12, 2015, to consider the following four local laws amending Chapter 75 (Airport) of the Town Code: (1) a local law to regulate nighttime operation of aircraft; (2) a local law to regulate nighttime and early morning operation of noisy aircraft; (3) a local law to regulate the operation of helicopters; and (4) a local law to regulate the operation of noisy aircraft; and

WHEREAS, the Town has been soliciting public comment through encouraging comments at Town Board meetings, and emailed comments through a dedicated email address; and

WHEREAS, the Town Board has reviewed all of those comments plus written comments and comments appearing in several local newspapers over the course of the last year; and

WHEREAS, there is no single or simple measure which is certain to solve the Town's noise problem; and

WHEREAS, the Town is committed to testing measures for their practical, real-world effectiveness but needs to have at least one summer season to collect adequate data on real world effects; and

WHEREAS, the Town is committed to collecting data during the summer 2015 season and to assessing all noise control measures in October 2015 for their effectiveness; and

WHEREAS, the Town will modify any restrictions to improve their effectiveness based upon the results of these restrictions during the summer 2015 season; and

WHEREAS, the Town encourages residents, visitors, airport stakeholders, users and all other interested parties to provide the Town with input on the effectiveness of particular measures in addressing, mitigating or eliminating the noise problem; and

WHEREAS, after considering the history of noise disturbance caused by operations at the Airport, reviewing the data provided by the Town's consultants and the comments of the public, and after holding public hearings, the Town Board believes that the enactment of a local law to regulate evening, nighttime and early morning operation of noisy aircraft at the

East Hampton Airport is in the best interests of the Town of East Hampton for the following reasons:

- Of the 24,000 airport noise complaints logged last year, the latest noise analysis discloses that they are overwhelmingly attributable to helicopters and jets, the noisiest types of aircraft; and
- Disturbance by all types of aircraft is most significant in the evening, nighttime, and early morning hours; and
- During those hours, noisy aircraft are the most annoying; and
- While all aircraft operations during the nighttime hours are disturbing, noisy aircraft can be especially intrusive during the "shoulder" times of the evening and early morning hours, which are times of the day when residents and visitors typically engage in outdoor activities and are therefore are highly sensitive to disruption by loud aircraft; and

WHEREAS, the proposed local law is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code; and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law will not have a significant negative impact upon the environment; and now, therefore be it

**NOW, THEREFORE, BE IT RESOLVED**, that a negative declaration is hereby made pursuant to the State Environmental Quality Review Act (SEQRA); and

RESOLVED, that said local law is hereby adopted to read as follows:

LOCAL LAW NO. \_\_\_ OF 2015  
INTRODUCTORY NO. \_\_\_ OF 2015

A Local Law providing for the amendment of Chapter 75 ("AIRPORT") of the East Hampton Town Code to read as follows:

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

**SECTION 1. Legislative Intent**

In the past three decades, the residents of the Town of East Hampton have experienced a

significant increase in noisy aircraft traffic at the East Hampton Airport, chiefly helicopters, jets, and seaplanes. By its extensive complaints to the Town Board and to other governmental entities, the public has made clear, and this Town Board recognizes, the negative impact that this aircraft noise has made to the health and welfare of its citizenry, to wildlife and their habitat, as well as to the peace, quiet, and repose of the region. Aircraft noise has substantially diminished the quiet enjoyment of homes and properties and compromised the pleasures of the woodlands, beaches, fields, and preserved lands that define our community and sense of place.

East Hampton is an established resort community whose entire economy is intrinsically tied to the use and enjoyment of its natural and scenic environment, including its world renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets. Visitors and residents alike enjoy East Hampton's unique scenic beauty and the Town has made significant efforts to preserve the natural environs of the Town, spending a total of \$229,431,502 of Community Preservation Funds to preserve approximately 1,924 acres since 1998.

The Town's Comprehensive Plan has outlined the vital connection between preserving the natural scenic beauty and enjoyment of its community and the Town's economy, stating in its vision statement the goal to

"[t]ake forceful measures to protect and restore the environment, particularly groundwater. Reduce the impacts of human habitation on groundwater, surface water, wetlands, dunes biodiversity, ecosystems, scenic resources, air quality, the night sky, noise and energy consumption."

The 2007 Airport Master Plan Report that then became the basis for the adopted 2010 Airport Master Plan states, at II-73:

"The East Hampton Airport is owned, maintained and operated for the benefit of the Town and its residents. The airport continues to be classified as a General Aviation Airport under federal criteria. Its primary role is the accommodation of light aircraft traffic. Aircraft operating at greater weights will be accommodated on condition [sic] without unjust discrimination. The airport is also managed with the objective of providing emergency access and facilitation of all other public and community responsibilities. The size and operation of the airport takes into consideration the needs of East Hampton and Southampton residents for protection from excessive noise disturbance and adverse environmental impacts."

"Control of noise and adverse environmental impacts at the airport is consistent with current Town goals for improved quality of life and land and water conservation. These goals recognize that protecting the environment is essential for improving the Town's seasonal and year round economy. These controls are achieved through reasonable, non arbitrary and non discriminatory management practices. These may limit the

maximum size of aircraft to be accommodated, regulate excessive peak demand during the summer season and otherwise adjust use patterns such as for helicopter access to minimize community disturbances.”

In an effort to address the impacts of aircraft noise, the Town Board undertook an extensive analysis of the citizenry’s complaints, and of the aircraft traffic itself, by the Town’s aviation consultants and noise engineers, the results of which have only confirmed the seriousness of the community’s noise disturbance. Of 24,000 airport noise complaints logged last year, the latest noise analysis discloses that they are overwhelmingly attributable to helicopters and jets, the noisiest types. Noise complaints at East Hampton Airport far exceed the level of complaints at major airports around the country. This is surely due, not least, to the incongruity of jet and helicopter noise in what is otherwise a very quiet, exurban and rural environment.

Specifically, noise from aircraft operating at the East Hampton Airport disturbs many residents of the East End of Long Island. Disturbance by all types of aircraft is most significant in the evening, nighttime, and early morning hours. During those hours, noisy aircraft are the most disturbing. While all aircraft operations during the nighttime hours are disturbing, noisy aircraft can be especially intrusive during the ‘shoulder’ times of the evening and early morning hours, when people are doing daily activities around their homes, and there is a need to address the particular impacts of these noisy aircraft during these times of the day.

In its capacity as proprietor of the East Hampton Airport, the Town Board has a public policy responsibility to protect residents from the adverse effects of aircraft noise. It has developed a set of restrictions on the use of East Hampton Airport that are reasonable, non-arbitrary, and non-discriminatory. These restrictions address the problems of aircraft noise that are unique to the Town and neighboring communities while preserving for the community the benefits of aviation.

The Town Board recognizes the value of the East Hampton Airport to the community and does not want to impose any greater restriction than is necessary to achieve the Town’s objectives.

To that end, the Town Board recognizes the importance of addressing the impacts of noisy aircraft operations during non-working hours of evenings and early mornings when there is a heightened expectation of quiet, by imposing shorter operating hours for these noisy types of aircraft. The legislation is intended to recognize that noisier aircraft need to be subject to greater restrictions because of the seriousness of their noise contribution to the community disturbance - that is, each aircraft’s individual noise generation and the frequency and timing of its airport landings and takeoffs.

By enacting this legislation, the Town Board seeks to achieve immediate, substantial evening and morning noise relief for residents and visitors, maintain the intended and traditional use of the East Hampton Airport by recreational aircraft, and continue sufficient air traffic to maintain a financially self-sustaining Airport.

The Town Board is committed to balancing the need to address the impact of the aircraft noise on the Town’s environment with the equally important need to maintain an



economically viable and safe airport for East Hampton.

The proposed legislation expressly excludes from its application aircraft operated by any federal, state or local government, any emergency services, evacuation services, public or private, and any operation by an aircraft in an emergency. The airport will remain open to such operations at all times without restriction or charge.

These restrictions are adopted on an interim basis. The effects of the legislation on the operations at the Airport for the period May 1 to October 31, 2015 shall be evaluated to determine whether the restrictions should be made permanent or modified. The Town Board will seek public comment throughout the Season and immediately following the Season to determine the success and/or failure of the use restrictions and whether they function the way they were intended or need to be adjusted.

## **SECTION 2. Amendment**

The Code of the Town of East Hampton is hereby amended by adding the following new section to Chapter 75 (Airport).

### **§ 75-38 AIRPORT USE RESTRICTIONS:**

#### **A. Definitions.**

(1) - (2) - *Reserved*

(3) "Individual Aircraft" shall mean an aircraft, of whatever type, with a distinct registration number ("N number" if such registration is issued by the United States Government).

(4) "Noisy Aircraft" shall mean any airplane or rotorcraft type classified as a Noisy Aircraft type pursuant to this Section.

(a) The Airport Director is directed to maintain on the Town website a current list of aircraft based upon the noise characteristics published by the Federal Aviation Administration, or (if data is not available from that agency), the European Aviation Safety Agency. Noisy Aircraft shall be defined as any airplane or rotorcraft for which there is a published Effective Perceived Noise in Decibels (EPNdB) approach (AP) level of 91.0 or greater

(b) In lieu of being subject to the definition of "Noisy Aircraft" pursuant to subsection (a) on the basis of the Town's list of types of Noisy Aircraft, the owner of an Individual Aircraft may elect to have the noise classification of such Individual Aircraft determined by the sound levels on the basis of the EPNdB level that is published in the airplane or rotorcraft flight manual for such Individual Aircraft pursuant to 14 C.F.R. 36.1581(a). To obtain a noise classification of an Individual Aircraft, the owner of such aircraft shall provide the Airport Director with a true copy of the relevant pages from such manual

showing the noise level data. In the event of a conflict between the Town's list of classifications of Noisy Aircraft types and classification based on the data set forth in the Individual Aircraft airplane or rotorcraft flight manual, the data in the Individual Aircraft airplane or rotorcraft flight manual shall prevail. Once the owner of an Individual Aircraft has provided the Airport Director with such data from the Individual Aircraft airplane or rotorcraft flight manual, and the Airport Director has determined the authenticity thereof, the Airport Director shall keep such data on file so that the owner need not resubmit the data for each Use of the Airport, and compliance by such Individual Aircraft with this Section shall be determined based on such data.

(5) *(Reserved)*

(6) "Use of the Airport" shall mean either one arrival (landing) at, or one departure (takeoff) from, the Airport, shall not include any repositioning of any aircraft on the Airport or any aborted takeoff or landing, but shall include touch-and-go operations that result in use of an Airport runway.

B. *[Reserved]*

C. **Noisy Aircraft Operations.** Use of the Airport by Noisy Aircraft is prohibited as follows:

(1) Between the hours of 8:00 pm and 9:00 am (local time).

D. *[Reserved]*

E. **Exemptions.** The restrictions of this section 75-38 shall not apply to any aircraft operational emergency, any medical emergency operation, whether by public or private aircraft, or to any operation by a government-owned aircraft, including, without limitation, police, emergency services, and military operations. In the case of an aircraft emergency or medical emergency operation, the operator shall submit a sworn statement to the Airport Manager within 24 hours of such operation attesting to the nature of the emergency and reason for the operation.

#### **§ 75-39 PENALTIES:**

A. Section 75-34 shall not apply to violations of Section 75-38 and this Section 75-39 shall apply for all violations of Section 75-38. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of Section 75-38 shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations.

B. Any Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall be punishable by a fine assessed against any person, organization, corporation, group or other entity which holds an ownership interest in such aircraft, as follows:

- (1) For the first violation by an Individual Aircraft, a fine of not more than \$1,000.
- (2) For the second violation by an Individual Aircraft, a fine of not more than \$4,000.
- (3) For the third violation by an Individual Aircraft, a fine of not more than \$10,000.
- (4) For the fourth violation by an Individual Aircraft, a prohibition on any Use of the Airport by the Individual Aircraft involved in such violation for a period of not more than two years.

C. Each Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall constitute a separate offense.

D. In addition, any entity convicted hereunder of not complying with the requirements of Section 75-38 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town and not more than an amount equal to twice said actual costs. Should any person, organization, corporation, group or other entity be found in violation of the provisions of Section 75-38 within five years of a previous violation of this chapter, the minimum additional fine shall be not less than \$2000.

E. In addition to the above penalties, the Town may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation Section 75-38 by any person, organization, corporation, group or other entity which holds an ownership interest in the Individual Aircraft.

- (1) If a finding is made by a court of competent jurisdiction that the defendants or any of them has caused, permitted or allowed a violation of Section 75-38, a penalty to be jointly and severally included in the judgment may be awarded at the discretion of the court in an amount not to exceed \$10,000.00 for each violation that the defendants or any one of them individually caused, permitted or allowed the violation.

### **SECTION 3. Authority**

The Town Board is authorized to establish and promulgate rules and regulations regarding use of the East Hampton Airport pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and Town Law §130 and pursuant to its powers as the proprietor of East Hampton Airport under federal statutory and case law and regulations of the Federal Aviation Administration.

### **SECTION 4. Severability**

If any section or subdivision, paragraph, clause or phrase of this law shall be adjudged invalid, unenforceable, or unconstitutional by any order or judgment of a court of competent jurisdiction, or pursuant to any order of any administrative agency having jurisdiction, whether such judgment or order is temporary or permanent, such judgment or order shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**SECTION 5. Effective Date**

This local law shall take effect upon filing with the Secretary of State.

Dated: April 16, 2015

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON  
CAROLE BRENNAN, TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Local Law  
Prepared By: Elizabeth Vail  
Initiator: Elizabeth Vail  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15231 A

**ADOPTED**

**RESOLUTION 2015-413**

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**Adopt Local Law- Amending Chapter 75 (Airport) of the  
Town Code Regulating Operation of Noisy Aircraft at East  
Hampton Airport**

WHEREAS, the Town of East Hampton is an established resort community that is renowned for its peaceful, quiet beaches and outdoor areas; and

WHEREAS, the economy of the Town of East Hampton is tied intrinsically to the use and enjoyment of its natural and scenic environment, including its world-renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets; and

WHEREAS, residents and visitors are attracted to the Town and the East End of Long Island to enjoy the area’s unique scenic beauty, its outdoor spaces, and the peaceful and restful atmosphere they provide; and

WHEREAS, peace, quiet, repose, outdoor recreation, sea, air, and a beautiful and unique natural environment are the essential characteristics that make East Hampton and the East End, as a whole, such an attractive and desirable area; and

WHEREAS, the Town and its residents have invested heavily in preserving the rural, quiet pace of life by preserving land and adopting land use policies that are designed to protect the unique quality of life in East Hampton; and

WHEREAS, in the busy season of May - September, residents and visitors spend a significant portion of time outdoors engaged in recreational activities, entertaining, dining with family and friends, and otherwise enjoying the peaceful, restful atmosphere of the area; and

WHEREAS, the unique quality of life in the Town and entire East End means that residents are particularly susceptible to disturbances to their pastoral lifestyle, especially when those disturbances interfere with the qualities which make this Town a highly desirable place to live and visit; and

WHEREAS, the area surrounding the East Hampton Airport is notably quiet because of the lack of industrial noises, relatively low population density and rural roadway network, which, taken together, accentuates the perception of noise, both in terms of peak levels and also in terms of the duration of the noise events themselves; and

WHEREAS, in the past three decades, noise from aircraft overflights has disrupted outdoor activities and diminished the quality of life in the Town and the entire of the East End; and

WHEREAS, the aircraft noise problem has increased dramatically in recent years, as overall operations increased by 23 percent from 2013 to 2014 and helicopter operations alone increased by 47 percent from 2013 to 2014; and

WHEREAS, noise from loud aircraft and helicopters is particularly disruptive because it interrupts conversations and other ordinary activities and makes it very difficult to enjoy

outdoor activities; and

WHEREAS, the sheer frequency of overflights also poses a significant problem because there are extended periods of repeated loud noise events that make it very difficult to enjoy outdoor activities and that destroy the peaceful quiet of this rural area; and

WHEREAS, aircraft noise has been a major source of controversy and community strife for many years, with increasingly strong demands by the public that the Town take action to reduce the disruptive and harmful effects of aircraft noise; and

WHEREAS, the controversy has resulted in a number of lawsuits, and additional threatened lawsuits, aimed at compelling the Town or the federal government to take action to address the problem of aircraft noise; and

WHEREAS, in its capacity as proprietor of the East Hampton Airport, the Town Board has a responsibility to protect residents from the adverse effects of aircraft noise; and

WHEREAS, aircraft noise is not merely annoying and disturbing but threatens the economic vitality of the Town and its brand as a place where people can escape the noise and stresses of urban life in favor of tranquility and rural quiet; and

WHEREAS, that threat could result in lower rates of visitation, reduction in property values, and, more generally, a loss in the attractiveness of the Town; and

WHEREAS, in addition to formal noise complaints, residents and visitors have expressed their anger and frustration about aircraft noise at numerous public meetings, Town Board meetings, in letters to local papers, and in communications with Town officials; and

WHEREAS, the problem of aircraft noise was a major topic of discussion and debate in the recent Town election; and

WHEREAS, the Town has received numerous communications from residents and officials of neighboring and nearby jurisdictions demanding that the Town take action to reduce the effect of noise from aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town of Southampton, the Town Shelter Island, the Town of Southold, the Village of North Haven, the Village of East Hampton, and the Village of Sag Harbor all have adopted resolutions requesting that the Town Board of the Town of East Hampton adopt a comprehensive aircraft noise limitation policy; and

WHEREAS these other towns and villages, and all residents and visitors to the East End, depend upon the Town to address the aircraft noise problem since the Town operates the East Hampton Airport, which is the destination of many of the noisy aircraft flights; and  
WHEREAS, for over two decades, the Town has diligently identified and promoted voluntary measures, including helicopter noise abatement procedures and a nighttime curfew, in order to secure relief from the disturbance of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the New York Congressional delegation, to discuss this issue in the hope of finding a federal legislative solution to the problem of aircraft noise; and

WHEREAS, Town officials have met repeatedly with the Federal Aviation Administration (FAA) officials at the local, regional and headquarters level and with the FAA's Air Traffic Organization, to discuss proposed measures and use restrictions, including the use of voluntary measures; and

WHEREAS, the Town worked with the New York Congressional delegation and all levels of the FAA in the implementation of a mandatory North Shore Helicopter Route, which was initially implemented in August 2012 and recently extended through August 2016; and

WHEREAS, the Town has repeatedly tried, unsuccessfully, to convince the FAA to adopt a mandatory helicopter route along the south shore of Long Island or to adopt mandatory transition routes for helicopters transitioning from the mandatory routes to the East Hampton Airport; and

WHEREAS, the Town has spent the last several summer seasons studying various voluntary measures or measures in cooperation with the FAA to address the noise problem but the level of resident concern has actually increased over that time; and

WHEREAS, the Town's past several years of efforts to address the problem of aircraft noise through voluntary measures promoted by the Town combined with mandatory flight tracks for helicopters imposed by FAA have provided some limited relief in certain neighborhoods, but those measures alone have not reduced to an acceptable level the overall intensity of community disturbance from noise associated with aircraft flying to and from East Hampton Airport; and

WHEREAS, the Town's ability to address the problem of aircraft noise has been constrained legally by obligations under certain of its federal grants that the FAA has stated will no longer be enforced after December 31, 2014; and

WHEREAS, the Town first announced its intent to pursue use restrictions on operations at East Hampton Airport to address the problem of aircraft noise by the adoption of Resolution 2012-832 on August 2, 2012; and

WHEREAS, Town officials and staff have met repeatedly with airport stakeholders, including Eastern Region Helicopter Council, Friends of the East Hampton Airport, the National Business Aviation Association, the Aircraft Owners and Pilots Association, the National Air Transportation Association, and other informal local groups of users and service providers to discuss their respective concerns; and

WHEREAS, the Town held a special public meeting on August 27, 2014, provide the public an opportunity to comment on the problem of aircraft noise and to share views on potential solutions and the meeting was attended by almost 400 people, including 22 elected officials, all of whom expressed support for finding a solution to the noise problem; and

WHEREAS, the Town announced its commitment to finding a solution to disturbance resulting from noise associated with Airport operations; announced its intent to adopt lawful measures to ensure the peace, quiet, tranquility and health of communities affected by Airport noise; resolved to consider the most serious disturbances, the causes of the disturbances, and reasonable and practical solutions tailored to address the source of those disturbances before making a decision; and announced its intent to identify and adopt

regulations to address noise and disturbance from Operations at East Hampton Airport before the 2015 season by the adoption of Resolution 2014-1180 on September 18, 2014; and

WHEREAS, FAA's traditional Day/Night Average Sound Level (DNL) noise metric has proved, after considerable study, not to be a useful tool for measuring the impact of noise from operations at East Hampton Airport because it averages noise data over 24 hours, and does not capture the demonstrated community annoyance and disruption from individual aircraft noise events (especially noise events associated with helicopters); and

WHEREAS, beginning in 2014, the Town commissioned a series of comprehensive analyses of the noise and related complaints, including the following:

- Henry Young of Young Environmental Sciences and Les Blomberg of Noise Pollution Clearinghouse: (1) analyzed 2013 operational data collected by the AirScene system, (2) converted that data for use in the Integrated Noise Model (INM), (3) used the INM to develop Day-Night Average Sound Level (DNL) noise contours for 2013 operations (for total annual operations, annual helicopter operations, busiest day total operations, and busiest day helicopter operations), (4) used the INM to calculate the maximum sound level (Lmax) for each modeled flight in 2013 at each

property parcel in a 10-mile radius from the airport, (5) applied the Town Code noise

standards to determine the number of "exceedances" (i.e., the number of times each parcel experienced a noise impact above the Town's limits) by aircraft type and type of operation; and

- Peter Wadsworth analyzed 2014 complaint data collected by the PlaneNoise system; and
- Ted Baldwin of Harris Miller Miller & Hanson Inc. (HMMH) led HMMH analyses of November 1, 2013 - October 31, 2014 data, including: (1) analysis of PlaneNoise complaint data to identify temporal and geographic complaint patterns for different aircraft types (e.g., jet, turboprop, piston prop, seaplane, and helicopter), (2) analysis of Vector operations data to identify patterns of activity by day of year, day of week, hour of day (for each day of the week and for the average annual day), and season; (3) correlated PlaneNoise complaint data and Vector operations data to identify patterns; (4) used the independent and correlated data analyses to develop a refined problem definition and promising alternatives for addressing that definition; (5) analyzed the effect of those alternatives in terms of the historical operations that each would have affected and of the associated noise complaints; and (6) identified and reviewed technical studies in the literature that have attempted to identify the most effective noise metric for understanding response to helicopter noise, whether the metric should include a special "adjustment" for helicopters, and otherwise



provide useful information on the best means of assessing helicopter noise and predicting human response; and

WHEREAS, the Town also commissioned several advisory groups to assist in identifying the noise problem with specificity and identifying meaningful, practical and carefully tailored measures that the Town could adopt which would help reduce or eliminate the noise problem; and

WHEREAS, these advisory groups have held many, many public meetings, discussions and debates about how best to address the Town's noise problem; and

WHEREAS, the Town held meetings on October 30, 2014; December 2, 2014; and February 4, 2015; to review the findings of each phase of the recent noise analyses; and

WHEREAS, the Town Board announced four proposed use restrictions for East Hampton Airport on February 10, 2015; and

WHEREAS, the Town Board held public hearings on March 12, 2015, to consider the following four local laws amending Chapter 75 (Airport) of the Town Code: (1) a local law to regulate nighttime operation of aircraft; (2) a local law to regulate nighttime and early morning operation of noisy aircraft; (3) a local law to regulate the operation of helicopters; and (4) a local law to regulate the operation of noisy aircraft; and

WHEREAS, the Town has been soliciting public comment through encouraging comments at Town Board meetings, and emailed comments through a dedicated email address; and

WHEREAS, the Town Board has reviewed all of those comments plus written comments and comments appearing in several local newspapers over the course of the last year; and

WHEREAS, there is no single or simple measure which is certain to solve the Town's noise problem; and

WHEREAS, the Town is committed to testing measures for their practical, real-world effectiveness but needs to have at least one summer season to collect adequate data on real world effects; and

WHEREAS, the Town is committed to collecting data during the summer 2015 season and to assessing all noise control measures in October 2015 for their effectiveness; and

WHEREAS, the Town will modify any restrictions to improve their effectiveness based upon the results of these restrictions during the summer 2015 season; and

WHEREAS, the Town encourages residents, visitors, airport stakeholders, users and all other interested parties to provide the Town with input on the effectiveness of particular measures in addressing, mitigating or eliminating the noise problem; and

WHEREAS, after considering the history of noise disturbance caused by operations at the Airport, reviewing the data provided by the Town's consultants and the comments of the public, and after holding public hearings, the Town Board believes that the enactment of a local law to limit the number of operations of noisy aircraft at the East Hampton Airport is in

the best interests of the Town of East Hampton for the following reasons:

- Noise from the noisiest aircraft operating at the East Hampton Airport is particularly disruptive of the peace and tranquility in and around the Town because their high noise levels contrast with the general peace and quiet of the East End to a much greater degree than quieter aircraft; and
- The relatively high volume of operations by the noisiest aircraft has caused widespread community disturbance due to the particularly disruptive effect of those aircraft; and
- The proposed restriction would affect 3,443, or 13.4 percent of the total operations but would address roughly 37.6 of the reported complaints; and
- Limiting the noisiest aircraft is the most important during the summer season when residents and visitors have a heightened expectation that they can enjoy the outdoor environment in peace; and

WHEREAS, the proposed local law is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code; and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed amendment; and

WHEREAS, the Board has determined that the adoption of this Local Law 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

RESOLVED, that said local law is hereby adopted to read as follows:

LOCAL LAW NO. \_\_\_ OF 2015  
INTRODUCTORY NO. \_\_\_ OF 2015

A Local Law providing for the amendment of Chapter 75 ("AIRPORT") of the East Hampton Town Code to read as follows:

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

**SECTION 1. Legislative Intent.**

In the past three decades, the residents of the Town of East Hampton have experienced a significant increase in noisy aircraft traffic at the East Hampton Airport, chiefly helicopters, jets, and seaplanes. By its extensive complaints to the Town Board and to other governmental entities, the public has made clear, and this Town Board recognizes, the negative impact that this aircraft noise has made to the health and welfare of its citizenry, to wildlife and their habitat, as well as to the peace, quiet, and repose of the region. Aircraft noise has substantially diminished the quiet enjoyment of homes and properties and

compromised the pleasures of the woodlands, beaches, fields, and preserved lands that define our community and sense of place.

East Hampton is an established resort community whose entire economy is intrinsically tied to the use and enjoyment of its natural and scenic environment, including its world renowned ocean beaches, wetlands, shorelines, harbors, bays, woodlands, and historic hamlets. Visitors and residents alike enjoy East Hampton's unique scenic beauty and the Town has made significant efforts to preserve the natural environs of the Town, spending a total of \$229,431,502 of Community Preservation Funds to preserve approximately 1,924 acres since 1998.

The Town's Comprehensive Plan has outlined the vital connection between preserving the natural scenic beauty and enjoyment of its community and the Town's economy, stating in its vision statement the goal to

"[t]ake forceful measures to protect and restore the environment, particularly groundwater. Reduce the impacts of human habitation on groundwater, surface water, wetlands, dunes biodiversity, ecosystems, scenic resources, air quality, the night sky, noise and energy consumption."

The 2007 Airport Master Plan Report that then became the basis for the adopted 2010 Airport Master Plan states, at II-73:

"The East Hampton Airport is owned, maintained and operated for the benefit of the Town and its residents. The airport continues to be classified as a General Aviation Airport under federal criteria. Its primary role is the accommodation of light aircraft traffic. Aircraft operating at greater weights will be accommodated on condition [sic] without unjust discrimination. The airport is also managed with the objective of providing emergency access and facilitation of all other public and community responsibilities. The size and operation of the airport takes into consideration the needs of East Hampton and Southampton residents for protection from excessive noise disturbance and adverse environmental impacts."

"Control of noise and adverse environmental impacts at the airport is consistent with current Town goals for improved quality of life and land and water conservation. These goals recognize that protecting the environment is essential for improving the Town's seasonal and year round economy. These controls are achieved through reasonable, non arbitrary and non discriminatory management practices. These may limit the maximum size of aircraft to be accommodated, regulate excessive peak demand during the summer season and otherwise adjust use patterns such as for helicopter access to minimize community disturbances."

In an effort to address the impacts of aircraft noise, the Town Board undertook an extensive

analysis of the citizenry's complaints, and of the aircraft traffic itself, by the Town's aviation consultants and noise engineers, the results of which have only confirmed the seriousness of the community's noise disturbance. Of 24,000 airport noise complaints logged last year, the latest noise analysis discloses that they are overwhelmingly attributable to helicopters and jets, the noisiest types. Noise complaints at East Hampton Airport far exceed the level of complaints at major airports around the country. This is surely due, not least, to the incongruity of jet and helicopter noise in what is otherwise a very quiet, exurban and rural environment.

Specifically, noise from aircraft operating at the East Hampton Airport disturbs many residents of the East End of Long Island. Disturbance by the noisiest aircraft is most significant when aircraft operations are most frequent. The Town examined how best to limit the constant onslaught of air traffic and has determined that an overall limit on operations by the noisiest aircraft is essential to the quality of life to which residents and visitors are entitled.

In its capacity as proprietor of the East Hampton Airport, the Town Board has a public policy responsibility to protect residents from the adverse effects of aircraft noise. It has developed a set of restrictions on the use of East Hampton Airport that are reasonable, non-arbitrary, and non-discriminatory. These restrictions address the problems of aircraft noise that are unique to the Town and neighboring communities while preserving for the community the benefits of aviation.

As the U.S. Court of Appeals for the Second Circuit recognized in the *National Helicopter* case -- that residents have a justified, heightened expectation of quiet during non-working hours, evenings, nights, and weekends -- both year-round and seasonal residents of East Hampton and the East End have a justified, heightened expectation of quiet, yet suffer greater exposure to disturbance from aircraft noise, during the very periods when the East End is sought as a destination for repose and relief from urban ills. That is the reason why the huge influx of seasonal residents and visitors come to East Hampton. It is the reason why year-round residents struggle to stay in East Hampton despite the difficulty of earning a living in a limited economy on the end of a long, narrow peninsula on the tip of a long island. Peace, quiet, repose, outdoor recreation, sea, air, a beautiful and unique natural environment, these are the primary social and economic goods that East Hampton and the East End as a whole have to offer.

The Town Board recognizes the value of the East Hampton Airport to the community and does not want to impose any greater restriction than is necessary to achieve the Town's objectives.

To that end, the Town Board recognizes that limiting the volume and frequency of airport use by noisy aircraft types during the summer season is essential to restoring the peace and quiet that East Hampton residents and visitors have come to expect in this community. The legislation is intended to restrict aircraft according to the seriousness of their noise contribution to the community disturbance - that is, each aircraft's individual noise generation and the frequency and timing of its airport landings and takeoffs. The proposed restrictions are seasonally based, imposing greater limits during the period May 1 to September 30 each year when residents and visitors have a heightened expectation that they can enjoy our magnificent outdoor environment in peace.

By enacting this legislation, the Town Board seeks to achieve immediate, substantial noise relief for residents and visitors during the summertime, provide an incentive for airport users with noisy types of aircraft to transition to quieter types of aircraft, maintain the intended and traditional use of the East Hampton Airport by recreational aircraft, and continue sufficient air traffic to maintain a financially self-sustaining Airport.

The Town Board is committed to balancing the need to address the impact of the aircraft noise on the Town's environment with the equally important need to maintain an economically viable and safe airport for East Hampton.

The proposed legislation expressly excludes from its application aircraft operated by any federal, state or local government, any emergency services, evacuation services, public or private, and any operation by an aircraft in an emergency. The airport will remain open to such operations at all times without restriction or charge.

These restrictions are adopted on an interim basis. The effects of the legislation on the operations at the Airport for the period May 1 to October 31, 2015 shall be evaluated to determine whether the restrictions should be made permanent or modified. The Town Board will seek public comment throughout the Season and immediately following the Season to determine the success and/or failure of the use restrictions and whether they function the way they were intended or need to be adjusted.

## **SECTION 2. Amendment**

Section 75-38, Airport Use Restrictions, of the Code of the Town of East Hampton is hereby amended by adding the following provisions:

### CHAPTER 75, AIRPORT.

#### **§ 75-38 AIRPORT USE RESTRICTIONS:**

##### **A. Definitions.**

- (1) "Calendar Week" shall mean the period beginning at 12:00:00 am on Sunday and ending at 11:59:59 pm on the following Saturday.
- (2) - *Reserved*
- (3) "Individual Aircraft" shall mean an aircraft, of whatever type, with a distinct registration number ("N number" if such registration is issued by the United States Government).
- (4) "Noisy Aircraft" shall mean any airplane or rotorcraft type classified as a Noisy Aircraft type pursuant to this Section.
  - (a) The Airport Director is directed to maintain on the Town website a current list of aircraft based upon the noise characteristics published by the Federal Aviation Administration, or (if data is not available from that agency), the European Aviation Safety Agency. Noisy Aircraft shall be defined as any

airplane or rotorcraft for which there is a published Effective Perceived Noise in Decibels (EPNdB) approach (AP) level of 91.0 or greater

(b) In lieu of being subject to the definition of "Noisy Aircraft" pursuant to subsection (a) on the basis of the Town's list of types of Noisy Aircraft, the owner of an Individual Aircraft may elect to have the noise classification of such Individual Aircraft determined by the sound levels on the basis of the EPNdB level that is published in the airplane or rotorcraft flight manual for such Individual Aircraft pursuant to 14 C.F.R. 36.1581(a). To obtain a noise classification of an Individual Aircraft, the owner of such aircraft shall provide the Airport Director with a true copy of the relevant pages from such manual showing the noise level data. In the event of a conflict between the Town's list of classifications of Noisy Aircraft types and classification based on the data set forth in the Individual Aircraft airplane or rotorcraft flight manual, the data in the Individual Aircraft airplane or rotorcraft flight manual shall prevail. Once the owner of an Individual Aircraft has provided the Airport Director with such data from the Individual Aircraft airplane or rotorcraft flight manual, and the Airport Director has determined the authenticity thereof, the Airport Director shall keep such data on file so that the owner need not resubmit the data for each Use of the Airport, and compliance by such Individual Aircraft with this Section shall be determined based on such data.

(6) "Use of the Airport" shall mean either one arrival (landing) at, or one departure (takeoff) from, the Airport, shall not include any repositioning of any aircraft on the Airport or any aborted takeoff or landing, but shall include touch-and-go operations that result in use of an Airport runway.

B. [Reserved]

**C. Noisy Aircraft Operations.** Use of the Airport by Noisy Aircraft is prohibited as follows:

(1) [Reserved]

(2) More than two Uses of the Airport by an Individual Aircraft during a Calendar Week, or portion of a Calendar Week, that falls within the Season.

D. [Reserved]

**E. Exemptions.** The restrictions of this section 75-38 shall not apply to any aircraft operational emergency, any medical emergency operation, whether by public or private aircraft, or to any operation by a government-owned aircraft, including, without limitation, police, emergency services, and military operations. In the case of an aircraft emergency or medical emergency operation, the operator shall submit a sworn statement to the Airport Manager within 24 hours of such operation attesting to the nature of the emergency and

reason for the operation.

**§ 75-39 PENALTIES:**

A. Section 75-34 shall not apply to violations of Section 75-38 and this Section 75-39 shall apply for all violations of Section 75-38. For the purpose of conferring jurisdiction upon courts and judicial officers in general, violations of Section 75-38 shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations.

B. Any Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall be punishable by a fine assessed against any person, organization, corporation, group or other entity which holds an ownership interest in such aircraft, as follows: (1) For the first violation by an Individual Aircraft, a fine of not more than \$1,000.

(2) For the second violation by an Individual Aircraft, a fine of not more than \$4,000.

(3) For the third violation by an Individual Aircraft, a fine of not more than \$10,000.

(4) For the fourth violation by an Individual Aircraft, a prohibition on any Use of the Airport by the Individual Aircraft involved in such violation for a period of not more than two years.

C. Each Use of the Airport by an Individual Aircraft in violation of Section 75-38 shall constitute a separate offense.

D. In addition, any entity convicted hereunder of not complying with the requirements of Section 75-38 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town and not more than an amount equal to twice said actual costs. Should any person, organization, corporation, group or other entity be found in violation of the provisions of Section 75-38 within five years of a previous violation of this chapter, the minimum additional fine shall be not less than \$2000.

E. In addition to the above penalties, the Town may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation Section 75-38 any person, organization, corporation, group or other entity which holds an ownership interest in the Individual Aircraft.

(1) If a finding is made by a court of competent jurisdiction that the defendants or any of them has caused, permitted or allowed a violation of Section 75-38, a penalty to be jointly and severally included in the judgment may be awarded at the

discretion of the court in an amount not to exceed \$10,000.00 for each violation that the defendants or any one of them individually caused, permitted or allowed the violation.

### **SECTION 3. Authority**

The Town Board is authorized to establish and promulgate rules and regulations regarding use of the East Hampton Airport pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12) and Town Law §130 and pursuant to its powers as the proprietor of East Hampton Airport under federal statutory and case law and regulations of the Federal Aviation Administration.

### **SECTION 4. Severability.**

If any section or subdivision, paragraph, clause or phrase of this law shall be adjudged invalid, unenforceable, or unconstitutional by any order or judgment of a court of competent jurisdiction, or pursuant to any order of any administrative agency having jurisdiction, whether such judgment or order is temporary or permanent, such judgment or order shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

### **SECTION 5. Effective Date.**

This local law shall take effect upon filing with the Secretary of State.

Dated: April 16, 2015

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON  
CAROLE BRENNAN, TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Kathee Burke-Gonzalez, Peter Van Scoyoc, Sylvia Overby, Larry Cantwell
<b>NAYS:</b>	Fred Overton





**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-414**

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Agreements, Contracts  
Prepared By: Michael Sendlenski  
Initiator: Michael Sendlenski  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15244

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## Amend 2015 Grant Agreement with Family Service League

WHEREAS, the Town has entered into a grant agreement with the Family Service League; and,

WHEREAS, the contract does not reflect the updated budget for the Family Service League for the grant award; and,

WHEREAS, the updated budget does not increase the amount of the total budget but allocates the grant across budget lines in a different manner than reflected in the contract; now therefore be it

RESOLVED, that the Supervisor is authorized and directed to execute an amendment to the Grant Agreement contract with the Family Service League to reflect the updated budget allocations.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Approvals  
Prepared By: John Jilnicki  
Initiator: John Jilnicki  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15245

**ADOPTED**

**RESOLUTION 2015-415**

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**Authorize Order on Consent - Suffolk County Health Services  
Ref #10675**

WHEREAS, the Suffolk County Department of Health Services has issued a notice that certain conditions were found at the Town Airport at Daniel's Hole Road, Wainscott, in violation of the Suffolk County Sanitary Code Article 12 under Docket #EE-15-773, Reference No. 10675; And

WHEREAS, the Suffolk County Department of Health Services has offered the Town an opportunity to enter into a consent order settling the violations upon payment of a civil penalty in the amount of \$2,250.00 and correction of the violations; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the Consent Order with the Suffolk County Department of Health Services for violations at the East Hampton Town Airport; and be it further

RESOLVED, the Bookkeeping office shall issue payment in the amount of \$2,250 in payment of the civil penalty to the Suffolk County Department of Health Services from airport budget account SX 5610-54990.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-416**

4.A.16

Meeting: 04/16/15 06:30 PM  
Department: Human Services  
Category: Issue Check  
Prepared By: Diane Patrizio  
Initiator: Diane Patrizio  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15260

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## Pay Prior Year Invoice

WHEREAS, the Department of Human Services has been presented an invoice to pay a missed 2014 invoice dated 12/10/2014 for dishwasher rental in the Senior Nutrition Program, now be it

RESOLVED, that the Town will pay the outstanding 2014 invoice to Ecolab in the amount of \$122.95 from budget Account # A6772.54420 upon properly submitted voucher, and, be it further

RESOLVED, that the Town Clerk is hereby requested to forward a copy of this resolution to the appropriate individuals.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Prof. Services (Attorney, Eng., Appraisers, Cons.)

Prepared By: John Jilnicki

Initiator: John Jilnicki

Sponsors: Councilwoman Kathee Burke-Gonzalez

DOC ID: 15251

**ADOPTED**

**RESOLUTION 2015-417**

**Authorize Appraisals - Industrial Park & Airport**

WHEREAS, the Town has need of updated appraisals for certain properties within the Town Industrial Park whose leases are subject to re-negotiation and pursuant to Resolution #2015-219 the Town retained Clark & Marshall Real Estate Appraisers (Clark & Marshall) to prepare appraisals on up to five (5) parcels; and

WHEREAS, the Town now requires four (4) additional appraisals of Town properties at the Industrial Park and Airport and Clark and Marshal has agreed to provide the appraisals a cost of \$1,000 per parcel for appraisals of sale and lease values of three (3) Industrial Park parcels and \$1,200 for the lease value of the airport site; now therefore be it

RESOLVED, that Clark and Marshall Real Estate Appraisers is retained to provide the Town with updated appraisals for four (4) additional lots, three (3) in the Industrial Park at a cost of \$1,000 per lot for each updated appraisal, and \$1,200.00 for the appraisal of fair market value lease rates at the airport, with a maximum total expenditure not to exceed \$4,200.00; and be it further

RESOLVED, that payment for the same shall be made from budget account SX5610-54520 (Outside Professional Airport).

