

| | | | | | | |
|--|------------------|-------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | Peter Van Scoyoc | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|------------------|-------|-------------------------------------|--------------------------|--------------------------|--------------------------|

10. Resolution 2018-396

Category: Agreements, Contracts
Sponsors: Councilman Jeffrey Bragman
Department: Town Attorney

Retain HMMH for Part 161 Noise Consultant

WHEREAS, HMMH which is an international leader in environmental noise and vibration control and airport and airspace planning, completed the noise studies associated with the adopted airport use restrictions and is the most qualified to undertake the work required in preparing the requisite review and evaluation during the Part 161 process;

RESOLVED, that HMMH is hereby retained to serve as a noise consultant to perform work as directed by the Office of the Town Attorney and outside counsel Cooley, LLP as part of the Part 161 process.

RESOLVED, that HMMH shall be paid for such work at the rates set forth in its proposal in an amount not to exceed \$100,000.00 from the Outside Professional line SX5610 54520, and be it further

RESOLVED, that the Supervisor is authorized and directed to enter into an agreement with HMMH, with said agreement to be subject to the review and approval of the Town Attorney.

| ✓ Vote Record - Resolution RES-2018-396 | | | | | | |
|---|-----------------------|----------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| | | | 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 Withdrawn | | | | | | |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"/> | <input checked="" type="checkbox"/> |
| | David Lys | 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"/> |
| | Jeffrey Bragman | Mover | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Peter Van Scoyoc | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

11. Resolution 2018-397

Category: Agreements, Contracts
Sponsors: Councilman Jeffrey Bragman
Department: Town Attorney

Retain Cooley LLP for Certain Airport Projects

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

WHEREAS, the Town Board adopted three local laws restricting the use of the Airport in an effort to address noise disturbance which have since been enjoined by the Second Circuit Court of Appeals in the case of *Friends of the East Hampton Airport vs. The Town of East Hampton*; and

WHEREAS, local governments know what is right for their community and should have the ability to make local decisions to protect the welfare of its residents and therefore, it is critical that the Town regain local control of its Airport; and,

WHEREAS, the Town wishes to exhaust all options to protect residents from excessive aircraft noise including pursuing a noise control ordinance through the Federal Aviation Administration (FAA) Part 161 process under the Airport Noise and Capacity Act of 1990 ("ANCA"); and,

WHEREAS, attorneys at Cooley, LLP has unique experience and expertise in advising publicly-owned airports on protecting residents from aircraft noise, garnered over decades of devising and defending a variety of such noise mitigation measures; and,

RESOLVED, that the firm of Cooley, LLP is hereby retained to provide legal services to the Town; and,

RESOLVED, that legal fees and expenses shall not exceed \$150,000, with any further expenditures to be subject to review and approval of the Town Board; and,

RESOLVED, that payment to said counselor(s) shall be paid, upon claim vouchers properly submitted; and be it further

RESOLVED, that said legal fees shall be paid out of budget line SX5610-54520 Airport - Outside Professional in an amount not to exceed \$150,000.

| ✓ Vote Record - Resolution RES-2018-397 | | | | | | |
|--|-----------------------|----------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| | | | Yes/Aye | No/Nay | Abstain | Absent |
| <input type="checkbox"/> Adopted | | | | | | |
| <input checked="" type="checkbox"/> Adopted as Amended | Kathee Burke-Gonzalez | Voter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Defeated | David Lys | 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 | Jeffrey Bragman | Mover | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Peter Van Scoyoc | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |