January 3, 2017

The Organizational Meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 3rd day of January, 2017. Town Board members present were Supervisor James Dougherty, Councilmen James Colligan, and Paul D. Shepherd, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and twenty-one persons were also present.

The Supervisor called the meeting to order at 1:00 p. m.

Salute to flag.

Town Justice Mary Faith Westervelt administered the oath of office to the following newly elected Town Officials: Town Justice Helen J. Rosenblum and Councilwoman Amber Brach-Williams.

At 1:09 p. m., the Supervisor declared a recess to allow for a reception in honor of the newly installed Town Officials.

The Supervisor reconvened the Organizational Meeting at 1:20 p. m.

RESOLUTION NO. 1

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the regular meetings of the Town Board of the Town of Shelter Island will be held at 4:30 p. m. in the Shelter Island Town Hall, Shelter Island, New York on the following dates: January 27, February 17, March 10 and 31, April 21, May 12, June 2, and 23, July 14, August 4 and 25, September 15, October 6 and 27, November 17, and December 8, 2017, and

BE IT FURTHER RESOLVED, That work sessions of the Town Board of the Town of Shelter Island will be held in the Shelter Island Town Hall, Shelter Island, New York, at 1 p. m. on the following dates: January 3, 10, 17, 24, and 31, February 7, 14, 21 and 28, March 7,14, 21, and 28, April 4, 11, 18 and 25, May 2, 9, 16, 23, and 30, June 6, 13, 20 and 27, July 5 (Wednesday), 11, 18, and 25, August 1, 8, 15, 22, and 29, September 5, 12, 19, and 26, October 3, 10, 17, 24, and 31, November 8 (Wednesday), 14 and 28, December 5, 12, and 19, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 2

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized to temporarily invest Town funds not needed for immediate expenditure in certificates of deposit or special time deposit accounts in banks or trust companies of this state for highway, general and federal funds, and

BE IT FURTHER RESOLVED, That Chase Bank, Capital One, and Bridgehampton National Bank shall be the official depositories for general, highway and federal funds, and

BE IT FURTHER RESOLVED, That Supervisor James Dougherty, Councilwomen N. Christine Lewis and Amber B. Williams, and Councilmen Paul Shepherd and James Colligan of the Town of Shelter Island are hereby authorized to sign documents, including checks, for the Town of Shelter Island, and

BE IT FURTHER RESOLVED, That Judy Meringer, Barbara Bloom and Kathleen Sullivan are hereby authorized to make transfers of Town funds amongst the designated banks.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 3

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to Section 29 of the Town Law, the Supervisor shall prepare and file with the Town Clerk within thirty days after the expiration of each fiscal year, an annual financial report accounting for all monies received and disbursed by him, and

"Whereas", pursuant to Subsection 10-a of Section 29, the Town Board may determine, by resolution, that the Supervisor shall submit to the Town Clerk within sixty days after the close of the fiscal year, a copy of the report to the state comptroller, now, Therefore

BE IT RESOLVED, That the Supervisor shall submit to the Town Clerk within sixty days after the close of the fiscal year, a copy of the report to the state comptroller required by section thirty of the general municipal law.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 4

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Town officials and employees will be reimbursed, subject to audit, at the rate of $.535 per mile for their mileage on Town business for the year 2017, and

BE IT FURTHER RESOLVED, That Town officials and employees will be reimbursed, subject to audit, for actual and necessary expenses incurred attending training programs and professional meetings which will enhance their job skills, and

BE IT FURTHER RESOLVED, That a request by a Town employee or official for such meetings or travel must receive the prior approval of the Supervisor.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 5

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James Colligan and Councilwomen N. Christine Lewis and Amber Brach-Williams are hereby appointed to serve as Police Commissioners for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 6

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Michelle Congdon is hereby appointed to serve as part time Court Clerk for the year 2017 at the rate of $18.40 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 7

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit

BE IT RESOLVED, That Councilwoman N. Christine Lewis is hereby appointed to serve as Deputy Supervisor for the year 2017, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 8

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Judy Meringer is hereby appointed to serve as Confidential Secretary to the Supervisor for the year 2017, for 30 hours per week, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 9

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Quinn Karpeh is hereby appointed to serve as Tax Administrator and Chairman of the Board of Assessors for the year 2017, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 10

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Jay L. Card, Jr. is hereby appointed to serve as Commissioner of Public Works for the year 2017, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 11

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That John Cronin is hereby appointed to serve as part time Town Engineer for the year 2017, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 12

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Debra Speeches is hereby appointed to serve as Confidential Secretary to the Superintendent of Highways, Commissioner of Public Works and Landfill for the year 2017 for 38 hours per week, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 13

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Delphine Kelly Michalak is hereby appointed to serve as Town Custodian for the year 2017 for 30 hours per week to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 14

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Giovanna Ketcham is hereby appointed to serve as part time Town Custodian at the rate of $20.26 per hour for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 15

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Quinn Karpeh is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00;
for each additional hour at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 16

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Amanda Gutiw is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00;
for each additional hour at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 17

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit

BE IT RESOLVED, That Deborah Brewer is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00;
for each additional hour at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 18

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Catherine Rasmussen is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00;
for each additional hour at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 19

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit

BE IT RESOLVED, That Delphine Kelly Michalak is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00;
for each additional hour at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 20

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Jose Manuel Payano Cruz is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00;
for each additional hour at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 21

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That James Richardson is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00;
for each additional hour at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 22

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Albert L. Labrozzi, Jr. is hereby appointed to serve as Bay Constable for the year 2017, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 23

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Peter Vielbig is hereby appointed to serve as Bay Constable for the year 2017 to be paid at the rate of $23.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 24

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Andrew E. Graffagnino is hereby appointed to serve as part time Police Officer for the year 2017 at the rate of $22.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 25

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Catherine Rasmussen is hereby appointed to serve as School Crossing Guard for the year 2017 at the rate of $26.92 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 26

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Beau Payne is hereby appointed to serve as Animal Control Officer for the year 2017, to be paid at the rate of $56,100.00 per year.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 27

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Jack H. Thilberg is hereby appointed to serve as EMS Director for the Town of Shelter Island for the year 2017, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 28

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board of the Town of Shelter Island hereby authorizes Laury Dowd to act as the MS4 Coordinator for the Town of Shelter Island for the year 2017 at her current hourly rate for an additional two hours per week.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 29

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That David W. Clark is hereby appointed to serve as Safety and Training Officer for the Shelter Island Highway Department for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 30

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the following is a salary chart for the part time and seasonal laborers of the Shelter Island Highway Department/Public Works and Landfill Departments for the year 2017:

Summer Interns	$18.50 per hour
Year 1 laborers	$20.00 per hour
Year 2 laborers	$20.50 per hour
Year 3 laborers	$21.00 per hour
Year 4 laborers	$21.00 per hour, and
Year 5 laborers	$22.00 per hour

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 31

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the rate of pay for part time Highway Department employees with a CDL license is hereby set at $22.00 per hour for the year 2017 for the operation of snowplows during weather emergencies.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 32

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That William Clark, III is hereby appointed to serve as Town Historian for the year 2017, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 33

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Loretta Gilman Fanelli is hereby appointed to serve as Senior Citizens Aide II for the year 2017, to be paid at the rate of $24.48 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 34

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Veronica Siller is hereby appointed to serve as part time Clerk for the Senior Citizens Affairs Council for the year 2017, to be paid at the rate of $17.60 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 35

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Michelle Donohue is hereby appointed to serve as substitute part time Clerk in the Senior Services Office for the year 2017 at the rate of $17.60 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 36

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Giovanna Ketcham is hereby appointed to serve as part time Therapeutic Activities Worker for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 37

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Donna King is hereby appointed to serve as part time Therapeutic Activities Worker for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 38

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Catherine Davidson is hereby appointed to serve as part time Therapeutic Activities Worker for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 39

Councilman Shepherd offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That the rate of pay for Therapeutic Activities Workers for the year 2017 is hereby set at $20.26 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 40

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Bruce Jernick is hereby appointed to serve as Maintenance Mechanic II for the year 2017 at the rate of $23.82 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 41

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Ron Lucas is hereby appointed to serve as part time Residential Repair Mechanic at the rate of $17.91 per hour for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 42

Councilman Colligan offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That Karin Bennett is hereby appointed to serve as Minibus Driver for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 43

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Emily Hallman is hereby appointed to serve as Minibus Driver for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 44

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Garth Griffin is hereby appointed to serve as Bus Driver for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 45

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Ron Lucas is hereby appointed to serve as Minibus Driver for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 46

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Donna King is hereby appointed to serve as Mini Bus Driver for the year 2017 at the hourly rate of drivers, for an amount not to exceed the 2017 budgeted amount.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 47

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the rate of pay for minibus drivers is hereby set at $20.26 for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 48

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Angela Corbett is hereby appointed to serve as Cook for the Nutrition Program for the year 2017, to be paid at the rate of $20.22 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 49

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Giovanna Ketcham is hereby appointed to serve as Cook for the year 2017 at the rate of $20.22 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 50

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Michelle Donohue is hereby appointed to serve as part time substitute Cook for the Nutrition Program for the year 2017 at the rate of $20.22 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 51

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Harald Olson is hereby appointed to serve as Food Service Worker for the year 2017 at the rate of $14.89 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 52

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Alison Binder is hereby appointed to serve as temporary Food Service Worker for the year 2017 at the rate of $14.89 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 53

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Katherine Doroski is hereby appointed to serve as Recreation/ FIT Aide for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 54

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Cori Cass is hereby appointed to serve as Recreation/FIT Aide for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 55

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Maria DiOrio is hereby appointed to serve as Recreation Aide for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 56

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Deborah Brewer is hereby appointed to serve as Recreation/FIT Aide for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 57

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Annamarie Ruscica is hereby appointed to serve as Recreation/ FIT Aide for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 58

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Janine Mahoney is hereby appointed to serve as Recreation/FIT Aide for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 59

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the rate of pay for Recreation/FIT Aides for the year 2017 is hereby set at $16.66 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 60

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Jessica Nardi hereby appointed to serve as Recreation Leader for the year 2017 at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 61

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Ian Kanarvogel is hereby appointed to serve as Recreation Aide to supervise the Youth Center for the year 2017, to be paid as per the 2017 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 62

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Callie Atkins is hereby appointed to serve as Zumba Instructor for the year 2017 at the rate of $30.00 per session.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 63

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Town Board of the Town of Shelter Island does hereby approve the following fees for the fitness center, and ballfields membership fees for use of the fitness equipment and facilities for the year 2017 as follows:

Single fitness room membership	$225.00 per year,
Family fitness room membership	$350.00 per year,
Full time College Student membership	$100.00 per year, and
Emergency Services membership	$175.00 per year.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 64

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Frederick C. Ogar is hereby appointed to serve as Fire Inspector for the year 2017, to be paid at the rate of $19.28 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 65

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Jeanette Flynn is hereby appointed to serve as Clerk Typist for the Committees for a 35 hour week for the year 2017 at the rate of $21.11 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 66

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That pursuant to Section 29, subdivision 12 of the Town Law, the Fire Chiefs be and hereby are appointed to the office of Fire Warden for a term of office to run concurrently with their terms as Fire Chief.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 67

Councilman Colligan offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That Lori Beard Raymond is hereby appointed to serve as Building Permits Examiner for the year 2017 at the rate of $50,490.00 per year.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 68

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of James J. Read, Jr. as a member of the Recreation Commission expired on December 31, 2016, and

"Whereas", Mr. Read has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That James J. Read, Jr. is hereby re-appointed to serve as a member of the Recreation Commission for a term to expire on December 31, 2021.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 69

Councilman Shepherd offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That Chief of Police James J. Read, Jr. is hereby appointed to serve as Emergency Management Coordinator for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 70

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", pursuant to Resolution No. 359 - 2001, dated June 8, 2001, the Town Board authorized eligible employees who wish to waive his/her rights to medical insurance coverage provided by the Town of Shelter Island, by applying in writing, and

"Whereas", applications have been filed by James D. Dougherty, Barbara Jean Ianfolla, Judith Meringer, Barbara A. Bloom, Patricia Castoldi, Ian Kanarvogel, Mary Faith Westervelt, Jennifer Beresky, Annmarie Seddio, Amanda Gutiw, Lori Beard Raymond, Delphine Kelly Michalak, and Kevin Springer, now, Therefore

BE IT RESOLVED, That the Town Board hereby approves the payment of salary compensation to the aforementioned applicants pursuant to said Resolution No. 359 of 2001 for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 71

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town of Shelter Island hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

2017 Standard Work Day Elected and Appointed Positions

Title	Standard Work Day
Elected Positions	
Town Clerk	6
Supervisor	6
Town Council	6
Town Justice	6
Assessors	6
Receiver of Taxes	6
Highway Superintendent	8
Appointed Positions	
Town Attorney	6
Member, Zoning Board of Appeals	6
Member, Planning Board	6
Deputy Town Clerk	6
Confidential Secretary to Supervisor	6
Confidential Secretary to Highway Superintendent	7

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 72

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds received from the Shelter Island Ambulance Foundation in the amount of $2,406.25 to the 2016 A4540.200 Ambulance equipment account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 73

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the designation of two newspapers as the official papers of the Town is required by statute, and

"Whereas", the Shelter Island Reporter has a paid circulation in the Town of Shelter Island in excess of 2,000 weekly; said circulation being larger than any other newspaper having general circulation in the Township, and Newsday also has a large circulation in the Town, now, Therefore

BE IT RESOLVED, That the Shelter Island Reporter and Newsday are hereby designated as the official newspapers of the Town of Shelter Island for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

The Supervisor appointed the following Town Board Committees to serve for the year 2017:

Highway & Public Works	Councilman Shepherd
Waterways	Councilmen Shepherd & Colligan
Buildings & Grounds	Councilwoman Lewis and Councilwoman Brach-Williams
Recycling	Councilman Colligan and Councilman Shepherd
Financial Advisory Comm.	Supervisor Dougherty, Councilwoman Brach-Williams
EMS	Councilwoman Lewis

The Supervisor appointed the following Town Officials to serve as Liaison for the specified standing Committees and Boards for the year 2017:

Senior Citizens Liaison	Councilwoman Lewis
CAC Liaison	Councilman Shepherd
WMAC Liaison	Councilmen Shepherd & Colligan
WAC Liaison	Supervisor Dougherty and Councilwoman Brach-Williams
Planning Board Liaison	Councilman Shepherd
Z. B. A. Liaison	Councilwomen Lewis and Brach-Williams
Comm. Pres. Fund Adv. Bd.	Supervisor Dougherty
Transportation	Councilman Colligan
Recreation	Supervisor Dougherty and Councilwoman Lewis
Community Center/Youth	Supervisor Dougherty and Councilwoman Lewis
Community Housing Board	Councilwoman Lewis
MS4	Councilman Colligan
Taylor's Island	Councilwoman Brach-Williams
Deer & Tick Liaison	Councilman Colligan
Grants Committee	Councilman Shepherd
Green Options	Supervisor Dougherty
IT Committee	Councilman Shepherd
WQIPAB	Supervisor Dougherty and Councilwoman Brach-Williams

On motion of Councilman Shepherd and seconded by Councilwoman Lewis, the meeting was adjourned at 2:07 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

January 27, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island School Auditorium, Shelter Island, New York, on the 27th day of January, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and approximately one hundred and sixty-five persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:
Letters from James Eklund, Janet Olinkiewicz, and Wayne Bourne applying for the position on the Community Preservation Fund Advisory Board.

The Supervisor presented the following financial report for the month of December, 2016:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
DECEMBER 2016

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Checking	2,256,590.11	292,601.63	1,533,212.02	1,105,979.72	769,634.77
HwyChecking	561,326.40	237.36	278,045.39	283,518.37	
T&ACheckng	48,770.06	37,459.73	30,652.02	55,577.77	15,391.07
T&A Savings	12,223.04	0.30	0.00	12,223.34	
Hwy Cap Res	248,919.64	17,506.28	0.00	266,425.92	

WNW Supply	25,605.26	2,043.90	580.70	27,068.46	109,909.99
Taylor'sIsland	39,976.46	1.69	0.00	39,978.15	
Comm Preser	5,875,921.93	175,148.56	0.00	6,051,070.49	591,880.35
Waterways	231,530.51	1,345.00	24,458.06	208,417.45	
Reserve Fund	651,894.59	5,289.56	0.00	657,184.15	
Bridge St. Esc	0.00	0.00	0.00	0.00	352,893.02
Env'l Fund	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Rsrv	7,658.33	0.00	0.00	7,658.33	
Amb. Rsrv	216,592.06	9.13	0.00	216,601.19	
Ambul. Train	29,076.41	0.72	0.00	29,077.13	
TOTALS	10,221,834.80	531,643.86	1,866,948.19	8,886,530.47	1,839,709.20

The Supervisor noted a PROCLAMATION which had been presented to Jo-Ann Robotti on January 14, 2017 for her service to the Shelter Island Library. (A copy of the proclamation is attached to these minutes.)

RESOLUTION NO. 74

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Donald T. Becker, 62 Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.065507° north and 72.3115° west; said mooring location was formerly occupied by the C664 Becker mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 75

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Okan Azmak, 1 Simpson Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Cove at the Menantic Road Town landing, designated as latitude 41.051382° north and 72.344942° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:41 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 76

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Chad Pike/Ludlow Garage, LLC, 1 Bluff Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in Shelter Island Sound approximately 185' north from applicant's beach at a location designated as latitude 41.085053° north and 72.360501° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:42 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 77

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Robert H. Kohn, 46 South Ram Island Drive and 40 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07338° north and 72.28583° west; said location was formerly occupied by the Newman C2744 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:43 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 78

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", 121 South Ferry, LLC, 121 South Ferry Road, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove, approximately 170 feet south of the O-3245 Casey mooring approximately 200' east of the O-3254 Russekoff mooring; said mooring location was formerly occupied by the Frowein O-2712 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:44 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 79

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Thilo and Angelica Semmelbauer, 125 Ram Island Drive, have petitioned the Town of Shelter Island for permission to remove existing aluminum stairway to beach, seating area with benches and gate as required to allow the removal of 133' of existing bulkhead, construct 133' of new bulkhead in-place, fill void area landward of new bulkhead with clean trucked in fill as needed and re-install aluminum stairway to beach, seating area with benches and gate, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:45 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 80

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", 3 Bay Shore LLC/Greg Nissen, 3 Bay Shore Drive, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Creek at a location designated as latitude 41.3261° north and 72.21342° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:46 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 81

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Robert Andrew is hereby appointed to serve as Food Service Worker for the year 2017 at the rate of $14.89 per hour, retroactive to January 1, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 82

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of George Zinger as a member of the Waterways Management Advisory Council will expire on February 1, 2017, and

"Whereas", Mr. Zinger has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That George Zinger is hereby reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 83

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", sealed bids from suppliers of prefabricated stainless steel public restrooms, manufacturers of precast cement structures, and ready mix concrete suppliers were received by the Town Clerk's office until 3 p. m. on the 15th day of December, 2016, at which they were publicly opened and read aloud, as follows:

Madden Fabrication, 2550 N. W. 25th Place, Portland OR 97210 for prefabricated stainless steel public restroom for the price of $104,670.00, and

"Whereas", said bid proposal has been reviewed by the Town Board and the Commissioner of Public Works, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid to Madden Fabrication, the sole bidder, for said prefabricated stainless steel public restroom for the price of $104,670.00, and

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to sign the agreement with Madden Fabrication for said purchase, and

BE IT FURTHER RESOLVED, That the Supervisor is hereby authorized to expend the initial payment of $31,401.00 from the 2017 A1490.499 Public Works Bridge Street restroom account, as required by agreement.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 84

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town of Shelter Island has received funds from the Shelter Island Chamber of Commerce in the amount of $35,000.00 which represents the Chamber's financial commitment toward the Suffolk County Downtown Revitalization Grant for a public restroom, and

"Whereas", the Town Board has awarded the bid for a prefabricated stainless steel public restroom to Madden Fabrication, now, Therefore

BE IT RESOLVED, That the following budget revisions are hereby approved:

$35,000.00 increase to a new 2017 A2705BR revenue account, to be funded by the Chamber's donation, and

$35,000.00 increase to the 2017 A1490.499 Public Works public restroom expense account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 85

Councilman Colligan, offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds received from the County of Suffolk in the amount of $2,848.04 to the

2016 A3120.110 Police Department regular overtime account, and the reimbursement funds in the amount of $2,486.89 from the Shelter Island Lions Club Foundation to the 2016 A1490.410 Public Works grounds maintenance account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 86

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $239.38 from the 2017 A1015.400 media office and miscellaneous account to Chase Card Services for the Police Department website for the period January 16, 2017 through January 15, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 87

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the rate of pay for Deputy Town Clerk Cass is hereby set at $26.66 for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 88

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Resolution No. 25- 2017, dated January 3, 2017 is hereby amended to read as follows:

BE IT RESOLVED, That Catherine Rasmussen is hereby appointed to serve as School Crossing Guard for the year 2017 at the rate of $26.39 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 89

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the support and maintenance service agreement and expend the sum of $31,610.00 from the 2017 A1620.476 computer services account to East End Computers LLC, 78 White Street, Southampton, New York 11968 for the EEC annual managed service contract for the period January 1, 2017 through December 31, 2017 for the computers services contract.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 90

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $4,700.00 from the A1620.476 computer services account to East End Computers, 78 White Street, Southampton, New York 11968, for the EEC off-site backup data service for the Town Hall, Assessor's Office, Police Department, Highway Department and EMS servers for the period January 1, 2017 through December 31, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 91

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute an agreement between the Town of Shelter Island and Albrecht, Viggiano, Zureck & Company, P. C., 25 Suffolk Court, Hauppauge, NY 11788 for the provision of audit services for the Town of Shelter Island Justice Court for the years ending December 31, 2015 and December 31, 2016; said services as described in the proposal to be provided at the rate of $2,500.00 for the year 2015 and $2,500.00 for the year 2016.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 92

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Association of Towns meetings are to be held in New York City on February 19, 20, 21 and 22, 2017, and

"Whereas", it is required by the Association of Towns to register persons who anticipate attending the Association of Towns' meeting in New York City in February 2017, and

"Whereas", eight Town officials have expressed their desire to attend said meetings, now, Therefore

BE IT RESOLVED, That the expenses of two Building Inspectors, the Town Attorney, one Town Justice, the Building Permits Examiner, one Assessor, and two Councilpersons attending these meetings shall be a Town charge, and

BE IT FURTHER RESOLVED, That Councilwoman Brach-Williams is hereby authorized to represent the Town of Shelter Island in voting in the Association meeting, and

BE IT FURTHER RESOLVED, That the daily food allowance is hereby set at $80.00 per day per official, and

BE IT FURTHER RESOLVED, That the transportation allowance for Town officials is hereby set at $23.00 for each way per official for bus fare and $4.00 additional per official for ferry fare.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 93

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the work session of the Town Board scheduled to be held at 1 p. m. on the 21st day of February, 2017, is hereby canceled, due to the fact that 2 Councilpersons and the Town Attorney will be attending the Association of Towns meetings in New York City on said date.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 94

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,000.00 from the 2017 A3989.400 NIMS contractual account to Emergency Communications Network, 780 West Granada Blvd., Suite 200, Ormond Beach, Florida 32174 for unlimited CodeRed system minutes service plan for the period January 9, 2017 through January 8, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 95

Councilman Colligan offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

"Whereas", the Town Board shall, in accordance with the provisions of Chapters 36 and 126 of the Code of the Town of Shelter Island, establish the fees to be charged for parking permits, also the hours of the day and dates on which it will be necessary for a motor vehicle or motor cycle to display a parking permit while parked on Menhaden Lane, on the south side of Fresh

Pond Road, or at any designated parking area adjacent to any Town owned or leased beach, now, Therefore

BE IT RESOLVED, That all motor vehicles or motor cycles using the parking areas adjacent to all public beaches owned or leased by the Town of Shelter Island, or parking on Menhaden Lane and the south side of Fresh Pond Road shall display a parking permit which shall be issued by the Town Clerk, said permit shall be displayed on the lower left corner of the rear bumper of a motor vehicle, and the rear mudguard of a motor cycle at all times, from the Friday preceding the observance of Memorial Day, through Labor Day, inclusive, except parking adjacent to Crescent Beach shall be restricted to holders of parking permits from 9 a. m. to 5 p m. daily except for the twenty-four (24) parking spaces, fourteen (14) at the westerly end of the designated spaces and ten (10) at the easterly end of the designated spaces shall be restricted to holders of parking permits at all times, and

BE IT FURTHER RESOLVED, That said parking permits shall be issued as follows:

FREE for all motor vehicles and motor cycles which are (a) registered in the Town of Shelter Island, or (b) registered or leased to an owner of real property which is situated in the Town of Shelter Island;

All other residents, as defined in Section 126-8 F (3) of Chapter 126 of the Code of the Town of Shelter Island which is the Traffic Ordinance and Section 36-3 of the Code of the Town of Shelter Island which is the Beach Ordinance, shall pay a fee as per the following schedule per vehicle for said parking permit:

Day Passes: $25.00 per day (Only 10 per day will be issued; available for Wades Beach and Shell Beach Bar only);

Weekly permit: (any seven (7) consecutive days) FIFTY ($50.00) DOLLARS);

Monthly permit: (any thirty-one (31) consecutive days) NINETY-FIVE ($95.00) DOLLARS, or

Season permit: (Friday preceding the observance of Memorial Day through Labor Day) TWO HUNDRED AND THIRTY ($230.00) DOLLARS, and

BE IT FURTHER RESOLVED, That the following program is for day passes for Wade's Beach and Shell Beach only, to wit:

1. Parking at Wade's Beach and Shell Beach will be eligible for parking with a nonresident day pass. A sign at Wade's Beach and Shell Beach will advise where day passes can be acquired.
2. The Town Clerk's office sells the nonresident day parking pass, up to ten per day, at a cost of $25 per pass. Passes can be sold in advance for a future date written on the pass (i.e. a Sunday).
3. The passes are dated and are valid for that date only. The pass is valid for any time during the calendar day. However, they are only valid for Wade's or Shell Beach—parking with a pass but in any other parking pass required area can result in a parking ticket.
4. The pass should be displayed on the inside front dashboard of the car, on the driver's side. Failure to properly display the pass can result in a parking ticket.
5. The day passes are valid only in the specified areas and only for the specified day; and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized to purchase the necessary supplies.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 96

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", James and Ellen Buckland have applied to the Shelter Island Town Board for a wetlands permit for the premises located at 3 Fox Hollow Run, Shelter Island, New York and zoned A-Residential/Near Shore and Peninsular Overlay District, designated as Suffolk County Tax Map 0700-019-02-113.13; and

"Whereas", the applicants sought a wetlands permit for permission to construct an addition to the deck in the regulated area, which was subject to Chapter 129 of the Shelter Island Town Code; and

"Whereas", the application was approved by the Town Board by resolution No. 308, on July 15, 2016 which listed condition 2 saying that prior to issuance of a Certificate of Occupancy, applicants should mitigate runoff from the new deck by installing four fifty gallon drywells (2 in front and 2 in back), install gravel under the proposed walkway deck on the east side of the house to reduce erosion and planting native vegetation along the current buffer; and

"Whereas", applicants have subsequently proposed to improve runoff collection by installing one 4'x 8' drywell with a capacity of 1,200 gallons with all leaders routed to the drywell, and such proposal was endorsed by the NYSDEC on 12/8/16; and

"Whereas", this Board feels that the proposed change is minor and will improve runoff collection, now, Therefore

BE IT RESOLVED**,** that the Town Board amends condition 2 of the original wetlands approval in Resolution No. 308 dated July 15, 2016 to read as follows:

1) Prior to issuance of a Certificate of Occupancy applicants shall implement the following mitigation measures: installation of a drywell as shown in the plans prepared by J. Buckland dated 11/7/16 and stamped NYSDEC approved 12/8/16 which shall be installed subject to the conditions imposed by the DEC; install gravel under the proposed walkway deck on the east side of the house to reduce erosion and planting native vegetation along the current buffer. Further, applicants shall contact the Building Department for an inspection of the drywells before they are covered; and

BE IT FURTHER RESOLVED, That copies of the modification to the original resolution shall be filed with the Building Inspector.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 97

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $235.00 from the 2017 A1355.491 Assessors' service contracts account to Apex Software, P. O. Box 100145, San Antonio, Texas 78201-1445, for the annual sketching software service for the period 2-1-2017 through 2-1-2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 98

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That effective immediately, the fees for docking at Congdon's Creek dock is hereby set as follows:

$500.00 per slip per year;

$350.00 per slip per year for slip holders who possess a current NYSDEC permit(s), namely a Shellfish Digger's Permit & Vessel Endorsement, that are required by law to conduct shellfish harvest activities; said permits are issued by the Marine Permit Office (MPO) in the DEC Division of Marine Resources, for "commercial" shellfish operations only.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 99

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $65.44 from the A1010.484 Town Board office and miscellaneous account to reimburse petty cash for a theft loss.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 100

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the Town Board established a Senior Citizens Council on September 19, 1986, and

"Whereas", on December 30, 2002, the Town Board changed the name of said Council to Senior Citizens Affairs Council, and

"Whereas", the present members of SCAC have determined that said SCAC was no longer needed due to the fact that the duties of said Council have been assumed by certain departments within the Town and also that said Council is experiencing a lack of officers, now, Therefore

BE IT RESOLVED, That effective immediately, the Senior Citizens Affairs Council is hereby disbanded, and

BE IT FURTHER RESOLVED, That the Town Board is very grateful and extends their thanks to all officers and members who have served on said SCAC since its formation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 101

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Richard and Charlotte Clark, 6J Hager Road, have petitioned the Town of Shelter Island for a wetlands permit to remove existing one story detached garage from within vegetative buffer and construct new 18' by 36' swimming pool, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:55 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 102

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Andrea Stern, 2 Charlie's Lane, has petitioned the Town of Shelter Island for a wetlands permit for permission to remove existing in ground swimming pool and patio from within vegetative buffer and construct new patio and deck in place of existing pool and patio, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:57 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 103

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Camille E. Anglin, 188 North Ferry Road, has petitioned the Town of Shelter Island for a wetlands permit for permission to expand septic system to comply with Suffolk County Board of Health requirements, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:59 p. m., prevailing time, on the 17th day of February, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 104

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the following 2016 budget transfers are hereby approved:

$21.00 from the A1010.200 Town Board equipment account and dispersed as follows:

$19.00 to the A1010.475 Town Board drug and alcohol testing account, and

$2.00 to the A1330.484 Receiver of Taxes office and miscellaneous account;

$1,453.00 from the A1010.496 Town Board Association of Towns account and dispersed as follows:

$276.00 to the A1010.493 Town Board law library account, and
$1,177.00 to the A1010.497 Town Board professional services account;
$2,023.00 from the A1015.200 Media equipment account to the A1010.497 Town Board professional services account;
$517.00 from the A1110.410 Justice Court interpreter account to the A1110.499 Justice Court stenographer account;
$121.00 from the A1110.415 Justice Court computer programs account to the A1110.484 Justice Court office and miscellaneous account;
$4,383.71 from the A1410.105 Deputy Town Clerk personal services account to the A1410.109 Deputy Town Clerk personal services account;
$300.00 from the A1410.408 Town Clerk records repairs account to the A1410.109 Deputy Town Clerk personal services account;
$307.68 from the A1410.484 Town Clerk office and miscellaneous account and dispersed as follows:
$217.25 to the A1410.107 Deputy Town Clerk overtime personal services account, and
$90.43 to the A1410.109 Deputy Town Clerk personal services account;
$125.00 from the A1490.416 Public Works mower repairs account to the A1490.411 Public Works buoys and lifelines account;
$100.00 from the A1490.419 Public Works generator maintenance account, and
$1,300.00 from the A8160.200 Landfill equipment account to the A1490.409 Public Works parks and beaches account;
$1,000.00 from the A1490.422 Public Works dredging account to the A1490.410 Public Works grounds maintenance account;
$15.00 from the A1490.424 Public Works fuel depot account to the A1490.418 Public Works gas allowance account;
$5,116.55 from the A1620.424 Buildings fuel account and dispersed as follows:
$1,473.00 to the A1410.102 Deputy Town Clerk overtime personal services account,
$1,478.55 to the A1410.109 Deputy Town Clerk personal services account,
$581.00 to the A1620.408 Buildings repairs and maintenance account,
$1,000.00 to the A1620.423 Buildings electricity account,
$11.00 to the A1620.483 Buildings telephones account,
$234.00 to the A5182.400 Street Lighting account, and
$339.00 to the A6772.400 Nutrition Program food account;
$519.00 from the A1620.276 Buildings computer equipment account to the A1620.476 Buildings computer maintenance account;
$4,347.61 from the A3120.485 Police Department car maintenance account and dispersed as follows:
$3,934.61 to the A3120.274 Police Department radio equipment account, and
$413.00 to the A3120.484 Police Department office and miscellaneous account;
$1,711.30 from the A3120.486 Police Department car gas and oil account to the A3120.274 Police Department radio equipment account;
$2,015.93 from the A3120.491 Police Department contracts account and dispersed as follows:
$1,418.00 to the A3120.273 Police Department firearms and ammunition account,
$538.93 to the A3120.481 Police Department radio maintenance account, and
$59.00 to the A3120.487-9 Police Department part time uniforms account;
$1,300.00 from the A4010.422 Deer & Tick Committee corn account and dispersed as follows:
$800.00 to the A4010.200 Deer & Tick Committee equipment account, and
$500.00 to the A4010.484 Deer & Tick Committee office and miscellaneous account;
$2,217.00 from the A4540.485 Ambulance vehicle maintenance account to the A4540.492 Ambulance travel and meetings account;
$343.00 from the A4560.424 Medical Center fuel account to the A4560.408 Medical Center repairs and maintenance account;
$11.00 from the A6776.422 Silver Circle food account to the A6776.484 Silver Circle office and miscellaneous account;
$30.00 from the A7310.400 Youth Recreation account to the A4210.400 Social Worker account;
$1,500.00 from the A8160.115 Landfill personal services account and dispersed as follows:
$940.00 to the A8160.117 Landfill personal services account, and
$560.00 to the A8160.127 Landfill overtime personal services account;
$280.00 from the A8160.116 Landfill personal services account to the A8160.435 Landfill hazardous waste facility maintenance account;

$1,000.00 from the A8160.200 Landfill equipment account to the A1490.497 Public Works professional services account;
$2,700.00 from the A8160.200 Landfill equipment account,
$1,000.00 from the A8160.413 Landfill walls and bulkheads account,
$500.00 from the A8160.437 Landfill contingency account, and
$1,000.00 from the A8160.438 Landfill processed concrete account to the A8160.433 Landfill solid waste carting fees account;
$5,000.00 from the A8160.431 Landfill excavation equipment rental account to the A8160.451 Landfill C&D Hauling account;
$2,350.00 from the A8160.432 Landfill test wells account and dispersed as follows:
$1,200.00 to the A8160.451 Landfill C&D hauling account, and
$1,150.00 to the A8160.484 Landfill office and miscellaneous account;
$130.00 from the A8160.497 Landfill professional services account to the A5010.400 Superintendent of Highways office and miscellaneous account;
$272.00 from the B3620.484 Building Inspector office and miscellaneous account and dispersed as follows:
$53.00 to the B8010.484 Zoning Officer office and miscellaneous account, and
$219.00 to the B8010.485 Zoning Officer car maintenance account;
$130.00 from the DA5130.147 Highway Machinery personal services account to the DA5130.151 Highway Machinery personal services account;
$9,000.00 from the DA5130.482 Highway Machinery grinder account to the DA5130.446 Highway Machinery repairs account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 105

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That 2016 general claims numbered 2164 through 2302 in the amount of $87,937.06, 2016 highway claims numbered 291 through 310 in the amount of $129,595.57, 2016 West Neck Water claims numbered 44 through 46 in the amount of $1,130.57, 2017 general claims numbered 1 through 85 in the amount of $186,149.14, 2017 Community Preservation Fund claim number 1 in the amount of $23.74, and 2017 highway claims numbered 1 through 7 in the amount of $7,701.28 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:55 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed purchase of fee title to 4.5 acres at Burns Road from the Shelter Island Meeting of the Religious Society of Friends for the bargain sale price of $25,000.00; said purchase as open space would be funded from Town Community Preservation Funds.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor reported as follows: this is a deal I had negotiated with the Quakers, I want to thank the Quakers for their generosity, we have a signed contract subject to Town Board approval, the property is four and a half acres, it's between Cartwright Road, it's west of Cartwright Road, north of Burns Road, it's basically landlocked and a lot of it is wetlands and it's assessed currently at $257,000 or $277,000, no $587,000, and the Quakers and I have agreed to a cash purchase price of $25,000.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: will you tell us what you intend to do with that lot; it's gonna, we're gonna leave it alone, we're buying it as a long term thing to protect the aquifer, we use the CPF funds which has about, I think six and a half million dollars in it, I mentioned earlier and we'll use it to reduce the development, most of it is wetlands but there's an acre plus that could be buildable, they've got access to a right of way or something, it's to moderate development on

Shelter Island and to protect the aquifer and runoff; __ a buildable acre, would that be __; well there's not access to it so no, we'd have to negotiate access with one of the owners, I chatted with both owners on Cartwright and Burns Road over the years but it's, it would be difficult; I know the Town has a number of properties, this one happens to be landlocked and there are some that are not and are either used occasionally or more frequently for recreation, has the Town got any program in place and if not would it put one in place to monitor these properties for their upkeep and their sanitation, there are several that are quite beautiful in their own right but that are badly abused for garbage, picnic parties; Don these are lots that are owned by private owners; no, these are Town property; Town open space, yeah; that the Town acquires or _ existing property which is a gold mine for the residents of the Island but if they're not monitored they can deteriorate badly and I know this happened over near the causeway and I think __ brought it to your attention; yes; so there should be some program in place to __ these properties on a regular basis and if they are being badly abused and what not, to keep them in pristine state otherwise __; thank you Don and that's a very good point and I appreciate you're raising it, we have, it's interesting, we in effect, there's been a changing of guard on the two percent committee, we have four new members out of seven in recent months and we have a new chairman, Gordon Gooding and there's, as you might imagine with new folks hitting the decks running and there's a lot of new energy and we're putting great icing, I sit in on all the meetings of course and we're putting great emphasis on stewardship, there's been a sense, we concur with Don, there's been a sense that this has lagged a bit and we're trying to play catch up ball there and they're spending a lot of time on it and we have up to ten percent of the annual two percent funds we receive and we're receiving over, about two million a year, it can be used for stewardship and we're earmarking various open space properties that need attention so we're giving it a priority Don and I appreciate your pointing that out; I'd just like to add Hay Beach to the program; which one Barbara; Hay Beach, the beach at Hay Beach; yes, okay; ___ finding animals there ___ fishing in that area __ as well as the shooting that goes on there, I picked up probably a dozen at least and I could have picked up fifty more if I wanted to of __ shell ___ have disappeared into the water which affect the fish, they eat them and when they try to eat them, they die and there needs to be some kind of supervision for people who are allowed now to do skeet shooting but I think they do other than and even if it is just skeet shooting, all that debris comes back on the beach which means it's not deteriorating and it needs to be curtailed, just my opinion from observation ___ it's always there.

The Supervisor declared the public hearing closed at 5:02 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law to amend the Shelter Island Zoning Code concerning "Short term rentals".

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following: Petitions received as follows:

1.	October 10, 2016	205 Islanders concerned over transient rental properties
2.	October 17, 2016	215 petitioners for the Preserve Shelter Island petition
3.	October 31, 2016	223 petitioners for the Preserve Shelter Island petition
4.	December 15, 2016	261 petitioners for the Preserve Shelter Island petition
5.	December 19, 2016	275 petitioners for the Preserve Shelter Island petition
6.	January 2, 2017	56 petitioners for the Preserve Shelter Island petition
7.	January 5, 2017	100 petitioners for the Preserve Shelter Island petition
8.	January 17, 2017	348 petitioners for the Preserve Shelter Island petition
9.	January 21, 2017	100 more petitioners to support short term rentals
10.	January 27, 2017	359 more petitioners to preserve Shelter Island

11. Many e-mails submitting recommendations such as the following:

-don't put a law into effect that ruins the possibility for people to help pay for the very expensive homes while continuing to enjoy them

-opposition to the proposed law as drafted

-there is no collective upside for the community in allowing shorter term rentals

-vehemently opposed to the whole thing

-strongly opposed to the proposed regulations

-against the draft law as of 12-7-16

-need legislation to enact restrictions an regulation to clamp down on problem of short term rentals

-rentals provide much needed income for people who struggle to pay taxes etc.

-support the Board's recommendations such as a registry, registration number, a tenant handbook and a 14 day minimum owner occupied requirement

-in favor of short term rentals

-registering rentals and providing a local contact might help manage unruly guests

-in favor of legislation

-support the implementation of restrictions

-don't want Shelter Island to turn into a 'Fisher's Island'

-urge you to place sensible restrictions on short term rentals

-request for increased regulation of residential properties that are being rented on a short term basis

-there is no compelling need for law

-should consider a two week minimum to allow owners to take advantage of the exclusion from income and stay in the market

-the need to put a stop to commercially run enterprises that are being run in our residentially zoned backyards

-a month or even two week minimum would be a disaster for owners

-Montauk is trying to get back some of the old, small town charm and we should learn from them

-if the proposal to limit rentals to a minimum of one month were to be passed, it is likely their house would go unrented as in this economy there is little demand for length rentals

-to limit the rental to two week minimum will adversely affect business

-meetings should be held at a time such as a weekend when owners can attend

-regardless of length of stay, these renters have no concern of water usage

-in favor o short term rentals

-should consider alternatives to the proposed law that are more appropriate

-this is a classic case where doing nothing is the best course of action

-should require the owner to be in residence

-the only solution is to require the homeowner to be living on the property when renting

-renting short term has never been an issue, it helps the town with income and there must be a way to enforce the noise factor

-hotel owners have been increasingly concerned with the rapidly growing short house rental market

-the offer of observations and clarifications to the law

-comments concerning advertising

-the community does not have the right or resources to dictate who is allowed in each private home

-should prohibit all rentals less than 60 days to protect the health, safety and welfare of the Town

-Suffolk County requires owners to pay a 3% tax on rental costs

-the situation of short term renters next door who were rocking in the backyard around the pool at 11:30 p. m.

-the Town should adopt regulations that support responsible home sharing and the economic value it provides to households and businesses in the community

-long term rentals are a staple of Shelter Island yet recently short term rentals are proliferating potentially diminishing the integrity of the Island

-recommendations concerning guidelines for rentals that are not owner occupied

-the income from shorter rentals is an essential part of what enables keeping a home

-the negative impact of short term rentals on hotels and other local businesses

-limiting the restrictions to the high season, Memorial Day to Labor day, not just a rental year round, with the rest of the year open for short term rentals would be a reasonable compromise

-short term rentals have a negative impact on property values and violates zoning

-the need to regulate the growing number of rentals on Shelter Island

-request to pass regulations limiting short term rentals

-a two week minimum rental ensures that rowdy and disruptive weekend bashes are kept to a minimum

-the new law should have clear limits on the duration and number of total rentals

-the Town should avoid aiding and abetting people who purchase houses they cannot really afford and rely on the income to make their mortgage payments

-other towns around us have instituted 2 week owner occupied restrictions and this is what we should do

-passing a rental law will increase government spending, increase homeowners taxes and ruin the Shelter Island economy

-request evidence demonstrating that there are significant numbers of homes that have been converted from long term to short term rentals

-there should be a 14 day minimum stay enforced

-strong yet sensible rental limitations are needed to prevent Shelter Island from becoming a Coney Island

-concerns that the Town Board will not take sufficient steps to substantially control the many negative impacts that communities across the nation have attributed to the advent of short term vacation rentals

-massive mortgage defaults will happen and then a great recession

-rentals should be classified as B & Bs

-short term rentals are not considered to be a commercial enterprise

-airbnbs in New York City

-the concern of passing a law in the winter

-in favor of stringent codes and rules to limit and strictly enforce all Island based policies to regulate all rentals

-restricting rentals to longer terms will increase competition and prices will be lowered, that would attract more of a party crowd

-an offer from a representative of airb&b to present information to assist the Town Board

-the proposed law does not appear to regulate the number of rentals per season

-a website that teaches people how to invest in short term rentals

-a letter stating the petition that supports Shelter Island's short term rentals has 517 signatures

-not demanding a ban on transient rentals but only regulations with a two week minimum

-the suggestion of a referendum on this subject

-a pre-hearing statement concerning the proposed regulations

-the suggestion that the Town Board adjourn the hearing until Memorial Day weekend or later

-in favor of sensible, transparent, easy to understand, enforceable laws that would honor the long stand traditions of the Island

-urging the Board to impose restriction on short term rentals

-urging the Board to restrict short term rentals on the Island

-urging the Board to curtail the short term rentals on the Island

-we must stop short term rentals that disturb the peace of Shelter Island, interrupting a good night's sleep and effecting our property values is it continues

-strongly disagreeing with the proposed legislation on vacation rentals

-stating that the Town Board should show leadership by looking to the future, not the past to protect the quality of life here.

The Supervisor explained as follows: I will be brief because this is your day and we want to hear from you. Thank you all very much for taking the time to join us today as we address this very important issue. The purpose of today's hearing is to give you folks an opportunity to give me and my colleagues your thoughts, suggestions and recommendations on this very important issue for the future of Shelter Island, we have over a hundred pieces of correspondence as you probably know, I'm not going to ask Dottie, our Town Clerk, obviously to read them, they are available in her office, there's one piece of correspondence from the County that I'll ask Dottie, do you want to read it now Dottie; yes; okay, go ahead.

The Clerk read the report of the Suffolk County Department of Planning, which was as follows: Pursuant to the requirements of Sections A 14-14 to A 14-25 of the Suffolk County Administrative Code, the above referenced application which has been submitted to the Suffolk County Planning Commission is considered to be a matter for local determination as there is no apparent significant county-wide or inter-community impact(s). A decision of local determination should not be construed as either an approval or disapproval.

The Supervisor further explained as follows: the Town Board, my colleagues and I don't plan to take any action this evening and we will continue to work very vigorously on this issue

for a resolution as soon as possible; when we feel we have a reasonable solution to the important issues posed and as I say, a few simple ground rules for any you who may wish to speak this afternoon, we want to give you the opportunity to do so and with these lights glaring in my eyes, rather than trying as I did in that very brief hearing, trying to recognize raised hands in the audience and also to get speakers to the podium as efficiently as possible, we ask and you can begin doing this quietly doing this now, you don't have to stampede cause everyone is going to have a chance, we ask if you wish to speak, you come on down to these two front rows, two reserved front rows here and I will recognize you one by one, I hopefully in the proper order and I would ask you return after you speak, I would ask that you return to your original seat so any other folks that want to give us their thoughts and recommendations can come on down and sit in these ten reserved seats and when I recognize you, will you please step up to the podium right here which has a mic on it, give us your name and as I said, after you are finished speaking, please return to your original seat so other interested speakers can come on down, now we have set a maximum speaking time of three minutes, our Deputy Town Clerk, Sharon Jacobs, will hold up a yellow thirty second warning sign and then followed thirty seconds later by the way, by a final red sign asking you to please wind up immediately and I very much thank you for your understanding, we're ready to go and let's do it the Shelter Island way which is respectful and polite to your fellow Shelter Islanders present whose views you may or may not agree with. My colleagues and I are very much looking forward to hearing from you.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Chuck Kraus; okay Chuck give us your name please for the record; good evening everyone, my name is Chuck Kraus, I will be addressing two areas that have been subjected to this vacation rental, one is business, the second is affordable housing and the other is enforcement, years ago I learned something my father said that there has always stuck with me, if you wanted to ___ competition in business, you better step up the gait, ___ business __ with change with today's business climate, step up your gait, you know there are dozens of businesses here today that are in some way near to a very short industry, and a lot of them depend on ____, there are also many charitable organizations that depend on us for donations as well as attendance at their events, please don't behave like other local towns that have pending law suits against them, __, affordable housing, when are you ever going to address the need of affordable housing that has existed here for more than forty years, homeownership is at a fifty year lull, the median full value on Shelter Island is one million plus, presently there are several half acre lots for sale here on the Island, get some money in the budget, go after the affordable grant that exists, in fact, just this morning it was reported that a $100,000.00 grant was given to the Town of Riverhead to use in the downtown area earmarked for affordable housing ___ people who are trying to live and work here, enforcement, start with the noise ordinance __ the fact of the mater is we don't have _ to enforce __, if any of _ this community and create a financial burden ___ the Town and young homeowners __ on the Island, you will hear a lot of subjective rhetoric here today, don't let that __ any of your decisions, just listen to the facts, thank you; thank you very much; hi everyone, my name is Edward Katta, I've spoken to you all before, I just want to talk about the use of the residential property as a rental __ it's in the law itself that it is a commercial operation, this simply isn't true and __ aware of the __ in their property deed that our lives __, the use of the property in a residential capacity, whether it is you in it or you renting it, it is still residential in nature, __ taxes, don't determine that that is a commercial activity, several ___ rules in their states, as a property owner I'm allowed to use our property in a residential manner, I have a contract with the Town, as the Board is suggesting __ from renting our homes __, this is a property right and one that I'm not giving up, I'm trying to regulate our __ and I don't think ___ and I ask you to consider my rights as well as the rights of all the other property owners here in that manner, thank you; I'm Katherine O'Hagan and __ I've been working with a ___ team for the past eight months and one of my responsibilities was to do the research and history of other islands within a hundred miles of Shelter Island and I was inspired by Mary Dudley's insinuation that Shelter Island was very similar to Ireland and I was ___, I know Ireland quite well actually, I have relations there, it's in Europe, it's ___ to Shelter Island, in square footage, that's approximately the size of New York State and it has two million ___, so I __ and my comparisons were Nantucket, Massachusetts, Martha's Vineyard, Fire Island, Fisher's Island, Fire Island and Fisher's Island are both New York State and also Block Island, Rhode Island, all of these islands which have __ and they depend on tourism, they have absolutely no short term rentals, they rely upon their police departments, their highly effective police departments similar to Shelter Island's Police Department to enforce the ordinances within their municipalities, all of the towns are very

different, we're very different from the North Fork, we're very different from the Hamptons, we don't have pumpkin picking, we don't have leaf peeking, we don't have ___, we don't have __ like Memory Hotel ___, there's no high heeled celebrities at the Golden ___, we are the un-Hamptons __, I put together a petition with over five hundred supporters and I want to quote three people that are on Shelter Island, the first is __ Scudder, owner of several houses, she says this regulation will prevent my family from afternoons on the beach, dinners on the porch, walks into town, the second is John Quigley who said this is complete overregulation to address __ and the __ last, perhaps my favorite is _ Denny who also an excellent __ who says the town has no business dictating how or when we rent our properties; Janalyn Travis Messer, since when is it the business of the Town Board and Suffolk County to know who is living in my house and whether they pay me anything to stay there, why do you truly believe that you have that right and since the Supreme Court has ruled to find it unconstitutional, what right do you have to tell me when I can have a sign on my property, let alone what I can __ on that sign, our property rights are being shattered all because the Town Board wants to make money, while you lose money when businesses go out of business from lack of patients to the Island, what prospective tenants find out, asking who they are and there goes what perspective buyers find out is they will be ___ so there will be __ so there goes mortgage tax revenue and two percent funds and the local contractors will no longer have work, so there goes the building permits and then there will no ___ and there goes tax revenues, houses will go into foreclosure, our credit rating will change, __ our infrastructure __ and the tick situation will go out of control __ the luxury and our health, and ___ sanitary system so the environment will suffer, not for profits will suffer because there won't be extra funds to ___ so our bays and freshwater wetlands will not ___ scallop __ or for the Historical Society or the Library and countless others, this Board has already promoted __ by not encouraging my duplex for year round housing, am I bitter, sad, disappointed, you bet because if they said yes, they would have to say yes to similar projects in their neighborhoods, that __ let alone my neighbors __ a four bedroom house is a four bedroom house and the Town Board is __ the tax, I have no saying, I worked from your list only and at no time was my result __ to share a four bedroom house on ___, that's where ___, so to use the __ of rentals are preventing you and I from renting __ the registry has to happen, is not going to create __ rentals, it's a __ market to find __ 1985, seasonal rentals are wonderful funds to the owners of property __ and to work, it provides jobs for so many ___, ___ not just one hundred fifty years ago ___ so the Chamber of Commerce hopefully will promote ___ and get rid of this atrocious law; hi, my name is Ryan Sultan, thank you for hearing my thoughts, I grew up as a summer resident on this Island ___, I've had experience as a landlord with seasonal rentals and short term rentals, less than one week, I've done that on line as well ___ Shelter Island is tremendously settled, I truly love Shelter Island and I think this is a complex issue, most complaints are __ rapid changes and I guess this is a boost to some peoples' income as well, I guess my experience is __, the people who come here for shorter ___, long weekends, __ seasonal or monthly but __ part of Shelter Island, the Hamptons is Riverhead and on, it's the south fork and it's the north fork and it's us and there's very little difference to them, they don't understand our ___, they have no idea whether they're __ or their ___, not to mention ___, it's very challenging, they are harder on houses, they're harder on __ to the neighbors, __, they're coming here for three days, they're coming here for five days and it's like us going on vacation to the Caribbean or Florida, they are in rental homes and __ our community, seasonal rentals, people who are renting for several weeks, a month or say from Memorial Day to Labor Day are Shelter Island visitors, they're __ of the Island, I find that they are a family here, __ a home and they seem to know their neighbors, are continuously knowing who is on your block, most of us can't take off three months to come to Shelter Island, we come for a weekend to a house in the summer and for me to think __ appreciation for Shelter Island, it is both a year round and a summer resort community, __ I'm talking about these one week or three or four day rentals are really not the __ on Shelter Island but according to other businesses, realtors, year round or weekend residents, we talk a lot about __ to Shelter Island __ short term rentals are more of an arduous __ so why have we switched from talking about this very short term rental issue which was ___ to all the summer rentals which have existed now for many years on Shelter Island and as far as I know have not actually been an issue; thank you; hi, my name is Barrie Silver and I am a renter and I don't understand why, everybody I know on Shelter Island at one time has rented their house, somebody else's house, their relatives come for weekends and so they rent from ___, there are a thousand reasons why people rent, they rent because there is no room in their own house and I mean, people come here all the time for a weekend or three days or ten days, and then come and buy property, it seems self destructive to displace those people from the opportunity to come here, if it's an issue and I assume there is an issue __ the tax code

to me is absolutely absurd because it has nothing to do with what I think Shelter Island is, thank you; my name is Joe Krsnak, I have a house at 18 Congdon Road and yes, I rent but I put together concerning the ordinance you are proposing, it doesn't fit, as an individual affected by changes in rental rules, who is interested in preserving the character and small town atmosphere of Shelter Island I have requested this opportunity, before we entertain new rules, property taxes and tourism, we should first identify the problems, determine its frequency, severity and time of year of occurrence, and one identified by an impartial entity, say the police, we should then look to see if rules or ordinances exist that, if enforced, will solve the problem, as I understand it, the problem is loud and lewd behavior by individuals at a rental home or homes, as we all know large gatherings of people at houses is not limited to rental homes alone, therefore to solve the problem we need to look to fashion solutions that cover all situations with the least impact on the rights of people to gather and use their property as they wish, I also realize that the problem is magnified by individual private rentals, such as the Airbnb for one, for the thirty plus years I have owned a home here, the island has been a summer retreat for me and for the renters we have had, thousands of people benefited from the economic shot in the arm the summer renters give the island each year, our goal should be to solve the problem universally with the least impact on that which drives much of the economy of the island, noise laws, public urination laws, overcrowding rules applied to all and enforced with understanding would remove most all of the problem, regulations, such as the one proposed, will not address the private party that gets out of hand and produces the same complaints, hurting the island economy by driving the casual seasonal renter to a complicated expensive new set of regulations will cause economic hardship to all, it will increase costs and our taxes and drive middle class people from the island who are trying to offset the cost of their home by seasonal rentals, I have used licensed real estate agents who are very careful in selecting who rent from me and these proposed regulations, I would propose that the airbnb problems be addressed individually __; thank you; my name is ___, I ___ and __ shorter rentals, as the gentleman before, the one before me said, short term rentals are something that concerns me, ___ two days or a weekend and people do perceive us __, they come to here and the Hamptons, we are going to get all those people who __ for a free for all, __ it will be a party place, ___ Sunset Beach ___, so we want our Island to turn into that, I mean ___ protecting ___, renting for two weeks in the summer to the __, nobody has anything against that, it's __ but where are we going next year ___ especially if you have __ property ___, I don't get it, sorry; my name is Dimitri ___, I am speaking through my translator who is also my wife, __ say one thing, the people that I rent to at my house, they are __ renter, they come here to Shelter Island to enjoy the environment, they __ come here and so we never have a problem with the ___ on our property, __ this Island has always been about tourism and that's how we survived, we urge people to come here, it's part of our economy and the thing I'm concerned about it is a fellow like myself, is a disability, __ and I'm not able to communicate __ a person disturbing my family to be able to do so and so having a rental is something I can use to subsidize my income as a father, as a man and so I urge you to consider the young families on Shelter Island and I am one of them and I appreciate your time, thank you; I'm from Shelter Island, I went to school here __, I've owned my home for twenty-seven years on the Island and I'm ___ based on ___ about businesses being ___ thinking about how we can deal with it, the neighbors __ the landscapers home office, we need to think about the neighbors ___ equipment every day, I think about the neighbors who complain that there is continually ___ and that's a lot to think about, the neighbor who complains about the noise ___ right next to our home, when this came up before the Board work session, __ community and __ on Shelter Island and he is right, they are our _, they are our __, the Board will now be __ with ___, why would they not be ___, the ___ single family homes __ time, ___ to be commercialization of __ business, __ regulate the businesses __ of their home, that's the next question that will come up, the next __; hi, I'm Laurie DePoto, I just want to speak about the Airbnb situation, __ what concerns me it __ comes out and buys property on the Island strictly to rent through Airbnb and __ the Airbnb I was trying to find out, when you see a host of these rental properties, it's of the assumption that they have a connection to the property and what I did find out from the Airbnb is that any third party can be a host to a property, it does not have to have a connection to the owner, the third party can act as a host, now supposing this host is in New Jersey, not here, so that concerns me because there's really nobody here on the Island that oversees these short term rentals, unless they have a __ service possibly, there's nobody on hand to regulate any private property to see the problems that do come up, I am a hundred percent in favor of Islanders who want to rent a room out or rent space out in their own homes, it's a wonderful way for them to make money but they are in their house, they're actually there and I think that's a wonderful thing but I'm concerned about like so many people said that some people ___ when they come out here

and then they try and sell __, they've got children and dogs and cats and it's just like a rental area and I can see that sometimes that these properties will be beneficial to our community and __ our Island, __ there are group rental regulations on their property but the realty agencies oversee all the rentals here, they have some __ in place, so __ your decision to __, thank you; my name is Peter Humphrey, I've been a homeowner for about eight years now, full time resident now, not very long but will be soon, we came out here and loved the Island, loved everything about it and __ I really want to thank the Board for the work you've done and your concern, I think everybody on both sides of this issue feel the same, they all want what's best for us and I think one of the things I would commend the Board for most is the __ and __ regulations because there is really nobody to know what really is going on economically with the different people that are affected and let the other communities experiment with their towns, Shelter Island is unique, it's got __ and see what we can solve, the costs are clear and the benefits __ and so thank you for that and as the last speaker mentioned, there are I think regulations that are _, my wife and I have rented our house since we've owned property here so we too come out until we can live here full time and I know a lot of people who rent their homes on very much the same situation and would love to live here full time but we can't afford to and __ fortunate to be able to move here but some of the regulations that are needed __ and thank you for that ___ first half hour the work that you guys do ___ so thank you again, I am concerned about ___ about wording of the proposed regulations, talking about the existing regulations on the books, they should be enforced as some people mentioned __ and also the cost of the enforcement and ___ there are costs ___, one of the things I do want to touch on before I completely run out of time is the valid concerns about the short term housing, I'm sorry, affordable housing and __ short term rentals, what I was saying about affordable housing is ___ what it costs to buy a house and to think that short term rentals are actually raising the property values, there are bigger facts in the economy which are increasing the cost of property on the Island, both __ and nationally; thank you very much; my name is Joel Hoffmann, I've owned on the Island for approximately forty-five years and I've summered and wintered, I think there are a couple of things that we really have to compare, some speakers talking about __, we don't have __ , we have the right to bear arms, to own guns, we don't have the right to ___, similarly we do have the right to the use and enjoyment of our property but it doesn't mean the use in any way you want, I can't __ my property if the law does not allow, I do not have the right to ___, we don't want to stop rentals on the Island, absolutely no way, __ to prevent the community as a whole so that is doesn't become a service, some houses __ summers or a year round community and renting out for two hour stints ___, we don't want Shelter Island to become a big party place and we certainly can find a way to cover immediate costs for people __ money from ___, nobody wants to stop that, I don't think a soul here wants to stop it, ___ neighbors __ so we can ___; I can follow my husband, Lily Hoffmann, and I can also say I teach second grade at _, I just want to underline one point, I think affordable housing is so very, very, very crucial __ but I want to separate it from short term rentals, I'm not sure what vacation rentals are, it seems to get into the whole summer and I think the conception is __ like Airbnb for two and three days __, you clarify the definition and __ a time table __ so you're not talking about every single possible seasonal rental, there are also __ issue not to be compared with short term rentals, short term rentals, every resort community whether it's __ communities __ on the real estate market, everywhere they increase the rental, they undermine the number of rentals, this seems to be the rule, whether the increase in __, the increase in ___ we be much more ___ property we buy for towns, we can put it into land trusts, we can put it in community land holdings for people to be able to buy and build ___ in equity so they just don't __ our values in ten years or fifteen years, we have to do a lot more than we have _ _; Stella Lagudis and I'm representing the Board of Directors of the Shelter Island Heights Property Owners Corporation, we filed __ in terms of making a decision __ and thank you for taking us this far, the Board is not __, the Board acknowledges that there have been rentals in the Heights for many years, these issues here with all the stats is that ___ as far as rentals, has changed dramatically with the introduction of __ and in that vein, we __, we do believe that there needs to be increased regulations, we are with the comments that were made that we should probably police some of our existing rules more diligently but we do have some concerns that although what you have proposed in the __ , we do feel there are things, for example and as Laurie has mentioned, we are concerned that we will be the only entity on the east end of the island that does not have a limit on rentals so if you're surrounded by different villages and towns that have a fourteen day minimum, you are just going to be the weakest link in the chain and therefore there will be more propensity to get the short term rental and as was pointed out by some of the people here, short term rentals, here for a weekend __ if they know somebody and there's a wedding, they are typically two different _ of people, we would also

recommend that in a way to reduce the number of people coming to the Island __ that there be a limit on how many properties, one per property that can be used for renting ___, we also think that there's a parking issue, __ parking issues in the Heights so if you've got a four bedroom home and there are four couples renting, potentially you're adding four more cars, bed and breakfasts have a restriction on the books that they have a formula as to how many cars they can have, well we think that some of bnb laws should be ___ these laws, so I will wrap up and say again we are not opposed to rentals, we just want to go __ that there are those of us who don't rent and those rights are for our enjoyment __ some of the issues that we have discussed in the past, so thank you; thank you; Joe, I'll mention before we start that you'll be on the radio __; WLNG; ___; biggest radio audience ever; we'll ask a lot of questions; that's right; ___; yeah from 1 o'clock to 2; ___ a major __; Joe has the floor sir; go ahead Joe, I'm sorry, my apologies; ___ Shelter Island __ a long, long time and as far as I know that's what's been going on __ for a long, long time and nothing has changed ___, Airbnb was founded in 1998 __ and Airbnb is still __ operation, ____ on Shelter Island from 2012 to 2015 ___ that's something we should really take a look at ___ how much income this Island __ a purchase, seventy-five percent of the ___ the Town did a great job of summarizing ___ Sag Harbor ___ it was a total destructo and __; good afternoon, __ I would just like to point out that the parking permits per day is __ a seasonal __ and Memorial Day to Labor Day is $225.00, ___ with Congdon's Creek, now Congdon's Creek is rented by the season ___ docking at Congdon's Creek ___ $104,760.00 and change to buy a portaloo, I would think you could build something nice ___; yeah, Mark; I just have a comment for all of you who rent and I'm not __, fifty years ago we were lucky enough, my wife and I were lucky enough to buy a second home, a small little cottage, and what we did with that, we rented to two young people who lived here full time and we were lucky enough after eight years, I charged them hardly anything to rent, they were lucky enough to save up and they bought a house here, okay so I will tell you all who want to rent, to do the same as we, we helped a young couple who can afford to live here forever and ever and they are teachers, they are firemen, they are ambulance workers, they are __, without year round rentals, we're gonna lose all these people so I tell you all, if you want to rent, rent, rent year round; my name is Gina Kraus and I'm a year round resident of Shelter Island and I'm very proud to live and work here, I came to Shelter Island as a baby and a renter with family, I've rented my home as a permanent resident and I also have children who work on Shelter Island and are looking for a home and a place to rent, a few years ago when I rented my home, I turned away hundreds of people __, this year nothing, no one, the rental market has been taken over by short term rentals, __ but from the social media I can rent a house, a room, anything, I don't even have to leave my car, I can do it from my phone, I can do it without ever talking to anybody, I can come here, short term rentals have obliterated but for year round rentals for a family to live and work here, they can't afford a home right now, it costs about $500,000.00 right now to buy a home and they are being wrapped up pretty quickly, in the __ of a few months a house is being __ up, we need more rentals ___, we have plenty of people coming to Shelter Island, we have achieved the top destination in travel __ even though I fully understand it, even until my children are able to purchase a home, they need to rent but to a two week or one week or one way, we want to push back on that market, we want to push back that monthly market, we want to push back so that we can get a good rental on our Island, we are a tourist community __, one last note, safety is an issue, __ if a room is not safe __, I have to show my license to get into our school __ and if people aren't able to rent for a month or as long as they want, I'm introduced to them, I get to know them ___; okay, thank you; I'm Jonathan Russo, I feel like I'm at an alcoholics anonymous meeting, ___, ___ moderate rental program ___ definitely improve the rental situation, long term and short term, __ is that __, there are a lot of people here tonight, myself included, ____ talking about, I know, I know, ___ the economy and litigation is easy to do, ___ suing ___ and the Town's gonna be sued __ possible litigation against the Town ___, nothing can be further than the truth, __ can be sued ___, there are people who have made substantial real estate investments and we do not want to see them destroyed, __ important places ___ Supreme Court ___ but let's not pretend __ lawsuits are a threat ___ thank you; hey, I'm ___, I feel like ___ that's important; could you speak into the mic a little; yes; thanks a lot; ___ short term rentals and school ___ short term rentals ___ two percent or eight percent __ and ___ school population __ from a public school ___ according to the State, the number of students in Shelter Island School is about the same as 1992 and 2014, __ school decline ___; Craig, how are you; so I __; speak into the microphone; __ all the other towns around us ___ and we've talked about short term rentals __ my in-laws came here and decided to stay ___ ; __ one night stays; I'm sorry sir, go ahead Craig; ___; __ so I would push back and push back ___; hello, thanks for your time, my name is Larry Adler, due to time, I will keep my comments short __, I've followed

this saga since the beginning and watched these proposals change over time, I have to say I am really dismayed, my twenty-one years of being a homeowner on the Island that I've seen __ so divided, frankly shame on you, vetting neighbor against neighbor, today, the future based on whatever ___, I was to say this gently but for those who are following this, __ discriminatory attitudes towards homeowners, second homeowners and renters have no place like Shelter Island where tourism is the life blood of the economy, in my opinion __ that my image is clearly motivated factors that __ , I believe Councilman Colligan should excuse himself, it's no surprise that he's taken the lead on this legislation given the inflammatory ___ statements he's made, public officials should be fair, balanced and subjective when it comes to issues facing the community as a whole, in this instance and on this issue, this has not been the case, I'll take the high road and not quote them at this time in front of all of you but I do reserve the right to do so if necessary, __ take the time to review __ the document prepared by Michelle D'Arcambol which is an excellent encapsulation of virtually everything that is inaccurate, factually wrong and in some instances __ illegal about the proposed legislation and its intent, my guess is, in speaking to you, is that most of you have probably never rented your home or rented someone else's home for a vacation ___ because the proposed legislation is __ and contains many __ such as the lack of policy for guests, derived from the listing of names in a registry for public consumption, why would someone want that, making guests aware and enforce the laws, __ , check out the number of people based on the number of bedrooms, ___, restricting the number of guests based on the number of conventional bedrooms, this is very ___ unfriendly, there are bunk beds, two people per bedroom doesn't necessarily make sense, there are dens, there are living rooms, people use them, there's convertibles, are you saying you can't use them necessarily, it doesn't make sense, ___ , I'll skip a few things but lastly I commend the Chamber of Commerce for taking steps to do what you do to increase tourism and help local business, __ , meanwhile the Town Council is proposing local regulations to make it more onerous and __; Mr. Adler, I have a question for you sir, you own a rental property yourself, right; yes, I have a home that I've rented twice in twenty years; and that's all, you don't have any other rental properties here; no; okay, thank you; good evening, I'm Kimberlea Rea and actually I am a lawyer and I do have a license and __ follow this __ until now ___ because I think that __ has been hijacked by certain people who have a financial gain from this and whenever I hear the assumption that __ Shelter Island is a seasonal tourist economy, I __ to the people that I know, the fishermen, the baymen, the doctors, the lawyers, the accountants, the artists, the chefs, the historians, the writers, all of us who live here get along, all of us __ and we're lucky that we have tourists during the summer to expend our __ and it certainly is a boost to the economy but I have to tell you that I take __ that this law is going to be formulated __ solely to ___ financial gain through short term rentals and by that I mean by rentals of less than two weeks; yes ma'am; it has been said here tonight by several people, I don't think anybody disagrees but rentals are a good thing, I think I'm the only person that __ the audience who does rent year round and I can tell you that probably the short term rentals, long weekends up to one week that you can get on airbnb, there is an amount of shrinkage of year round rentals, I can also tell you that if I had to leave the home that I rent, ___, there's nothing out there and the reason for that is that people can make a great deal more money by renting out their houses on Airbnb or any number __ websites that do that and you could all look at those because it is shocking __ on the market for these short term rentals so it's just not the excuse, legally you have no obligation to assure __ income to people who own their houses and want to rent for short periods; yes; every single town in the east end has enacted laws that require at least a two week stay so why don't you do what I ask you and see __ other east end towns, that's also incorrect, we share culture, we share __ and we share an interest in having a year round economy for people like me _ this year __; thank you; thank you; my name is Roberta Martin and my husband and I ___ as second homeowners and __ and I must say first of all, __ because I think ___ a good neighbor __ I don't think it's been published, I think __ what people would be expected to abide by, it's mentioned in the law but it seems to me those rules are some of the most important __ rented our home here on two occasions to families, we've also rented overseas on Airbnb and rbls and all of them recognize that the __ the community enforces the __ it is caused by social enforcement by neighbors before social media ___ rented your house and __ rented it to a group for a party house or he rented he rented it to a very large family and neighbors can call you up and say there's a lot of family in your house for the month, you should do something about it, in the past most of the homes __ real estate agents on the Island __ would be responsible for putting some pressure on these, __ of these short rentals __, anyway the long term __ resource, the only person who can enforce any standards is the homeowner and if the homeowner is not present, I think ____ and __ the rules to the homeowners, second was the question of __ by the number of bedrooms or beds,

___ so I think there has to be a rule that suggests that you can not have more than two unrelated individuals signing the lease and presumably that could be two mothers, two friends __ paying for __ and one of those ___ times, so I would look forward to see what that __ and I'd also say __ ambiguous about making it a two week rental because a very good friend of my son who is a lawyer and he came to the Island to __ two years ago he came back for two weeks, __, thank you; I'm Phil DiOrio, I just want to say first off, I want to address non owner occupied residential zone short term rentals, I'm all for owner occupied, I'm all for B zone rentals, I first decided to get involved with this one, I was walking out __ in the middle of the night across the street from my house, just __ wedding guests and later on that night my neighbors went and called the police and somehow that seems to be the one and only complaint that the short term rentals __, to address __ only twenty-three percent of the noise complaints that they found were associated with short term rentals, their numbers in their presentation paper said there were sixty houses that were doing it, __ twenty, __ sixty houses is about two and a half percent of the houses __ two and a half percent of the houses on Shelter Island were generating twenty-three percent of noise complaints, I think there was something to that, there are a lot of people doing this for a long time, my understanding is the temptation of the money, it seems so very tempting, when you have a residential area and people are grinding twenty to twenty-five different groups of people in and out of that house during the course of the season, you can't help but call it anything but commercial, I understand when people rent out their house for a month, I understand when people rent out their house for the season but I think that we need some new standards here, at least two weeks of __ as communities around us have done, I also believe that we do need to have some limit on the number of separate rentals that are allowed for each property each year so we don't wind up with twenty to twenty-five separate rentals per year, __ a freight train coming down the tracks, we can't stop the freight train __ the Airbnb, the rbl, vacation homes for rent is something we can't stop but we can push the tracks so that it goes around our little island, there are a lot of __ places that have embraced this model, absolutely, they can add some examples, Fire Island is one, you go to these places, they are always __ people and nobody is there, I don't want that to be Shelter Island, where do we want to be fifteen to twenty years from now, __ to be an Island of transient rentals, everybody here, I'd like to know, who thinks we need lots and lots more short term rentals here on Shelter Island, good for you, I know you would, anybody else; no; __ renting out a room or a guest house, second homeowners ___ residence, these are not __ this is about real estate investors both on off ___ the sole purpose __ addresses unsupervised non owner property __ which under the existing codes, the proposed registry is needed ___ commercial short term rentals ___ for insurance and compliance, the short term __ but not when the home is set up as a business, there is talk about one hundred twenty-five ___, one hundred twenty-five years ago __ present day and the population was much smaller, __ New York City __ but __ have built in buffers to protect ___ or take out a newspaper ad, __ terms __ commercial short term properties __ to the surrounding environment __, __ without ever taking ___ all accomplished with __, these short term rentals __, we're all property owners and not __, there is no ___ of the neighborhood for subservient interests, __ this is not Uber __ transportation issue, this is ___; my name is Kim Noland, I __ the speakers __ eloquently __, so many people that wanted to be here tonight that couldn't be here ___ another chance __; my name is Charles Spooner, unfortunately most of my thoughts have been covered __, I would like to address a couple of things so people ___ houses being sold __ now we __ in 2012 so I would presume that our house is __ and we have no __ far less than __, we have no intention __ however ___ renting a house for two weeks, that would be fine with us, because if you rent more than two weeks you have to start paying federal tax and so on so the __ and realtors __ but the intent is ___ we don't want to make our house into a __, __ year round rental, it __ a lot of properties ___ two weeks or whatever ___ and as a result ___, we don't have a pool or anything like that so __ people rent for a longer time period, our houses will ___ and end up with ___, thank you very much; ___; give us your name sir; my name is Herb Loinig and I ___Bellecrest Inn; I know; our property is __, I want to ask __ I'm finding out there are a lot of people who say, but I'd like to know from you, you wrote this short term rental law for a year and a half __ a proposal and the most important part is missing, what happened, you people had some vigorous arguments and you __, what happened, what happened to the two weeks, what happened to the one week, what went wrong, __ are missing __ you want us to come here and tell you, you missed the boat, __ the majority of what the people want, did you hear what they have to say, are you gonna go now and rework that proposal, I want you to know, there are so many issues that are not really spoken about, insurance, our insurance at the Bellecrest is $12,000.00 a year because we rent, you rent to somebody, the insurance company is gonna have such __, if your house is big enough __ if you have more than fifteen people

in your house, Suffolk County asks you to get a temporary permit, $400.00 and they'll come and they'll inspect your place and whatever they require, you can figure out it will be an additional $10,000,00 that you will spend, you will have to be up to Code, Airbnb, yesterday on NPR, the news, a thirty billion dollar company over the last ten years, three guys who used to sleep on sofas with their friends and now it's a multi-billion dollar company, this is only the beginning, everybody wants to drive a new car ___, __ New York City ___; I'm familiar with that; I want __, what you do here, you have short term rentals, let me tell you, if you want to come here for one or two nights, you ___, that's what they say; thank you very much; __ so short, you cannot afford it, as a business we'd be suffering from __, I want you to know, this is not something to ___ so many room rentals on Shelter Island and it's only going to increase; it's good to get your thoughts, it's always a pleasure to hear from you; __; thank you so much; I'm Barbara Allen-Lieblein, ___, __ insurance which is to protect the renter, not the rentee, __ the question of whom you are trying to protect __ , I think you need to protect the citizens, the residents of Shelter Island, not the __ coming to abuse our Island and there is a lot of abuse going on that has not been __ because it does not include the residential ___ the economy, __ are many things you have not covered and I __ short term rental insurance __ because it is only ___ cannot afford to acquire insurance to protect the person renting from them, if he wants to be protected, let him protect himself, the only way he is protected physically, __ is negligent, if he rents and a loose sink falls on __, that's covered, the person renting will be responsible and they will collect, if he trips and falls on a crack in the sidewalk, he won't, that's his problem, not their problem, the other thing is definitely for __ perfect example of why there needs to be a restriction on the number of rentals per year, if you rent for two weeks but how many two week periods in the course of a year are you going to have and will you allow, there needs to be research on that as well cause that's no different than the short term rentals __, thank you; good evening, my name is Michelle D'Arcambal; thank you; and first I would like to request that my ___ be made a part of the record, the prehearing statement that ___, I'd like to put that into the record with the many facts, __ I own a house at Silver Beach, I have rented for years, I have rented on and off for twenty some years, short term, long term, all types of rentals, all my rentals have been fabulous, much ___, __ is the fact that __ regulate __ but that's true but you have to have a happy medium, you can't just say short term rentals __, that's not good enough, you have to have a real good reason to take away someone's property rights, for example, __ the New York Court of Appeals which is the highest court of appeals __ and in that case they __ something ___ the regulations are people ___ in New York City, ___ the population so they __ I thought but they said no you can't do that, you have to ___ a reason for that, absolutely __ landlords or owners of those buildings have and they __ similarly there's a case __ and in that case again I thought __ the regulations __ protection regulations, I totally support those but they use them and they _ them even though __ did help the environment because the cost so outweighed the __ that was shown to help the environment __ the cost of regulating and the cost of __ and enforcing them, I don't know why they didn't do it frankly, I think that __ way is __ more expensive __ I haven't seen that articulated factually but I love facts, that's what I do, I'm a __ person but I appreciate it when __ and thank you very much; thank you, I think we have heard from all of you that want to speak, I want to thank you all for coming out today and, okay, come on up; Tim Hogue, I won't take three minutes, I think __ the Shelter Island Association and you've heard from individual associations that there is a problem, these are facts and what I would ask that you __ regulations to meet the needs, __ permit less than two weeks and limit the number of times someone can rent less than two weeks, I think it needs to be stopped, it does not stop people from renting out their houses for a reasonable amount of time, thank you for your time for this and I hope that you pass something that is __, thank you; I'm Howard Johansen, I'm a resident of Shelter Island, the law that is written is basic as Suffolk County's which requires a certificate of authority in order to have short term rentals __ I don't know how many of the rentals __ but I talked to the auditor of the Office of the Suffolk County Comptroller and are assigned to enforce __ , it was written in May of 19__, 2016, this law has been on the books since 1996 and they now just starting to enforce it, so people __ have this certificate of authority, __ mentioned in this law ___, it won't be possible to __, the other thing is I think this law should be more stricter ___, we don't have the infrastructure on this Island to support the turnover of people, people __ our water systems or our septic systems __, restrictive aquifer, people coming in every two days and using the water __ , so I think it has to be re-written to be more stricter __ Shelter Island __ the Town ___ the Town does have the right to __ inspected; thank you very much, I think we have heard from everyone that wishes to speak, I thank you all, those of you who spoke and those of you who have sat through it, this has been very helpful to all of us.

The Supervisor declared the public hearing closed at 6:45 p. m. with the exception of the acceptance of written correspondence for the following week, and reconvened the regular Town Board meeting.

RESOLUTION NO. 106

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Section 247 of the General Municipal Law and Section 50-5 of the Code of the Town of Shelter Island, the Town is empowered to purchase rights in real property for the preservation of the community, and

"Whereas", the Town Board of the Town of Shelter Island has determined that it is in the best interest of community preservation and protection of the environment to acquire 4.5 acres at Burns Road, Suffolk County Tax Map #0700-015-04-143, owned by Shelter Island Meeting of the Religious Society of Friends, and

"Whereas", it is required by law that a "lead agency" be established to review this matter pursuant to 6 NYCRR Part 617 (SEQRA) and this Board wishes to establish itself as Lead Agency and render a declaration of significance pursuant to SEQRA, and

"Whereas", a public hearing was held on January 27, 2017 on the proposed acquisition, and all persons were heard and submitted documents considered, and

"Whereas", the Town Board finds that acquisition of the property is in the best interests of the community in order to provide natural habitat, protect wetlands and serve as aquifer recharge, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA, and

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this is an "unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF and the negative declaration, and

BE IT FURTHER RESOLVED, That the Town of Shelter Island hereby finds:

1. That the property is eligible for acquisition under the Community Preservation Fund program, and

2. The property will be used to further the purposes of preserving natural habitat for plants, animals, birds and waterfowl, protecting the extensive wetlands from development and serving as aquifer recharge, and

3. That the Town will pay the bargain sale price of $25,000.0 for fee title to the property, and

4. The Town will appropriate funds for the acquisition of the above described property as specified above, including but not limited to survey, appraisal, environmental audit, title insurance tax adjustment and taxes prior to acquisition, and

BE IT FURTHER RESOLVED, That said acquisition is hereby approved, and the Supervisor is hereby authorized to execute all necessary documents to effectuate this purchase.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Shepherd and seconded by Councilman Colligan, the meeting was adjourned at 6:50 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

February 17, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 17th day of February, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and one person were present. All Town Board members signed a waiver of notice.

The Supervisor called the special meeting to order at 3:30 p. m.

Supervisor Dougherty moved and Councilman Colligan seconded to go into executive session for personnel discussion. This motion was carried.

At 4:21 p. m., Supervisor Dougherty reconvened the special meeting, and on motion of Councilman Colligan and seconded by Councilman Shepherd, the special meeting was adjourned at 4:21 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

February 17, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 17th day of February, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and twenty-three persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. A letter from James Murphy volunteering to serve on the Water Quality Improvement Project Advisory Board.

RESOLUTION NO. 107

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a vacancy exists on the Community Preservation Fund Advisory Board, now, Therefore

BE IT RESOLVED, That Joseph Denny is hereby appointed to serve as a member of the Community Preservation Fund Advisory Board for a term to expire on February 2, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 108

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of Peter Grand as a member of the Water Advisory Committee expired on April 2, 2017, and

"Whereas", Peter Grand has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Peter Grand is hereby reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 109

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of John Lopez as a member of the Water Advisory Committee will expire on April 2, 2017, and

"Whereas", John Lopez has expressed his desire to continue to serve in said capacity, now, Therefore

BE IT RESOLVED, That John Lopez is hereby re-appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 110

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to Resolution No. 23 - 2013, dated January 3, 2013, Jennifer C. Zacha, now Jennifer C. Beresky, was appointed from the County of Suffolk Department of Civil Service/Human Resources list to serve the Town of Shelter Island as Permanent Clerk, and

"Whereas", a vacancy exists in the full time position of Clerk to the Police Department, now, Therefore

BE IT RESOLVED, That Jennifer C. Beresky is hereby appointed to serve as full time Clerk to the Police Department for 40 hours per week.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 111

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $320.10 from the 2017 A3120.491 Police Department service contracts account to Carr Business Systems, P. O. Box 28330, New York, New York 10087-8330 for the annual maintenance contract for the period January 24, 2017 through January 23, 2018, for the copy machine in the Police Department.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 112

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,646.00 from the 2017 A1620.476 buildings computers account to Microsoft Corporation, P. O. Box 842103, Dallas, Texas 75284-2103, for the annual fee for 63 e-mail licenses for the term of February 15, 2017 through February 14, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 113

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the Superintendent of Highways/Commissioner of Public Works has requested permission for the Superintendent of Highways/Commissioner of Public Works and Brian Sherman to attend the Solid Waste Recycling Conference and Trade Show in Lake George, New York, from May 21 through May 24, 2017, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,320.00 from the 2017 A8160.484 Landfill office and miscellaneous account to The Sagamore Resort, 110 Sagamore Road, Boltons Landing, New York 12814, for the two hotel rooms, and the sum of $850.00 from said account to SWANA for registration fees for said SWANA conference.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 114

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for bids for the proposed Congdon Creek dock replacement.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 115

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Assemblyman Fred W. Thiele has introduced a bill A. 2671, and Senator Kenneth LaValle has introduced a bill S.3225 entitled "AN ACT to amend the general municipal law, in relation to creating the Peconic Bay regional transportation council" and providing for the repeal of such provisions upon expiration thereof, and

"Whereas", this legislation would create the Peconic Bay Regional Transportation Council which would coordinate a proposal for the development of an improved public transit system for the region, now, Therefore

BE IT RESOLVED, That the Town Board of the Town of Shelter Island does hereby support the proposed home rule request as submitted by Assemblyman Thiele and Senator LaValle, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to execute and forward the Home Rule Request forms to the Home Rule Counsel's Offices in Albany, New York.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 116

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the Town of Shelter Island is a party respondent in certain tax certiorari proceedings commenced by the property owner of property located at 20 Manwaring Road, Shelter Island, New York a/k/a tax map number 0700-015-03-012.20 for assessment years 2009/10 through 2016/17, and

"Whereas", the parties to said litigation have attempted to narrow their differences, and

"Whereas", after a review of the relative merits of the petitioner's claims, the parties have agreed to settle the above tax certiorari claims on terms set forth on the annexed Stipulation of Settlement, now, Therefore

BE IT RESOLVED, That the Town Board hereby approves of and has no objection to the settlement of the claims of the petitioner (Charles Gulluscio) on the terms as set forth on the annexed Stipulation of Settlement, as in the best interests of the Town and its taxpayers, and

BE IT FURTHER RESOLVED, That the Town Attorney or Special Counsel is authorized and directed to execute the appropriate Stipulations of Settlement, and consent to the entry of an Order of Judgment, if any, implementing the aforesaid settlement, and

BE IT FURTHER RESOLVED, That in accordance with the agreement, and as consented to by the Town Assessors, the assessment and any tax bill shall be so adjusted as directed by, and upon receipt of fully executed copy of a Court Order, and

BE IT FURTHER RESOLVED, That the Town Clerk provide the Town's Legal Counsel with a copy of this resolution upon adoption.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 117

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:45 p. m., prevailing time, on the 10th day of March, 2017, in the Shelter Island Town Hall,

Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed local law entitled A LOCAL LAW TO ADDRESS MINOR CLARIFICATIONS IN THE TOWN ZONING CODE, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Legislative Intent

The Town Board finds that certain minor changes are required to correct unclear language regarding accessory sleeping quarters on either the first or second floor of a building. These changes are intended to clarify the intent of the Zoning Code revision.

Section 2. Amendment of Code

A. Chapter 133, Section 133-6(E)(3) of the Shelter Island Town Code, entitled District A Permitted Accessory Uses, is hereby amended to read as follows:

Section 133-6(E)(3)(a) is amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. No accessory building shall have kitchen facilities or shall be used for rental purposes. The area of any floor with accessory sleeping quarters shall be not less than 480 square feet, excluding closets, bathrooms, pantries, porches, breezeways and attached garages. The accessory sleeping quarters shall include no more than two conventional bedrooms.

B. Chapter 133, Section 133-7(E)(3) of the Shelter Island Town Code, entitled District AA Permitted Accessory Uses, is hereby amended to read as follows:

Section 133-10(E)(3)(a) is amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. No accessory building shall have kitchen facilities or shall be used for rental purposes. The area of any floor with accessory sleeping quarters shall be not less than 480 square feet, excluding closets, bathrooms, pantries, porches, breezeways and attached garages. The accessory sleeping quarters shall include no more than two conventional bedrooms.

C. Chapter 133, Section 133-10(E)(3) of the Shelter Island Town Code, entitled District C Permitted Accessory Uses, is hereby amended to read as follows:

Section 133-10(E)(3)(a) is amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. The area of any floor with accessory sleeping quarters shall be not less than 480 square feet, excluding closets, bathrooms, pantries, porches, breezeways and attached garages. The accessory sleeping quarters shall include no more than two conventional bedrooms.

Section 3. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 118

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:47 p. m., prevailing time, on the 10th day of March, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed local law entitled A LOCAL LAW TO ADDRESS MINOR CLARIFICATIONS IN THE TOWN ZONING CODE, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Legislative Intent

The Town Board finds that certain minor changes are required to correct unclear language regarding the structures to be included in calculating SFLA. These changes are intended to clarify the intent of the Zoning Code.

Section 2. Amendment of Code

A. Chapter 133, Section 133-6(F)(1) of the Shelter Island Town Code, entitled District A Permitted Accessory Uses, is hereby amended to read as follows:

(1) One-family dwellings and accessory structures with a SFLA of 6000 square feet or above.

B. Chapter 133, Section 133-7(F)(1) of the Shelter Island Town Code, entitled District AA Permitted Accessory Uses, is hereby amended to read as follows:

(1) One-family dwellings and accessory structures with a SFLA of 6,000 square feet or above.

C. Chapter 133, Section 133-10(F)(1) of the Shelter Island Town Code, entitled District C Permitted Accessory Uses, is hereby amended to read as follows:
(1) One-family dwellings and accessory structures with a SFLA of 6,000 square feet or above.
Section 3. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 119

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town of Shelter Island has received funds in December 2016 from the Dormitory Authority State of New York (DASNY) in the amount of $25,000.00, and

"Whereas", The Town will also be receiving $200,000.00 under a one hundred percent reimbursable grant for road paving, and

"Whereas", the Town Board did not budget for said revenues, now, Therefore

BE IT RESOLVED, That the following budget revisions are hereby approved:

$225,000.00 increase to the 2016 DB3089 revenue account, to be funded by the funds received from DASNY and the above mentioned grant, and

$225,000.00 increase to the 2016 DB5110.445 Highway Repair & Improvements account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 120

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the following 2016 budget transfers are hereby approved:
$715.00 from the A1490.419 Public Works generator maintenance to the A1490.420 Public Works signs and signals account;
$1,800.00 from the A1490.414 Public Works Town Hall and other buildings account to the A1490.497 Public Works professional fees account;
$413.00 from the A1910.400 Unallocated Insurance account to the A1620.423 Buildings electricity account;
$500.00 from the A3120.288 Police Department dive team equipment account,
$36.12 from the A3120.482 Police Department car maintenance account,
$405.65 from the A3120.483 Police Department telephones account, and
$2,427.07 from the A3120.491 Police Department contracts account to the A3120.479 Police Department boat maintenance account;
$173.27 from the A3120.482 Police Department car maintenance account,
$2,229.88 from the A3120.483 Police Department telephone account,
$2,185.00 from the A3150.100 Jail Guard personal services account, and
$364.76 from the A3150.400 Jail food and miscellaneous account to the A3120.270 Police Department car equipment account;
$900.00 from the A4010.422 Deer & Tick Committee corn account to the A1490.118 Public Works personal services account;
$1,842.00 from the A4540.422 Ambulance food account, and
$3,500.00 from the A4540.478 Ambulance medical supplies account and dispersed as follows:
$2,726.00 to the A4540.200 Ambulance equipment account, and
$2,616.00 to the A4540.484 Ambulance office and miscellaneous account;
$58.00 from the A6772.485 Nutrition Program van fuel and maintenance account to the A6772.400 Nutrition Program food account;
$16.00 from the A6776.486 Silver Circle van fuel account to the A6776.484 Silver Circle office and miscellaneous account;
$2,590.00 from the A8160.408 Landfill maintenance account and dispersed as follows:
$1,225.00 to the A8160.451 Landfill C&D hauling account, and
$1,365.00 to the A8160.444 Landfill environmental testing account;
$420.00 from the A8160.442 Landfill purchase of bags account to the A8160.433 Landfill solid waste carting fees account;

$4,000.00 from the A8160.438 Landfill processed concrete account to the A1490.497 Public Works professional fees account; and
$212.00 from the A8160.497 Landfill professional fees account and dispersed as follows:
$200.00 to the A8160.484 Landfill office and miscellaneous account, and
$12.00 to the A8160.488 Landfill high visibility clothing account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 121

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That 2016 general claims numbered 2303 through 2337 in the amount of $39,326.72, 2016 highway claims numbered 311 through 313 in the amount of $289.19, 2016 West Neck Water claim number 47 in the amount of $5,074.65, 2017 general claims numbered 86 through 185 in the amount of $45,433.27, 2017 Community Preservation Fund claim number 2 in the amount of $4.95, 2017 highway claims numbered 8 through 26 in the amount of $31,086.65, and 2017 West Neck Water claims numbered 1 through 5 in the amount of $1,924.81 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:43 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Donald T. Becker, 62 Ram Island Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.065507° north and 72.3115° west; said mooring location was formerly occupied by the C664 Becker mooring.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the WMAC voted 6 - 0 in favor of the mooring change, he is putting a 22' Grady White boat on the mooring, they see no problem with that, it's just a change of moorings.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:44 p. m. and called to order the public hearing to be held as advertised on the application of Okan Azmak, 1 Simpson Avenue, for permission to install a mooring in West Neck Cove at the Menantic Road Town landing designated as latitude 41.051382° north and 72.344942° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:

1. An e-mail from Howard Johansen concerning the location of the proposed mooring.
2. An e-mail from Peter Reich concerning the location of the proposed mooring.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: this had a little more discussion than the last obviously, the proposed lat and lon didn't work for the Committee, they gave alternatives which were submitted and they also asked that there be no, be some language in the resolution regarding not blocking the channel; right; now you have in the resolution, the original request, you have in the original request for, the original lat and lon because I don't know whether the one they gave us to adopt is actually what, where it's gonna go, is the application lat lon or is it that where they want it to go, and which form of the lat lons did they use, the same as what the application was written on; yes; it's within feet, it's not __ decimals, it's deep into the decimal area so it's not a giant move; okay, it's not a big move, it's just feet, so it was the same format, there's no doubt in my mind about that; okay; just that shallow navigation channel there and they didn't want to impede any boat, any boat traffic in that channel and they just wanted it so noted in the resolution I guess, well doesn't the lat lons provide to keep it out of the channel; apparently not; it doesn't; there seems to be, again I go back to my remarks the other day at the work session that if you look at the Google

representation, it looks like they're channel markers and the channel buoys are directly in the middle of the channel so we're not really sure what's going on there but we used that platform in order to come up with the new coordinates, the ones that were asked for simply put them right up against the channel and another mooring I believe as well; right; this is just simple stuff; yes; right so I mean that's all I can tell you about that; okay; it's part of the bigger issue that Paul had mentioned on Tuesday about working off the same system, sometimes you get into these mooring areas and it's, you know, pretty packed in there and depending on the size of the boat that you're putting on that mooring, it's important that they're located in the exact spot that you need to and sometimes it's conflicting between what we're working off here and what's on the screen sometimes and that's the whole thing about keeping channels open and trying to still be safe within the; and I think there's a no block channel which is also designed to accommodate the reality that perhaps when they finally get out there, whoever is holding the GPS, trying to situate the thing, isn't getting the exact reading that we got on Google at the time we were mapping it out on the screen so basically they want to make sure we just don't block the channel, you know what I mean, so that's what that's about; yup; and that's all I have to say.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: is the, in the past the Board has approved, it's a condition watching out for the channel, there's an application in, what's watching out for the applicant to go where he needs to go; can you approve it upon working it out you know; I'm assuming that that's kind of where they were headed; yeah that's where they were headed; okay; so it's not tight to that second longitude; Eddie I don't even know, you've got to be out there you know and I'm guessing you could have two or three people with GPS equipment on there and it would somehow come up a few yards off so ultimately you know it would be, it's like I say, it's going into the third and fourth and fifth digits of the lat lons so it's really, it's just a matter of feet but it's necessary to move it from where it appeared he wanted it; from east to west, he was moving it closer to the shoreline on the west side and out of the channel; and if this issue, _, I don't think anybody would mind __ from the thing, I think it's just a matter of trying, we've got to try it somewhere and see what happens; is the plan to approve it with the new lat lons; well that would be my; yes, yes, yes; than that's what we'll do; and then whatever comes with that; okay; we did get two pieces of correspondence on this, one was from Howard Johansen and the other was from Peter Reich and they were both working on a solution to this problem; yeah because Howard has his boat right there and when we worked on this, he said no that's not where that belongs, he was totally familiar because he was up there almost every day on that boat, so we made the adjustments based on you know some of that input from him; and was the one that brought up the blocking of the channel; right, right, he did; and like as I say, on the application there was like four buoys on the Google thing and on the screen that night, there was eight; right; so on the Google, it doesn't really agree with itself so I __.

The Supervisor declared the public hearing closed at 4:50 p. m. and called to order the public hearing to be held as advertised on the application of Chad Pike/Ludlow Garage, LLC, 1 Bluff Avenue, for permission to install a mooring in Shelter Island Sound approximately 185' north from applicant's beach at a location designated as latitude 41.085053° north and 72.360501° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: they voted 6 - 0 to approve this and there's a thirty foot scorpion boat that's going on to that mooring and they had no problem with it

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:51 p. m. and called to order the public hearing to be held as advertised on the application of Robert H. Kohn, 46 South Ram Island Drive and 40 Tuthill Drive, for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07338° north and 72.28583° west; said location was formerly occupied by the Newman C2744 mooring.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: they had a 6 - 0 okay with this, it's just a takeover of an existing site; 22' small lobster boat going in there, no issues.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:52 p. m. and called to order the public hearing to be held as advertised on the application of 121 South Ferry, LLC, 121 South Ferry Road, for permission to install a mooring in Smith's Cove, approximately 170' south of the O-3245 Casey mooring and approximately 200' east of the O-3254 Russekoff mooring; said mooring location was formerly occupied by the Frowein O-2712 mooring, and further designated as latitude 41.04870° north and 72.31760° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: basically they disapproved it, it was a no go, there were several problems with it, right Paul; go ahead and we'll see where we agree; one was the name of the owner, the principal owner, whether it was the landowner or the LLC, they had problems with that, whether it was being assigned to the property or being assigned to a person, with multiple names on the LLC and not the proper, the property manager's name was not included so they had some discussion about the name on the application itself and who was actually making the application, the other thing was it's an existing mooring, needed to be identified in the correct location, needed to be brought closer to his property, this was a boat that's a fifty-five foot __ Dutch power boat which is a large sized boat so there was enough questions on the application I guess, that they felt that they had a list of questions that needed to be addressed and they did not approve it; okay, now, I did some, a little bit of __ today with Sharon and she showed me that there was a driver's license on the application for Mr. Noam Gottesman, okay so that element is resolved, now I don't know to what extent we can make policy based on, for the LLC, who is going to be the person if there's multiple people in the LLC, you know somebody makes the application, and somebody is authorized to sign, somebody gives me their driver's license, ultimately LLCs are people too, the court said so, you know I don't know how to, you can't really, I don't know how we continue to say no if we have contact people; we do have a contact on this; we do, that's what I'm saying, we have contact people, we have a license so that is if somebody is __ if something goes on so you know, what were the other objections Jimmy; I mean the big one was obviously with an existing mooring with a larger boat going on there but __ they need to identify the correct location, somehow or other it needs to be located closer to his property than where the application was calling for; okay so what do we do with that information, do we go back, he's obviously not going to get a smaller boat to make us happy so we have to move the mooring, is that what you came away with Jimmy; yeah I thought somebody was going to be in contact with him and try to clarify you know whether it could be moved closer to the property, that is what I thought was going to happen; okay, so who was going to contact, John; I thought John was, yeah; so we've got to follow up on this, so we're gonna hold on this, we're gonna hold on this I guess; yes.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:56 p. m. and called to order the public hearing to be held as advertised on the application of Thilo and Angelica Semmelbauer, 125 Ram Island Drive, for permission to remove existing aluminum stairway to beach, seating area with benches and gate as required to allow the removal of 133' of existing bulkhead, construct 133' of new bulkhead in-place, fill void area landward of new bulkhead with clean trucked in fill as needed and re-install aluminum stairway to beach, seating area with benches and gate.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: they gave us a 6 - 0 okey dokey on that ,that I recall.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Jack Costello, I haven't been here for a while.

The Supervisor declared the public hearing closed at 4:58 p. m. and called to order the public hearing to be held as advertised on the application of 3 Bay Shore LLC/Greg Nissen, 3 Bay Shore Drive, for permission to install a mooring in West Neck Creek at a location designated as latitude 41.3261° north and 72.21342° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: that one by the WMAC was tabled as well, they were gonna call Greg Nissen and talk to him but basically they wanted to move that mooring to deeper water which would put it out into the channel, they also talked about dredging near the dock but they kind of poo pooed that as an n/g so based on a phone call from I guess of John of the WMAC to Greg, wanted to get some clarification because there's, the channel at that particular point when you go up the creek there is kind of narrow and he was looking to push it further out into the channel and we looked at the different moorings that were on that site, there were some that were dangerously close to the channel markers themselves so they tabled it; the LLCs were involved and they were looking for somebody from the LLC to be involved with the application; okay, Greg did get back to us on what name to put on there; okay; okay, so we have a name to put on there; okay, got the name; we may need to work on our mechanism there, I don't know; yeah there's just a little problem there; it doesn't seem like a lot but sometimes the difference of five or six feet and a channel that's now very wide, that's a big deal and especially with that channel cause there's a lot of boat traffic that goes up and down there in to West Neck, into West Neck Bay, people have boats up there and people just like to, when it's rough on the outside they like to come on the inside and go for a ride up the creek and go into the bay so; yeah I'm not really confident anymore __, it's almost like you've sort of got to go out there with a GPS situated where it makes any sense and then report that as you know, rather than use a proxy cause I'm not confident in the accuracy, I wouldn't want to put smart phones on that __ , you know what I mean __; and we wouldn't want you to; ma'am; and we wouldn't want you to put smart phones on __; __ oh please; __; anyway, that's kind of it, I'm thinking if we had somebody out there to situate that, it might be better, we'll work on that; yeah, I think we have a little time between now and when he's gonna put his boat in the water so I think the WMAC will meet again, at least we've got half of it right, we've got the name attached to the mooring and someone will have talked about getting that thing precisely placed in the area, I think we can take it up with them another time.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:01 p. m. and called to order the public hearing to be held as advertised on the application of Richard and Charlotte Clark, 6J Hager Road, for a wetlands permit to remove existing one story detached garage from within vegetative buffer and construct new 18' by 36' swimming pool.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:

1. A letter from Francis X. Merklin stating he is objecting to this application because of the effect on the water supply. Some residents cannot resist topping off their pool with well water, there could be saltwater intrusion into his own well, and the narrow lane would make it difficult for the delivery of water.

The Supervisor called for the reports from the Planning Board and Conservation Advisory Council, which were as follows:

Councilman Colligan presented the Conservation Advisory Council which was as follows:

RE: Richard and Charlotte Clark Wetlands Application, 6 J Hager

Richard and Charlotte Clark have requested a permit to demolish the existing one story detached garage from within the vegetative buffer and construct a new in ground, cement, fresh water pool (interior size 36 ft X 18 ft) and pool equipment completely outside the vegetative buffer but located in the regulated area. There will be no patio surround. An automatic pool safety cover will be installed and pool run off will be discharged into a drywell.

The CAC reviewed this application at the Dec. 19, 2016 meeting.

The CAC voted unanimously to pass the application as presented

The CAC voted unanimously to pass it but hearing that correspondence there is a concern about Hager Road is a very, very narrow road, there's no doubt about that, getting a water truck out there but it can be done and the only other comment is one that you know, we sat here months and months and months ago when he wanted to keep the garage and put a, finish off the top of the garage and put a second floor and we poo pooed that and did away with that and just let him build the house and not try to do anything with the garage and now he's taking the garage down and putting in a pool so, I don't know, what are your thoughts Paul; that's that if I remember from them, the Planning Board has its own _ here; does it give the depth of that pool by any chance, I know it's thirty-six by eighteen but the depth; yeah, what have you got, eight feet; I'm sure Matt will give us a presentation with that information; okay; _; those are the only things you know, a lot of people are going from the eight foot pools to the six foot pools or less because you don't have a diving board, you know you're pretty safe with a six foot pool and in the Near Shore, that's that much water you're using and you know you're not going down as deep so you're avoiding the water tables totally; you know you don't use less water; it's got to be above the water table; you're only using surface water __ evaporation, it's about the same amount; yeah, you're using less water to begin with; well initially but that has to be bought from off the Island; right; I'm just answering the objection; you're right; __ local situation; right; not to be argumentative; on the road, I think there would have to be something about restoring the road somehow; oh restoring the road; I mean if they're bringing the trucks down but then they're gonna be bringing that truck _; how long is that road, they got a massive reach; the road, I would guess that it's six, seven hundred feet long; they've got a lot of hose on those things; they can't get down Bootlegger's Alley to fill that cistern; about 540.31 feet; we already know how you can't trust __; we'll hear from the Planning Board.

Councilman Shepherd presented the Planning Board report which was as follows:
Date: January 16, 2017
To: Shelter Island Town Board
From: Shelter Island Planning Board
Re: Richard and Charlotte Clark **Wetlands permit application**
SCTM # 700-18-3-046.2 6J Hager Road, Shelter Island, NY
Zone - C - Residential
Project description summary: Applicant requests a Wetlands Permit in order to remove an existing one story detached garage that is partially within the 75' vegetative buffer and construct a new, in ground pool completely outside of the 75' buffer but within the 100' regulated area. A wetlands permit was determined to be necessary because the project involves regulated activities within the regulated area as specified in Town Code chapter 129, section 2.
Submittals: See Appendix "A" below
Observations (from submittals):
1. The project lies in Zone "C" (Residential) and in the Near Shore Overlay district.
2. The existing garage is within the 100' regulated area and partially within the 75' vegetative buffer area.
3. The proposed pool is totally within the 25' regulated area but does not intrude into the 75' buffer area.
4. The proposed use complies with the zone use regulations.
5. The swimming pool equipment is located outside of the regulated area.
6. The site plan shows an erosion control silt fence.
7. A pool safety fence is shown on the site plan.
8. A pool dry well is shown on the site plan and is within the 100' regulated area. The dry well is beyond the 20' setback from septic and leeching pools as required in Town Code 113-5-(6)-(c). The setback from fresh water wells is shown in the code as (00) which obviously is in error. The Dry well detail shows a 4' high by 8' structure where the code (113-5-(6)-(b) call for 8' by 8'. The bottom of the well must be 2' above the fresh water table.
9. The site plan shows the swimming pool to be 36' by 18' which is within the 100 ft. regulated area but outside of the 75' vegetative area and outside of the 20' setback from the septic system.
Observations (from site field inspection by both undersigned):
1. Conditions on site seem to comply with the presentation on the survey and the site plan.
2. A silt fence is in place on the property and seems to be the same as was used for the house construction. It should be adequate for the pool construction.
3. The house construction looks close to completion. Interior work is in progress.
Mitigation proposals:

1. Silt fence erosion control.
2. Installation of pool dry well.
3. Installation of automatic swimming pool cover.
4. Installation of a new, up to date, septic system for the house.
5. Removal from the vegetative buffer of the existing garage.

Recommendations:

The separation of the swimming pool dry well from potable water well may be in question. The code does not specify what that should be. An additional 4' deep by 8' leeching ring may be needed for the swimming pool dry well. Code calls for 8' by 8'.

The Planning Board otherwise recommends granting of the Wetlands Permit for the pool construction.

by: Paul E. Mobius Jr., and Emory Breiner for the Planning Board

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Mr. Sherman; good evening; my name is Matt Sherman of Sherman Engineering, I'm here for Richard Clark, the applicant, can you do me a favor and turn the TV on so I can get my i-pad connected to it; which one do you want; I'm not sure; if you want to do it with the i-pad, you actually need the __ and the Apple TV on, do you have the Apple TV thingy; __; that silver thing; look up by the TV right behind the door; I normally come in early to get it set up but the executive; ___ I'm not sure what input we're on, I think we might be on the wrong input, where's the TV remote; __; you want this; right; there we go, we're good; do you want the light on up here; I think I'm fine; okay as you mentioned, we were here a couple of months ago looking at improvements, rebuilding the existing house that was on site, as part of that application the house was pulled back from the wetlands a little bit, we had also wanted to do improvements to the existing detached garage, put a second floor on it, put living space in there but that was not approved as part of that original application, in the meantime the property owner has decided he wanted to see if he could put in a swimming pool, we looked at a couple of different locations and what we've applied for is the result of what we had looked at, this is the site now as it currently exists, we've got the single family dwelling which is down to the south-east in front of the dock, above that we've got the detached garage which is that right there in that area, septic system in this area here, the supply well is right down there in that corner and there's a dark thick line that goes around the outside of the property, that line there, that's the DEC limit of non-jurisdiction, the proposed site, we moved the driveway so that it's not longer in this area right as you come off the end of Hager Road, moved it down to the south, off to the side, the swimming pool drywell is right here, it's right at fifty feet from the on-site supply well, the pool equipment is right there in that little nook between the front yard setback and side yard setbacks and then that's the sixteen by, or eighteen by thirty-six foot swimming pool that we're looking at, getting approval for, the area that the Planning Board had questioned as far as separation distance to the septic system, where the cover rolls up, where the automatic cover rolls up, there's about a three foot wide area right up in this area here, the Health Department regulates the separation distance from the swimming pool to the septic system, they don't specify swimming pool and appurtenant structures such as decks, patios, covers, coping, anything along those lines so when we're doing our design we always just take it from the edge of the water; right; cause that's a definitive line on every swimming pool, you can have any number of different things beyond that, depending on how the design rolls out, the existing garage is just over seventy feet from the wetlands boundary so we're gonna be pulling a small section of that, it's not a big section of that, we've got right about seventy-two square feet of that existing garage is within the vegetative buffer so that's coming out, the remaining two hundred fifty square feet of the garage obviously is within the adjacent regulated area which is the same area where the proposed pool is gonna be, that's just a close up to show the overlay of how the pool is in relation to the detached garage, that's the detached garage right there, it's just to kind of give you a perspective; what's the distance from that pool to the property yard line; it's gonna be right on the sideyard setback; what's the sideyard setback there; ten feet; ten feet; ten feet, C zone; ten feet; Jim to your question earlier about the depth of the pool; yes sir; we've got a pool profile, the grade at that pool location is right at about twenty feet, the pool is, as where are proposing it, is eight feet deep bringing the bottom of the pool to an elevation of eleven, that's nine feet above groundwater, groundwater in that area is about two feet so he's got plenty of room between the bottom of the pool and groundwater elevation; are we doing salt cell; yes, we're gonna do salt cell and we're also gonna do a cartridge filter so we don't have to worry about backwashing it or anything like that so the actual maintenance and ongoing usage of the pool is gonna have a very low water use requirement; now what about

the distance between the drywell and the well; I'll get to that, there's a couple of conflicting pieces of information, I've always used; __; I've always used the Health Department's regulations, they specifically call out for a drywell, a separation distance of fifty feet, from a supply well to a drywell and the State Sanitary Code also does the same thing but the State Sanitary Code goes to another level of description where you've got three different types of wastewater, you've got black wastewater which basically what comes out of toilets, you've got gray water which comes out of any other drainage in the house, washing machines, tubs, sinks, sinks, along those lines, and you've got clear water and clear water would be typically that's coming from a stormwater drain or something like that, swimming pool drywells go unreferenced in that code so we've always referenced then as a typical stormwater drain, something that would be in the driveway; clear water; collecting off of a roof, something along those lines, for the State code they've got a hundred foot separation distance from a leaching pool or septic system drywell to a supply well, the County does one hundred fifty feet for the same thing, the Town obviously doesn't have any say in that matter because of the sanitary systems, now for drywells, stormwater drywells, it's the County and the State, for clear water are both referencing fifty feet so that's why we've always used that, in the past the ZBA, back I think it was in 2005 or 2006 we did a swimming pool that we couldn't get the hundred foot separation distance that at ZBA had wanted at the time and the Town Code at that time had said they wanted a hundred foot separation distance from the well to the leaching pool and it explicitly said that the ZBA can grant relief for up to a fifty foot separation distance, the code has since changed since then, since that time so it no longer says the ZBA can grant that relief but apparently in the Code as it's written now, it still says a hundred foot separation distance and the understanding is that that was based on the State requirement of a hundred feet but the State requirement of a hundred feet is for sanitary leaching pools, not for clear water drywells, so there is a little bit of confusion as to how the different layers fall down on top of one another; they so stipulate that in the State Code; the State Code and I think I might have a copy of that here, I'll get to that in a second but the State Code says, it's got a table and it says different types of components and their separation distances to different things and as you cross reference that table when you get to whether it's an absorption field, something from a wastewater sanitary system or a drywell and it specifically says clear water drywell, I'll show that to you in a second so you can see what it is I'm referencing on that; Matt, that pool primarily runs east/west, you know where the garage used to run north/south; yes; and I see the cover is on the east side of it, right, closer to the house side; yeah; does that mean that that's the deep end and the shallow end is on the west side; yeah; it does; it does, it's just odd that you would think it would be the other way around but I don't know, the other thing is, is that all post and rail around that entire area; it is now, it's going to be a regular safety fence with slats, for a pool safety fence you can't have any horizontal that can in essence act like a ladder for somebody to get up and over so that would be replaced with an actual pool safety fence, I've got a typical detail on it, it's not a fancy detail but it's just showing that you've got the slats going up and down; perfect, stormwater drywell again as we had specified as a four foot drywell, make it an eight foot drywell, it's fine, no problem with that, the grade at that drywell is eighteen feet, you've got about two feet to the top of the drywell, brings it down to sixteen feet, an eight foot drywell brings it down to eight feet, we've still got six feet above groundwater so we can easily put in one drywell to satisfy that requirement and on this detail it's saying for the wire backed silt fence, same thing, it's doing it's job, it's already there and doing the job it is supposed to be doing, the erosion control plan is basically the same thing that we had from our original approval; it's still in place, right; I'm sorry, the vegetation plan, the erosion plan is still in place yes but the vegetation plan is the same from the original approval, it made sense, it was a good plan, there's no reason to change it, that's all I have as far as my application there, I had spoke with Mr. Merklin who had written that letter, concerned about what was happening with the evaporation and with the topping off of the pool, I explained to him much to his dismay, that the Town Code allows you to top your pool off with well water, that the official filling would be from off Island water and any substantial filling due to maintenance or things like that would have to be from off Island water but I also explained to him that the use of an automatic cover and one of the reasons the Town requires it, is it's gonna reduce the amount of water lost to evaporation which is the biggest loss by seventy to ninety percent, for a pool out in this area, given certain circumstances you're gonna lose anywhere from an inch to two inches per week so if you're gonna significantly reduce that, I sketched down a couple of quick numbers that anywhere from a hundred gallons per week to two hundred gallons per week is your window of what you'd be losing for a pool like this and so when you reduce it, you'd start out at four hundred to eight hundred gallons per week, when you reduce it by seventy-five to ninety percent by using that automatic cover; right; the amount that you're changing or the

amount of water that you're losing is pretty much the equivalent between having a four bedroom or a six bedroom house, so it's not something to ignore but it's also not something that is catastrophic, one of the concerns too is that Hager Road is a very narrow peninsula and you're thinking to yourself well if this is that tiny little pool of water we've got the pool from, how can we justify getting it and putting it into somebody's pool instead of putting it into my glass of water, well one of the things we've got to keep in mind is the way that the aquifer works, this is from the, it's gonna show upside down but the Shelter Island conservation agenda information, so this is basically the way the aquifer is laid out in the Island, in essence it's an inverted, it's a cone basically, with the center of the Island being the high point and then it radiating out as you go down toward the shoreline so if you look at that area that's right in the middle of the screen right now, that little yellow point, that's the Hager Road peninsula that we're talking about; that's this line; right there exactly so the stormwater, the groundwater that's coming to that point isn't just coming off of Hager Road, it's coming off of the center of the Island and coming down towards it so everybody that's on the outskirts of the creek is pulling from the same section of aquifer, Hager Road isn't an Island unto itself, so the impact that that pool has is not gonna be any more or less than any of the other pools that ring that creek so we still have to be conscious of the fact that we don't want obscene water usage for things like pools, irrigation systems, things like that but we do have to keep it in the bigger picture of the reality of actually what's happening with the hydrogeology of that area; but you would agree that that's rather a gross representation and not very specific; and unfortunately that's the best information we've got but yes, you're right; the mechanics of it is that it follows from the high point to the low point; you're right, exactly; it goes outward; but it also doesn't follow the undulations of the land above, the aquifer does, it's a very muted; you could call it as a mild expression of the topography; yeah exactly, the very muted or dammed down version of what's going on above it so as you jump up high, the aquifer doesn't necessarily jump up high area of land; right; and actually this is more of a cartoon drawing but it shows the same thing, where the land is higher, you've got deeper groundwater and it; right; slowly tapers out and actually one that is Island specific, going from Hay Beach out to South Ferry shows what we've actually got with that, with the aquifer and how the saltwater interface and the freshwater lens, varies out as you move out; right, and you indicated that you know where the top of the aquifer was at this site; two feet; do you know where the bottom of it is; no we don't, that's something we've, we've talked about it before, we did the study, a very loose study off of Bootlegger's Alley, trying to map the bottom of the aquifer, the USGS right now as you guys know is in the process of doing a study to try and map the bottom of the aquifer, what well drillers do is they go out and they slap a well in and in an area like this they get down to thirty feet, they get high chlorides, they pull back five feet and away they go so we don't get any real good substantial data that tells us what's going on at the bottom of that aquifer, it could be thirty feet deep, it could be thirty-five, it could be twenty-five, we just don't know, it would be great to have somebody, some Ph.D. student that we could grab to do a study but unfortunately that's not really the way the world works anymore; what's the depth of the well you have on that site right now, do you know; I don't have that information, I can get it for you though and also the neighboring wells, I know that when I spoke to the neighbor, he said that his well had about thirty feet of water in it, I don't know if that is a real number or if it's anecdotal, I don't know exactly, he's an engineer, he's in charge of or was in charge of Nassau County Public Works so this is all stuff that's very familiar to him that he understands very well so when he gives me that number, I'm think it's probably pretty close but I can verify those numbers and get them to you; and I'm not saying that the Town Board would require it but in other situations where there's been concerns about water availability, the Town Board has required cisterns where you could store the water used for topping off your pool, would you have a problem doing something like that here if the Town Board decided they wanted to do that; if we could fit it, I don't know if we could fit it, we're very, very tight but yeah I think that would be an acceptable condition if we could make it work, now the problem is we're getting closer to the; __; let me see if I can get this one to come up; Matt, the house, what percentage of the house is completed now; they're just doing the interior finishing so they're, I'm gonna take a stab and say about seventy-five maybe; okay; here is, this is from the State Sanitary Code, this is that table I was telling you about, if you go about two thirds of the way down on the right hand side, you can see that fifty, hundred, fifty, hundred and then coming down to fifty, twenty-five, one hundred, that's foot separation distance and then you've got septic systems and components a hundred feet, intermittent sand filters without a water __, a hundred feet, those kinds of things, surface wastewater recharge absorption system constructed, that a hundred feet with discharged stormwater from parking lots, roadways and driveways a hundred feet but then you come down here to let's see, the third from the bottom,

surface water recharge absorption system with no automated related waste, so nothing coming from a driveway, parking lot, things along those lines, clear water basin, clear water driveway, 50 feet, so that's where I was pulling my fifty foot numbers from the State Sanitary Code, and then you can go back, I've got a lot of references that I can give you guys as well, we don't need to be-labor the point here if you don't want me to; no I think __; but I can submit all that information to you that we have __ coming up to that fifty foot separation distance; there's nothing that clearly speaks to swimming pools; right; one way or the other; you have to make an educated guess; right, these are all the concerns that the Planning Board had; I think if you are sticking with that feet feet, that cistern idea is not a bad idea, it would reduce the deep end of the pool to six feet and maybe that would be worth something you know; yeah, I can talk to the owner and see what they think; the old idea of diving boards and people jumping in from the side you know it's just, six feet is a good footage and in the Near Shore area, that's a lot of gallons to put that extra two feet, even though it's only the end of the pool, thousands of gallons a month; on a pool this size and granted that's only a third of the pool; correct; you're looking at, what'd I say for a one inch loss, a one inch of that pool is four hundred gallons so you'd be looking at about one hundred fifty gallons per inch of deep end give or take one hundred twenty-five gallons, so that is a lot, granted that that gallonage is being made up by off Island water and the loss that you're filling from the aquifer is the top of the pool irrespective of what's happening with the depth, whether it's a four foot pool or a forty foot deep pool, we're still only dealing with that top during evaporation loss on the top, on the flip side a shallower pool is easier to heat if you're gonna heat it, things along that line; it is to be honest with you, I think of that all the time but with a cover, it heats it up very nicely, you very rarely have to turn the heater on, it extends your season, both ends, Spring and Fall, it's a good deal; I would not personally be prepared to require that; okay; that's me; __; in the discussion, we can talk about it __ the customer; it may be something that he doesn't care about one way or the other so __; ___ but personally I wouldn't __, I like to give people choices when I can; yeah; I agree with that, again it's always a nice bargaining thing when you're talking with neighbors that are objecting and you could say we decided to do this, that and the other thing; yes; in lieu of __, it's always a nice thing to keep the neighbors __; yes you've got to live with people; yes; thank you very much, I appreciate it; thank you Mr. Sherman.

The Supervisor declared the public hearing closed at 5:29 p. m. and called to order the public hearing to be held as advertised on the application of Andrea Stern, 2 Charlie's Lane, for a wetlands permit for permission to remove existing in ground swimming pool and patio from within vegetative buffer and construct new patio and deck in place of existing pool and patio.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for the reports from the Planning Board and Conservation Advisory Council, which were as follows:

Councilman Colligan presented the report of the Conservation Advisory Council which was as follows:

Date: Dec. 19, 2016
RE: Andrea Stern, Charlie's Lane

The applicant requests a permit to remove the existing in ground swimming pool, pool equipment and patio. In its place, build a new patio (40 ft X 40 ft) and a deck (24 ft X 30 ft). The location is approximately 16 inches from the existing bulkhead that will have a gravel/stone storm water trap to help control run-off as well as patio drywells. Of special note is the patio will be pitched to collect water over flow into surface drains and piped to the proposed drywells. Also of note is 1680 sq. ft. of native non-turf plantings to be placed landward along the existing bulkhead where the new deck/patio is located.

The CAC reviewed this application at its Dec. 19, 2016 meeting.

The CAC voted unanimously to pass the application as submitted.

Councilman Shepherd presented the report of the Planning Board which was as follows:

February 13, 2017
Re: **Stern Wetlands Application**
Andrea Stern Wetlands Permit Application
2 Charlie's Lane, Shelter Island, NY
SCTM # 0700/023/01/024.8
C Zone residential, within the Near Shore Overlay District

This is a request to remove an existing swimming pool and patio and replace with a new patio and deck in its place.

Observations from field inspection Dec 14, 2016.

The property is about three and a half acres in a one acre zone. The original house was built by John Snyder in 1952 in the modern style. About ten years ago the house was to be renovated, but was found to be in poor condition and so was entirely reconstructed to mimic the original. Most of the house is within the 75 ft vegetative buffer, some within the 100 ft regulated area and only a part outside any wetlands restrictive area. The entire property is bulkheaded and has been for decades. **DEC LNJ 1-4732-00697/00001 from March 2001** was issued based on this. The house sits at an elevation of 11 or 12 ft. The pool and patio are in excellent condition. The existing pool equipment is also to be removed.

Recommendations

The house is mostly glass. The pool is in close proximity to both the house and the bulkhead. Rather than tearing out the pool with the expected risk to the house and bulkhead, we might suggest that the pool bottom have holes drilled in it for drainage and be filled in, with a new patio laid above. This would be a similar approach taken by a resent application. This would be less drastic and would permit the pool to be resurrected in the future.

The applicant is proposing a permeable stone Patio and additionally proposing to collect overflow stormwater and pipe it to drywells located outside the 100' setback. The applicant is installing a large non-turf vegetated buffer. These are both vast improvements over the existing construction.

A 921sf Ipe deck is being proposed which will sit adjacent to the existing bulkhead. We recommend the decking be laid with gaps to permit stormwater to flow through it to the ground below.

With these considerations, the Planning Board recommends approval of a Wetlands Permit for this application.

By: Emory Breiner and Ian McDonald for the Planning Board

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: good evening, Matt Sherman, Sherman Engineering; hi Matt; how are you, good to see you, this is Charlie's Lane out at the end of Tuthill Drive, existing is fully bulkheaded, we didn't bother looking at the wetlands boundary that may very well be seaward of the bulkhead in a few spots because it just seemed to be kind of redundant in the face of everything else that was going on, it didn't really, it wasn't gonna really serve too much of a purpose so we used for our wetlands purposes the limitation, we used the bulkhead being a worst case scenario, the site as it currently exists, we've got the parking lot and driveway area up here, the main house, this configuration, we've got a couple of wings coming off to the side and the main part of the house here, this is the pool and patio right down in this area and then the bulkhead has like a zig zag type configuration as it goes down toward the south; because of the topography; what we're planning on doing is everything on the waterside of the house right between the house and the bulkhead, this whole area here which is where the pool and patio are now, we want to remove all that, install this new patio which will be set in sand, tie IPE deck and then we originally looking at this non-turf buffer to just remain in this area here and then in this area coming down right along the bulkhead, have a gravel catchment area so if there is any type of overland flow at all, that grabs it, chances are there's not gonna be much but it's a belt and suspenders type situation, I'll show you in a second, on the revegetation plan, the property owner has decided to significantly increase that non-turf buffer from what we've shown here, silt fence would be along the bulkhead, it isn't really gonna do a heck of a lot along the bulkhead but it will protect anything from going over the bulkhead into the water, the bulkhead itself is gonna be sitting out of ground a bit while the project is going on so that in and of itself will act as a very substantial buffer to keep anything from going over into the surface waters, the proposed pool drywells are up in this area and they're gonna be landward of the hundred foot wetlands setback so it will be completely outside the wetlands setback, what we're gonna have at some point in the future __ excuse me, proposed patio drywells are gonna be up there in that area, this is an overlay showing the proposed work compared to the existing work, the red outline is the existing pool and patio, the green outline is the proposed, just to give you a reference point; and do you have something there that has distances; not on this drawing cause I wanted to simplify it but we've got it on the main drawing, the construction details, the decking, basically two by ten deck joists run sixteen inches on center with a six inch wide decking board that would have a minimal spacing as you would normally have on a deck so; __ with clips, is that correct; yes; you really don't have

flexibility of spacing if I remember; well you've got different types of clips that you can use, you've got some that are gonna keep them right up tight against each other and then you've got some that have got a built in spacing, you know eighth inch spacing, something like that; right; which one are you talking about here; we can do either, if the Board wants us to have a space between those deck boards, we can put you know an eighth inch space, something like that, that's fine; that's what I'm thinking, it doesn't really go any further than an eighth of an inch, my recollection from a couple of years ago; and what ends up happening a lot of times is if it's too tight then, IPEs are very hard, very stable wood, so it's not gonna have a lot of swelling or moving but it's gonna have some, so if it's too tight you end up creating a problem as far as ongoing maintenance and; oh yeah; the life of the deck so you like to have a little bit of space; so this is a wood; IPE, yeah, it's a; I don't know, I don't get out much; really you don't; it's a, I think it's a managed Brazilian rain forest hardwood, it's phenomenally dense, I believe it sinks, it's very, very insect and rot resistant, it's one of those things where it's a very high dollar item but it's high dollar for a reason; so would that be getting a stain on it or is it left raw; probably oil or something like that; stain and oil would just sit on it probably; so it's got a real nice natural luster and it gets a good __ too; right, if it's dense enough it would do that; yeah but you're pretty much, there's not a whole lot of maintenance you have to do, for the patio we're looking to put it on a sand bed, compacted gravel on a sand bed and with those pavers, we want to pitch them to some stormwater collection points because all of these quote unquote permeable patios will remain permeable for a little while, it's not gonna talk a whole lot of time before that permeability goes away, you get soils and fine particles get into those cracks and crevices and the permeability basically gets significantly reduced so in anticipation of that we want to have a couple of collection points, the patio will be pitched to those collections points, send any stormwater out to the drywells and then we don't have to worry about it creating an overland flow problem, this is just a basic detail of the gravel trench that we want to do on the landward side of the bulkhead, real simple, real basic type of configuration, we've done it down at the North Ferry parking lot, we've done it along the seawall next to First Bridge, we've done it at a number of small other areas that it basically acts as a very good buffer from what's happening on the landward side before anything gets to that bulkhead and can spill over; what size is the gravel; three quarter to, probably three quarters; okay; it's big, if you get anything bigger than that, then it doesn't want to settle very well; right; and it gets loose so that locks itself in pretty well, this is the vegetation plan that they come up with, the areas in red along the shoreline are all gonna have a mix of five to seven gallon bayberries, five to seven gallon beach plums and approximately fifteen hundred native beach grass plugs, so that's that whole area along the shoreline, as we go up to the house area and coming around to the north side of the house, that's gonna be typical turf grass, at some point they are probably gonna end up putting a pool up where it says turf grass, well on the outside of the hundred foot setback from the wetlands, a pool patio, barbecue, that kind of thing, they'll be well on the inside of the, inside of the property, this area here is proposed tupelo grove, this is a row of Japanese maples, gonna go up in this area and something I forgot to mention before, this right now is the current driveway and parking area, that's gonna be turned into a garden and then the parking and driveway area is gonna go up here to the north, outside of the hundred foot setback, right now it's currently inside the hundred foot setback; that a good thing; and the Planning Board had suggested that out the pool might undermine the bulkhead, do you think that's a problem; it's possible, yeah cause it's just right there on top of it, I have no problem; __; we proposed it over at the one on Cove Way; yeah; it's a good idea; yes it is a good idea; I didn't necessarily like the idea of saying that way if you want to reverse it, it's easy to rebuild the pool in that area; that's not gonna happen, I was gonna comment on that, it defeats the whole purpose; I think that they would probably come to that conclusion themselves if they considered that option; it's one of those things that when you're doing the deconstruction of that pool you have to be very careful and you have to dig it very slow and methodical process, don't just go like a bull in a china shop and if it looks like there's a problem, not just undermining the bulkhead but also the house; right; with the house being right there, you've got to be so, if it looks like there could be some type of constructural issue, they can stop and you know, rethink their methodology, but we'd certainly be open to that option, I wouldn't want to lock it in as an option at this point to be open to it; __ an option, right; yes sir; that would be something we'd want to be aware of, a possibility; yeah; so you're actually putting holes in the bottom and the sides to a certain extent; you could do it either way and in essence what you want to do is make sure that any stormwater that does get down into that has somewhere to go; right; so it would be a number of holes primarily in the bottom, in the sides is not really gonna do a whole heck of a lot, right, okay; you know it's like a regular stormwater drywell, they're all perforated around the outside ring, the vast majority of the flow goes

out through the bottom, so it would basically act like a soil filled drywell, is what it would act like; thank you, alright.

The Supervisor declared the public hearing closed at 5:42 p. m. and called to order the public hearing to be held as advertised on the application of Camille E. Anglin, 188 North Ferry Road, for a wetlands permit for permission to expand septic system to comply with Suffolk County Board of Health requirements.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:

1. A letter from Michael and Camille Anglin concerning the possibility of installing an innovative septic system and stating that they have gone through a lot of paperwork over the years to obtain the permits they have and do not wish to dabble with unpermitted alternative systems and requesting that they be allowed to execute the permit they have been issued by the Suffolk County Board of Health.

The Supervisor called for the reports from the Planning Board and Conservation Advisory Council, which were as follows:

Councilman Colligan presented the report of the Conservation Advisory Council which was as follows:

Date: Dec. 19, 2016

RE: Anglin Wetlands Application, 188 North Ferry Rd

Camille Anglin requests approval to expand the septic system of her building located at 188 North Ferry Rd. Meeting the Suffolk County Health Dept. requirement will allow the finishing of the above store apartment. This 0.139 acre property receives its potable water from the "Bridge Street Water System". Recently two drywells have been installed to catch run-off. There is also an application to increase the height of the bulkhead.

On the survey map, dated 10/12/2001, Joseph Fischetti PE, located 3 more leaching pools, close to the bulkhead and the NW corner of the building to be added to the 6 already present leaching pools. A new septic tank, replacing the older septic tank, will also be necessary to meet the requirements of the Suffolk Cty Health Dept.

The CAC reviewed this application at its December 19, 2016 meeting.

The CAC voted unanimously to table the application as presented.

The CAC is concerned regarding the addition of 3 more leeching pools positioned near the bulkheaded area; especially since Suffolk County Health Dept. has already conditionally approved two new septic systems that are specifically designed to limit nitrogen pollution from entering into our bays. The Council recommends that the Town Board review these conditionally approved systems.

Councilman Shepherd presented the report of the Planning Board which was as follows:

Re: Anglin Wetlands Permit Application

188 North Ferry Rd. Shelter Island Heights 11964-0571

SCTM# 0700/007/04/02&082 Zone B-Business

We are in receipt of the Town of Shelter Island Wetlands Permit Application prepared by the applicant, Camille E. Anglin, dated 15 October 2016, to expand the septic system to comply with the Suffolk County Board of Health requirements, all within the Regulated Area. It is understood that upon wetland permit approval, the applicant can then apply for the requisite building permit to convert the 2nd story of the building.

The 6,037 sq. ft. property is improved with a 2 story commercial building housing a hardware store on the first floor re-built in 2002. The septic system dates from 1935. A bulkhead exists along the full property width on Dering Harbor and is in need of repair.

An application to the DEC is in process for this work. Two dry wells for the roof runoff were installed in 2002.

The applicant is one of the owners of Bridge Street Water, a private water system that provides fresh water to the subject property and to other owners of Bridge Street properties. The well and pump house for this system is located on a separate lot, 492 ft from the subject property so the usual well to septic separation requirements do not apply.

A NYSDEC Letter of Non-Jurisdiction # 1-4732-00737/00001 was issued on 5 November 2001 based on the existing bulkhead which pre-dates 20 August 1977 and is therefore beyond the jurisdiction of the Article 25 (Tidal Wetlands law) was provided. A set of Project drawings, dated 12 October 2001 by Nathan Taft Corwin III land surveyor has been submitted as well. Also submitted was a SCDHS application for extension to construct sewage disposal systems #CO7-07-0003, approved and dated 20 April 2015. A copy of the Right-Of-way location agreement made in May of 1978 was also presented.
The undersigned Planning Board members visited the site and considered all submittals.
We submit the following observations:
The larger septic tank and the three additional pools will improve the properties waste removal from the proposed living quarters.
We observe that the proposed new septic and leeching pools as well as the pre-existing leeching pool field all lie under the driveway and parking area.
There will be no change to the ingress and egress of vehicular and pedestrian traffic for the neighboring property (Johnson). There are no new structures planned.
Recommendations:
The proposed additional sewerage volume seems minimal and with the addition of three additional leeching pools and a larger septic tank, accommodation for that extra volume seems adequate.
For residential projects, the SCDHS does not permit sanitary systems under driveways or parking areas without a variance. A copy of the commercial permit was not submitted as part of the Wetlands application so we could not tell whether a travel rated system was approved by the SCDHS. We recommend that the Wetlands permit be granted provided that the SCDHS permit permits vehicular travel over the system. This would ensure that the Johnson's right-of-way access is not limited.
Respectfully submitted,
The Shelter Island Planning Board
by John Kerr and Paul Mobius

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: do you know if the Anglins would be okay with, I gather the point of doing this is to get an apartment above, that's why you're upgrading the septic system; right; is that correct; I mean, I guess eventually, I don't know exactly what they're planning, they do _ here; okay I thought that was the reason anyhow; I mean I can't say no or yes; I think so; but I think so; yes; I don't know how that's going to move along; I just wanted to say, I wanted to throw out an idea just so, it would be at the public hearing, which would be that, there's obviously a concern about putting in more septics right next to Dering Harbor which is already a challenged water body and what if you know, to offset that problem that you make this a community housing apartment; you're talking affordable; right; they're not interested in doing that, they did brief me on that.

The Supervisor declared the public hearing closed at 5:50 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 122

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Donald T. Becker, 62 Ram Island Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.065507° north and 72.3115° west; said mooring location was formerly occupied by the C664 Becker mooring, and

"Whereas", a public hearing was duly held on the 17th day of February, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 123

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", Chad Pike/Ludlow Garage, LLC, 1 Bluff Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in Shelter Island Sound approximately 185' north from applicant's beach at a location designated as latitude 41.085053° north and 72.360501° west, and

"Whereas", a public hearing was duly held on the 17th day of February, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 124

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Thilo and Angelica Semmelbauer, 125 Ram Island Drive, have petitioned the Town of Shelter Island to remove existing aluminum stairway to beach, seating area with benches and gate as required to allow the removal of 133' of existing bulkhead, construct 133' of new bulkhead in-place, fill void area landward of new bulkhead with clean trucked in fill as needed and re-install aluminum stairway to beach, seating area with benches and gate, and

"Whereas", a public hearing was duly held on the 17th day of February, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That pursuant to Part 617, Section 617.10 of the State Environmental Quality Review Act and Chapter 60 of the Code of the Town of Shelter Island, notice is hereby given that the Town Board, as lead agency, has determined that the project will not have a significant effect on the environment, and a Draft Environmental Impact Statement will not be prepared.

Environmental Review Status pursuant to Chapter 60 of the Town Code of the Town of Shelter Island: Type II.

Reasons supporting this determination:

The proposed bulkhead replacement:

1. will not cause an obstruction into navigable channels or an interference with navigation;
2. will not adversely affect the public's right to use Town waters or land under Town waters;
3. will not adversely affect shellfishing grounds or other aquatic wildlife which may exist in the immediate area;
4. will not adversely affect the quality of the tidal waters, shoreline or beaches;
5. will not adversely affect the rights of adjacent residents; and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned construction as per specifications filed, after said applicant, pursuant to Section 53-9 of the Code of the Town of Shelter Island, has filed with the Town Clerk a certificate that the owner has at least three hundred thousand ($300,000.00) dollars liability insurance on the location and operations covered by said permit, a copy of the contractor's current Home Improvement Contractor's License and a certificate from the contractor performing the operations covered by said permit that said contractor has an owner's/contractor's policy issued in favor of the Town of Shelter Island for the liability limits of at least five hundred thousand ($500,000.00) dollars covering operations of the contractor pursuant to said permit, and

BE IT FURTHER RESOLVED, That said operations shall be completed within one (1) year from the date of issuance of this permit; said permit is subject to the recommended limitations and any requirements that may be necessary under the New York State Department of Environmental Conservation, the Army Corps of Engineers, and any other agencies having jurisdiction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 125

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Robert H. Kohn, 46 South Ram Island Drive and 40 Tuthill Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor at a location designated as latitude 41.07338° north and 72.28583° west; said location was formerly occupied by the Newman C-2744 mooring, and

"Whereas", a public hearing was duly held on the 17th day of February, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 126

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Okan Azmak, 1 Simpson Avenue, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Cove at the Menantic Road Town landing designated as latitude 41.051382° north and 72.344942° west, and

"Whereas", a public hearing was duly held on the 17th day of February, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the installation of a mooring West Neck Cove at the Menantic Road Town landing designates as latitude 41.051429° north and 72.345249° west, with the proviso that the boat shall not block the channel.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilwoman Brach-Williams and seconded by Councilman Shepherd, the meeting was adjourned at 6:08 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

March 10, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 10th day of March, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and four persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

The Supervisor presented the following financial report for the month of January, 2017:

REPORT OF MONTHLY STATEMENTS OF SUPERVISOR
JANUARY 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	1,015,979.72	3,444,530.18	921,268.38	3,539,241.52	769,928.29
Hwy Checking	283,518.37	1,112,408.49	32,354.34	1,075,572.52	
T&A Cking	55,577.77	11,354,816.13	11,353,672.81	56,721.09	15,396.94
T&A Savings	12,223.34	0.32	0.00	12,223.68	
Hwy Cap Res	266,425.92	7.01	0.00	266,432.93	
WNW Supply	27,068.46	13,767.05	1,130.57	39,704.94	109,951.89
Taylor's Island	39,978.15	1.69	0.00	39,979.84	
Comm Preserv	6,051,070.49	286,007.36	1,000,000.00	5,337,077.85	1,592,131.32
Waterways	208,417.45	6,148.00	0.00	214,565.45	
Reserve Fund	657,184.15	5,320.18	0.00	662,504.33	
Bridge St Esc	0.00	0.00	0.00	0.00	353,027.60
Environmental	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Res	7,658.33	0.00	0.00	7,658.33	
Ambul. Res	216,601.19	85,012.25	0.00	301,613.44	
Ambul. Train	29,077.13	0.76	0.00	29,077.89	
Totals	8,886,530.47	16,308,019.42	13,596,426.10	11,598,123.79	2,840,436.04

RESOLUTION NO. 127

Councilwoman Amber Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of William Anderson, Jr. as a member of the Water Advisory Committee will expire on April 2, 2017, and

"Whereas", Mr. Anderson has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That William Anderson, Jr. is hereby re-appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 128

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of Ken Pysher as a member of the Water Advisory Committee will expire on April 2, 2017, and

"Whereas", Ken Pysher has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Ken Pysher is hereby reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 129

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Albert Dickson as a member of the Water Advisory Committee will expire on April 2, 2017, and

"Whereas", Mr. Dickson has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Albert Dickson is hereby reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 130

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the term of Gregory Toner as a member of the Water Advisory Committee will expire on April 2, 2017, and

"Whereas", Gregory Toner has expressed his desire to continue to serve in said capacity, now, Therefore

BE IT RESOLVED, That Gregory Toner is hereby re-appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 131

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the term of Lori L. Beard Raymond as a member of the West Neck Water District Board of Directors will expire on April 25, 2017, and

"Whereas", Mrs. Raymond has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Lori L. Beard Raymond is hereby reappointed to serve as a member of the West Neck Water District Board of Directors for a term to expire on April 25, 2022.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 132

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Donald D'Amato as a member of the Green Options Advisory Committee will expire on May 10, 2017, and

"Whereas", Mr. D'Amato has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Donald D'Amato is hereby reappointed to serve as a member of the Green Options Advisory Committee for a term to expire on May 10, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 133

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds received from Gym Source for a duplicate payment in the amount of $658.49 to the 2016 A7020.462 FIT account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 134

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town of Shelter Island has received a grant from New York State under the Justice Court Assistance Program in the amount of $1,500.00 towards the purchase of a copy machine for the Shelter Island Town Justice Court, and

"Whereas", receipt of these funds was unknown at budget time, now, Therefore

BE IT RESOLVED, That the following budget revisions are hereby approved:

$1,500.00 increase to the 2017 A3021 revenue account, to be funded by the above mentioned grant, and

$1,500.00 increase to the 2017 A1620.276 Buildings IT equipment expense account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 135

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town Board has established a Water Quality Improvement Advisory Board, with members from the Water Advisory Committee, Community Preservation Fund Advisory Board, Waterways Management Advisory Council, and the community at large, said members to serve for five year terms after an initial phase in period; now, Therefore

BE IT RESOLVED, that the base committee representatives shall be appointed as a representative of the base committee (WAC, CPFAB, WMAC), subject to such appointee continuing to serve on the base committee, with the base committee to appoint a replacement to serve out the balance of the term if the appointee leaves the base committee; and

BE IT FURTHER RESOLVED, That appointments to said board shall be as follows:

The WAC representative shall have an initial term of one year, and such initial appointee shall be Gregory Toner; said term to expire on February 2, 2018, and

The CPFAB representative shall have an initial term of two years, and such initial appointee shall be Edward Shillingburg; said term to expire on February 2, 2019; and

The WMAC representative shall have an initial term of three years, and such initial appointee shall be James Eklund; said term to expire on February 2, 2020; and

Tim Purtell shall be appointed as a community at large representative for an initial term of four years; said term to expire on February 2, 2021; and

Mark Mobius shall be appointed as a community at large representative for an initial term of five years; said term to expire on February 2, 2022.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 136

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", filming permit number 63 was issued on March 2, 2017 to Club Monaco for filming at Bootlegger's Alley on March 6, 2017, and

"Whereas", a filming clean up deposit of $1,000.00 was paid for said filming by the Ralph Lauren Corp., and

"Whereas", it has been determined that no part of the deposit was utilized, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit amount of $1,000.00 to Ralph Lauren Corp. 601 West 26th Street, 8th Floor, New York, New York 10001.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 137

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $50.00 from the A5010.440 Superintendent of Highways training account to Cornell Local Roads Program, 416 Riley-Robb Hall, Ithaca, New York 14853-5701 for registration for the Superintendent of Highways to attend the Spring 2017 workshop "Local roads done right" to be held at the Suffolk County Cooperative Ext, 423 Griffing Avenue, Riverhead, New York on May 2, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 138

Councilman Colligan offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $825.00 from the 2017 A5010.440 Superintendent of Highways training account to Miller Environmental Group Calverton Training Institute, 538 Edwards Avenue, Calverton, NY 11933 for five Highway Department employees to attend an eight hour hazwoper refresher training course on March 15, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 139

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Resolution No. 98 - 2017 dated January 27, 2017, concerning Congdon's Creek dock fees, is hereby amended to read as follows:

BE IT RESOLVED, That effective immediately the fees for docking at Congdon's Creek dock is hereby set as follows:

$500.00 per slip per year;

$350.00 per slip per year for slip holders who possess a current NYS DEC permit(s), namely a Shellfish Digger's Permit, or a vessel registered for "commercial" shellfish operations only.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 140

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $300.00 from the 2017 A1110.484 Justice Court office and miscellaneous account to Carr Business Systems, Commack Road, Suite 110, Commack, New York 11725 for the annual maintenance contract for the period February 28, 2017 through February 28, 2018 for the copy machine in Justice Court.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 141

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for sealed bids for the replacement of groin #4 at Shell Beach.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 142

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, by the Town Board of the Town of Shelter Island that the following attendance policy is hereby adopted, effective immediately:

The Town of Shelter Island places heavy reliance on the services of the Planning Board, Zoning Board of Appeals and Board of Assessment Review. These boards have a minimal staff and receive a stipend, so it is essential that every board member attend meetings and carry a portion of the work. In order to achieve this goal, and to advise all future board members of the attendance expected of them, the Town Board of the Town of Shelter Island hereby establishes the following attendance policy for the Planning Board, Zoning Board and Board of Assessment Review:

All members of the Planning Board, Zoning Board and Board of Assessment Review shall make every effort to attend work sessions and regular meetings. Within a calendar year, no member shall miss more than twenty percent of the meetings. Members shall give at least 24 hours advance notice of inability to attend a meeting so that the other members can be sure a quorum is available for the meeting. Failure to give such advance notice for two or more meetings, absent an emergency, is unacceptable. Failure by a board member to adhere to these minimum attendance standards shall be a basis for removal from office by the Town Board.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 143

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Shelter Island Historical Society has requested permission as per application dated January 17, 2017, to hold an Antique and Classic Car Show event on Saturday, June 10, 2017, with a rain date of June 11, 2017, and

"Whereas", the required fees of $100.00 application fee and $100.00 compliance fee have been submitted, and

"Whereas", the Shelter Island Highway Department has stated as follows: You may want to again consider parking on the east side of the show; this would stop the need for pedestrians to cross the road as they during the chicken barbecue, and the garbage to be cleaned up the same day, and

"Whereas", the Shelter Island Police Department requests that the Fire Police assist with traffic at the intersection of Burns and Cartwright Roads as they do at the annual chicken barbecue; the Police Department will also augment traffic control as needed to provide a safe crossing from the parking area to the car show grounds, now, Therefore

BE IT RESOLVED, That the request for said permission is hereby approved.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 144

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the management agreement/lease concerning the Klenawicus Airfield operations and maintenance between the Town of Shelter Island and the Shelter Island Pilots' Association will expire on May 1, 2017, and

"Whereas", the Town and the Pilot's Association have agreed to a new lease for an additional three year period, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute said lease.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 145

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the Shelter Island Yacht Club has petitioned the Town of Shelter Island for permission to maintenance dredge certain areas as per submitted plan and pursuant to DEC permit, and

"Whereas", the Waterways Committee of the Town Board has inspected the site and approved of said dredging, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned maintenance dredging.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 146

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to advertise for sealed bids for the proposed purchase of corn for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 147

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Richard and Charlotte Clark have applied to the Shelter Island Town Board for a wetlands permit for the premises located at 6-J Hager Road, Shelter Island, New York and zoned C-Residential/Near Shore and Peninsular Overlay District, designated as Suffolk County Tax Map 0700-018-03-046.2; and

"Whereas", the applicants seek a wetlands permit for permission to demolish the existing garage and construct a swimming pool within the regulated area, as shown on a Site Plan by Sherman Engineering dated 11/14/16, so that the work is subject to Chapter 129 of the Shelter Island Town Code; and

"Whereas", the application was referred to the Planning Board and Conservation Advisory Council for recommendations, and their recommendations have been submitted and considered; and

"Whereas", the New York State Department of Environmental Conservation issued letter of non-jurisdiction dated 12/21/15 for this project; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on February 17, 2017, and

"Whereas", this Board now wishes to render a decision on this wetlands application, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board finds that this is a Type II action which will not result in any significant adverse impacts on the environment; and

BE IT FURTHER RESOLVED, That the Town Board makes the following findings as to the application:

1) The parcel is a 41,454 square foot property bordering Menantic Creek and lying at the end of a private dirt road; and

2) On May 16, 2016 the parcel received wetlands approval to demolish the 1,400 square foot, one-story house and replace it with a new two story house; and

3) Applicants seek to demolish the existing 20' x 25' garage which is 70.2' from the wetlands and replace it with an 18' x 36' swimming pool 75' from the wetlands; and

4) Although this is the largest parcel in a very tightly developed neighborhood, it is at the end of a peninsula extending into Menantic Creek and has a very small building envelope, and if a swimming pool replaces the garage, the owner will not have room to build a garage in the future; and

5) Applicants indicate the maximum groundwater elevation at this site is 2' below the lowest depth of the pool so that dewatering will not be necessary during construction, but measures must be taken to ensure that the pool is above the water table which are reflected in the conditions of approval; and

6) The swimming pool will have an automatic swimming pool cover to reduce water loss, which is important to protect the water table in this area; and

7) There is no swimming pool surround proposed for this pool as it extends right up to the vegetative buffer, which will prevent future installation of a pool surround that would extend into the vegetative buffer; and

8) As mitigation, applicants state they will install an automatic pool cover and pool drywell outside the vegetative buffer, as well as maintain silt fencing to prevent stormwater runoff; and

9) The Town Board has determined that the pool drywell can be located 50' from the well instead of the 100' required by Town Code because the pool effluent will pose little threat to drinking water; and

BE IT FURTHER RESOLVED, That the wetlands permit to demolish the garage and construct a swimming pool within the regulated area for the premises located at 6-J Hager Road, Shelter Island, New York, is hereby granted, subject to the following conditions:

1) The above-described project shall be constructed as depicted on the Proposed Site Plan by Sherman Engineering dated 11/14/16; and

2) The following mitigation measures shall be in place prior to issuance of a certificate of occupancy: install an automatic pool cover and pool drywell outside the vegetative buffer; and

3) Construction on this project shall not occur between June 15 and Labor Day to avoid noise and dust disturbance to adjacent neighbors in this tight community, who primarily use their properties as a summer retreat; and

4) In order to prevent intrusion of this project into the water table and the negative impacts of any associated dewatering, applicants are required to have a Building Department inspection after the foundation excavation and prior to installation of the foundation to verify that the basement will be above the groundwater; and

5) During construction, there shall be no parking which would block Hager Road, and all construction supplies and parking should be on the subject parking but kept as far from the wetlands as possible; and

6) Hager Road must be maintained in a smooth and drivable condition, and no Certificate of Occupancy for this construction shall be issued unless Hager Road is in the same or better condition than it was at the commencement of construction; and
7) During construction, wire-backed silt fences shall be securely placed at the location shown on the above-described site plan. The silt fence shall be maintained throughout construction and until the disturbed soil has been stabilized. Soil disturbance should be minimized where possible. Construction materials and equipment shall be staged outside the regulated area; and
8) Construction procedures and erosion controls shall be designed to prevent any runoff from disturbed ground into the wetlands areas. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
9) Prior to issuance of a wetlands permit, the applicants must file a certificate of insurance with the Town Clerk showing the Town of Shelter Island as an additional insured under a comprehensive general liability policy with minimum limits of $500,000; and
10) This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That copies of this approval shall be filed with the Building Inspector.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 148

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams , to wit:

"Whereas", Andrea Stern has applied to the Shelter Island Town Board for a wetlands permit for the premises located at 2 Charlie's Lane, Shelter Island, New York and zoned C-Residential/Near Shore and Peninsular Overlay District, designated as Suffolk County Tax Map 0700-023-01-024.8; and

"Whereas", the applicant seeks a wetlands permit for permission to remove the existing swimming pool and patio and construct a new patio and deck within the regulated area, as shown on a Project Plan dated 2/17/17 by Sherman Engineering, so that the work is subject to Chapter 129 of the Shelter Island Town Code; and

"Whereas", the application was referred to the Planning Board and Conservation Advisory Council for recommendations, and their recommendations have been submitted and considered; and

"Whereas", the New York State Department of Environmental Conservation issued a letter of non-jurisdiction dated 3/13/2001 for this project; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on February 17, 2017, and

"Whereas", this Board now wishes to render a decision on this wetlands application, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board finds that this is a Type II action which will not result in any significant adverse impacts on the environment; and

BE IT FURTHER RESOLVED, That the Town Board makes the following findings as to the application:

1) The parcel is a 141,617 square foot property bordering West Neck Bay and developed with a one story house; and
2) Applicant seeks to demolish the existing pool and patio located 10.5' from the bulkhead with a patio and deck and a gravel stormwater trap; and
3) The Planning Board recommended abandoning the existing pool in-place, since it is so close to the house and bulkhead that removal might undermine them, and applicant's representative agreed; and
4) The swimming pool would have holes drilled and be filled with sand, which would serve as the sand bed base for a patio and an IPE deck with board set 1/8" apart to allow drainage; and
5) The Town Board feels that eliminating a pool from the vegetative buffer and replacing it with a deck is an overall benefit to the regulated area; and
6) As further mitigation, applicant states it will pitch the patio to collect water overflow into surface drains and piped to drywells, install a 256 square foot gravel/stone stormwater trap to contain stormwater and install native plantings as shown on a vegetation plan dated 2/17/17; and

BE IT FURTHER RESOLVED, That the wetlands permit to remove the swimming pool and construct a new patio and deck within the regulated area for the premises located at 2 Charlie's Lane, Shelter Island, New York, is hereby granted, subject to the following conditions:

1) The above-described project shall be constructed as depicted on Project Plan and Vegetation Plan dated 2/17/17 by Sherman Engineering; and

2) The following additional mitigation measures shall be in place prior to issuance of a certificate of occupancy: the IPE deck boards are 1/8" apart to drain stormwater, installation of a 256 square foot gravel/stone stormwater trap to contain stormwater and installation of native plantings as shown on a vegetation plan dated 2/17/17; and

3) During construction, wire-backed silt fences shall be securely placed at the location shown on the above-described site plan. The silt fence shall be maintained throughout construction and until the disturbed soil has been stabilized. Soil disturbance should be minimized where possible. Construction materials and equipment shall be staged outside the regulated area; and

4) Construction procedures and erosion controls shall be designed to prevent any runoff from disturbed ground into the wetlands areas. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and

5) Prior to issuance of a wetlands permit, the applicant must file a certificate of insurance with the Town Clerk showing the Town of Shelter Island as an additional insured under a comprehensive general liability policy with minimum limits of $500,000; and

6) This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That copies of this approval shall be filed with the Building Inspector.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 149

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Dan Hall of Land Use Ecological Services, Inc., as agent for John and Kathleen King, 29 Winthrop Road, has petitioned the Town of Shelter Island for a wetlands permit for permission to install a 14' by 24' in ground pool and patio, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 31st day of March, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 150

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:45 p. m.., prevailing time, on the 31st day of March, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to A LOCAL LAW TO ESTABLISH ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

The Code of the Town of Shelter Island is hereby amended by adding a new Chapter 5, entitled "BUILDING ENERGY BENCHMARKING," to read as follows:

§5-1. PURPOSE.

Buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings - for the exact same building use. As such, this Local Law will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Shelter Island.

Collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the Town of

Shelter Island is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

§5-2. DEFINITIONS

(1) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(2) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.

(3) "Department Head" shall mean the head of the Department.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Shelter Island that is 1,000 square feet or larger in size.

(5) "Tracking Department" shall mean Office of the Town Clerk.

(6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) "Energy Use Intensity (EUI)" shall mean the kBTUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(10) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(11) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(12) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§5-3. APPLICABILITY

(1) This Local Law is applicable to all Covered Municipal Buildings.

(2) The Department Head may exempt a particular Covered Municipal Building from the benchmarking requirement if the Department Head determines that it has characteristics that make benchmarking impractical.

§5-4. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than December 31, 2017, and no later than May 1 every year thereafter, the Tracking Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Tracking Department shall begin inputting data in the following year.

§5-5. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Tracking Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than December 31, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Tracking Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Local Law; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics across calendar years for all years since annual reporting under this Local Law has been required for said building.

§5-6. MAINTENANCE OF RECORDS

The Tracking Department shall maintain records as necessary for carrying out the purposes of this Local Law, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Tracking Department for a period of three (3) years.

§5-7. ENFORCEMENT AND ADMINISTRATION

(1) The Town Board shall be the Chief Enforcement Officer of this Local Law.

(2) The Town Board may promulgate regulations necessary for the administration of the requirements of this Local Law.

(3) Within thirty days after each anniversary date of the effective date of this Local Law, the Tracking Department shall submit a report to the Town Board including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Department Head determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Local Law.

§5-8. EFFECTIVE DATE

This Local Law shall be effective upon filing with the Secretary of State.

§5-9. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 151

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 5:00 p. m., prevailing time, on the 7th day of April, 2017, in the Shelter Island High School Auditorium, 33 North Ferry Road, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to A LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 133, ZONING, RE SHORT TERM RENTALS, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

SECTION 1. Legislative Intent.

The Shelter Island Town Board has determined that with the advent of Internet based "for rent by owner" services, there has been a dramatic increase in residential homes being rented for short periods of time. The Town Board finds that such transient rentals threaten the residential character and quality of life of neighborhoods in which they occur. These concerns are best addressed through appropriate legislation.

Additionally, the Town Board has determined that a short-term rental, as being potentially more lucrative, will necessarily decrease the inventory of available long-term affordable rentals. Therefore, the Town Board, in order to protect the health, safety and welfare of the community, requires the regulation of these transient rental properties.

Regulation of rentals will preserve and protect the Island's neighborhoods, provide standards and procedures for rentals, allow owners and residents continued quiet enjoyment of their residential properties, as well as educate prospective renters on the Town's regulations and expected behavior through the Good Neighbor Brochure for Vacation Renters that is part of the owner's lease agreement with the renter.

SECTION 2. Amend Chapter 133-1 Definitions by adding the following definitions:

ADVERTISING. Any and all advertising or any other form of communication for marketing that is used to encourage, persuade, or manipulate viewers, readers, or listeners into contracting for goods and/or services as may be viewed through various media, including but not limited to newspapers, magazines, flyers, handbills, television commercials, radio signage, direct mail, websites, emails, or text messages by owner and/or owner's agent or representative.

CONVENTIONAL BEDROOM. A room designed principally as a sleeping area. Rooms having other purposes, such as dens, living rooms and hallways are not to be interpreted as a conventional bedroom.
GOOD NEIGHBOR BROCHURE. A document prepared by the Town that summarizes the general rules of conduct, consideration, and respect, including but not limited to provisions of the Town Code of the Town of Shelter Island applicable to renters.
LOCAL CONTACT PERSON. An individual designated by the owner or owner's agent or representative who resides on Shelter Island and is available 24 hours per day, seven (7) days per week for the purpose of responding by telephone or in-person to complaints regarding the condition or conduct of occupants of the residential rental and who is authorized by the owner to take remedial action.
OWNER. The legal owner of any property.
OWNER OCCUPIED. Premises where owner is simultaneously domiciled on the same or adjacent premises with tenant or tenants during a rental term.
RENTAL LICENSE. An annual license issued by the Town to the owner to allow the use or occupancy of a vacation rental, pursuant to this Chapter.
RENTAL NOTIFICATION. Notification of a confirmed rental made by the owner of a vacation rental to the Town.
RENTAL REGISTRY. A registry maintained by the owner of a vacation rental showing the dates of rental and tenant names and contact information.
RENTAL TERM. The period of time a tenant rents or leases a portion or all of a premises.
TENANT. A person to whom an owner or owner's agents and/or representatives grant temporary use of land or a part of a building, usually in exchange for rent.
VACATION RENTAL. A dwelling unit which is used as a temporary residence by persons other than the owner or owner's immediate family and for which money or other consideration or compensation is paid by the tenant to the owner or owner's agent and/or representative, directly or indirectly, for the use and enjoyment of all or a portion of the dwelling unit. Vacation rentals include, but are not limited to one-family dwellings, two-family dwellings, apartments, and any other buildings or structures, whether attached or detached to a primary structure.
For the purposes of this Chapter, Vacation Rentals shall **not** include:

a. Any premises or portion of premises rented to a tenant as a fixed and permanent home; or
b. Any premises, or portion of premises, that is owner occupied; or
c. Any premises used exclusively for non-residential commercial or non-profit purposes; or
d. Any legally operating commercial hotel/motel or bed-and-breakfast establishment; or
e. Rental of property for more than fourteen consecutive days; or
f. Rental of premises located in the B-Business zone; or
g. Short-term rentals by Taylor's Island Foundation, The Nature Conservancy Mashomack or Sylvester Manor that are used as fund-raisers for these non-profits.

SECTION 3. Amend Chapter 133 by adding a new section 133-14.1, Vacation Rental Regulation, to read as follows:
A. License requirements. Vacation rentals shall be permitted subject to issuance of a vacation rental license, renewable annually and subject to the following requirements:

1) Submittal of a completed, fully-executed Vacation Rental License Application or Vacation Rental License Annual Renewal Application, with applicable license fee(s) as established by resolution of the Town Board.

2) The vacation rental shall have a valid and current certificate of occupancy or certificate of compliance and shall be in compliance with the Town Building and Zoning Codes. There shall be no more than one vacation rental on a property.

3) The total number of conventional bedrooms in a premises shall not exceed the number indicated on a certificate of occupancy or certificate of compliance and the filed building plans for all structures on the premises.

4) Occupancy of a vacation rental shall not exceed two (2) persons per conventional bedroom.

5) The owner of a vacation rental shall maintain a copy of the rental agreement on premises, and the rental registry for examination by the Town, if requested. Rental registry records and rental agreements shall be preserved a minimum of three (3) years.

6) The Town shall provide a Good Neighbor Brochure to owner in digital, PDF format, made available for downloading and printing on the Town of Shelter Island website. Good Neighbor Brochures may be updated and revised from time to time, and it is the owner's responsibility to ensure that a current version is provided to tenants.

7) The Owner must print and provide a Good Neighbor Brochure to each tenant prior to commencement of the rental term. Owner is required to have each tenant sign a Good Neighbor Brochure, and it shall be made a part of the lease agreement with the owner.

8) No signs advertising a vacation rental shall be allowed.

9) All vacation rentals must maintain a local contact person. Owner shall provide to the Town, current contact information of the local contact person, including the name, address, phone number, and email address. Owner must also certify that owner has provided the immediate property neighbors with owner's personal cell phone number to call in event of problems with the vacation rental.

10) The vacation rental license may not be transferred or assigned upon death or transfer of the named licensee. The license does not authorize any person, other than the person named therein, to operate the vacation rental license on the property.

11) A writing, promulgated by the Office of the Town Attorney, executed by the owner(s) of the rental property, which designates either:

(a) A person, firm or corporation with an actual place of business, dwelling place, or usual place of abode located within the boundaries of the Town of Shelter Island; or

(b) The Town Clerk of the Town of Shelter Island as agent for service for criminal and civil process pursuant to CPLR Section 318. Every owner shall insure that the address for delivery of such process is current and shall advise the Town Clerk whenever the address is changed. The designated agent, upon receipt of service of process under this designation shall forthwith transmit by regular and certified mail to the owner(s) of the rental property at the address included on the owner(s) application.

B. Advertising

1) The following applies to all advertising of vacation rentals:

a) The current vacation rental license number assigned by the Town for the advertised vacation rental must be displayed; and

b) The listed occupancy of the advertised vacation rental must not exceed the maximum allowed by the vacation rental license; and

c) The minimum rental period shall not be less than fourteen (14) days.

2) Failure to include the required information in advertising shall be a violation of this Chapter.

C. Vacation Rental Timing

1) No property owner may allow their vacation rental to be rented more than once in any fourteen day period.

D. Penalties for Violations.

1) License required. It shall be unlawful and a violation of this Chapter for any person or entity owning, renting or leasing a vacation rental within the Town to rent, lease or permit the occupancy of such vacation rental property without having first licensed the property as a vacation rental property and paying the license fee established by the Town Board.

2) Use prohibited. It shall be unlawful and a violation of this Chapter for any person or entity to allow use or occupancy of a vacation rental without that property being validly licensed as a vacation rental property with the Town.

3) Violation of this Code shall result in fines as set forth below. The vacation rental license may be suspended or revoked for any violation deemed appropriate by the Town Board, subject to a due process hearing prior to the action.

a. For the first violation, a minimum fine of $500, not to exceed $1,500.

b. For the second violation within the next 12 months, a minimum fine of $750, not to exceed $2,500, and/or suspension of the vacation rental license for a period up to six (6) months, and during said time the premises shall not be utilized for a vacation rental.

c. For the third violation within the next 12 months, a minimum fine of $1,000 not to exceed $4,000, and suspension of the vacation rental license for a period of twelve (12) months, and during said time the premises shall not be utilized for a vacation rental.

d. The Town Board shall be the body to suspend a vacation rental license pursuant to the section above, and shall offer the permittee a reasonable opportunity to appear and be heard on the suspension prior to imposing the suspension.

E. Applicability.

This law applies to all properties which are used as vacation rentals, regardless of whether such activity occurred prior to adoption of these regulations. Short term vacation rentals are a commercial use which has never been allowed by residential zoning, and this legislation provides guidelines to allow it, subject to limitations. The licensing requirement is a ministerial act which does not significantly change previous rights, privileges, or practices regarding the property.

F. Review Board.

The Town Board will be the review board for issues associated with implementation of this law. The Town Board reserves the right to amend this law to add or change restrictions and license terms as it deems necessary.

SECTION 4. SEVERABILITY. In the event that any portion of this Chapter is hereafter found to be invalid, such invalidity shall not affect the remaining portions of this Chapter.

SECTION 5. EFFECTIVE DATE. This law shall become effective immediately upon filing with the Secretary of State. Implementation of this law shall be as follows:

a. All vacation rentals owners shall obtain a vacation rental license prior to July 1, 2017.

b. The limit on rentals more than once in a fourteen day period may be temporarily waived if the property owner submits written proof to the Town that the rental agreement was signed prior to adoption of this ordinance.

c. However, after December 31, 2017, all vacation rentals, regardless of date entered into, must comply with the limit on rentals to once in a fourteen day period.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 152

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the following funds are hereby encumbered from 2016 to be expended in 2017 with 2017 funds, to wit:

$1,174.50 from the A1490.422 Public Works dredging account for DKR Shores, Inc.;

$20,000.00 from the A1490.499 Public Works Bridge Street restroom account for Madden Fabrication;

$29,610.16 from the A3120.493 Police Department equitable sharing funds account for Impact computer software updates and Kessel Collision Corp.;

$3,304.98 from the A4540.200 Ambulance equipment account for Stryker;

$1,188.04 from the A4540.428 Ambulance communications account for Integrated Wireless Technologies, LLC;

$4,440.34 from the A8510.484 Taylor's Island office and miscellaneous account for DKR Shores, Inc., Al Loreto, and East End Pest Control;

$3,615.00 from the B8030.485 Water Advisory Committee salt water monitoring account for USGS;

$2,905.00 from the B8030.487 Water Advisory Committee water quality testing account for USGS;

$12,000.00 from the B8030.498 Water Advisory Committee quantity chemical testing account for USGS;

$6,000.00 from the DA5130.482 Highway Machinery grinder maintenance account for Grinder Wear Parts, Inc.;

$4,000.00 from the DA5140.489 Highway Brush & Weeds equipment rental account for Shelter Island Sand & Gravel;

$2,100.10 from the DB5110.480 Highway Repair & Improvements MS4 account for Coastal Pipeline;

$2,100.10 from the DB5110.482 Highway Repair & Improvements MS4 maintenance account for Coastal Pipeline;

$800.00 from the DB5110.482 Highway Repair & Improvements MS4 maintenance account for Shelter Island Sand & Gravel;

$4,000.00 from the DB5110.479 Highway Repair & Improvements surveys account for F. Michael Hemmer; and

$228,184.98 from the DB5110.445 Highway Repair & Improvements contractual account for Corazzini Asphalt.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 153

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the following 2016 budget transfers are hereby approved:
$628.00 from the A1015.400 Media office and miscellaneous account to the A1010.497 Town Board professional services account;
$505.00 from the A3120.457 Police Department towing account to the A3120.484 Police Department office and miscellaneous account;
$300.00 from the A3120.480 Police Department radio contract account to the A3120.277 Police Department office equipment account;
$1,250.11 from the A4540.408 Ambulance building maintenance account,
$346.22 from the A4540.422 Ambulance food account,
$37.56 from the A4540.445 Ambulance utilities account,
$59.75 from the A4540.478 Ambulance medical supplies account,
$987.43 from the A4540.485 Ambulance vehicle maintenance account, and
$623.70 from the A4540.486 Ambulance vehicle fuel account to the A4540.200 Ambulance equipment account;
$213.26 from the A4540.486 Ambulance vehicle fuel account to the A4540.428 Ambulance communications account;
$25.00 from the A6772.440 Nutrition Program maintenance account to the A6772.400 Nutrition Program food account;
$600.00 from the A8160.432 Landfill test wells account, and
$211.00 from the A8160.442 Landfill purchase of bags account to the A8160.408 Landfill repairs and maintenance account;
$1,260.00 from the A8510.200 Taylor's Island equipment account and dispersed as follows:
$131.00 to the A8510.408 Taylor's Island cabin repairs account, and
$1,129.00 to the A8510.484 Taylor's Island office and miscellaneous account;
$2,937.03 from the A8510.412 Taylor's Island dock repairs account to the A8510.484 Taylor's Island office and miscellaneous account;
$2,100.00 from the DB5110.441 Highway Repair & Improvements fuel account to the DB5110.480 Highway Repair & Improvements MS4 account; and
$176.00 from the FX8320.444 West Neck Water testing account to the FX8320.443 West Neck Water chemicals account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 154

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That 2016 general claims numbered 2338 through 2344 in the amount of $4,094.95, 2016 highway claim number 314 in the amount of $1,843.00, 2017 general claims numbered 186 through 312 in the amount of $61,346.20, 2017 highway claims numbered 27 through 43 in the amount of $21,798.65, and 2017 West Neck Water claims numbered 6 through 10 in the amount of $4,581.16 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:52 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed local law entitled A LOCAL LAW TO ADDRESS MINOR CLARIFICATIONS IN THE TOWN ZONING CODE.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Town Attorney explained as follows: Basically the change was that previously there had established a minimum for the first floor so we decided that since so many accessory sleeping quarters are basically on the second floor over the garage, now the Code will say on any floor.

The Clerk read the report of the Suffolk County Department of Planning, which was as follow:

Pursuant to the requirements of Section A 14-14 to A 14-25 of the Suffolk County Administrative Code, the above referenced application which has been submitted to the Suffolk County Planning Commission is considered to be a matter for local determination as there is no apparent significant county-wide or inter-community impact(s). A decision of local determination should not be construed as either an approval or disapproval.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:54 p. m. and called to order the public hearing to be held as advertised on A LOCAL LAW TO ADDRESS MINOR CLARIFICATIONS IN THE TOWN ZONING CODE.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Town Attorney explained as follows: I wanted to say that the current definition in the Code of square foot living area is the square footage of heated area within the outer walls of all structures on the residential lot, but when we talked about the SFLA under each specific zone, we had talked about one family dwellings and we had assumed that everybody understood that included everything, but to make it clear, we're saying one family dwellings and accessory structures, so it turned mirrors with the definition; good, sounds good.

The Clerk read the report of the Suffolk County Department of Planning, which was as follow:

Pursuant to the requirements of Section A 14-14 to A 14-25 of the Suffolk County Administrative Code, the above referenced application which has been submitted to the Suffolk County Planning Commission is considered to be a matter for local determination as there is no apparent significant county-wide or inter-community impact(s). A decision of local determination should not be construed as either an approval or disapproval.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:55 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 155

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 10th day of March, 2017, on a proposed local law entitled A LOCAL LAW TO ADDRESS MINOR CLARIFICATIONS IN THE TOWN ZONING CODE, and

"Whereas", all interested persons were heard in favor of or in opposition to said proposal, now, Therefore

BE IT RESOLVED, That Local Law No. 1 - 2017 entitled A LOCAL LAW TO ADDRESS MINOR CLARIFICATIONS IN THE TOWN ZONING CODE, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Legislative Intent

The Town Board finds that certain minor changes are required to correct unclear language regarding accessory sleeping quarters on either the first or second floor of a building. These changes are intended to clarify the intent of the Zoning Code revision.

Section 2. Amendment of Code

A. Chapter 133, Section 133-6(E)(3) of the Shelter Island Town Code, entitled District A Permitted Accessory Uses, is hereby amended to read as follows:

Section 133-6(E)(3)(a) is amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. No accessory building shall have kitchen facilities or shall be used for rental purposes. The area of any floor with accessory sleeping quarters shall be not less than 480 square feet, excluding closets, bathrooms, pantries, porches, breezeways and attached garages. The accessory sleeping quarters shall include no more than two conventional bedrooms.

B. Chapter 133, Section 133-7(E)(3) of the Shelter Island Town Code, entitled District AA Permitted Accessory Uses, is hereby amended to read as follows:

Section 133-10(E)(3)(a) is amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. No accessory building shall have kitchen facilities or shall be used for rental purposes. The area of any floor with accessory sleeping quarters shall be not less than 480 square feet, excluding closets, bathrooms, pantries, porches, breezeways and attached garages. The accessory sleeping quarters shall include no more than two conventional bedrooms.

C. Chapter 133, Section 133-10(E)(3) of the Shelter Island Town Code, entitled District C Permitted Accessory Uses, is hereby amended to read as follows:

Section 133-10(E)(3)(a) is amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. The area of any floor with accessory sleeping quarters shall be not less than 480 square feet, excluding closets, bathrooms, pantries, porches, breezeways and attached garages. The accessory sleeping quarters shall include no more than two conventional bedrooms.

Section 3. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 156

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", a public hearing was duly held on the 10th day of March, 2017, on a proposed local law entitled A LOCAL LAW TO ADDRESS MINOR CLARIFICATIONS IN THE TOWN ZONING CODE, and

"Whereas", all interested persons were heard in favor of or in opposition to said proposal, now, Therefore

BE IT RESOLVED, That Local Law No. 2 - 2017 entitled A LOCAL LAW TO ADDRESS MINOR CLARIFICATIONS IN THE TOWN ZONING CODE, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Legislative Intent

The Town Board finds that certain minor changes are required to correct unclear language regarding the structures to be included in calculating SFLA. These changes are intended to clarify the intent of the Zoning Code.

Section 2. Amendment of Code

A. Chapter 133, Section 133-6(F)(1) of the Shelter Island Town Code, entitled District A Permitted Accessory Uses, is hereby amended to read as follows:

(1) One-family dwellings and accessory structures with a SFLA of 6000 square feet or above.

B. Chapter 133, Section 133-7(F)(1) of the Shelter Island Town Code, entitled District AA Permitted Accessory Uses, is hereby amended to read as follows:

(1) One-family dwellings and accessory structures with a SFLA of 6,000 square feet or above.

C. Chapter 133, Section 133-10(F)(1) of the Shelter Island Town Code, entitled District C Permitted Accessory Uses, is hereby amended to read as follows:

(1) One-family dwellings and accessory structures with a SFLA of 6,000 square feet or above.

Section 3. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

March 10, 2017 - continued

On motion of Councilman Colligan and seconded by Councilman Shepherd, the meeting was adjourned at 4:59 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

March 31, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 31st day of March, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and nine persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. Three letters from Quinn M. Karpeh resigning as member of the Recreation Committee effective March 22, 2017; resigning as Town Assessor for the Town effective March 22, 2017; and resigning as Detention Attendant effective March 22, 2017.
2. A letter from Evan Kraus applying for the position of Town Assessor.
3. A letter from the Shelter Island Fire Department Ladies Auxiliary stating they are holding their annual Easter Egg Hunt on St. Gabriel's Meadow on Saturday April 15, 2017.

The Supervisor presented the following financial report for the month of February, 2017.

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
FEBRUARY 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM	BALANCE	CLASS
Gen Checking	3,539,241.52	441,536.39	532,762.72	3,448,015.19	770,214.60
Hwy Checking	1,075,572.52	2,204.52	116,355.31	961,421.73	
T&AChecking	56,721.09	691,701.21	687,556.79	60,865.51	15,402.65
T&A Savings	12,223.66	0.28	0.00	12,223.94	
Hwy Cap Res	266,432.93	6.13	0.00	266,439.06	
WNW Supply	39,704.94	2,597.76	6,999.46	35,303.24	109,992.76
Taylor's Island	39,979.84	1.52	0.00	39,981.36	
Comm Preserv	5,337,077.85	197,020.53	28.69	5,534,069.69	1,592,723.34
Waterways	214,565.45	640.00	0.00	215,05.45	
Reserve fund	662,504.33	2,497.60	0.00	665,001.93	
Bridge St Esc	0.00	0.00	0.00	0.00	353,158.87
Environmental	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Reserv	7,658.33	0.00	0.00	7,658.33	
Ambul Reserv	301,613.44	11.49	0.00	301,624.93	
Ambul Train	29,077.89	0.67	0.00	29,078.56	
TOTALS	11,598,123.79	1,338,218.10	1,343,702.97	11,592,638.92	2,841,492.22

RESOLUTION NO. 157

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Robert Waife/Shelter Island Ground Tackle, 9 North Ferry Road, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location approximately 120' from mooring number O-3118 and 90' from mooring number O-3420, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 21st day of April, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 158

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", Richard Clark, 6J Hager Road, has petitioned the Town of Shelter Island for permission to install a 32" x 24' seasonal aluminum ramp onto a 6' x 32' seasonal floating dock anchored by two 10" diameter anchor pilings at offshore end of the existing fixed dock in Menantic Creek, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:41 p. m., prevailing time, on the 21st day of April, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 159

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Shelter Island Clinton Ave., LLC/Zachary Vella, has petitioned the Town of Shelter Island for permission to remove existing 6' x 20' floating dock and access ramp, remove 2 existing dolphins, and install a new 32" x 22' aluminum ramp onto a 6' x 30' seasonal floating dock with a 2' x 4' access platform secured with two 8" diameter piling in Dering Harbor, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:42 p. m., prevailing time, on the 21st day of April, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 160

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Peter D. Johnson, 54 C West Neck Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in West Neck Bay at a location next to the Town landing on West Neck Road at the immediate north/northeast side of the ramp, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:43 p. m., prevailing time, on the 21st day of April, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 161

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the 4 poster grant funds received from the New York State Senate in the amount of $25,000.00 to the A3289G Deer and Tick revenue account, and the reimbursement funds in the amount of $239.83 received from New York Municipal Insurance Reciprocal to the 2016 general fund.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 162

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Amanda Gutiw is hereby appointed to serve as Full Time Clerk Typist for forty hours per week to serve for two and a half days per week for the Police Department and two and a half days per week at the Highway Department, effective retroactively to March 27, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 163

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on December 28, 2016, Kathleen Gooding was reappointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on January 17, 2020, and

"Whereas", Mrs. Gooding has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mrs. Gooding continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Kathleen Gooding is hereby reappointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on January 17, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 164

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", a vacancy exists in the position of elected Assessor for the Town, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Craig Wood is hereby appointed to serve as Assessor for the remainder of the year 2017, at the rate of $29,500.00 effective April 3, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 165

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on February 17, 2017, Peter Grand was reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019, and

"Whereas", Mr. Grand has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Grand continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Peter Grand is hereby reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 166

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Linda D. Cass is hereby appointed to serve as part time Custodian for the year 2017 at the rate of $20.00 per hour, retroactive to March 16, 2017.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 167

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Annmarie Seddio is hereby appointed to serve as EMS Volunteer.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 168

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Stacey Clark is hereby appointed to serve as EMS Volunteer.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted

RESOLUTION NO. 169

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Section 129-8 of the Town Wetlands Code allows the Town Board to appoint a Wetlands Officer and Section 110-2 of the Town Storm Sewers Code allows the Town Board to appoint a Stormwater Officer, and

"Whereas", both duties involve inspections during construction, now, Therefore

BE IT RESOLVED, That the Town Building Inspectors are hereby appointed to fill these roles during the term of their employment.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 170

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Peter Miedema is hereby appointed to serve as Recreation Specialist for the year 2017 at the rate of 30.00 per hour.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted

RESOLUTION NO. 171

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the term of Ann Dunbar as a member of the West Neck Water District Board of Directors will expire on April 25, 2017, and

"Whereas", Ann has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Ann Dunbar is hereby reappointed to serve as a member of the West Neck Water District Board of Directors for a term to expire on April 25, 2022.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted

RESOLUTION NO. 172

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That effective April 3, 2017, the salary of Assessor Barbara Jean Ianfolla is hereby set at $29,500.00 for the remainder of the year 2017, and

BE IT FURTHER RESOLVED, That Barbara Jean Ianfolla is hereby designated to serve as Chairman of the Board of Assessors for the remainder of the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 173

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That effective April 3, 2017, the salary of Assessor Patricia Castoldi is hereby set at $29,500.00 for the remainder of the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 174

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $245.00 to the Postmaster from the 2017 A1330.414 Receiver of Taxes postage account for the purchase of 500 $.49 stamps.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 175

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $120.00 to The Rams Head Inn for three unused parking permits for the year 2016.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 176

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,800.00 from the A1010.497 Town Board professional fees account to Milliman, Inc., c/o Anna Ortiz, 80 Lamberton Road, Windsor, CT 06095 for the 24 month total access to the website for the GASB 45 and GASB 43 tool for smaller government entities.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 177

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", sealed bids for the replacement of groin #4 located at Shell Beach were received by the Town Clerk's Office until 3 p. m. on the 3rd day of March, 2017, at which time they were publicly opened and read aloud as follows:

Crowley Marine Contracting	low profile groin	$23,980.00
	open aluminum grate cap	$1,200.00
	total	$25,180.00
Costello Marine Contracting Corp.	low profile groin	$39,960.00
	open aluminum grate cap	$1,480.00
	total	$41,440.00, and

"Whereas", said bids have been reviewed by the Town Board and the Commissioner of Public Works, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid for the replacement of Shell Beach groin #4 to Crowley Marine Contracting, the lowest responsible bidder, for the sum of $25,180.00.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 178

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the New York State Department of Taxation and Finance has issued a notice of vendor collection credit to the Town of Shelter Island for the period ending February 28, 2017 in the amount of $27.50, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to transfer the sum of $27.50 from the trust and agency account to general account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 179

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", sealed bids for the provision of feed corn for the year 2017 were received by the Town Clerk's Office until 3 p. m. on the 30th day of March, 2017, at which time they were publicly opened and read aloud as follows:

Neptune Farm Products, Inc. in the amount per 2,500 pound pallets:

six pallet increments delivered	$424.99
five pallet increments delivered	$435.00
four pallet increments delivered	$439.00
three pallet increments delivered	$449.00
two pallet increments delivered	$449.00, and
one pallet increment delivered	$449.00; and

Talmage Enterprises, LTD in the amount per 2,500 pound pallets:

six pallet increments delivered	$438.00
five pallet increments delivered	$442.00
four pallet increments delivered	$448.00
three pallet increments delivered	$458.00
two pallet increments delivered	$477.00, and
one pallet increment delivered	$536.00, and

"Whereas", Jennifer C. Beresky, Police Clerk, and the Chief of Police have reviewed the bid submitted and recommended the award should be granted to Neptune Farm Products, Inc., now, Therefore

BE IT RESOLVED, That the bid for feed corn for the year 2017 is hereby awarded to Neptune Farm Products, Inc., the lowest responsible bidder, for the aforementioned prices.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 180

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Commissioner of Public Works was authorized to advertise for sealed bids for the proposed Congdon's Creek dock replacement, and

"Whereas", the following bids were received by the Town Clerk's Office until 3 p. m. on the 24th day of February, 2017, to wit:

Crowley Marine		$94,000.00
added cost to dispose of existing floats		$6,500.00
Costello Marine Contracting		$60,851.60
upgrading reel floatation		$34,000.00
Heaney Marine Construction	(with 4" x 4" CCA Bitts)	$58,200.00 continuous dock
	(with cleats)	$59,500.00
	(with 4' x 4' CCA Bitts)	$57,200.00 floating dock
	(with cleats)	$58,500.00, and

"Whereas", the Town reserved the right to select the best value over the lowest price, and after reviewing the history of the proposers, the Town concludes that Costello Marine Contracting has more experience constructing a continuous dock structure and has enough staff to meet the tight construction and installation schedule of this project, and thus will provide the best value, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid to Costello Marine Contracting for the sum of $60,851.00.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 181

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $200.00 from the Public Works A1490.421 Congdon's Creek Dock account to NYSDEC for the application fee for a permit to replace the existing dock at Congdon's Creek.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 182

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $750.00 from the 2017 A1620.483 buildings telephones account to Telenet NY, Inc., 115 North Richmond Avenue, Suite 1, Massapequa, New York 11758-3439, for the quarterly contract payment for servicing the telephone systems for the period April 1, 2017 through June 30, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 183

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Mrs. June Shatken has donated art supplies to the Shelter Island Senior Services' "Watercolor Classes", valued at $56.04, to be utilized by the Silver Circle, now, Therefore

BE IT RESOLVED, That the Town Board does hereby extend a sincere thank you to Mrs. June Shatken for her generous gift to the Silver Circle.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 184

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized to expend the sum of $239.00 from the A1015.400 media office and miscellaneous account to Chase Card Services for the Highway Department's one year pre-paid payment for the Highway Department website.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 185

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Town Board hereby adopts the following E-mail Policy, to wit:

Town Email Policy

1. All employees and elected officials must use Town email address for Town business. If a personal account has Town related email, the emails should be forwarded to the official shelterislandtown.us account.

2. The Department head is responsible to train employees on basics of Town emails, including ownership by Town, retention policy, maintaining business emails separately from personal emails.
3. All emails will be retained for 6 years.
   a. The default retention period is 6 years. Emails use the same retention periods as paper records.
   b. Many emails don't count as records, i.e. DEC email blasts re: rule changes, but for simplicity we treat them as records and keep them 6 years.
   c. Very few emails would be permanent records, i.e., deeds or final decisions. These emails should be printed out and kept with paper records on a permanent basis, so the email can be deleted at 6 years.
4. When an employee leaves Town service and is replaced with a new employee, the new employee:
   a. Gets their own email address, and
   b. All the former employee emails are put in the new employee's email box, and
   c. Emails to the former employee are automatically forwarded to the new employee and
   d. The former employee email account is deleted.
   e. This allows the new employee to follow up on work being done by the former employee and to get the history of correspondence on an item handled by the former employee.
5. When an employee leaves Town service and is not replaced, the old email address and emails are kept for six years for possible reference purposes and then deleted.
6. When an elected official leaves Town service, the old email address and emails are kept for six years for possible reference purposes and then deleted. The new elected official is given his/her own email address.
7. The Town Clerk, as Records Access Officer, is responsible for:
   a. Monitoring the email policy and keeping it up to date;
   b. Making sure that emails are deleted after 6 years.
8. Security of Emails
   a. The Town's computer support vendor is responsible for providing and maintaining up to date antivirus software, firewalls, and spam filters to protect the overall system from malicious email messages and other forms of sabotage.
   b. In the event that email users receive unsolicited email (spam) or email with unexpected and suspect attachments, they must delete these emails and report them to the Town Clerk, who will confer with the Town's computer vendor to assess the security risk.
   c. Users should exercise similar care when linking to external websites from unsolicited messages.
   d. Email users must employ passwords to access their email in the Town email system and must change their passwords periodically.
   e. As a general rule, email users must not share their passwords with other Town officials or employees. In cases of planned or emergency absences, other personnel may be allowed to access the absent person's email, with prior approval from the Department Head.
9. Town Email service subscription
   a. As part of its subscription the Town will subscribe to an Archiving/In-Place Hold with deletion from Archive only feature to retain emails pursuant to this policy.

Email (without additional services) is not a secure method of communication. Users should not send personal data like SS numbers, bank account information, credit card numbers, passwords, etc. in an email.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 186

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the Town of East Hampton currently operates a general municipal airport within its municipal boundaries, which has increasingly been used for helicopter traffic; and

"Whereas", excessive aircraft noise from the increasing traffic of jets, seaplanes, and other propeller craft, most especially helicopters approaching and leaving the East Hampton Airport, has interfered with the East End residents' peaceful enjoyment of their properties, and has resulted more particularly in a deleterious effect upon the quality of life of many of the residents

of the Town of Shelter Island who are under the flight path of helicopters traveling to and from the East Hampton Airport; and

"Whereas", the Town of East Hampton adopted reasonable laws to limit the frequency and noise of helicopter traffic, but the Second Circuit held that federal law preempts the Town's reasonable restrictions; and

"Whereas", the Town of Shelter Island supports the right of the Town of East Hampton to place reasonable restrictions to limit the noise from helicopters using the East Hampton Airport; now, Therefore

BE IT RESOLVED, That the Town Board of the Town of Shelter Island hereby supports the Town of East Hampton's appeal of the Second Circuit decision in the case of the Town of East Hampton v. Friends of East Hampton Airport Inc. to the United States Supreme Court and urges the Supreme Court to consider the appeal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 187

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That general claims numbered 313 through 438 in the amount of $70,526.10, and highway claims numbered 44 through 62 in the amount of $17,847.53 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:54 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of John and Kathleen King, 29 Winthrop Road, for a wetlands permit for permission to install a 14' by 24' in ground pool and patio.

At 4:55 p. m., it was announced that the scheduled hearing could not proceed due to the fact that the applicant had never completed the requirements as per the Wetlands Law, therefore said hearing will be re-scheduled.

The Supervisor called to order the public hearing to be held as advertised on the proposed LOCAL LAW TO ESTABLISH ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN BUILDINGS.

The Clerk read the public notice as advertise in the Shelter Island Reporter.

The Supervisor opened the hearing for all interested persons to be heard in favor of or in opposition. Some views expressed were as follows: just thanks to everyone, a lot of work went into this and you guys helping Tim; and Quinn; it was a nice effort, hopefully it will save the taxpayers money; that's the idea; that's the idea; and I think the Town Board is gonna amend it to indicate that the Green Committee is gonna be the one; yeah we have that ready; right; I just want to make it clear that it's gonna be amended from the version that was published in the paper; right; right; thank you.

The Supervisor declared the public hearing closed at 4:55 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 188

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 31st day of March, 2017, on a proposed LOCAL LAW TO ESTABLISH ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN BUILDINGS, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 3 - 2017, entitled A LOCAL LAW TO ESTABLISH ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

The Code of the Town of Shelter Island is hereby amended by adding a new Chapter 5, entitled "BUILDING ENERGY BENCHMARKING," to read as follows:

§5-1. PURPOSE.

Buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings - for the exact same building use. As such, this Local Law will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Shelter Island.

Collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the Town of Shelter Island is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

§5-2. DEFINITIONS

(1) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(2) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.

(3) "Department Head" shall mean the head of the Department.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the Town of Shelter Island that is 1,000 square feet or larger in size.

(5) "Tracking Department" shall mean the Green Options Advisory Committee.

(6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) "Energy Use Intensity (EUI)" shall mean the kBTUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§5-3. APPLICABILITY

(1) This Local Law is applicable to all Covered Municipal Buildings.

(2) The Department Head may exempt a particular Covered Municipal Building from the benchmarking requirement if the Department Head determines that it has characteristics that make benchmarking impractical.

§5-4. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than December 31, 2017, and no later than May 1 every year thereafter, the Tracking Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Tracking Department shall begin inputting data in the following year.

§5-5. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Tracking Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than December 31, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Tracking Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Local Law; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics across calendar years for all years since annual reporting under this Local Law has been required for said building.

§5-6. MAINTENANCE OF RECORDS

The Tracking Department shall maintain records as necessary for carrying out the purposes of this Local Law, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Tracking Department for a period of three (3) years.

§5-7. ENFORCEMENT AND ADMINISTRATION

(1) The Town Board shall be the Chief Enforcement Officer of this Local Law.

(2) The Town Board may promulgate regulations necessary for the administration of the requirements of this Local Law.

(3) Within thirty days after each anniversary date of the effective date of this Local Law, the Tracking Department shall submit a report to the Town Board including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Department Head determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Local Law.

§5-8. EFFECTIVE DATE

This Local Law shall be effective upon filing with the Secretary of State.

§5-9. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 189

Councilwoman Lewis offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

"Whereas", John and Kathleen King, 29 Winthrop Road, have petitioned the Town of Shelter Island for a wetlands permit for permission to install a 14' by 24' in ground pool and patio, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:45 p. m., prevailing time, on the 21st day of April, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:59 p. m., Councilman Colligan moved and Councilwoman Brach-Williams seconded to adjourn. This motion was carried.

Dorothy S. Ogar
Town Clerk

April 4, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 4th day of April, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and four persons were present. All Town Board members signed a waiver of notice.

The Supervisor called the special meeting to order at 3:48 p. m.

RESOLUTION NO. 190

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town has been notified by the New York State and Local Retirement Systems Employees' Retirement System Police and Fire Retirement System that James D Cronin's application for retirement has been approved effective April 29, 2017, now, Therefore

BE IT RESOLVED, That the Town hereby accepts and implements James D. Cronin's retirement from Town employment effective April 29, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilman Shepherd, the special meeting was adjourned at 3:49 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

April 7, 2017

The public hearing to be held as advertised on a Local Law ENTITLED AMENDMENTS TO CHAPTER 133, ZONING, RE: SHORT TERM RENTALS was held in the Shelter Island High School Auditorium, Shelter Island, New York on the 7th day of April, 2017. Town Board members present were Supervisor James Dougherty, Councilmen James Colligan, and Paul D. Shepherd, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and approximately one hundred and seventy five persons were also present.

The Supervisor called the public hearing to order at 5:00 p. m.

Salute to flag.

The Supervisor announced that the purpose of this hearing is to give people an opportunity to give the Town Board their thoughts and suggestions and recommendations on this very, very, very important issue for the future of Shelter Island and specifically for the revised draft of a proposed law we have worked out since the January 27 hearing. We've had, as you all know, piles of correspondence. The Town Clerk has a pile in front of her, we won't take the time to go through it now, they are available for inspection in the Town Clerk's office during normal

normal business hours. The Town Board does not plan to take any action this evening, and we will continue to work on this issue for a resolution as soon as possible.

The Supervisor set down the ground rules to be followed during the hearing.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: my name if Jeff Lederman, I'm a Shelter Island homeowner, in an effort to be completely transparent, I'd like to share some factual short term data with you, during the times I have rented my home, the average stay is five days which is very similar to others on the Island, during the Spring, Fall and Winter, the average stay is 3.1 days, during the Summer it's 6.4 days, 70% of those rentals are families with small children, families that go out, go to the pizzeria, families that go to the diner, families that go to the Whale's Tale, families that shop in Town, people today don't have the luxury of taking more than one week off at a time and that's why we're seeing an average of a five day rental, as Councilman Shepherd wrote to his fellow Board members, if we go with a fourteen day minimum, we do so choosing to ignore the reality of the market, what he said is right, by restricting short term rentals, the Town Board is choosing to ignore the reality, the reality that some owners need and more importantly have a constitutional right to rent their home short term, you are choosing to ignore the reality that businesses on the Island need the revenue generated by people that come here on vacations, by allowing, by only allowing one rental within a fourteen day period, you're severely limiting the number of people that can come and spend their vacation dollars here, we have spoken to a lot of businesses on the Island, contractors, restaurants, retail shops, some have already experienced a decline in business, others fear that the decline, these regulations will be further economic declines, with all due respect I ask you not to ignore this reality, thank you; thank you; okay, Janalyn, do you want to; I have one request from all of you, stop, I'm sorry Jim; yes, please Janalyn, I'm sorry; I have one request from all of you; yes; stop, breathe, take ten steps back, this legislation as you have been shown and what has been stated for almost a year now, a year, is unconstitutional, previous version and the current, why would you even want to consider producing code that violates rights and subjects the Town to wasteful lawsuits that will only increase our taxes, this is a non-issue, reinforce quality of life laws currently on the books like the noise ordinance, speed limits on roads and our creeks for example, it doesn't cost a dime, it may bring in more tax revenue, seasonal rentals on weekends and weekly have been a standard here since the day of Manhanset and Prospect Hotels, this is not a new phenomenon, homeowners have been booking on their own and with real estate agencies for decades, buyers, most renters at one time, ask what the rental opportunities are for a home and if they improve it with various amenities, with central air, pools, tennis courts, that will continue to raise the value of a home, isn't that a good thing for the Island, owners that take pride in their property which improves the neighborhood and keeps our tax base strong, to take away a homeowner's potential and bundle the rights, that will only hurt the entire Island, loss of revenues and businesses, lost sales tax, reduced home sales, therefore less two percent money and mortgage tax revenues and taxes will skyrocket, is that the legacy that you want, focus on the real issues this Island has, our infrastructure, our roads are not good, I hear it from my clients, customers and contractors I work with, Jay Card and John Cronin have been telling you for years, raise that budget line item so that Jay can get the grants he needs to make our tax dollars work more efficiently, year round housing, Jim Colligan said at the CHB forum, this is a multi-pronged approach, about all I heard as raising our tax dollars is going to make it happen, it is multi-pronged and you don't have to spend just our tax dollars to make it happen, work with builders like myself who are willing to not take a dime of tax relief or credits to provide housing, don't let NIMBYism rule here, local citizens who need housing are voters too, Anthony Reiter said that seventy percent of the Fire Department is over fifty-five years of age; that's it Janalyn; the young people can't find housing, I'm almost done, a paid Fire Department and EMS will also make our taxes skyrocket, again a legacy you don't want to have, water quantity, add storm drains where the roads flood consistently, to put water back into our aquifer, this protects our roads, our citizens and our water supply, sixty percent, sixty of this Island has been protected with two percent money and Nature Conservancy purchases and more properties are being purchased every year from that fund; okay Janalyn, please; I really want to finish and I've only got five lines left; go ahead; that means less than forty percent and actually in the thirty percent range of this Island has homes, stop using non-issues like density, short term rentals and the threat of Suffolk County Water Authority as culprits for our properties, the Health Department is not the evil either, they will work with you, so again, stop, breathe, step back, focus on what's important, what will keep our property values up, our tax base strong but our taxes low and keep

the Island healthy financially and morally, be the heroes, the leaders we elected you to be, leave the legacy that will truly be great; Fred, do you want to; for the record, my name is Fred Buonocore, I'm on Gardiner's Bay Drive and I'm speaking tonight in the capacity of President of the Hay Beach Property Owner's Association, as the Board well knows I've attended many if not most of the Tuesday work session meetings on behalf of Hay Beach and I've heard arguments really, both sides, excellent and you guys have fantastic patience, as a matter of fact I would have had a migraine by now and you've hung in there sixteen months, God bless you but in time, it's come to the floor and in the last six months, let me tell you, I received a number of phone calls, texts, meetings at the post office, so have my board members and the consensus of opinion as far as my board is concerned is the fact that if we do not do any limitations or whatsoever on Shelter Island, we will be the only town with no limitations, therefore you'll have a void here that we have, we cannot deny the fact that will be filled with one day, two day, weekend or whatever the heck it is going to be and you will have an influx into this Town the likes of which you can't believe, on that basis, my board is asking me to say to you please do at least a fourteen day minimum, thank you; Barrie would you like to come up; hi my name is Barrie Silver and I'd like to say that I don't see that this is an economic issue or a noise issue, I think it's a people issue, I mean everybody in this room knows what's going on in this world, this world is falling apart, it's imploding and that's not funny, most people live in a state of poverty and death and fear and destruction and displacement and what are we doing, why are we bringing bad feelings here, it's all out there, we don't need to create our own bad feelings and antipathy and horrible laziness, we don't want to be responsible for the chaos and vitriol on this Island, so what we have to do is we have to come to some kind of compromise in my opinion, there is no such thing as right or wrong, both of those attributes are a function of conception, we perceive the same issue but differently, the people who want quiet, want to protect their investments, want to not have to deal with noise and craziness, they have an issue, I get it, on the other hand, the people who need to rent or want to rent their home also have an issue, there's real poverty on this Island, you know unless you and I hope most of you do participate in a wonderful philanthropical organization, then you have no idea how little some people have and how they need to rent, we're a community that takes care of its own, this thing that has become almost mythic because we're not taking care of our own, are you throwing these people under the bus because you want quiet, they need money, is anybody wrong, no but there has to be a compromise so my suggestion would be to step back, to visit this after we have documented how serious the problem, it's much easier to pass a resolution than to undo a past resolution so if we step back and look at it and we document and we don't make laws based on what may happen, who knows what will happen, maybe the Syrians will come here, I mean, why are we doing this now when it's not necessary and I think we should make an important decision based on what we see, not just what we feel, I feel very strongly that we have to start taking care of people, we are, you know everybody builds this as a place of community, the place of caring for our home and I keep thinking is this what I gave up a rent stabilized apartment in New York City for, all of this, this bad blood and tension and thank you very much; okay, at this time I'm going to call on, my colleagues and I have agreed as I mentioned earlier, to several twelve minutes exceptions, and the folks who are opposed to this legislation have asked, have hired a Mr. Brian Blaesser, I hope I pronounced it correctly, from the Robinson Cole Law Firm, he can take up to twelve minutes, I hope less; thank you Mr. Dougherty, for the record, my name is Brian Blaesser of the law firm of Robinson and Cole, with me is my partner in the audience here Joe Classen, who is here also on behalf of the property owners are listed in the letter we submitted to you and also is in the record, I appreciate the time that you have given us, the twelve minutes, I'd like to reserve three minutes of that to speak later in response to any comments, I think it'll be beneficial to the Board to hear back and forth if that's okay, my understanding that my total is twelve minutes, I understand that some on the Board may perceive my firm being hired as something that changes the ball game or makes something negative about the whole process here, that's not the intent, my firm's capacity as national consultant to NAR, the National Association of Realtors, in that capacity I've looked at probably fifty of these short term rental ordinances around the country and I've worked with realtors, we work with realtors and local governments and homeowners to try and address this in a positive and constructive way, I'm here tonight, having looked at your ordinance and again with the benefit of the experience of seeing many of them around the country and essentially there are five major legal problems that you have with the draft that you have proposed for the Town, the first is that zoning deals with the regulation of use, not the user, under the Town zoning code, the family dwelling is defined as a detached structure other than a mobile home containing a single dwelling unit, regardless of whether there is a one family dwelling is occupied by the homeowner, by a long term tenant, by a

short term tenant, it's still a residential use, in each case the use is a one family dwelling and the only difference between the home that is occupied by the owner and a home that is occupied by a tenant under the rental agreement is the identity of the person in that home, as a matter of zoning law you can't regulate the user, the New York laws are very clear about that, the second problem is that the proposed short term rental law tries to structure a license requirement around the idea of a vacation rental, now again one of the fundamental principles and again recognized in New York law is that a property owner can do one of three things with their property, they can own it, they can live in it, sell it and rent it and by excluding from the definition of vacation rental, the rental of property for more than fourteen consecutive days, the draft law infringes upon that fundamental right to rent property, it effectively prohibits the rental of property for any period of less than fourteen days and requires homeowners who do rent their properties for fourteen days, obtain the license, the license essentially is a privilege, it means that the activity that otherwise could occur is unlawful without a license so in effect what the law does is it converts a fundamental property right into a privilege which again is not possible as a matter of law in terms of zoning and land use law, the third problem is the definition of the vacation rental is arbitrary, the most nonsensical elements of the definition of vacation rental are exclusion of any legally operating commercial hotel, motel or bed and breakfast establishment, the rental of a property from more than fourteen consecutive days and the rental of premises located in the B business zone, it also excludes the short term rentals by Taylor's Island Foundation, The Nature Conservancy, Mashomack and Sylvan Manor, Sylvester Manor, if we take these definitional exclusions and we look at them the fact that the ordinance declares that short term rentals are a commercial use, it has never been allowed by residential zoning, we have these following contradictions and irrational kinds of provisions in the ordinance, if a vacation rental is deemed a commercial use, what's the basis for distinguishing between rentals for more than fourteen consecutive days which is not a vacation rental under the proposed definition than a rental for fourteen days, a vacation rental under the proposed definition, so if one owner rents her home for fourteen days and another rents her home for twenty-one days and both owners receive compensation from their tenants, why is the fourteen day rental deemed a commercial use, there's no rational basis for that, if all the vacation rentals are considered commercial uses, why should the definition of a vacation rental depend upon the location, why would you exempt the vacation rental or the short term that's in the B zone district, it makes no sense, lastly the term under the current zoning code for a commercial accommodation is an exclusion of bed and breakfast establishments and boarding and rooming homes, there is no basis from the standpoint of a normal understanding of zoning and land use to say that these are not commercial accommodations, yet you exclude those, now normally a local government has the courts looking with deference to the legislation that is proposed but what still has to pass the straight face test is it has to be rational and these are not rational distinctions made under the zoning, the fourth area is that the rental registration requirement violates the right to privacy under the fourth amendment, one doesn't normally throw out constitutional arguments all the time to try to change the tenor of the discussion but the problem with this proposed law is that it requires a rental registry and allows the Town at its request to see that registry and the law is quite clear in New York and it's been clear in the US Supreme Court that for an administrative inspection you cannot do so without either the consent of the property owner or a warrant and the proposed law as it's worded right now again is in contrast and violation of that fundamental principle, one of the other issues that we raise in the letter that I've submitted to you is that the fourteen day minimal rental and the ban on signs are vulnerable to challenge under the Federal Fair Housing Act as well as the New York State Human Rights Law, again we have the problem of the minimal rental requirements if it results in members of a protected class, whether it be minorities, women, families with children, being denied access to rental housing, then you have a potential violation of FHA and the New York State Law, will you have that, we don't know for sure but again it raises issues that you need to be aware of that you could very well face compliance, individually under both the Federal and the State law and lastly, to go beyond the legal issues, what I've tried to point out in the letter and we tried to point out is that there is no factual basis for the law that's being proposed, there's nothing that shows the relationship between short term rentals and the availability of affordable housing or the short term rentals threaten the residential character and the residention, and the quality of life in the neighborhoods, there's no evidence being presented, there are no laws or data that's been presented to the Board, you're acting, if you act on this on the basis of anecdotal evidence and this is not a rational basis for legislative action so I urge you to think carefully about this proposed legislation, realize that it is very vulnerable on a number of counts, it can lead to claims, it can lead to liability and I will close at this point and ask that my remaining time which I should ask how much do

I have left; four minutes; I have four minutes, not bad, I'll reserve that for comments on, comments that I assume will be coming forth about my proposed comments, thank you; thank you, okay, the gentleman sitting down front has been waiting very patiently, do you want to speak or; I'll wait; you'll wait; yeah; okay, the very attractive young lady in the blue sweater; thank you, good afternoon, I am Professor Dawn Fotopolus, my family, my sister Madeline is here and we have had the privilege of owning a home on Shelter Island for almost forty years and it's a very important place for family memories, both our parents are nonagenarians, our mother is ninety-one, our father is ninety-two, they're married for sixty-nine years, Dad was an engineer, he scraped every single floor board on that house and that house is a real treasure to us, the challenge for us as a family is that we are taking care of our parents and short term rentals have been very important to us, we are very careful about who we allow into our family home and to suggest that a short term rental is going put at risk, as it says in the legislation, the health, safety and welfare of the community, is simply not true and what we would really hope to find from the Board is again where is the evidence that you come to that conclusion, we certainly have not experienced it ourselves, nor with our neighbors, the other thing that's really important is to recognize that it is a non-__ to suggest that short term rentals are going to eliminate the long term rental availability because we rent short term or long term for completely different reasons, if you own a home and you want to use that home, which we do, as a family we use it for family reunions, we don't want to ever be a rent that house for a long term use, so those who do rent their homes for a long term use, are doing so for completely different reasons and I would suggest that there are probably many people like our family on this Island that use short term rentals to help defray the cost of maintenance which you know is very hard on an Island that gets pummeled in the Winter time and what it takes to get those houses up to speed in the Spring time and take care of our yard which we have not done a very good job of I admit but we will get there but the point is this, to suggest that the quality of a renter is somehow gonna magically change at the fourteen day mark, that thirteen days we have renters that really aren't wonderful, they are very loud and they're disruptive and they're gonna ruin our quality of life but somehow magically if they rent for fourteen days, that all changes, is really naive, it really has a lot more to do with the vetting of those particular renters whether it's three days or fourteen days, so for the renters that come to us for example, who want to rent for a short time and they're attending a wedding, we want to make this Island available to them and of course for all of the economic reasons that we were suggesting, so thank you very much to the Board for listening; my name is Madeline Masser and that was my sister Dawn and she's pretty much said most of what I want to say but I will add to that, that you know, we come to Shelter Island and have been coming to Shelter Island for almost forty years, it is a wonderful place that our parents had taken care of for a long time and now that has turned to us and we are trying very hard to keep, to keep, to keep this house running and one of the ways we are able to do it is by renting, we are very, very careful with the people who we have in our house, I would imagine every single person who rents their house is, nobody is gonna want somebody in there that's gonna somehow be a disruption, it is part of what we do, what we vet when we're looking at individuals who are coming to rent our house, and then as Dawn had said before, you know we're, I don't know what happens magically at the fourteenth day that doesn't happen at the thirteenth day, we have people who want to rent our house for two weekends and a week and that's what eleven days, you know, why is that person gonna be more, more of a risk to be, to the community than someone who is gonna rent for two more days, somebody has to explain that to me because I think it's so arbitrary to me, I think it also is a discrimination against, against single women, I think it's a discrimination against people who have small children who are, who don't have the money to rent for fourteen days, it's very expensive to rent for fourteen days, I have people who are, they can come for five days and they are happy to come, they are thrilled to come for five days and they come and they go to the pizzeria, and they go to, into Town and do what people do when they come on vacation in a lovely place like Shelter Island, I don't, we particularly and I think other people here who do this as well, we don't want people who are gonna come in and have pot and wild parties and so on, we make a very particular effort to do that, I don't know how that the community is at risk because of this, I really don't, it is something that we are, I took the day off from work in the city and so did my sister to come here today to make our voices known, it is really important to us, when this came up, I was a little bit panic stricken and thinking oh my God, now they're gonna be regulating this, I don't, I really don't understand so anyway I really hope that you're gonna take this into account because we would do nothing to damage this Island, I can guarantee that, not one thing, we want to keep this Island as wonderful as it is, thank you; hello, my name is Frederich Seifts, first I would like to thank you for putting this draft forward, I support you, I support you on this and there are literally

hundreds of other residents that support you as well, we're behind you on this effort, we've obtained the financial and usage data for the airbnb listings on the Island through a data analysis and marketing intelligence company called airdna, airbnb alone sold almost fifteen hundred rentals on Shelter Island in 2016, that's up fifty percent from 2015, the total revenue in 2016 was two million dollars, that's up one hundred percent from 2015, the average number of days per rental was three and a half days which is essentially a long weekend, the total number of days rented adds up to over five thousand days, that equates to thirteen years in the span of a season, but that's only half the story, if you could add up all the rentals done from home away, vrbo, expedia and even private transactions, these numbers could double, the numbers are staggering and I encourage all of you to visit preserveshelterisland.com, scroll to the bottom and you'll see the data for yourself and there's also printouts outside, please make the right decision by implementing a real two week minimum with zero exceptions, choose the Island and its residents, choose the school and the library, choose the emergency volunteers and your neighbors, choose the community and quality of life over big business, that big business has hit this Island in a big way and it's got some hockey stick growth to becoming a six thousand acre hotel, thank you for your time and your effort toward this problem; the gentleman in the second row on the aisle has been waiting patiently, please come on up; my name is Bruce Kolodny, I live and work on Shelter Island, I'm speaking against the legislation, it's only by virtue of short term rentals that I was able to get here, on one occasion I sailed past the Island with my wife but we came back one day to see what it was, we stayed overnight, fell in love with the place, made several one day, long weekend trips, sometimes we just drove out from Huntington on a Saturday to be out here and dine and subsequently bought property and again, built a house, the argument that the gentleman that preceded me just made sounded all the more reason not to have any legislation, because all the __ (applause) anytime we can bring in thousands of dollars in income and most of these people are eating at local restaurants as opposed to the long term renters who are, as I did when I started to rent long term, bring my own barbecue out and eating off the deck of a rented house, that was my point for saying I'm against the legislation, there are tax reasons against the legislation, I also want to bring up a point that a couple of people have used the expression quiet enjoyment, I think even one of the Board members used it and as far as I know, that's an expression used in leases and sometimes in mortgages to prevent the mortgagor from interfering with the mortgagor or the lessor from interfering with the lessee and by the extension, the government interfering with the property owner, the use of quiet enjoyment protects the owner of the property or the lessor of the property, not the government, the, again by extension, it would appear, it's not in the purview of local governments cause I happened to have been a small businessman before I came out here with a couple of warehouses on Long Island and a successful business, distributing computer products when they were an odd item years ago, I sent them to all the small stationers and representing some of the larger companies and you all remember each __ got two small stationery stores and they would buy their products from me for resale, then along came Staples and chewed up that market and then along came e-bay and now Amazon and crushing Staples, again it's not within, at no point did the government step in and stop them, it is not within the purview of the government to restrict domestic competition to protect some companies or businesses from others and I think we should let the competition go as it is, also I would say that while I can handle my property, in a few years, it's gonna pass on to my four sons; time; I'm just done; and they will, and I think people were talking about restricting rentals are strictly thinking about themselves, not about their prodigy who will someday have to repair a seventy thousand dollar roof or do major, major maintenance on a building and will need that rental income, thank you; now the lady in the seat next to the gentleman, you want to go up and speak; me; yeah; yes; you've got to get a haircut; _; sorry, it's hard to __; __ already today, anyway, my name is Joseph Kelly, my wife Susan and I are homeowners here on Shelter Island on West Neck Road, I'm just gonna be, I'm gonna try to be very brief cause lots can be said about many different parts of this proposed regulation, there's maybe two or three areas that sort of cause me to ask well what's that all about, the first one is, I was a little interested to see that in the definition of vacation rentals, the last item about short term rentals by Taylor's Island Foundation, The Nature Conservancy, Mashomack or Sylvester Manor as apparently excluded from this and I thought to myself, okay that makes sense and then I thought that makes no sense at all, what about all of the other philanthropic and charitable and non-profit organizations that are somehow, are somehow, they are not singled out for special treatment, I believe that there are many organizations, the Shelter Island Ambulance Foundation, Island Gift of Life Foundation who could equally benefit from some of these uses and I'm sure there are others on the Island and off Island but dear to our hearts, the Animal Rescue Fund and who knows what else, I found that peculiar and I think that needs to be looked at,

whatever else you look at, the other thing that struck me is really more troubling, under advertising, your definition, I don't know what radio signage is, it says television commercials, radio signage, direct mail, websites, I don't know what radio signage is, but I was more concerned about, there was e-mails or text messages by owners and how that would, where does that relate into the __ of either the owner or the potential tenant, of anybody, of any term, I don't know, I've heard talk about, I read the paper, I've talked to people at the post office about something called spyware and whatever, what is that going to spy on, can you do this, the regulation as it is written says something about in the advertising, all advertising which is, apparently would include text messages and e-mails but it also said the license number, the listed occupancy and __ less than fourteen days, assuming that you do look at my e-mails eventually and assuming that you do look at my texts, does every e-mail and every text relating to a rental, are you gonna include that information, I don't know the answers to these questions, but I found these things very confusing, thank you; Chuck, do you want to take a turn; good evening everyone, my name is Chuck Kraus, my speech is only two minutes and twenty seconds, I have a contracting business here on Shelter Island and I've been in business here for over forty years, so now I'll speak on the short term rental law with it's impact on our Island businesses, since the draft of the law has been percolating the past several months, this has been the worst economic downturn I've seen in years, but you don't have to take my word for it, just go around Town, ask business owners, ask employees of delis, shops, grocery stores, ask the painters, the plumbers and the lawn service companies, many contractors have been put on notice that if this law goes into effect we will be cutting back, hence a loss of income, make less money for improvements and maintenance, now the owners who rent short term are most often the people you see in the quiet off season, they provide much needed revenue for Island businesses, they are there for all your charitable events, not only financial support but in a physical sense as well, they are here when those lucky snowbirds fly south, closing up their homes for the winter, some when questioned, why did they sign that petition restricting short term rentals, the answer, better reservations, really, now this why you can't compare Shelter Island to other neighboring towns, as we all know, Shelter Island is unique, none of the neighboring towns deal with __ late night gatherings to a minimum, we don't have a Route 27 or Route 25 through the Town, we don't have other industries like a hospital, car dealerships, wineries, farming and fishing or business centers, we don't have any affordable housing complexes, East Hampton has over five hundred, now building another one for 4.27 million, in no way should we be comparing ourselves to other towns, I am urging the Board to consider all these factors that have been brought to your attention tonight and from the hundreds of letters you received, don't ignore them, study the real effects that have been hampering our economy, come back next year with some factual information and then we can see the two week is stable, thank you; one of the two of you in the front; yes; thank you very much and then we'll have the airbnb guy; hi everyone, for the record, I am Stella Lagudis and I am speaking on behalf of the board of the Shelter Island Heights Property Owners Corporation and by the way, the board is not anti-rental, the board is simply looking to seek a balance between those who choose to rent their homes and those who choose to live on the Island in a quiet community, I'm not here to threaten or intimidate or scare the Board, I'm not looking to blow up our entire Code, I do believe that the code as written, the proposal can certainly be improved upon and what I'm really here is to, here for is to thank the Board and to ask you to just keep going, keep going with respect to improving the draft that you put before us, there are a few points that I'd like to reiterate from my last letter that I sent, first has to do with residential zoning, I just don't know how you can allow commercial like activities to keep on going in a residential neighborhood, those who seek to avoid term limits on rentals are spending a lot of time and money preserving their right to rent because it is lucrative, I mean we've seen a lot of the __ leaving the per night numbers and they are enticing but most who bought into a residential area are set apart from the commercial district and commercial activities because they want to be in a community, a quiet community, as for the fourteen day minimum, the POC board understands that the law the way that it's been drafted is really seeking to reduce turnover which is really good, but however the contradiction between the advertised and the actual practice is confusing at best and it really in no way legitimizes what we were afraid of to begin with which there would be a deal made for fourteen days and then a wink, wink between the landlord between the renter to have it be a shorter term which leads to the third point of assignability, one thing that seems to be missing from the draft of the law is that in the event that if you do approve it as it's been drafted, we urge you to make it that it cannot be assigned so if somebody rents for fourteen days and only stays for three, please think about having it not be assigned or subleased to somebody else because that in effect is gonna make it seem if it's just one big houseshare, the final thing that I'll point out is that we certainly understand that

there are landlords and folks who rely on rental income to make ends meet but it's really difficult to be sensitive to financial difficulties of a landlord that owns or rents more than one house, so we ask you that you please continue to limit the number or you think about limiting the number of homes that can be owned by a family or a principal of an LLC to one, other towns have done the limit and they actually reduced on the transient, down of the transient population, which Scott Russell in Southold was asked why their Board instituted a fourteen day minimum, his answer was and I quote, landlords are not just renting out their house, they are renting out our community and our community is not for rent on a short term basis, thank you; Mr. Jeffrey Sellers has come out from the airbnb office in New York and is one of the gentlemen that my colleagues and I have allowed up to twelve minutes, take less Jeff if you can; can I ask you, would it be possible to ask some of these folks questions, it's okay to come here to speak but it would be very interesting to ask the attorney a couple of questions and for the gentleman from airbnb; if they're in; how would you like to handle it; I'd be happy to answer any questions; _ and listen; I got your point; __ and we go home and you go back and you think about it some more; got your point, thank you, we will; go ahead Jeff; thank you ___; good evening, my name is Jeffrey Sellers, I've worked for _ in airbnb, thank you for the opportunity to testify regarding short term rentals and policies in the Town of Shelter Island, many of you are holding a copy of what I'll be sharing tonight, I've omitted some of it for the sake of time, __ , the draft ordinance amounts to the __ on short term rental activity on Shelter Island, as a result we fear that it will not only strip residents of acute source of supplemental income but it will also threaten the economic opportunity that home sharing provides to local businesses, that benefit from additional foot traffic, we therefore urge the Board to either revert to the framework outlined in the draft ordinance from December of 2016 or amend the current draft to foster responsible home sharing throughout the Island, before turning to specific suggestions about ways to improve the ordinance, I first want to supply key background information about airbnb being our community in Shelter Island in the myriad of tools that we use to protect the safety and well being of hosts, guests and neighbors alike, while airbnb has used the power of the internet to bring together millions of hosts and guests, New Yorkers are well aware that home sharing didn't start with airbnb, rather it is a historic tradition in this state and many others, airbnb is proud to be part of this tradition, in the last year alone, forty-nine thousand hosts welcomed 2.1 million guests to the Empire State with over 2.4 million New York residents using airbnb to travel elsewhere in the US and abroad, the vast majority of these New York hosts, fifty-six percent of whom are women, are individual and family to share their home occasionally, to pay their mortgage, medicine, student loans or save money for retirement or a rainy day, in fact, the typical hosts in New York earn about fifty-five hundred in supplemental income by sharing their home for fewer than three nights a month, while the proximity to some of the best beaches on the North Shore, isn't it a surprise that Shelter Island that includes Shelter Island Heights is home robust community of airbnb hosts and users, in the last year, there's been approximately eighty-eight active hosts, many are here tonight and thank you for sharing your stories, they represent about one hundred and twelve listings, seventy-four percent of these are an entire home are unhosted, about twenty-six percent are private rooms in a house, Shelter Island in 2016 has thirty-four hundred guests through airbnb, the average host on Shelter Island is fifty years old, how many families are using supplemental income from short term rentals to age in place, the typical host rented their home for fewer than thirty nights in the last year, ninety-five percent of all our hosts in Shelter Island rented for less than ninety days, the entire year 2016, not a single listing was rented for more than one hundred and twenty days, for the vast majority, Island hosts, this is a supplemental source of income, not a full time commercial operation, the average guest coming to Shelter Island is about forty years old and the average guest group size is 2.8 people, signaling that Shelter Island is a prime destination for couples and families, the average length of stay for guests is 2.8 nights and over ninety-nine percent stays are for fewer than the fourteen days, only one percent are over fourteen, fourteen or more, in fact ninety-eight percent of airbnb guests stay on Shelter Island are for a week or less, over ninety percent being for four or fewer nights, as a result, the proposed fourteen day minimum amounts to a de facto ban on short term rentals on Shelter Island, home sharing is particularly valuable like the east end which welcome large numbers of visitors during summer months making it difficult for many would be travelers to book traditional accommodations like hotels, however airbnb is also helping to stimulate the local economy than the off season, here on Shelter Island over eleven hundred guests visit the Town during the months of April, May, September and October, also known as the shoulder season, with airbnb, visiting families can access an alternative way to travel, one that has economic benefits to the local community, not only for the income earned by the hosts but also from economic opportunity from local merchants who we've already heard