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



East Hampton Town Board  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Approvals  
Prepared By: Elizabeth Vail  
Initiator: Elizabeth Vail  
Sponsors: Councilwoman Kathee Burke-Gonzalez  
DOC ID: 15264 A

ADOPTED

**RESOLUTION 2015-418**

## Resolution Memorializing Goals for the East Hampton Airport

Whereas, the Town Board committed to studying and resolving the disturbance from noise associated with East Hampton Airport ("Airport") operations for the 2015 calendar season; and

Whereas, the Town Board, in furtherance of its commitment, adopted three local laws restricting the use of the Airport in an effort to address noise disturbance; and

Whereas, the Town Board recognizes that the adoption of these local laws represents only an initial step in the Town's commitment to studying and resolving Airport matters; and now, therefore be it

Resolved, that in furtherance of these commitments the Town Board hereby adopts the following goals regarding the Airport:

- 1. Maintain the Airport as Safe and Efficient.** The Town Board as proprietor and operator of the Airport, shall commit to implementing a methodical capital and maintenance plan for Airport facilities to operate a safe and properly maintained self-sufficient facility without burdening taxpayers; The Town shall work closely with the Airport engineer to identify priorities for maintenance and capital improvements, with a focus on maintaining and enhancing safety.
- 2. Local Laws.** The enactment of the three local laws amending Chapter 75 shall address restrictions on the use of the Airport to ensure peace and quiet at night and in the evening and morning hours, limit the number of noisy helicopters and jets while still allowing reasonable access to the Airport.
- 3. Study the Effectiveness of the New Laws.** The Town shall professionally study and evaluate the effectiveness of our initial efforts - including the new local laws - following the 2015 summer season. These studies will include analysis of the financial impact of the restrictions, their effect on noise and complaints, the diversion of traffic to other airports, and the effects of the restrictions on aircraft operators. The Town shall convene a public meeting after the 2015 season to present the results of these studies and to hear from the public to determine whether any changes are required in the restrictions for the 2016 season.
- 4. Airport Management Advisory Committee.** The Town Board shall appoint an Airport Management Advisory Committee to be responsible for advising the Town Board and the Airport Director on the operation, maintenance, finances, capital improvements, and preservation of the East Hampton Airport. The Committee will consolidate the several existing advisory committees into a single advisory group.
- 5. Coordinate with the Congressional Delegation.** The Town shall continue to work closely with Congressman Zeldin in his efforts to convince the FAA to require

helicopters to maintain a minimum altitude in their flights from New York City to the East End. The Town will also seek assistance from Senators Schumer and Gillibrand and other interested Members of Congress to ensure that our concerns are part of Congress' debate over reauthorization of the FAA.

- 6. Partner with Eastern Region Helicopter Council.** The Town Board shall continue to work with the Eastern Region Helicopter Council and other industry stakeholders to pursue its offer to develop voluntary procedures to mitigate helicopter noise in the short-term.
- 7. Work with the FAA on Flight Tracks.** The Town shall invite the FAA, airport users, and industry groups, to join it in finding long-term solutions to noise problems that can be resolved by addressing flight tracks, altitudes, and flight procedures. The Town shall request and work with the FAA to establish a regional task force to review problems throughout the East End in furtherance of a regional solution.
- 8. Improved Technology.** The Town shall improve its ability to record and track airport operations and noise problems through installation of an Airport Noise and Operations Monitoring System (ANOMS) and will work with the Air Traffic Control Tower, our operations billing contractor, Vector, and the operator of our complaint system, PlaneNoise, to ensure the Town has the best data available on airport operations.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-419**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15270

## **BOND - \$91,000 Various Capital Improvements**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING VARIOUS PROJECTS IN AND FOR THE TOWN, STATING THE ESTIMATED TOTAL COST THEREOF IS \$91,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$91,000 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 (a) acquire radios for use by the Town's Buildings and Grounds Department, at the estimated maximum cost of \$17,500,000; (b) acquire a line painter, at the estimated maximum cost of \$6,500; (c) acquire and install bleachers, at the estimated maximum cost of \$15,000; (d) acquire and install a storage shed for the Town's Buildings and Grounds Department, at the estimated maximum cost of \$20,000; (e) replacement of the South Lake well located on South Lake Road in Montauk, at the estimated maximum cost of \$7,000; and (f) replacement of the water main serving the public boat slips at the Head of the Harbor dock in Springs, at the estimated maximum cost of \$25,000. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$91,000 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 \$91,000 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 \$91,000 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. (a) The period of probable usefulness applicable to the objects or purposes for which \$39,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years, and

(b) The period of probable usefulness applicable to the object or purpose for which \$52,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 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.



**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Peter Van Scoyoc, Councilman  
**SECONDER:**   Sylvia Overby, Councilwoman  
**AYES:**        Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-420**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15272

## **BOND - \$50,000 Tandem Yard Semi-Tractor**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF a TANDEM YARD SEMI-TRACTOR, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$50,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000 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 Tandem Yard semi-tractor. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000 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 \$50,000 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 Sanitation Fund, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$50,000 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 to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) 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 April 16, 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 April 16, 2015, authorizing the acquisition of a Tandem Year semi-tractor, stating the estimated maximum cost thereof is \$50,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$50,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of a Tandem Year semi-tractor; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000; 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 \$50,000 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 Town's Sanitation Fund, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$50,000 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 object or purpose for which said bonds are authorized to be issued, is fifteen (15) 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 \$50,000 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: April 16, 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-421**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15273

## **BOND - \$150,000 Reconstruct Heavy Duty Truck Highway Dept.**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE RECONSTRUCTION OF A HEAVY DUTY TRUCK FOR THE HIGHWAY DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$150,000 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 reconstruct a heavy duty truck for the Highway Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 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 \$150,000 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 Highway Fund, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$150,000 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 to be issued, within the limitations of Section 11.00 a. 35 of the Law, is fifteen (15) 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 April 16, 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 April 16, 2015, authorizing the reconstruction of a heavy duty truck for the Highway Department, stating the estimated maximum cost thereof is \$150,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed

\$150,000 to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the reconstruction of a heavy duty truck for the Highway Department; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000; 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 \$150,000 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 Town's Highway Fund, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$150,000 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 object or purpose for which said bonds are authorized to be issued, is fifteen (15) 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 \$150,000 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: April 16, 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.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Peter Van Scoyoc, Councilman  
**SECONDER:**   Sylvia Overby, Councilwoman  
**AYES:**        Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-422**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15275

## **BOND - \$135,000 - Construction & Improvements Various Town Buildings**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS TOWN BUILDINGS AND STRUCTURES, STATING THE ESTIMATED TOTAL COST THEREOF IS \$135,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$135,000 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 (a) replace windows at Town Hall, at the estimated maximum cost of \$50,000, (b) construct improvements to the Maidstone lower comfort station, at the estimated maximum cost of \$25,000, (c) construct roof and chimney improvements at Town Hall, at the estimated maximum cost of \$35,000, and (d) replace the furnace at the Highway Department garage in Montauk, at the estimated maximum cost of \$25,000. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$135,000 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 \$135,000 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 \$135,000 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), 13, 12(a)(2) and 90 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 April 16, 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 April 16, 2015, authorizing the construction of improvements to various Town buildings and structures, stating the estimated total cost thereof is \$135,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$135,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING (a) the replacement of windows at Town Hall, at the estimated maximum cost of \$50,000, (b) construction of improvements to the Maidstone lower comfort station, at the estimated maximum cost of \$25,000, (c) construction of roof and chimney improvements at Town Hall, at the estimated maximum cost of \$35,000, and (d) replacement of the furnace at the Highway Department garage in Montauk, at the estimated maximum cost of \$25,000; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$135,000; 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 \$135,000 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 Town's General Fund - Townwide, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$135,000 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 \$135,000 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: April 16, 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-423**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15276

## **BOND - \$255,000 Acquisition of Heavy Duty Equipment**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF HEAVY DUTY EQUIPMENT FOR USE BY THE TOWN, STATING THE ESTIMATED TOTAL COST THEREOF IS \$255,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$255,000 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: (i) a 3500 diesel truck, at the estimated maximum cost of \$50,000; (ii) a packer garbage truck, at the estimated maximum cost of \$115,000; and (iii) an 8-yard dump truck with Bobcat tow, at the estimated maximum cost of \$90,000. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$255,000 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 \$255,000 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 \$255,000 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 to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) 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 April 16, 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 April 16, 2015, authorizing the acquisition of heavy duty equipment for use by the Town, stating the estimated total cost thereof is \$255,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$255,000 bonds

to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of (i) a 3500 diesel truck, at the estimated maximum cost of \$50,000; (ii) a packer garbage truck, at the estimated maximum cost of \$115,000; and (iii) an 8-yard dump truck with Bobcat tow, at the estimated maximum cost of \$90,000; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$255,000; 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 \$255,000 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 Town's General Fund - Townwide, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$255,000 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 object or purpose for which said bonds are authorized to be issued, is fifteen (15) 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 \$255,000 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: April 16, 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.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Peter Van Scoyoc, Councilman  
**SECONDER:**   Sylvia Overby, Councilwoman  
**AYES:**        Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-424**

Meeting: 04/16/15 06:30 PM  
Department: Human Resources  
Category: Appointments  
Prepared By: Kathleen Keller  
Initiator: Kathleen Keller  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15215

**Appoint Part Time Recreation Aides Recreation Department**

RESOLVED that following be and are hereby appointed to the part time position of Recreation Aides with the Recreation Department at the following hourly rates per hour payable biweekly with time card properly submitted from budget account #A7020-51200 effective retroactive to April 18,2015

Richard Statucki \$12.01 per hour  
Kawana Guerero \$9.50 per hour

And be it further

RESOLVE that on May 11, 2015 Richard Statucki and Kawana Guerero change status from Part Time to Seasonal with no change to hourly rate or budget account number, and be it further

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

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-425**

4.B.7

Meeting: 04/16/15 06:30 PM  
Department: Human Resources  
Category: Appointments  
Prepared By: Kathleen Keller  
Initiator: Kathleen Keller  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15222

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## **Appoint Temporary Maintenance Mechanic II Timothy Webber Parks Department**

RESOLVED that Timothy Webber be and is hereby appointed to the temporary position of Maintenance Mechanic II with the Parks Department at the hourly rate of \$21.498 Per hour payable biweekly with time card properly submitted from budget account #A7110.51200 Effective May 11, 2015 and be it further

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

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-426**

Meeting: 04/16/15 06:30 PM

Department: Bookkeeping

Category: Budget

Prepared By: Len Bernard

Initiator: Len Bernard

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15214

## Highway Budget Adjustment

Whereas, the Town receives payments from the Suffolk County Water Authority for overseeing repaving related to water main installations and most of the money was received and originally recorded in 2014 as deferred revenue for 2015, and

Whereas, that revenue should be properly recognized as revenue in the 2015 budget and the expense in the expenditure part of the budget, now therefore be it

Resolved, an adjustment needs to be made to the 2015 Highway Department operating budget by the Budget Office as follows:

Add \$327,434.44 to DB0-42231 (Repair and Restoration Payments)

Add \$327,434.44 to DB5112-54743 (Road Surfacing - Water Mains)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-427**

**4.B.9**

Meeting: 04/16/15 06:30 PM

Department: Bookkeeping

Category: Budget

Prepared By: Len Bernard

Initiator: Len Bernard

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15266

**Budget Modification - Highway**

Resolved, that the following modifications be made to the Highway Department budget at the request of the Highway Superintendent:

Move \$19,500.00

From: DB 1990-51990 Contingency

To: DB5130-52400 Radio Line

and \$6,000.00

From: DB5140-54741 Line Striping

To: DB5130-52400 Radio Line

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM

Department: Bookkeeping

Category: Budget

Prepared By: Len Bernard

Initiator: Len Bernard

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15228

**ADOPTED**

**RESOLUTION 2015-428**

**Budget Adjustment - Insurance Recovery Ft. Hill Cemetery**

Whereas, damage was done to the roadway at the Fort Hill Cemetery in Montauk for which damages were recovered in the amount of \$2,100, and

Whereas, the recovered funds are to be used to make repairs at the cemetery, now therefore be it

Resolved, that the Budget Office is directed to adjust the 2015 budget as follows.

Add \$2,100 to revenue line A042680 (Recoveries)

Add \$2,100 to expense line A8850.54550 (Repairs Ft. Hill Cemetery)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-429**

4.B.11

Meeting: 04/16/15 06:30 PM

Department: Bookkeeping

Category: Budget

Prepared By: Len Bernard

Initiator: Len Bernard

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15216

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## Pay Previous Year Invoice FPM

Resolved, that the Budget Office is authorized to pay an invoice from Fanning, Phillips and Molnar for monitoring work performed at the Montauk and Fireplace Road landfill caps during the month of December 2014 totaling \$9,583.90.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Parks and Recreation  
Category: Issue Check  
Prepared By: Ginny Jennerich  
Initiator: Anthony Littman  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15224 A

**ADOPTED**

**RESOLUTION 2015-430**

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**Authorize Payment - Lowe's 2014 Invoice - Parks & Recreation**

WHEREAS, it has been ascertained by the Parks and Recreation Department records and verified by the Town Clerk's Office, that a November 2014 Invoice for supplies was never paid to Lowe's - Atlanta, GA; now, therefore be it

RESOLVED, the Town will pay the outstanding 2014 invoice in the amount of \$110.60, payable from Budget Account #A1620-54550 upon properly submitted voucher, and, be it further

RESOLVED, that the Town Clerk is hereby requested to forward a copy of this resolution to the appropriate individuals.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-431**

Meeting: 04/16/15 06:30 PM

Department: Town Board

Category: Approvals

Prepared By: Barbara Claflin

Initiator: Barbara Claflin

Sponsors: Councilman Peter Van Scoyoc

DOC ID: 15217

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**Authorize Payment of 2013 Simplex Grinnell, LP Invoices -  
Sanitation Department**

WHEREAS, it has been ascertained by the Town Sanitation Department records and verified by the Town Clerk's Office, that three (3) Simplex Grinnell, LP fire alarm service invoices for October, November and December 2013 were never paid; now, therefore be it

RESOLVED, that the Town will pay the outstanding three (3) 2013 invoices in the amount of \$249.70 each, a total of \$749.10, to be taken from Budget Account #SR8160.54520 upon properly submitted voucher; and, be it further

RESOLVED, that the Town Clerk is hereby requested to forward a copy of this resolution to Sanitation Director Craig Fick.

**FINANCIAL IMPACT:**

Total 2013 (three invoices \$249.70 each) payment to Simplex Grinnel - \$749.10

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Natural Resources  
Category: Agreements, Contracts  
Prepared By: John Botos  
Initiator: Kimberly Shaw  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15069

**ADOPTED**

**RESOLUTION 2015-432**

**Memorandum of Agreement Between Town of East Hampton and Cornell Cooperative Extension of Suffolk**

WHEREAS, the Town of East Hampton has been awarded \$150,000 to implement the Accabonac Harbor Storm Water Remediation project by the New York State Department of State (NYS DOS); and

WHEREAS, the Town of East Hampton partnered with Cornell Cooperative Extension (CCE) of Suffolk County to conduct several of the tasks to mitigate stormwater and groundwater contribution into Pussy's pond; and

WHEREAS, nitrogen pollution of surface waters in the Town of East Hampton are a vital concern to the environment and economy of the Town and its residents or businesses; and

WHEREAS, Cornell Cooperative Extension of Suffolk County has developed new techniques and technologies and has the capability to conduct the research services in accordance to the protocol agreed upon by the Town of East Hampton and CCE; and

WHEREAS, the Town and CCE will enter into a financial agreement not to exceed \$13,000; and

WHEREAS, the Town will utilize a portion of the awarded amount to implement the Accabonac Harbor Storm Water Remediation project and there will be no financial impact to the Town; Now therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to execute the Memorandum of Agreement to conduct research and remediation of Accabonac Harbor and implement opportunities as identified by the NYS DOS, the Town of East Hampton, CCE as described in the Accabonac Harbor Storm Water Remediation project.

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Peter Van Scoyoc, Sylvia Overby, Fred Overton, Larry Cantwell
<b>AWAY:</b>	Kathee Burke-Gonzalez



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Natural Resources  
Category: Agreements, Contracts  
Prepared By: John Botos  
Initiator: Kimberly Shaw  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15163 A

**ADOPTED**

**RESOLUTION 2015-433**

**Green Reach Infrastructure Demonstration (GRID) Nitrogen and Stormwater Abatement Project**

WHEREAS, the Town of East Hampton has been awarded \$125,000 to implement a Green Reach Infrastructure Demonstration (GRID) Nitrogen and Stormwater Abatement Project at Town Docks in Three Mile Harbor by the Suffolk County Water Quality Protection Review Program (WQPRP) Review Committee, and

WHEREAS, the Town of East Hampton will be required to enter into a Intermunicipal Agreement with Suffolk County, and

WHEREAS, the Town was previously awarded \$250,000 from the New York State Department of State to implement a GRID Project in an Accabonac Harbor Stormwater Abatement Project, and

WHEREAS, the Natural Resources Department has identified the State funded Accabonac Stormwater Abatement Project as the source of match for the GRID Project at the Town Dock in Three Mile Harbor, and

WHEREAS, the proposed project is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and Chapter 128 of the Town Code, and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed project and

WHEREAS, the Board has determined that the implementation of this project will not have a significant negative impact upon the environment; and now, therefore be it

RESOLVED, that a negative declaration is hereby adopted pursuant to the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, the Town of East Hampton authorizes the Supervisor to enter into a Intermunicipal Agreement with Suffolk County, for implementation of the GRID Project at the Town Dock in Three Mile Harbor.

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Peter Van Scoyoc, Sylvia Overby, Fred Overton, Larry Cantwell
<b>AWAY:</b>	Kathee Burke-Gonzalez



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Agreements, Contracts  
Prepared By: Michael Sendlenski  
Initiator: Michael Sendlenski  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15209

**ADOPTED**

**RESOLUTION 2015-434**

## **Authorize Continuation of Downtown Montauk Recycling Bin Project**

WHEREAS, The Montauk Chamber of Commerce is interested in continuing a program, approved pursuant to Resolution 2013-441, to provide recycling containers at various locations in downtown Montauk for recycling of glass, plastic and aluminum; and

WHEREAS, the Chamber proposes to provide these containers, to be paid for by local businesses, throughout the summer season, from May 20th through October 31st; and

WHEREAS, the Chamber has requested that the Town collect the recyclables and bring them to the Town Recycling facilities and the Town Department of Parks has agreed to monitor and empty the bins and replace the liners while collecting the trash from the Town's trash disposal containers; now, therefore, be it

RESOLVED, that the Town Board hereby supports continuing the Montauk Chamber of Commerce Recycling Program to recycle glass, plastic and aluminum in the downtown Montauk business District area during the summer season; and be it further

RESOLVED, that the Town Department of Parks is hereby authorized to monitor the recycling containers, empty and replace the liners and dispose of the recyclables at the Town's recycling facilities for the duration of the program.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Accepted  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15203 A

**ADOPTED**

**RESOLUTION 2015-435**

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**Accept Bid EH15-006 - GPS for Town Highway Department-  
Vehicle Tracking Solutions, LLC**

WHEREAS, the Town Board solicited bids for a GPS for the Town Highway Department, EH15-006; and

WHEREAS, the bid of Vehicle Tracking Solutions, LLC was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by the Town Highway Department and Jeanne Carroza, CPPB the Town's Purchasing Agent; and have recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the bid of Vehicle Tracking Solutions, LLC., for the lease option of the hardware & service in the amount of \$2,099.30 per month plus the cost of accessory items listed in Bid EH15-006 from budget DB5130 52400 is hereby accepted, and the Purchasing Agent is hereby authorized to issue a purchase order in accordance with the Town's bid specifications and the bid submission of the contractor.

**FINANCIAL IMPACT:**

lease \$2099.30 per month - DB5130 52400

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Approvals  
Prepared By: John Jilnicki  
Initiator: John Jilnicki  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15246 A

**ADOPTED**

**RESOLUTION 2015-436**

**Authorize Order on Consent - East Hampton Highway Facility  
@ Industrial Road SCDHS Ref. #12224**

WHEREAS, the Suffolk County Department of Health Services has issued a notice that certain conditions were found at the East Hampton Town Highway Department facility at Industrial Road, Montauk, in violation of the Suffolk County Sanitary Code Article 12; and

WHEREAS, the Suffolk County Department of Health Services has offered the Town an opportunity to enter into a consent order settling the violations upon payment of a civil penalty in the amount of \$650.00 and correction of the violations; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the Consent Order with the Suffolk County Department of Health Services; and be it further

RESOLVED, the Bookkeeping office shall issue payment in the amount of \$650.00 in payment of the civil penalty to the Suffolk County Department of Health Services from A5010.54580.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Agreements, Contracts  
Prepared By: Michael Sendlenski  
Initiator: Michael Sendlenski  
Sponsors: Councilman Peter Van Scoyoc  
DOC ID: 15268

**ADOPTED**

**RESOLUTION 2015-437**

**Accept Donation of Labyrinth for Eddie Ecker Park Montauk**

WHEREAS, the Town owns a parcel of property (SCTM#300-26-1-1.1) in the CPF program that is part of Eddie Ecker Park in Montauk; and,

WHEREAS, a civic group, commonly known as, "Twelve Women", has offered to donate, install, and maintain a natural cobble stone labyrinth of approximately 50 feet in diameter; and,

WHEREAS, the installation of the labyrinth will require no clearing of the property and will require very limited maintenance; and,

WHEREAS, the public use and enjoyment of the property will be enhanced by the labyrinth installation as it is compatible with the natural, scenic, historic and open space character of such property; now therefore be it

RESOLVED, that the Town hereby accepts the donation of the installation and maintenance of a natural cobble stone labyrinth on the parcel of property (SCTM#300-26-1-1.1) in the CPF program that is part of Eddie Ecker Park in Montauk; and, be it further

RESOLVED, that the Supervisor is authorized and directed to execute all necessary documents, including a donation agreement if required, to accept the donation, installation and maintenance of a stone labyrinth on the Town owned parcel of property (SCTM#300-26-1-1.1) in the CPF program, that is part of Eddie Ecker Park in Montauk.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Van Scoyoc, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-438**

Meeting: 04/16/15 06:30 PM  
Department: Land Acquisition  
Category: Local Law Public Hearing  
Prepared By: Scott Wilson  
Initiator: Scott Wilson  
Sponsors: Councilwoman Sylvia Overby  
DOC ID: 15255

## **Fireplace Road Corp., SPH NPH CPF Project Plan Addition**

**BE IT RESOLVED**, that a public hearing is hereby scheduled to be held on a proposed Local Law adopting a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include parcels of land reputedly owned by **Fireplace Road Corp.** and identified on the Suffolk County Tax Map as **300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40.** All as set forth in the text of the Local Law, said hearing to be held in the Town Board Meeting Room, East Hampton Town Hall, 159 Pantigo Road, East Hampton, on **Thursday May 7, 2015, at 6:30 p.m.** or as soon thereafter as this matter may be heard, and said proposed Local Law to read as follows:

LOCAL LAW NO. OF 2015  
INTRODUCTORY NO. OF 2015

A Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include 11 parcels of land reputedly owned by **Fireplace Road Corp.**, and identified on the Suffolk County Tax Map as **300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40.** As more fully set forth in the text of the Local Law, said Local Law to read as follows:

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

### **SECTION I. - FINDINGS AND OBJECTIVES:**

This local law adopts a revised "Community Preservation Project Plan" pursuant to Section 64-e of the New York Town Law. The revised plan supplants the Community Preservation Project Plan which was first adopted by the Town Board on August 4, 1998 and adopted as revised on July 7, 2011 and which continues to list all properties whose preservation is necessary to the preservation of the community character of the Town of East Hampton.

**The Town Board would like to amend the plan as most recently adopted on July 7, 2011 to add 11 parcels consisting of approximately 6.5 acres of land reputedly owned by Fireplace Road Corp. located on 124, 122, 103 & 101 Sycamore, 124, 118, 84, 72, 68, 31 & 29 Cedar Drive, Springs, and identified on the Suffolk County Tax Map as 300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40 for the following reasons: All these parcels are adjacent to or near preserved lands allowing the Town to build on existing holdings, and expand our overall inventory of Open Space. If acquired, these parcels will remain pocket wildlife reserve areas. For these reasons, these parcels meet the criteria set forth in Town Law 64-e (4) that establishes and helps define**

**what the preservation of community character involves.**

**SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED:**

For the reasons set forth in Section I hereof, the Town Board hereby approves and adopts the addition of this parcel consisting of **approximately 6.5 Acre** of land in **Springs**, reputedly owned by **Fireplace Road Corp.**, and identified on the Suffolk County Tax Map as **300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40** to the list of Open Space Recommendations in the "Community Preservation Project Plan" prepared by the Town Planning Department and dated July 7, 2011, said plan being intended to constitute, in its revised form, the community preservation project plan which is required by Section § 64-e of the New York Town Law and Article I ("Community Preservation Fund") of the East Hampton Town Code.

**SECTION III. - SEVERABILITY:**

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

**SECTION IV. - EFFECTIVE DATE:**

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is directed to publish a Notice of Public Hearing in the **April 23, 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 on **May 7, 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, on a proposed Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include 11 parcels consisting of approximately 6.5 acres of land reputedly owned by **Fireplace Road Corp.**, and identified on the Suffolk County Tax Map as **300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40.**

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: April 16, 2015**

**FINANCIAL IMPACT:**

No impact for SPH NPH

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-439**

Meeting: 04/16/15 06:30 PM  
Department: Land Acquisition  
Category: Local Law Public Hearing  
Prepared By: Scott Wilson  
Initiator: Scott Wilson  
Sponsors: Councilwoman Sylvia Overby  
DOC ID: 15249

## Foster SPH NPH CPF Project Plan Addition

**BE IT RESOLVED**, that a public hearing is hereby scheduled to be held on a proposed Local Law adopting a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include a parcel of land reputedly owned by **Marilee Foster** and identified on the Suffolk County Tax Map as **300-132-1-14.1**. All as set forth in the text of the Local Law, said hearing to be held in the Town Board Meeting Room, East Hampton Town Hall, 159 Pantigo Road, East Hampton, on **Thursday May 7, 2015, at 6:30 p.m.** or as soon thereafter as this matter may be heard, and said proposed Local Law to read as follows:

LOCAL LAW NO.      OF 2015  
INTRODUCTORY NO.   OF 2015

A Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section § 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include a parcel of land reputedly owned by **Marilee Foster**, and identified on the Suffolk County Tax Map as **300-132-1-14.1**. As more fully set forth in the text of the Local Law, said Local Law to read as follows:

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

### **SECTION I. - FINDINGS AND OBJECTIVES:**

This local law adopts a revised "Community Preservation Project Plan" pursuant to Section 64-e of the New York Town Law. The revised plan supplants the Community Preservation Project Plan which was first adopted by the Town Board on August 4, 1998 and adopted as revised on July 7, 2011 and which continues to list all properties whose preservation is necessary to the preservation of the community character of the Town of East Hampton.

**The Town Board would like to amend the plan as most recently adopted on July 7, 2011 to add a parcel consisting of approximately 5 acre of land reputedly owned by Marilee Foster located on 345 Town Line Rd., Wainscott and identified on the Suffolk County Tax Map as 300-132-1-14.1 for the following reasons: This forested parcel is contiguous to over 130 acres of Open Space, and its preservation will reduce forest edge fragmentation, allowing it to remain a viable habitat for forest interior birds. Furthermore, the parcel is located in the Pine Barrens, the South Fork Special Groundwater Protection Area, a Town designated Water Recharge Overlay District, and is located over our deepest and best groundwater source. For these reasons, this parcel meets the criteria set forth in Town Law 64-e (4) that establishes and helps define what the preservation of community character involves.**

**SECTION II. - COMMUNITY PRESERVATION PROJECT PLAN ADOPTED:**

For the reasons set forth in Section I hereof, the Town Board hereby approves and adopts the addition of this parcel consisting of **approximately 5 acre** of land in **Wainscott**, reputedly owned by **Marilee Foster**, and identified on the Suffolk County Tax Map as **300-132-1-14.1** to the list of Open Space Recommendations in the "Community Preservation Project Plan" prepared by the Town Planning Department and dated July 7, 2011, said plan being intended to constitute, in its revised form, the community preservation project plan which is required by Section § 64-e of the New York Town Law and Article I ("Community Preservation Fund") of the East Hampton Town Code.

**SECTION III. - SEVERABILITY:**

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

**SECTION IV. - EFFECTIVE DATE:**

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is directed to publish a Notice of Public Hearing in the **April 23, 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 on **May 7, 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, on a proposed Local Law providing for the adoption of a revised "Community Preservation Project Plan," pursuant to Section 64-e of the New York Town Law, which provides for the preservation of open space, historic places, and recreational areas within the Town of East Hampton, including the incorporated villages therein, to include a parcel consisting of approximately 5 **acre** of land reputedly owned by **Marilee Foster**, and identified on the Suffolk County Tax Map as **300-132-1-14.1**.

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: **April 16, 2015**

**FINANCIAL IMPACT:**

No impact for SPH NPH

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



East Hampton Town Board  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Land Acquisition  
Category: Public Hearing  
Prepared By: Scott Wilson  
Initiator: Scott Wilson  
Sponsors: Councilwoman Sylvia Overby  
DOC ID: 15256

ADOPTED

RESOLUTION 2015-440

**Fireplace Road Corp., SPH NPH CPF Acquisition and Amend  
2015 M&S Plan**

**SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S  
PLAN**

**Purported Owner: Fireplace Road Corp.**

**Location:** 124, 122, 103 & 101 Sycamore, 124, 118, 84, 72, 68, 31 & 29 Cedar  
Drive, Springs

**SCTM #:** 300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, &  
18.24, and 39-15-39 & 40

**WHEREAS**, the Town of East Hampton is considering the purchase of approximately **6.5 acres** of land located on **124, 122, 103 & 101 Sycamore, 124, 118, 84, 72, 68, 31 & 29 Cedar Drive, Springs** which lands are identified on the Suffolk County Tax Map as **SCTM #300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40**; and

**WHEREAS**, the proposed purchase price is **\$2,607,000.00**, 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 **Fireplace Road Corp.**, at a cost to the Town of East Hampton not to exceed **\$2,607,000.00** 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 **May 7, 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 **April 23, 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 **May 7, 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 **124, 122, 103 & 101 Sycamore, 124, 118, 84, 72, 68, 31 & 29 Cedar Drive, Springs** reputedly owned by **Fireplace Road Corp.**, and consisting of approximately **6.5** acres of land, at a cost to the Town of East Hampton not to exceed **\$2,607,000.00** plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as **SCTM # 300-39-9-38.1 & 38.2, 39-10-6, 7, 24.6 & 24.7, 39-12-18.2, 18.23, & 18.24, and 39-15-39 & 40**

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: **April 16, 2015**

#### **FINANCIAL IMPACT:**

No impact for SPH NPH

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Land Acquisition  
Category: Public Hearing  
Prepared By: Scott Wilson  
Initiator: Scott Wilson  
Sponsors: Councilwoman Sylvia Overby  
DOC ID: 15250

**ADOPTED**

**RESOLUTION 2015-441**

**Foster SPH NPH CPF Acquisition and Amend 2015 M&S Plan**

**SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S PLAN**

**Purported Owner: Marilee Foster**  
**Location: 345 Town Line Rd., Wainscott**  
**SCTM #: 300-132-1-14.1**

**WHEREAS**, the Town of East Hampton is considering the purchase of approximately **5** acres of land located on **345 Town Line Rd., Wainscott** which lands are identified on the Suffolk County Tax Map as **SCTM #300-132-1-14.1**; and

**WHEREAS**, the proposed purchase price is **\$600,000.00**, 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 **Marilee Foster**, at a cost to the Town of East Hampton not to exceed **\$600,000.00** 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 **May 7, 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 **April 23, 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 **May 7, 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 **345 Town Line Rd., Wainscott** reputedly owned by **Marilee Foster**, and consisting of approximately **5** acres of land, at a cost to the Town of East Hampton not to exceed **\$600,000.00** plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as **SCTM #300-132-1-14.1**

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: **April 16, 2015**

#### FINANCIAL IMPACT:

No impact for SPH NPH

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-442**

Meeting: 04/16/15 06:30 PM

Department: Land Acquisition

Category: Public Hearing

Prepared By: Scott Wilson

Initiator: Scott Wilson

Sponsors: Councilwoman Sylvia Overby

DOC ID: 15226

## Vernazza SPH NPH CPF Acquisition and Amend 2015 M&S Plan

### SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S PLAN

**Purported Owner: Mark Vernazza**  
**Location: 78 Lincoln Ave., Montauk**  
**SCTM #: 300-32-1-2.10**

**WHEREAS**, the Town of East Hampton is considering the purchase of approximately **.42** acres of land located on **78 Lincoln Ave., Montauk** which lands are identified on the Suffolk County Tax Map as **SCTM #300-32-1-2.10**; and

**WHEREAS**, the proposed purchase price is **\$295,000.00**, 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 **Mark Vernazza**, at a cost to the Town of East Hampton not to exceed **\$295,000.00** 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 **May 7, 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 **April 23, 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 **May 7, 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 **78 Lincoln Ave., Montauk** reputedly owned by **Mark Vernazza**, and consisting of approximately **.42** acres of land, at a cost to the Town of East Hampton not to exceed **\$295,000.00** plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as **SCTM #300-32-1-2.10**

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: **April 16, 2015**

**FINANCIAL IMPACT:**

No impact for SPH NPH

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-443**

Meeting: 04/16/15 06:30 PM

Department: Land Acquisition

Category: Public Hearing

Prepared By: Scott Wilson

Initiator: Scott Wilson

Sponsors: Councilwoman Sylvia Overby

DOC ID: 15227

**Marin SPH NPH CPF Acquisition and Amend 2015 M&S Plan**

SCHEDULE PUBLIC HEARING - REAL PROPERTY ACQUISITION & AMEND 2015 M&S PLAN

Purported Owner: Mary Marin  
Location: 54 Lincoln Rd., Montauk  
SCTM #: 300-70-4-23

WHEREAS, the Town of East Hampton is considering the purchase of approximately .3 acres of land located on 54 Lincoln Rd., Montauk which lands are identified on the Suffolk County Tax Map as SCTM #300-70-4-23; and

WHEREAS, the proposed purchase price is \$250,000.00, 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 Mary Marin, at a cost to the Town of East Hampton not to exceed \$295,000.00 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 May 7, 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 April 23, 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 May 7, 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 54 Lincoln Rd., Montauk reputedly owned by Mary Marin, and consisting of approximately .3 acres of land, at a cost to the Town of East Hampton not to exceed \$250,000.00 plus reasonable survey, title, prorated tax, and recording charges, said property being described on the Suffolk County Tax Map as SCTM #300-70-4-23

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: April 16, 2015

**FINANCIAL IMPACT:**

No impact for SPH NPH

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-444**

Meeting: 04/16/15 06:30 PM

Department: Town Attorney

Category: Local Law Public Hearing

Prepared By: Beth Baldwin

Initiator: Beth Baldwin

Sponsors: Councilwoman Sylvia Overby

DOC ID: 15259

## Florist or Flower Shop in LBO NPH

### Florist or Flower Shop in LBO

**BE IT RESOLVED**, that a public hearing is hereby scheduled to be held on a proposed Local Law amending Chapter 255 of the East Hampton Town Code order to create a florist or flower shop use definition and to allow said use in a Limited Business Overlay District, as more fully set forth in the text of the Local Law, said hearing to be held at the Town Hall Meeting Room, East Hampton Town Hall, 159 Pantigo Road, East Hampton, on May 7, 2015, at 6:30 p.m. or as soon thereafter as this matter may be heard, and said proposed Local Law to read as follows:

Introductory No. of 2015

Local Law No. of 2015

A Local Law providing for the amendment of Chapter 255 ("ZONING") of the East Hampton Town Code to read as follows:

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

#### **SECTION I. Findings and Objectives**

The Town Board would like to amend the Town Code to allow a florist or flower shop in a Limited Business Overlay District. Pursuant to the Town Code, a flower shop is considered a retail store, which is prohibited in Limited Business Overlay Districts. Retail stores were prohibited from this district because it was felt that this category may include a large number of uses which are high intensity uses. A Limited Business Overlay District should only permit uses that are low intensity uses that generate low amounts of foot and vehicular traffic. Moreover, these uses must be designed and must function so as to protect nearby residences and the essential residential character of the district and community as a whole. The Town Board finds that a flower shop is a low intensity use and should not be generalized under the retail store category.

#### **SECTION II. Town Code Amended**

##### **§ 255-1-20. Definitions.**

##### **FLORIST OR FLOWER SHOP**

A business use primarily conducted indoors, which provides prepackaged and custom flower and

plant arrangements by special order at retail along with accompanying goods such as vases, decorative pottery and similar container items. Items are not grown on site and are not sold wholesale. Usually includes indoor refrigeration units to keep flowers fresh, and delivery vans. Compare “Garden Center”.

**§255-5-50 Specific safeguards and standards.**

**FLORIST OR FLOWER SHOP**

- (1) Outdoor sale of items shall be prohibited.
- (2) The sale of outdoor display items shall be prohibited.

**Town of East Hampton**

**Section 255-11-10**

**II. Use Table Commercial Uses; Part 1**

Use Codes: P = Permitted use  
 SP = Special permit use  
 X = Prohibited use

Use	Residential Districts								LBO	Commercial Districts					Commercial Service CS	Special District PC	
	A10	A5	A3	A2	A	B	MF	AHO		RS	NB	CB	WF	CI			
A. Business uses																	
(X) Florist or Flower Shop	X	X	X	X	X	X	X	X	SP	SP	P	P	SP	X	X		X

**§ 255-11-45. Schedule of off-street parking requirements.**

**Schedule of Off-Street Parking Requirements**

Use	Number of Spaces Required
Commercial	
(X) Florist or Flower Shop	1 per 180 square feet of gross floor area

**SECTION III. Severability**

Should any part or provision of this Local Law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

**SECTION IV. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State as required by law.

now, therefore, be it

RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Public Hearing in the April 23, 2015 edition of the EAST HAMPTON STAR:

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of East Hampton will hold a public hearing at Town Hall, 159 Pantigo Road, East Hampton, New York, on Thursday, May 7, 2015, at 6:30 p.m., or as soon thereafter as this matter may be heard, to consider comments of all persons regarding the amendment of Chapter 255 ("ZONING") of the East Hampton Town Code in order to create a florist or flower shop use definition and to allow said use in a Limited Business Overlay district.

Any person who wishes to be heard with regard to the proposed local law may appear in person or by agent at the time of the hearing or by correspondence addressed to the East Hampton 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 the hearing.

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

### LOCAL LAW ABSTRACT

Intro. # of 2015

This proposed local law amends Chapter 255 (ZONING) of the East Hampton Town Code in order to create a florist or flower shop use definition and to allow said use in a Limited Business Overlay District.

DATED: APRIL 16, 2015

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW YORK  
CAROLE BRENNAN, TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-445**

Meeting: 04/16/15 06:30 PM

Department: Purchasing

Category: Bids to Notice

Prepared By: Jeanne Carroza

Initiator: Jeanne Carroza

Sponsors: Councilwoman Sylvia Overby

DOC ID: 15238 A

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**Notice to Bidders -EH15-016 - Camp Hero Wastewater  
Systems Operations & Maintenance Services Bid Available  
April 16, 2015 - Bid Due April 30, 2015**

WHEREAS, the Town of East Hampton wishes to solicit bids for Camp Hero Wastewater Systems Operations & Maintenance Services ;  
be it,

RESOLVED, 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, on April 30, 2015 at 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Camp Hero Wastewater Systems  
Operations & Maintenance Services

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 April 16, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked "Camp Hero Wastewater Systems Operations & Maintenance Services "

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:

Bid #	Name	Opening Date
EH15-016	Camp Hero Wastewater Systems Operations & Maintenance Services	April 30, 2015

and, be it further

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



**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Sylvia Overby, Councilwoman  
**SECONDER:**   Fred Overton, Councilman  
**AYES:**         Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-446**

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Agreements, Contracts  
Prepared By: John Jilnicki  
Initiator: John Jilnicki  
Sponsors: Councilwoman Sylvia Overby  
DOC ID: 15232 A

**Change Order#1 - Camp Hero Emergency Upgrades**

WHEREAS, the Town Board solicited bids for Camp Hero Wastewater Management System Emergency Upgrades, Bid No. EH14-047, and awarded the work to Clear River Environmental, Inc. by Resolution #2014-1490; and

WHEREAS, total costs for such work pursuant to such bid is \$18,740.00; and

WHEREAS, long term repair work is anticipated to occur at the facility in the coming months and as a result, part of the work included in the specifications for Bid Bo. EH14-047 will be rendered unnecessary, and the Town's Consulting Engineer, Lombardo Associates, Inc. has recommended Change Order #1 to delete such work, consisting of item #1, Upper Pump Station New Floats and Wiring, at a cost savings to the Town of \$3,500.00; now, therefore, be it

RESOLVED, that Change Order #1 is hereby approved by the Town Board, and the Specifications for Bid No. EH14-047 are hereby amended to delete Item #1, Upper Pump Station New Floats and Wiring; and be it further

RESOLVED that Supervisor is hereby authorized to execute Change Order #1 on behalf of the Town of East Hampton; and be it further

RESOLVED, that the total contract cost for Bid No. EH-14-047 is hereby amended to \$15,240.00 to be paid from Budget line SS1 8130 54550.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Easement  
Prepared By: John Jilnicki  
Initiator: John Jilnicki  
Sponsors: Councilwoman Sylvia Overby  
DOC ID: 15204

**ADOPTED**

**RESOLUTION 2015-447**

**Accept Road Widening Easement**

Accept Road Widening Easement

WHEREAS, pursuant to Local Law No. 2 of 1976, the Town Board of the Town of East Hampton adopted Urban Renewal Plans covering lot layout and improvements for old filed maps; and

WHEREAS, said plan calls for submission of easements by certain property owners to the Town for the purpose of permitting widening and other improvements to specified roads in the subdivision which are to be used to provide access to the urban renewal parcels located therein; and

WHEREAS, in accordance with the plans, property owners have submitted road widening easements set forth below; and

WHEREAS, Counsel to the Planning Board and the Town Attorney have reviewed and approved these road widening easements, now, therefore, be it

RESOLVED, that the Town Board approves and accepts these easements and directs the Town Clerk to return the easements to the grantors for recording in the Office of the Suffolk County Clerk, and be it further

RESOLVED, that the Grantor is to return a conformed copy of said easement to the Town Clerk for disbursement prior to issuance of a building permit.

GRANTOR	UR MAP NAME AND NUMBER	ROAD NAME TYPE LOCATION	DATE
Catherine E. Trembley Michael Trembley 125 Stephens Hand Path East Hampton, NY 11937	URP 9A in EH-5 Map 480, Sec. 1A Lots 97-104 TM-0300-116-3-13.2	Montauk Ave. Rd widening	12/13/07

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Approvals  
Prepared By: Christina Arkinson  
Initiator: Elizabeth Vail  
Sponsors: Councilwoman Sylvia Overby  
DOC ID: 15220 A

**ADOPTED**

**RESOLUTION 2015-448**

**Retain Engineer-FPM, Group, Ltd. Methane Monitoring at Springs Fireplace Road and Montauk Landfill 2015**

WHEREAS, the Town of East Hampton has installed various methane monitoring wells at and around the Springs-Fireplace Road Landfill and the Montauk Landfill; and

WHEREAS, in accordance with the current New York State Department of Environmental Conservation (NYSDEC) approved monitoring schedule, the Town must retain the services of a licensed professional engineer to perform quarterly monitoring of the wells; and

WHEREAS, FPM Group, Ltd. has performed the monitoring of these wells for many years and are fully familiar with the requirements of the DEC as well as the specific circumstances of each landfill, and has submitted proposals to conduct the methane monitoring for both the Springs-Fireplace Road Landfill and the Montauk Landfill for 2015; and

WHEREAS, the Town Board wishes to retain the services of FPM Group, Ltd. to perform the required monitoring for 2015; now, therefore, be it

RESOLVED, that FPM Group, Ltd. is hereby retained to perform methane monitoring services for the Springs-Fireplace Road Landfill and the Montauk Landfill for the 2015 calendar year, at a cost not to exceed \$60,191.99 For the Montauk Landfill and \$62,872.45 For the Springs-Fireplace Road landfill, said costs to be paid from budget account # SR8160-54900.

**FINANCIAL IMPACT:**

a cost not to exceed \$60,191.99 or the Montauk Landfill and \$62,872.45 for the Springs-Fireplace Road landfill, said costs to be paid from budget account # SR8160-54900.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-449**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Councilman Fred Overton

DOC ID: 15274

## **BOND - \$8,000 Acquisition of Boat for Marine Patrol**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF a BOAT FOR THE MARINE PATROL UNIT, INCLUDING APPARATUS AND EQUIPMENT USED IN CONNECTION THEREWITH, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$8,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$8,000 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 boat for the Marine Patrol Unit, including apparatus and equipment use in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,000 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 \$8,000 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 \$8,000 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 to be issued, within the limitations of Section 11.00 a. 26 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 April 16, 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 April 16, 2015, authorizing the acquisition of a boat for the Marine Patrol Unit, including apparatus and equipment used in connection therewith, stating the estimated maximum cost thereof is \$8,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$8,000 bonds to finance said appropriation," an

abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of a boat for the Marine Patrol Unit, including apparatus and equipment used in connection therewith; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,000; 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 \$8,000 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 Town's General Fund - Townwide, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$8,000 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 object or purpose 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 \$8,000 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: April 16, 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Fred Overton, Councilman
<b>SECONDER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-450**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Councilman Fred Overton

DOC ID: 15278

## **BOND - \$75,000 Additional Monies Record Digitization System**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF A RECORD DIGITIZATION SYSTEM FOR USE BY THE TOWN'S BUILDING DEPARTMENT AND FIRE MARSHALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING \$75,000 IN ADDITION TO THE \$75,000 HERETOFORE APPROPRIATED FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$75,000, IN ADDITION TO THE \$75,000 BONDS HERETOFORE AUTHORIZED

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 record digitization system for use by the Town's Building Department and Fire Marshall. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and \$75,000 is hereby appropriated for such purpose, in addition to the \$75,000 heretofore appropriated. The plan of financing includes the issuance of the \$75,000 bonds to finance said additional appropriation, in addition to the \$75,000 bonds heretofore authorized pursuant to the bond resolution duly adopted by the Town Board on June 20, 2013, 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, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$75,000 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Fred Overton, Councilman
<b>SECONDER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-451**

Meeting: 04/16/15 06:30 PM  
Department: Town Clerk  
Category: Permits - Gatherings  
Prepared By: Carole A. Brennan  
Initiator: Carole A. Brennan  
Sponsors: Councilman Fred Overton  
DOC ID: 15248 A

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## Approval of Various Gathering Permits

RESOLVED, that the following gathering permits are hereby approved with the conditions agreed upon by the reviewing committee:

- Montauk Lions Club Arts & Crafts Fair - September 5 & 6
- Devon Yacht Club - Sailing Regatta - August 12
- American Heart Assoc. - Ride - May 16
- Devon Yacht Club - End of Season - September 26
- Devon Yacht Club - Dinner - July 25
- Devon Yacht Club - 4th of July Fireworks - July 4
- East Hampton Rotary - Run - August 1
- Wounded Warrior - Soldier Ride - July 18
- Montauk Sports - Triathlon - June 13
- National MS Society - Bike Ride - September 12
- Ross School - Starlight Ball - May 9
- Farmers Market - Nick & Toni's - Fridays May 22 - Sept. 4

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Fred Overton, Councilman
<b>SECONDER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



Pool House	\$50.00 sq. ft.
Retail Business: Restaurant, Store, Service Station	\$100.00 sq. ft.
Residence: Single family (Less than 3,500 sq. ft. )	
First Floor	\$75.00 sq. ft
Second Floor	\$50.00 sq. ft.
Residence: Single family (3,500 sq. ft. and greater)	
First Floor	\$125.00 sq. ft
Second Floor	\$75.00 sq. ft.
Residence: Multiple	
First Floor	\$125.00 sq. ft.
Second Floor	\$75.00 sq. ft.
Riding Academy, Barn, Stables	\$30.00 sq. ft.
School, Church, Public Library	No Charge
Studio, Artist or Craftsmen	\$30.00 sq. ft.
Swimming Pool, Residential or Commercial (vinyl)	\$40.00 sq. ft.
Swimming Pool, Residential or Commercial (Gunite or concrete)	Contract price of construction
Tennis Court or Sports Court	\$46,000 per court
Warehouse, Factory, Hanger, etc.	\$100.00 sq. ft.

and therefore be it further

RESOLVED, that these estimated costs of construction shall be effective immediately upon adoption of this Resolution; and be it further,

RESOLVED, that the fee charged for building permits shall remain at \$50.00 for the first \$1,000 of estimated construction costs plus \$10.00 for each additional \$1,000.00 of estimated construction costs; and be it further

RESOLVED, that the fee for requesting an extension of a building permit shall be the same fee as the original permit fee reduced by the Certificate of Occupancy Fee collected as if (only two extensions permitted); and be it further,

RESOLVED, that the fee for amending a building permit shall be \$50 dollars plus the estimated construction cost fee calculation of any additional square footage or other

features added to the project; and be it further,

RESOLVED, that the fee for obtaining a Certificate of Occupancy shall be \$200 dollars; and be it further,

RESOLVED, that the fee for requesting a Letter of Buildability shall be \$100 dollars; and be it further,

RESOLVED, that the fee for a building permit application for construction work that has already commenced shall be double the amount of the fee that would be applicable if permit issued prior to work commencing.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Fred Overton, Councilman
<b>SECONDER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-453**

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Accepted  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilman Fred Overton  
DOC ID: 15218 A

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**Accept Bid - EH15-009 - Annual Contract for the Supply & Delivery of International Truck Parts 2015 - Syosset Truck Sales, Inc.**

WHEREAS, the Town Board solicited bids for the supply & delivery of International Truck Parts, EH15-009 ; and

WHEREAS, the bid of Syosset Truck Sales, Inc. was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by Jeanne Carroza, CPPB the Town's Purchasing Agent; and she has recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the bid of Syosset Truck Sales, Inc. is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor.

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Fred Overton, Councilman  
**SECONDER:**       Kathee Burke-Gonzalez, Councilwoman  
**AYES:**             Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-454**

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Accepted  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilman Fred Overton  
DOC ID: 15233 A

**Accept Bid EH15-011, Annual Contract for the Supply & Delivery of Hino Truck Parts 2015 - Gabrielli Truck Sales, LTD**

WHEREAS, the Town Board solicited bids for the supply & delivery of Hino Truck Parts, EH15-011 ; and

WHEREAS, the bid of Gabrielli Truck Sales LTD, was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by Jeanne Carroza, CPPB the Town's Purchasing Agent; and she has recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the bid of Gabrielli Truck Sales LTD, is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Fred Overton, Councilman
<b>SECONDER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-455**

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Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Accepted  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Councilman Fred Overton  
DOC ID: 15234 A

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## **Accept Bid EH15-010, Annual Contract for The Supply & Delivery of Mitsubishi Truck Parts 2015 - Syosset Truck Parts**

WHEREAS, the Town Board solicited bids for the supply & delivery of Mitsubishi Truck Parts 2015, EH15-010 ; and

WHEREAS, the bid of Syosset Truck Sales, Inc. was the lowest bid received meeting the bid specifications and being in proper form; and

WHEREAS, the bids submitted have been reviewed by Jeanne Carroza, CPPB the Town's Purchasing Agent; and she has recommended the award of the bid to the lowest responsive, responsible bidder; now, therefore, be it

RESOLVED, that the bid of Syosset Truck Sales, Inc. is hereby accepted, and the Purchasing Agent is hereby authorized to issue purchase orders in accordance with the Town's bid specifications and the bid submission of the contractor.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Fred Overton, Councilman
<b>SECONDER:</b>	Kathee Burke-Gonzalez, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-456**

Meeting: 04/16/15 06:30 PM

Department: Town Attorney

Category: Bond SEQRA

Prepared By: Elizabeth Vail

Initiator: Elizabeth Vail

Sponsors: Supervisor Larry Cantwell

DOC ID: 15265

## SEQRA for Bond Resolution- Acquisition of Property, Montauk

WHEREAS, the Town Board of the Town of East Hampton seeks, upon the issuance of bonds therefore, to authorize the purchase of 84 South Euclid Avenue, Montauk for general municipal purposes; and

WHEREAS, pursuant to the recommendations from the Planning Board and Planning Department, the purchase of the 13,176 square foot property is intended for the creation of a municipal parking lot; and

WHEREAS, the purchase of the subject property constitutes an Unlisted Action pursuant to the New York State Environmental Quality Review Act ("SEQRA") and Chapter 128 of the Town Code; and

WHEREAS, the Town Board has prepared and considered an Environmental Assessment Form which evaluates the potential environmental impacts of the proposed action; and

WHEREAS, the Board has determined that the purchase of this property for the municipal use of establishing a parking lot will not have a significant negative impact upon the environment; and now, therefore be it

RESOLVED, that a negative declaration is hereby made pursuant to SEQRA.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-457**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Supervisor Larry Cantwell

DOC ID: 15269

## **BOND - \$20,000 Body Armor Police Department**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF BODY ARMOR FOR USE BY THE POLICE DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$20,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000 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 body armor for the use by Police Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$20,000 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 \$20,000 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 - Part Town, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$20,000 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 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-458**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Supervisor Larry Cantwell

DOC ID: 15271

## **BOND - \$535,000 Acquisition of Montauk Property for Public Use**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF A PARCEL OF REAL PROPERTY LOCATED IN MONTAUK FOR PUBLIC USE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$535,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$535,000 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 Montauk (Section 49, Block 1, and Lot 18) for public use. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$535,000 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 \$535,000 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 \$535,000 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 to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) 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 April 16, 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 April 16, 2015, authorizing the acquisition of a parcel of real property located in Montauk for public use, stating the estimated maximum cost thereof is \$535,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to

exceed \$535,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of a parcel of real property located in Montauk (Section 49, Block 1, and Lot 18) for public use; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$535,000; 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 \$535,000 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 Town's General Fund - Townwide, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$535,000 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 purpose for which said bonds are authorized to be issued is thirty (30) 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 \$535,000 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: April 16, 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.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Larry Cantwell, Supervisor  
**SECONDER:**   Peter Van Scoyoc, Councilman  
**AYES:**         Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-459**

Meeting: 04/16/15 06:30 PM

Department: Town Clerk

Category: Bond

Prepared By: Carole A. Brennan

Initiator: Carole A. Brennan

Sponsors: Supervisor Larry Cantwell

DOC ID: 15277

## **BOND - \$102,000 Acquisition of Equipment for Police Dept.**

BOND RESOLUTION OF THE TOWN OF EAST HAMPTON, SUFFOLK COUNTY, NEW YORK, ADOPTED APRIL 16, 2015, AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE POLICE DEPARTMENT, STATING THE ESTIMATED TOTAL COST THEREOF IS \$102,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$102,000 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 various equipment for use by the Police Department, including: (i) computers and radios for police cars, at the estimated maximum cost of \$65,000; and (ii) tower equipment for the radio system, at the estimated maximum cost of \$37,000. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$102,000 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 \$102,000 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 - Part Town, as determined by the Town Board.

Section 2. Bonds of the Town in the principal amount of not to exceed \$102,000 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 to be issued, within the limitations of Section 11.00 a. 25 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 April 16, 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 April 16, 2015, authorizing the acquisition of various equipment for use by the Police Department, stating the estimated total cost thereof is \$102,000, appropriating said amount for such purpose and authorizing the issuance of bonds in the principal amount of not to exceed \$102,000 bonds to finance said appropriation," an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the acquisition of various equipment for use by the Police Department, including: (i) computer and radios for police cars, at the estimated maximum cost of \$65,000; and (ii) tower equipment for the radio system, at the estimated maximum cost of \$37,000; STATING the estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$102,000; 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 \$102,000 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 Town's General Fund - Part Town, as determined by the Town Board;

SECOND: AUTHORIZING the issuance of not to exceed \$102,000 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 object or purpose 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 \$102,000 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: April 16, 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.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Larry Cantwell, Supervisor  
**SECONDER:**   Peter Van Scoyoc, Councilman  
**AYES:**         Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-460**

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Local Law Public Hearing  
Prepared By: Michael Sendlenski  
Initiator: Michael Sendlenski  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15164

**Notice of Public Hearing to Consider Amending Chapter 255 (Zoning), Section 255-11-38 (Fences and Walls), of the Town Code to Regulate Deer Fencing and Exempt Certain Deer Fencing from Architectural Review Board Approval Requirements**

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on May 7, 2015 at 6:30 p.m., 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 Sections 255-11-38 (Fences and Walls) to regulate deer fencing and exempt certain deer fencing from Architectural Review Board approval requirements and provide for administrative approval for those fences through the Building Department":

LOCAL LAW NO. OF 2015

LOCAL LAW amending Sections 255-11-38 (Fences and Walls) to regulate deer fencing and exempt certain deer fencing from Architectural Review Board approval requirements and provide for administrative approval for those fences through the Building Department.

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

**SECTION 1.** Legislative Intent.

This legislation is intended to exempt certain deer fencing from review by the Architectural Review Board and instead provide administrative approval of said fencing by the Building Department provided the fencing meets certain requirements.

**SECTION 2.** Amendment.

Section 255-11-38, (Fences and Walls), of the East Hampton Town Code is hereby amended by deleting the stricken words and adding the underlined words as follows:

The following regulations shall apply to all fences and walls in all districts unless otherwise indicated:

A. Building permits. The erection, enlargement, alteration or removal of the following types of fences and walls shall require a building permit:

- (1) A fence or wall greater than four feet in height and located within the required front yard area of any lot;
- (2) A fence or wall over six feet in height, in any location;
- (3) Any fence or wall for which site plan approval is required.

B. Architectural review. Architectural and design review shall be required for any fence or

wall for which a building permit is required by this section except that Architectural Review Board review and approval shall not be required for fences that are in compliance with all other requirements of this Chapter and meet all of the following criteria:

- 1) the fence is constructed of either 2" square black wire field fencing between 6 and 8 feet in height or black wire farm and field agricultural fencing; and,
- 2) the fence posts are made of 2" black metal poles; and,
- 3) the area enclosed by the fence is less than 50% of the area of the parcel; and,
- 4) the fence will be installed along only two property lines and is more than 20 feet away from running along the remaining property lines; and,
- 5) the installation of the fence is not subject to site plan review

The provisions of § 255-11-34D and E regarding review of berms shall apply to such walls and fences.

C. Height limits.

(1) The height of a fence or wall shall be the vertical distance from any point on the top of the fence or wall (exclusive of plantings) to the existing natural grade at the base of the fence or wall at that point. A fence located on the top of a wall shall for all purposes be deemed to be part of the wall.

(2) Fences and walls shall not exceed eight feet in height, but upon a written finding by the Architectural Review Board of exceptional circumstances related to high levels of ambient noise, light, or property damage from animals which cannot be abated by the landowner and from which protection is needed, or of public interest considerations, fences and walls of up to 10 feet in height may be authorized. Notwithstanding the preceding sentence, no fence or wall located on a residential property in a yard fronting on a public street shall exceed six feet in height.

D. Setbacks for fences and walls. No wall or fence for which a building permit is required by this section, wherever located, shall violate the setback limitations of § 255-11-74A and B (setbacks from scenic easements and setbacks on corner lots), but fences and walls need not comply with § 255-11-72D, Pyramid law.

**SECTION 6.** Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3) and Town Law §261.

**SECTION 7.** 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 8.** Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

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

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing shall be held on **May 7, 2015 at 6:30 p.m.**, or as soon thereafter as may 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: "LOCAL LAW amending Sections 255-11-38 (Fences and Walls) to regulate deer fencing and exempt certain deer fencing from Architectural Review Board approval requirements and provide for administrative approval for those fences through the Building Department."

Summary of Proposed Law

This proposed local law will exempt certain deer fencing from Architectural Review Board approval requirements and provide for administrative approval for those fences meeting certain criteria by the Building Department

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

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW YORK  
CAROLE BRENNAN, TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-461**

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Local Law Public Hearing  
Prepared By: Elizabeth Vail  
Initiator: Elizabeth Vail  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15225

**Notice of Public Hearing to Amend the Effective Date of  
Section 82-5 (Alcohol Restricted Beach Areas) of the Town  
Code to Prohibit Alcohol at Indian Wells Beach, Amagansett  
for 2015**

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on May 7, 2015 at 6:30 p.m., 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 the effective date of section 82-5 (Alcohol Restricted Beach Areas) of Town Code Chapter 82 (Peace and Good Order) in order to restrict alcohol at Indian Wells beach for 2015" which provides as follows:

LOCAL LAW NO. OF 2015

A LOCAL LAW amending the effective date of section 82-5 (Alcohol Restricted Beach Areas) of Town Code Chapter 82 (Peace and Good Order) in order to restrict alcohol at Indian Wells beach for 2015.

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

**SECTION 1.** Legislative Intent.

The Town Board of the Town of East Hampton restricted alcohol at Indian Wells within 1,000 feet of the road endings, during the hours of lifeguard protection on Saturdays, Sundays and holidays until September 30, 2014. While the Town Code does provide, in Chapter 82, that alcohol consumption is prohibited in public places, a beach has to be specifically posted to indicate that alcohol is prohibited. Additionally, the Town Board wished to provide the public with adequate notice by codifying the specific bathing beaches, areas, days and hours within which alcohol and alcohol consumption was prohibited. This local law provides that the restriction on alcohol at Indian Wells beach shall be extended for the upcoming summer season until September 30, 2015.

**SECTION 2.** Amendment.

**SECTION 3.** Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(11) and (12), Town Law §130(11), NYS Constitution Article IX, Section 2(c)(10) and Town Law §64.

**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 shall terminate on **September 30, 2015**.

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

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing shall be held on **May 7, 2015 at 6:30 p.m.**, 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 the effective date of section 82-5 (Alcohol Restricted Beach Areas) of Town Code Chapter 82 (Peace and Good Order) in order to restrict alcohol at Indian Wells beach for 2015."

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

BY ORDER OF THE TOWN BOARD  
TOWN OF EAST HAMPTON, NEW YORK  
CAROLE BRENNAN, TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-462**

Meeting: 04/16/15 06:30 PM  
Department: Bookkeeping  
Category: Budget  
Prepared By: Charlene G. Kagel  
Initiator: Charlene G. Kagel  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15188 A

**Amend Police Budget for Small Tools and Equipment**

Whereas, the Police Department needs purchase small supply items for that were budgeted for in Other Equipment when it is more appropriate to charge these items to Small Tools ; and now be it

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

From:

Budget Line: B3120.526000 Other Equipment in the amount of \$ 309.04

To:

Budget Line: B3120.54850 Small Tools and Equip. In the amount of \$ 309.04

**FINANCIAL IMPACT:**

Transfer within lines, budget neutral

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-463**

Meeting: 04/16/15 06:30 PM  
Department: Bookkeeping  
Category: Approvals  
Prepared By: Charlene G. Kagel  
Initiator: Charlene G. Kagel  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15221

**Amend Resolution 2015-277 HR- CPI Benefits Advisors-  
ACA Compliance**

WHEREAS, the Town is required to comply with the provisions of the Federal Affordable Care Act (ACA) and must establish policies and procedures to implement this requirement; and

WHEREAS, HR -CPI Benefits Advisors have been retained to assist the town with the ACA implementation and compliance, and as Phase II of the implementation will provide an annual subscription to web based software that will allow the town to monitor employee eligibility and prepare IRS reporting, therefore, be it

RESOLVED, that the contract with HR-CPI Benefits Advisors is hereby amended to include the annual software subscription contract for the term 5/1/2015-4/30/2016, at an additional cost not to exceed \$8,000.00 which will be paid in 2016; and be it further

RESOLVED, the Supervisor is hereby authorized to sign the agreement for these services

RESOLVED, that payment to HR CPI Benefits Consultants shall be made upon review and approval from the 2016 Budget Account #A 1315 54520

**FINANCIAL IMPACT:**

\$8,000 to be paid from A 1315 54520 (2016 Budget)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-464**

Meeting: 04/16/15 06:30 PM

Department: Police Department

Category: Appointments

Prepared By: Florence Stone

Initiator: Michael Sarlo

Sponsors: Supervisor Larry Cantwell

DOC ID: 15252

## Appoint John Clafin Lieutenant of East Hampton Town Police

WHEREAS, Suffolk County Department of Civil Service has given an examination for Police Lieutenant and **John Clafin** is immediately reachable, on said list, now therefore be it,

RESOLVED, that **John Clafin** be and he is hereby appointed to the full-time position of Lieutenant with the Town Police Department, at an annual salary of **\$136,862.82** Payable biweekly from budget account #**B3120-51100**, said appointment to take effect **April 19, 2015** and be it further

RESOLVED, that the probationary period for this appointment be for the period of 6 Months and be it further

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

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids Rejected  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15239

**ADOPTED**

**RESOLUTION 2015-465**

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**Reject Bid #EH15-008 - Mobile Concessions for Select Town Beaches 2015**

WHEREAS, the Town Board did solicit bids for Mobile Concessions for Select Town Beaches 2015; and

WHEREAS, the Town Board of the Town of East Hampton reserves the right to waive any informalities in bids received, and/or reject any and all bids; now, therefore, be it

RESOLVED, that the Town Board hereby rejects all bids submitted in response to the Purchasing Agent's Notice to Bidders dated March 12, 2015 and the Purchasing Agent is directed to send a copy of this resolution to all parties submitting bids.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids to Notice  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15236

**ADOPTED**

**RESOLUTION 2015-466**

**Notice to Bidders - Mobile Food Concessions for Select Town Beaches 2015 Re-Bid - Bid # EH15-018 - Specs Available April 16, 2015- Bid Opening April 23, 2015**

WHEREAS, the Town of East Hampton wishes to solicit bids for Mobile Food Concessions; be it,

RESOLVED, 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, on April 23, 2015 at 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Mobile Food Concessions for Select Town Beaches 2015 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 on April 16, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked "Mobile Food Concessions for Select Town Beaches 2015 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 3:00 p.m. on the date noted, at which time they will be opened and publicly read aloud:

Bid #	Name	Opening Date
EH15-018	Mobile Food Concessions for Select Town Beaches 2015 Re-Bid	April 23, 2015

and, be it further

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

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Larry Cantwell, Supervisor  
**SECONDER:**   Peter Van Scoyoc, Councilman  
**AYES:**         Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Bids to Notice  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15235

**ADOPTED**

**RESOLUTION 2015-467**

**Notice to Bidders - EH15-015 - Supply, Delivery & Install Roof Mounted Scene Light for Interceptor Van Bid Available April 16, 2015 - Bid Due April 30, 2015**

WHEREAS, the Town of East Hampton wishes to purchase equipment and/or supplies in excess of \$20,000.00; and

WHEREAS, pursuant to GML 103 all purchases of similar equipment and supplies that will exceed \$20,000.00 shall be formally bid, now, therefore, be it

RESOLVED, 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, on April 30, 2015 at 3:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Supply, Delivery & Install  
Roof Mounted Scene Light for Interceptor Van

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 April 16, 2015. These specifications have met with the approval of the Purchasing Department.

Each proposal must be submitted in a sealed envelope clearly marked "Supply, Delivery & Install Roof Mounted Scene Light for Interceptor Van"

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:

Bid #	Name	Opening Date
EH15-015	Supply, Delivery & Install Roof Mounted Scene Light for Interceptor Van	April 30, 2015

and, be it further

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

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Larry Cantwell, Supervisor  
**SECONDER:**   Peter Van Scoyoc, Councilman  
**AYES:**         Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell





**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**ADOPTED**

**RESOLUTION 2015-468**

Meeting: 04/16/15 06:30 PM  
Department: Purchasing  
Category: Conference  
Prepared By: Jeanne Carroza  
Initiator: Jeanne Carroza  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15240

**Attend SAMPO (NYS Association of Municipal Purchasing Officials) Conference -May 11-15, 2015, Albany, NY - Jeanne Carroza**

WHEREAS, the State Association of Municipal Purchasing Officials are conducting the Annual Spring Conference in Lake George, NY, May 11-15, 2015; and be it further

RESOLVED, that Jeanne Carroza, is hereby authorized to attend said conference; and, be it further

RESOLVED, that all expenses are to be paid by the Association and no costs are to be incurred by the Town.

**FINANCIAL IMPACT:**

no costs incurred by the Town - paid by SAMPO

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

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**ADOPTED**

**RESOLUTION 2015-469**

Meeting: 04/16/15 06:30 PM  
Department: Town Attorney  
Category: Approvals  
Prepared By: Christina Arkinson  
Initiator: Beth Baldwin  
Sponsors: Supervisor Larry Cantwell  
DOC ID: 15247

**Refund CPF - First Time Home Buyer Exemption**

WHEREAS, on August 23, 2013 premises located at 149 Mulford Lane, Amagansett in the Town of East Hampton, was conveyed to a First-Time Homebuyer who erroneously paid the Community Preservation Fund transfer tax, being unaware of the availability of the First-Time Homebuyer exemption; and

WHEREAS, an amended Peconic Bay Region Community Preservation fund form has been submitted to the Town together with proof of payment of the Community Preservation Fund tax previously paid to the County; and

WHEREAS, the same has been reviewed by the Town Attorney, and a refund of the Community Preservation Fund tax paid is found appropriate based upon the information provided by the property owner and the amended form; now, therefore, be it

RESOLVED, that the Town Bookkeeping Department is hereby authorized to issue payment from account CAO-41092, to Vashali M. Aggarwal in the amount of \$5,200.00, said payment to be forwarded to Vashali M. Aggarwal at P.O. Box 1778, Amagansett, N.Y. 11930

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Cantwell, Supervisor
<b>SECONDER:</b>	Peter Van Scoyoc, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road  
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**ADOPTED**

**RESOLUTION 2015-470**

Meeting: 04/16/15 06:30 PM

Department: Town Attorney

Category: Easement

Prepared By: Maura Gledhill

Initiator: Beth Baldwin

Sponsors: Councilwoman Sylvia Overby

DOC ID: 15133

## Nadel and Seminski Accept Grant of Scenic and Conservation Easement

WHEREAS, a public hearing was held by the Town Board of the Town of East Hampton on April 16, 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: Matthew Nadel and Amy Seminski  
 TYPE OF EASEMENT: Scenic and Conservation Easement  
 DATE OF EASEMENT: February 18, 2015  
 LOCATION: 18 Sandpiper Lane, Amagansett  
 SCTM #300-175-04-7  
 REVIEWING AGENCY: Zoning Board of Appeals

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sylvia Overby, Councilwoman
<b>SECONDER:</b>	Fred Overton, Councilman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell



**East Hampton Town Board**

159 Pantigo Road

East Hampton, NY 11937

Meeting: 04/16/15 06:30 PM  
 Department: Town Board  
 Prepared By: Barbara Claflin  
 Initiator: Barbara Claflin  
 Sponsors: Councilman Fred Overton  
 DOC ID: 15279 A

**ADOPTED**

**RESOLUTION 2015-471**

**Retain George Walbridge Surveyors, P.C. for Professional Services to Define Property Line - South Flora Nature Preserve**

WHEREAS, the Town has need of an updated survey to locate the eastern edge of pavement along Dolphin Drive and define the property line every 125' and depict the distance from the stakes to the edge of pavement on a portion of the South Flora Nature Preserve (SCTM #300-130-2-2.1); now, therefore be it

RESOLVED, that the firm of George Walbridge Surveyors, P.C. is hereby retained to perform the required survey as referenced above for a cost not to exceed \$2,000.00, to be taken from Budget Account #A1940.54102; and, be it further

RESOLVED, the Town Clerk is hereby requested to forward a copy of this resolution to Walbridge Surveyors, P.C.

**FINANCIAL IMPACT:**

Total Survey Cost: \$2,000.00 from Budget Account #A1940.54102

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Fred Overton, Councilman
<b>SECONDER:</b>	Sylvia Overby, Councilwoman
<b>AYES:</b>	Burke-Gonzalez, Van Scoyoc, Overby, Overton, Cantwell