from tonight who would benefit from increased foot traffic, airbnb has grown dramatically in recent years and that's why the numbers have been going up as the gentleman mentioned earlier, one of the reasons for our success has our investments with innovative tools to protect hosts, guests and neighbors and I want to share a few of these tools for those who might be unfamiliar with airbnb and their platform, airbnb uses sophisticated technologies in behavioral analysis technicquest to help prevent potential troublesome hosts or guests from using the platform in the first place, for US residents airbnb also runs hosts and guests information through several public databases to check if there are matches of certain felony convictions, sex offender registrations or any significant misdemeanors, airbnb maximizes transparency by allowing hosts to require that guest provide government ID and we created a program called Verified ID which connects a person's off-line identification, something like a driver's license or passport with another online profile like Facebook, Google or Linkedin, airbnb encourages hosts and guests to communicate to get to know one another before a trip occurs like other online platforms like e-bay, other communities build trust and track records for users to be able to learn more about each other through publicly available reviews and feedback, there have been over a hundred and sixty million guests survival from airbnb listings to date globally, incidents do happen, incidents do happen but they are rare, that's why we offer one million dollar host protection insurance and a one million host guarantee to help protect hosts and guests, if a guest or host have an issue, our global trust and safety team is on call twenty-four seven to help, last year we launched the neighbors platform, a tool that allows people who may not even use airbnb, to report potential concerns directly to our staff for review, unfortunately the ordinance as drafted, fails to acknowledge airbnb's public safety tools or the many innovative municipal policies designated to __ regulate short term rental activity, instead the ordinance under consideration tonight has several fundamental flaws that will result in a de facto ban on home sharing in Shelter Island, these include the fourteen day minimum requirement, the prohibition of renters sharing their primary homes, their requirement that short term rental hosts provide certain information, rental registry upon the request of the Town, the assertion that short term rentals will necessarily decrease the inventory of available long term affordable units and the description of short term rentals as a commercial use, first the fourteen day minimum stay requirement will eliminate the vast majority of airbnb activity on Shelter Island, removing a key source of supplemental income for dozens of Island families and dissuading travelers from staying in Shelter Island and supporting local businesses, as shown on the chart provided included in my testimony, in the last year over ninety-nine percent of Shelter Island bookings with airbnb were for fewer than fourteen days, to put it another way, of the nearly one thousand bookings in Shelter Island, fewer than ten were for fourteen days, in fact ninety-eight percent of airbnb guests staying on Shelter Island were for a week or less with over ninety percent being for four or fewer nights, altogether the average was just 2.8 days, signifying how home sharing has enabled many to spend a long weekend or a holiday on the Island, as the Bureau of Labor Statistics found, in 2015 the average American working full time only had ten vacation days all year, thus the fourteen day minimum would effectively prevent the majority of Americans from the concern of Shelter Island as a destination, hurting the Town's economy, moreover the fourteen day minimum requirement would not apply to hotels, motels, traditional bnbs, further highlighting its unfairness, second, the ordinance will have a disparate impact on lower income residents, hurting their ability to stay in the community they love, for example, according to the Census Bureau, Shelter Island is home to over one hundred thirty renter occupied housing units, about in eight housing units in Town, eighty-three percent of these renters are under the forty-five, compared to just seven percent of homeowners, furthermore on average, the annual income of homeowners is thirty-eight percent higher than those who are renters, as a result renters and other low and middle income residents, many of whom are part of the workforce of Shelter Island have much to gain from being able to share their homes to make ends meet, fourth, the Board's assertion that short term rentals necessarily eliminates housing has no basis in fact, as stated above the typical listing in Shelter Island is rented for fewer than thirty nights a year, highlighting how hosts are occasionally renting their own homes to make ends meet, furthermore while concerns about the impact of unregulated short term rentals on the housing market are understandable, this ordinance is not designed to address that potential problem, several other municipalities have either limited STR to permanent or primary residences or as recently enacted in Portland Maine, treated non-owner occupied that operate as full time STRs, differently from owner occupied units that are occasionally used as short term rentals, lastly section E reads in part, short term vacation rentals are a commercial use which has never been allowed by residential zoning and this legislation provides guidelines to allow it subject to limitations, however, occasionally renting a home does not transform the property into a commercial hotel any more that

a garage sale transforms a home into the local mall or providing music lessons to local kids turns one's home into Carnegie Hall, to that end, we believe the ordinance should recognize as many other communities have, that short term rentals are an accessory use in residential zones, not a full time commercial practice like a traditional B & B, while we strongly disagree with many of the provisions of this draft, we also believe that the draft has several innovative tools that, if amended, could promote public safety and public welfare, for instance, the good neighbor brochure is a useful mechanism to ensure that all guests understand Shelter Island and the expectations that the community has for vacationers, however we believe that the signature requirement is unnecessary and impractical, give that many short term rentals are booked online and do not allow for e-signatures to guests, to conclude, it is our hope that the Town Board will recognize the economic promise of airbnbs for residents and businesses alike and follow the lead of other municipalities that have enacted strong, sensible regulations that protect public safety while fostering responsible home sharing, thank you for your time and I'd be happy to answer any questions that you may have; okay, thank you very much, one of you young ladies want to step up, it's hard for me to see down there; you're not asking any questions, you know everything already; this is a public hearing; I'm sorry; this is a public hearing and we want to hear from the folks in the community and we, if at the end of the public hearing; I'm sorry, I'm at the wrong meeting; yes you are, at the end of the public hearing, there's a sense that some questions haven't been answered, we feel many of the questions, my colleagues and I will be answered by the end of the public hearing, when we seem to be reaching the end when we don't have many speakers left, we'll take q and a; with all due respect, you've been at this now for a year and a half, how many more of these meetings are you gonna have; come on down and sit here and you can speak, go ahead sir, go ahead sir; I'm on my way out I'm telling you, you've got a young lady standing here; the young lady at the podium will you please speak up, identify yourself and speak up; my name is Ariel Levy, I'm not speaking for anyone but myself, I live on North Ferry Road, I've had a house there for ten years and there's no way I would have been able to keep it without short term rentals, there's no way and when I hear this idea that quiet is only a value to people who can afford to rent their homes out, I just have to say that there's people who I'm allowing to rent my home, they're in my house, they're sleeping in my bed, I have a vested interest in making sure that the people who I allow into my home are going to be quiet, are going to take good care of my house, are going to be respectful to my neighbors and the way this system has worked, I've never had a complaint from a neighbor, including the gentleman that just left, you can see it's not too hard to make him mad, he has never complained, never once, never had a problem, none of my neighbors have had any problem with it at all and I have a vested interest not only in protecting my home but in protecting my relationship with my neighbors, if I had people coming and going from my house, were listening to loud music or having parties or being disrespectful, I would not be able to live a quiet and peaceful life, the quiet that people like talking about, furthermore I'd just like to point out what kind of community do we want to have, do we want to have the kind of community that's only open to people who can afford never to rent out their home, do we only want to bring in the kinds of visitors who can afford to stay at the Ram's Head Inn and Sunset Beach or do we want to be able to have regular families, regular single people like myself who just can't afford to do everything without having to think about making ends meet, so that's all I have to say, I think that we who rent our homes have as much interest, more interest than the community at large, these people are in our homes, we want them to be good neighbors and respectful guests, we don't want to disturb the Island, thank you; hi, my name is Erin Lopez and I also, I've been a strong lover and supporter of Shelter Island for thirteen years and I agree, I'm sorry I missed your name; Ariel; Ariel, I agree it's our house, I love this place, I love Shelter Island more than you know, it's my favorite thing in the world, I have the Reporter, it gets delivered to my house every week, I read it from cover to cover, we vote on the Island, we pay taxes on the Island, my family are regulars at the library, I don't think I'm alone, off Islanders choose to spend their time here and we support all of its people and events, the Mashomack Preserve, the 10K Race, we support the local contractors, the restaurants, every, and we also support everyone's favorite, the Snapper Derby, my husband volunteers his time on the Water Advisory Committee, he is committed to protecting this aquifer, our aquifer, we care about this Island and we care about it for the long term, my husband and I have raised three children here, every weekend and every school holiday we come here, this is our holiday, this is our home, they learned how to ride bikes here, we bring our friends out, we go kayaking, boating, beaching, we're out there every chance we get and we're looking forward to retiring on this beautiful Island, all of the years we have rented our house to wonderful families, none of them have ever raised any sort of issue, oh wait, we did have one noisy bunch but then our neighbor informed us and they were gone and

I mean never seen or heard from again, we care about our neighbor's happiness, we have mutual respect and _, our home is open for them in case they ever need anything, putting families like mine in the category of those who don't care about the Island, is not only insulting but it's incorrect, nobody gave us any property on Shelter Island, we chose to be here, unfortunately we cannot be here full time because our livelihood is in Huntington, owning a house and occasionally renting it is our only way to sharing this paradise, we have close friends and family that live on Shelter Island full time, we have garage sales with them, we have barbecues, dinner parties together, I urge you not to regulate short term rentals on Shelter Island, recently the question who are these people and why are we helping them, we're not asking for help, we're asking not to be segregated and penalized, this Island economy drives off its renters, the families who visit this wonderful place every summer are the ones who often go to the restaurants, spend money at the boutiques and all the other small local businesses on the Island and next year they usually buy a house of their own so what is the solution and for this, I don't know, we listen to both sides, I don't think short term, short term rentals are not the problem, a few noisy people were the problem and it was probably one block and one house and neighbors got aggravated and put forward this initiative for legislation, how about we respect each other, how about regulation is not the answer, big brother is not the answer, pitting neighbor against neighbor is not the not the answer; okay, thank you, wind up; I'm winding up; wind up; okay, we're all wound up; thank you, sorry, you ruined by show man, pitting neighbor against neighbor is not the answer, Shelter Island has had rentals for over a hundred fifty years, how about we respect each other's happiness, each other's property, if it gets too noisy, call your neighbor, talk to them, tell them and if it doesn't work, call the enforcement that's already in place, our wonderful local policemen, thank you so much; thank you, okay, Kim would you like to speak; just for the record, Kim Noland, I've lived here full time for the last eleven years, that's gonna be a hard act to follow but let me try, you know one thing I listened to, I've heard all these stories and it's a divided group, I think the Town Board has done an amazing job of coming up with something that could probably work for everybody, Miss last speaker, I get that you can get a few rentals under the law as it is now proposed by the Town, actually I was here to speak on behalf of the Ram Island Association which has over a hundred members and I just wanted to reiterate our letter to the Board, appreciating their efforts and saying that our membership is virtually unanimous in our desire to have the strongest regulations governing short term rentals from the homeowner website, airbnb, etc., then just personally I want to say something about airbnb, this is big money to them, I did some rough numbers and I think it's worth at least fifty million dollars in their upcoming IPO which will happen because this thing is growing amazingly fast and I have one question for the lawyer who spoke which is, have you looked at the Southold Town law, because it just got approved by the New York Supreme Court, thank you; hi; hi, I'm a year round resident, my name is Rene Robinson, I raised three children here, they all went through the school, I have been an airbnb host for over three years, my house was in foreclosure for seven years, I lost my job in 2008, I was unable to get something that helped me make a living here on the Island, my husband has been on hospice for over a year, he is totally disabled, he's being taken care of by the Island, by Shelter Island home care for two years now and we would not have been able to survive on this Island without the income that we generate through airbnb and I have, my niece has done some traveling with airbnb and she said Aunt Rene, check it out, at that point I lost the job and my husband was in the hospital and I had no way to pay my mortgage, no way, so after three years of being a host, I was able to keep my home, this is my home, I don't visit, this is a home that I live in, the people who come to my home, many times most of them cannot afford to visit this Island, they can afford to go to the restaurants, they can afford to go to the shops but they cannot afford a two week stay in an entire home and I just need people to understand that it's more than just, well I'm gonna make a few extra thousand dollars here, this is how I survive, this is how my husband is living in our home, this is how I kept my home, I raised my three children here and honestly if anyone has ever complained about noise at my house, it's when my family is together, when I have people visiting with airbnb, it's very quiet at my house, extremely quiet and my neighbors apparently, I didn't realize, had been renting their whole house airbnb and the noise I hear is kids playing, families having fun together, that's what I hear, those are not noises that bother me, I think, this is the noise that you'll hear with the airbnb people in your neighborhood, so I think you need to really consider who it is that airbnb is really helping here and what it's done for me and my family and I'm sure there are other people on this Island, it is a difficult place to make a living, it is a difficult place to raise a family on a single income, I'm a substitute teacher, I make a hundred dollars a day right now, I've struggled and struggled here and I love this place and I have no intention of leaving, thank you; hi my name is Paul Lipton and I'm a weekender, I come from

Brooklyn, I met Mr. Dougherty a couple of times, most recently at the Gift of Life Foundation when he passed me a brownie at the table I sat next to him at that, I just have a question for the audience cause I'm new and I don't know all the politics of the Island yet but I'd like to see how many people are actually against the rule and how many are for it, if you would raise your hand up to say whose against it and then how many people are for it, so there's, sorry, __: __; __; sorry, who wants short term rentals, I do and I have a good anecdotal story; that's a loaded question, you can't ask that question; why not; because I live in a short term rental; okay, let him speak; I'm for it, I have an anecdotal story, last year for five weeks which was August first til Labor Day, we rented our homes through a broker on the Island, I have never had so many problems that a long term rental creates in a home, the short term rental that we had was due to a friend who was getting married on the Island and they needed a place to stay for friends, we rented our home, it was smooth sailing, there was never any complaint in either situation but the long term rental was causing more damage than the short term rental did, the short term renters are out and the regular owners are back in, they're the ones that are coming in and using Bob Teodoru to clean up the plumbing and to have all the different handy people and the yard service and the pool people employed all throughout the summer so that you know your house is maintained and well kept, so you can utilize it all year like I do, like when I'm coming in for the Gift of Life Foundation or when I'm coming in for any of the other weekend activities that I do here with my little children who love to be here and how much we screen is almost as imperative as the regulations and I think that homeowners do a better job of choosing who is in their homes than what you guys could create a thing of fourteen day ruling in place, thank you; Tim Hogue, President of the Shelter Island Association, you've already heard from three of the associations on the Island and this is not anecdotal, I know all the members there have heard the problems that have been created by the short term rentals on this Island and are only increasing, nothing is stopping rentals on the Island under this legislation, it's regulating them, we are the last, I believe the last Town of the east end to tackle this problem, the other towns have legislation on the books and this morning I spoke to Scott Russell, the Supervisor of Southold and he said to please quote him, he said that this was a serious problem in Southold and he considers his short term rental which incorporates a lot of what we have as the most successful legislation of his administration to address this problem and the quality of life for people who have been bothered by this severely has greatly improved, he has also mentioned to me this morning of a fairly recent New York State Supreme Court decision which basically upheld the law, I know there's some individual parts of the decision, I haven't read it completely, that deals more with the grandfathering of who this law applies to but basically the law has been upheld, this is established law, are there going to be lawsuits, yes but we already have an example of legislation being successfully defended, the critics of the legislation say that Shelter Island is different, that we are unique, but they can't have it both ways, Shelter Island, if it's truly unique and local home rule prevails, then bringing non Shelter Island outside hired guns, the lawyers and airbnb to tell the local Board what to do, is in contradiction to that statement, this is a real problem, I commend the Board for taking this on and I urge you to pass short term stay regulations with a true fourteen day minimum, thank you; you want you're three minutes; yes; go ahead, yeah, you're up, go ahead; good evening, Sherri Cavasini, you've heard from me a lot in the last several months, let's see, we have been here for one hour and twenty minutes and basically the entire, everyone that's come up and talked about quiet money making airbnb, quiet comfort neighborhoods, I have yet to hear anyone come up and speak about the hotel industry so I'm here representing some of the Island, some of our B & Bs and our hotels are airbnb, legal airbnbs, I think again we come to ask you for at least one week minimum if not two, it has hurt us in the last couple of years, we're down in our businesses so if we're filling people's homes but our hotels are empty and we're laying off local people because we don't have enough work, that's where we're coming from, I've spoken to the Pridwin and Two South Ferry and the Candelite Inn, me included, I'm not gonna speak for everybody but, so it has hurt our businesses and that's what, we're talking about the same level playing field, paying taxes, paying permits, paying you know, being legal, doing all the things that we have to do to stay in business, I'm not a homeowner but I know that if I was in a residential area I would not want my neighbors having coming and going every weekend, different people in and out, again owner occupied is this unoccupied is another story so I ask you for at least one week if not two and I thank you, when they say stop, take a breath, step back, you've done your due diligence over and over and over and I commend you and you haven't rushed into anything, this is a very divided Island, I get it, I have friends of mine on the other side, I'm sorry for that but I will say this, the lady that spoke very early, Miss Silvia, I'm sorry if I pronounced your name; Silver; when you spoke about people needing to stay, we need the money for airbnb and short term rentals etc., you know you

have to look at everything, go on some people's sites on Shelter Island, they're getting two thousand dollars a night; okay; isn't that a business, thank you; thanks a lot; our attorney wants to use up some of his three minutes and twenty seconds; and then I won't be very long, I wanted to, again in the interest of just clarifying something that helps everyone to understand something at a point in time in the hearing, there's no one's representation and the other gentleman's representation that the Supreme Court has upheld the Southold law is not correct, this case involved a woman who had rented her property for a long time in a district which where it was never allowed and all the Supreme Court did was uphold the ZBA's determination that this was not a lawful non-conforming use, so the issue is not the challenge to the Southold law, it's very important to understand that and I would not be confident that that law by itself has been upheld at all, again the Supreme Court of New York is not the highest court and it didn't involve a challenge to the Southold law so we need to be clear about that; I might add on his twelve minute, my colleagues and I came up with the ground rule, two twelve minutes opportunities on each side of the issue and I was in communication and got acknowledgments from Mrs. Reylek and Mr. Seifts offering them the twelve minutes and nobody has signed up, twelve minutes in favor of the proposed law so if anyone who is, I want to offer, we're informal here on Shelter Island, I want to offer the opportunity for anyone who feels that they adequately represent the, Mr. Seifts and Mrs. Reylek don't seem to be here, in the meantime go ahead sir; hi my name is Bob Kohn, I have a property on Ram Island, __ visiting scholar at Columbia Law School, I'm a lawyer but I'm not licensed to practice in New York so please don't take anything I say as legal advice, what I'd kind of like to do is kind of respond to what the attorney had said earlier because sometimes attorneys use jargon, not meant to intimidate but it can if you don't understand some of the words that are used and I just wanted to clarify a few things, I happen to be taking right now at Columbia, a seminar on property laws, so these kinds of things come up and I just wanted to point out that someone had mentioned bundle of rights and what you do on a piece of property, you do have a right to exclude others from the property, you have a privilege to use the property and you have a power to transfer the property, something was said earlier by the attorney that a law like this could turn a right into a privilege but the truth of the matter is your use of the property is a privilege that you have and it's not unlimited, obviously you can't be disturbing your neighbors, you can't be creating a nuisance that affect your neighbors or the city government etc. so that's why you have zoning laws so that you don't have these law suits after the fact that incentives people not to create nuisances, you set up guidelines which is a zoning law of what, how you should act in the use and the privilege to use your property while you are using the property, now it's been said earlier, you know you have to have a rational basis for your legislative decision making and it was suggested maybe you don't have a rational basis here but let me explain where he was coming from on that, when you have a zoning law you have to observe due process and there's two kinds of due process, there's procedural due process and there's substantive due process, procedural due process simply means that you have to give notice to the people who are affected, you have to give them notice and an opportunity to be heard so what you have to ask yourselves that during the past eighteen months and having your Town Hall meetings which most of which I assume were public as well as the two meetings that you've had in the past couple of months which both of which I attended, you've got to decide have you given the people who are affected the opportunity to be heard, yes or no, and if you answer the question yes then you've complied with procedural due process, on substitute due process, that's where the term rational basis comes in, now all rational basis means for a legislative body is that you're not acting arbitrarily so you have to decide, during the past eighteen months with a stack of letters like this, with all the input you have gotten, all the research you've done on other laws, with having lawyers coming in from opposite sides to give you advice one way or another, whether you have complied with substantive due process, in other words are you acting arbitrarily, are you acting on a confiscatory basis, are you trying to take someone's property just to take their property or are you doing it for the public welfare and public welfare is not just monetary, it's also aesthetic, a spiritual and a physical attributes and that's the Supreme Court talking, not the US Supreme Court, not the Supreme Court of the Town, thank you; okay anyone in the, yeah go ahead sir; Bob Cacciola, full time resident, I just have a question and forgive me if I missed it if it was printed in the paper the past year or so, how many calls were made to the police department in 2015 and 2016, can anyone say how many complaints were made; we don't have that information off hand; I think that's critical to everything that we're talking about; exactly; that's my only question; yes sir; hi, Phil DiOrio, I guess alternatively we have to decide, do we want to live on and Island of transient rentals, I ask you guys, do you want to live on an Island of transient rentals, the growth of the short term rental model is phenomenal, some folks here are renting their houses out twenty-five times a year,

while I know no mean ill will personally, I believe that their business model is bad for the residential communities of the Island, if we do not stop this model now, it will continue to grow quickly, I cannot think of anyone who bought a house on the Island thinking to themselves, the thing of having twenty-five separate sets of neighbors every year, I feel that the proposed legislation does not go far enough, it will allow up to twenty-six short term rentals per year, I think you guys have sort of outsmarted yourselves, getting cute with the not really two weeks rule, I've not been able to find one example of a similar law where the advertising and the actual restriction is different, I believe that landlords will sue to have the advertising restriction overturned and that they will win, after that, we'll be back to rentals being listed by the day, some folks have told me if that's the case, well then the Town can make a new law, the problem will be that you will have codified twenty-six short term rentals per year and I don't know how you'll be able to take that away from the landlords once they have that right specifically spelled out in the law, I'm confused as to what you've actually planned to enforce, the more complicated the law, the more difficult it is to enforce and defend, my guess is that when you're only to enforce the advertising, when that's challenged in court and the landlords win, what will we be left with, it's hard for me to understand how we can be the only town on the east end without at least a two week minimum rental period requirement, I know that you've said that you would __ the law after the season, but what will you be looking at, if we can agree that we don't want to become a town of transient rentals, there's only one thing to look at and that's the number of houses using this rental model, if this model goes, if this number goes up, the law is failing to achieve what I think we can all agree on and that is that we don't want to live on an Island of transient rentals, if the number of properties using this model continues to increase, how will the Town Board find the political will to act when we go from maybe one hundred fifty houses doing it now to three hundred or five hundred or seven hundred when there are many more landlords coming with the Town Board and saying they want all the restrictions removed, how will you resist, I urge you to please add the two week rental term to the actual rental restrictions; okay Phil; if you do that it will take care of this problem once and for all, thank you; thank you, yes ma'am; what about the second row; I'm sorry, we'll get to you right away, sorry, the lights are murder, you've been very patient and I apologize; Pamela Adler, as you know I've been to a lot of these meetings and this is the final public hearing on the issue of short term rental rag, I believe most people, I know quite a few in the audience would appreciate a personal statement from each of you as to the thinking behind your individual decision, could or would any of you answer to this audience your motivation in the three minutes that we the people are allowed, your reasons have changed many times but as we've heard tonight, it always seems to come back to we must copy what the north and south forks are doing, those reasons are arbitrary and have nothing to do with Shelter Island and have been shown not to be fact, false facts slanted and improper newspaper coverage, the omission of truth during this whole debacle, has been overwhelming, the actual facts regarding short term rentals on Shelter Island have shown that there is not a problem, only a crippling solution looking for a problem, Town Board members, the future is here right now, I suggest you find a constructive way to embrace it, to benefit this Island, it's __ and your constituents, fighting is just not gonna serve you well, times stops for no one and the people of this Island deserve better; thank you sir and thank you for your patience; I'm Joel Hoffmann, I've been around a long time, I'm wondering if I should be grateful that a large multi-billion dollar corporation and a multi-city large law firm have come to this Island to help us law stake holders on this small Island, it makes me rather cynical about it all, we have to face up to what tends to happen in this sort of situation that bad currency drives out good currency, that over the course of time, years and decades, what is going to be the situation on Shelter Island with more and more rentals, it's too attractive, there's too much money and we unfortunately tonight, especially from the large corporations, the hundreds of millions and multibillion dollar people, we've been subjected to a certain BS factor like the large airbnb comes across and says you're going to put an end to short term rental, nothing can be further from the truth, of course that is very incendiary, how are we all going to survive without the ability to ever rent our houses, similarly the large multicity law firm tells us what you're doing is unconstitutional and you're going to get into a lot of trouble but it seems that so many cities from Santa Monica to Southold have put such restrictions into place and they're all still around, they haven't all been declared unconstitutional and sent to Syria because of __ the fourth amendment, it just doesn't sound right in a common sense way even though I'm not a constitutional lawyer, now I'm afraid there's a kind of disconnect here, so many people are talking about how can you take away our ability to rent our house and make a few pennies, a few dollars that we need to survive, nobody, even this Board does not want to take that away from anybody, it's rather the degree of usage, how often can the house be rented, not can it be rented at all, so

stop talking about this total ban on short term rental which it sounds so emotional that it doesn't have any relationship to the actual facts as presented so I hope we can all dialogue is a sensible and real way, thank you; yes please, would you; I'm Gerry Lareau, I've lived here a good number of years, my wife was born here, her family goes back to who knows when, I've listened to all the stories, my one thought is at the end of the day there's really one question, the question is where is our Town's morality, are we willing to watch the moderately priced homes disappear into the big __ bnb and competitors displacing our people that maintain the Fire Department, the ferries or do we want to put restrictions on that so we have a future as a community, really, what is more important, maintaining the community as a viable town, by helping the people that want this who work here or letting a smaller group of mostly outsiders to __ the housing market for self enrichment, where are we moralitywise; I want to just mention, you folks have been wonderful in my capacity as, I'm chairman of the East End Supervisors and Mayors out here on the east end and I go to a lot of public hearings, for example, two helicopter public hearings at the East Hampton Town Board, they had to hold them in a barn and one in the Village of Greenport on a PSEG cable coming over, and thanks to folks like you, this has been a very civil hearing and we've learned, my colleagues and I have learned a lot and you've been very constructive in politely disagreeing with each other in submitting your arguments, so thanks on behalf of all of us, yes ma'am; my name is Gina Kraus, I'm a full time resident of Shelter Island and I'm here to represent both my husband Ken and myself and first I want to thank the Board for your efforts as leaders of this community, that you have listened to all of our opinions and facts from all sides, as a teacher I fully appreciate that, you have made my voice feel like it matters, I appreciate your solidarity with our neighboring towns from Riverhead to Montauk who have grappled with the same type things that you are dealing with, both the negatives and there are some positives of the proliferation of short term rentals, I'm not opposed to renting, I have friends in this audience, family members close to me who need to rent, I want to make that clear but what started out with renting to subsidize mortgages, health issues and so forth has turned into the wide spread commercialization of residential property, let me say it again, commercialization, not commercial zoning of our residential community, I heard it again tonight, don't anybody tell me that this did not affect our year round people who live and work here, they have no place to live and you heard that, some of you who were at the community meeting, the white elephant in the room with short term rental, that we have a problem here, it is easier, faster, money is quick, to rent out your house for two or, what is the average, 2.8 whatever it was and it truly has an impact on our businesses, our volunteer emergency organizations as well as our school, my hope is that this regulation along with the other actions that Community Housing Board will address this, as a former family member of the someone who came from family who owned a hospitality business, I feel that these short term rentals are in direct competition with similar businesses but those businesses are regulated by the law, they must comply with regulations of parking, Federal, State, County taxes, they have to have someone to live on the premises, they have to be insured and have health inspections, many of the businesses have shared their concerns with you, according to __ & Sperry, the tax compliance and enforcement in Suffolk County Controller's Office, every facility providing thirty days or less in Suffolk County must have a certificate of authority, __ said Shelter Island is grossly unrepresented, two million new revenue, six homes registered, in 2016, imagine what this County could bring in for tourism to preserve our tourism and our historical sites and our parks and our discussion should continually refer to airbnb and I can quote her that the County will not negotiate; time is up Gina, thanks; okay, just like you let some others, can I have another minute; go ahead; well half a minute, airbnb will not negotiate with Suffolk County because they will not give the addresses of the homes in their, of their hosts, they also do not and will not require the hosts to have the proper ordinances and certificates in place, they refused and if you'd like to have _ come and speak, she would gladly come and address your Board, I urge you to continue to collaborate and refine your regulations and enforce it, thank you; hi, I'm Julie Weisenberg, some of you know me as Julie Romanchuk, my parents, Bill and Regina lived here many years, I was raised here, I went to high school here, I have a lot of friends here, my father actually bought his property here in Shelter Island after World War II and when he met my mom he decided to move out here full time and he actually built the house that I live in and that's what I live in now and I'm one of those people that rents my home during the summer, I'm an owner who stays local so I tend you own property and I monitor and filter the people that I rent to, and so I think you guys thought the last hearing I interpret from my husband who is deaf and one of the reasons that we rent our home is to help out our income because I'm a one earner family because my husband is deaf and I don't really need to have any stupid things from people that I'm just kind of sitting back but my husband is deaf and it's very difficult to find work on Shelter Island if you're the

only deaf person and you cannot communicate with people, right, so his income is limited, so one of the things we do is we subsidize that by renting and I figured the best thing I could do tonight would be to just show some facts about the kind of people I rent to rather than get emotional and whatever, I'm just stating facts, I rent every summer and I have never gotten a two week rental, people that come to rent my home, rent for one week and they always ask me, tell me where can I go to pick up X Y Z, tell me where I can go to eat dinner, tell me where I can go to golf and I have classmates, and I have classmates that have run restaurants on Shelter Island, my friends, my family is on Shelter Island, I love this community, so where do I send them, I don't send them off Island, I send them to Ace Hardware, I send them to Stars Cafe to get the best coffee, I send them to IGA, I send them to places that we depend on for our income in our community and I have families, men and women who work corporate jobs who cannot take two weeks off and the reason I say that is the reason before I came back to Shelter Island, I was a corporate director on Wall Street, guess how many vacation days I got per year, two weeks with three kids who get the flu, who have allergies, who are out sick, so you can bet your bottom dollar that I did not get a full two solid weeks of vacation anywhere, if I was lucky, I got six days somewhere, maybe, the people I rent to are not retirees, they're young families in their forties and they want to come to Shelter Island for a week, not two weeks and that's why I'm gonna stand here tonight and tell you that I don't support two week rentals because it's not what, the people that we get that come here, don't stay for two weeks, people who want two weeks or more, they purchase homes on Shelter Island, people that come that rent from me are nice couples and I don't rent to party goers, that's just me, I'm very careful about my property and I think that we need to keep in mind that some homeowner's errors and poor judgment and poor filters should not create a problem for everyone else like myself who again, I use rentals because my other, my spouse doesn't have the income to help me and I can only do so much but I came, I fought to get back here on Shelter Island, I love my community, I love teaching fitness here, there are people here in the audience who are my friends, my students in my class and I don't want to be forced out of Shelter Island, thank you; okay, we're getting towards the end I think, come on up there Mr. Montclair Colony; I'm Howard Johansen and I appreciate your having this meeting, I just want to say, there are two items that concern me, one is the aquifer and one is the septic systems, and it's been shown that short term rentals utilize more water which generates more septic systems than a two week system at a house so when you consider this law which is good now because it allows a rental, one rental every fourteen days or short term but you have to consider our aquifer is a very fragile system, it's under stress right now which you wouldn't think so but the readings just came in and they are, we're not regenerating the water that we and we haven't even started the summer season yet so I think that the Board is doing a commendable job in making long term rentals, fourteen days, thank you; okay we seem to have a few more, who would like to go up next, go ahead, we're getting towards the end I think but let's hear from everyone; hi, I'm Jennifer, I live on Sylvan Road and I'd like to second the sentiments of a lot of people that have been up here as far as families that come to the Island and utilize the services that the Island offers in the off season, we do rent our home, we haven't rented our home in over seven months and that means my family and I have been here for seven months, my husband is out here every single week and my kids love it coming out here in the winter when the ferry cuts through the ice and we, for the short weekends we have, we don't bring a lot of food from Brooklyn, we go to the restaurants that are open during that time, we shop at the IGA and we hire people to do maintenance on our home when we are here and so because of that we do feel like we are a strong contributing component of the Island, we do have to rent out our home in the summer season, I would love to be here, trust me but we have to in order to have our home and enjoy this Island, we rented on this Island for many years before we were able to buy a home here, we rented short term, I only get a week's vacation, we rented for a week each year and we were one of those owners who then fell in love with the Island and bought, I would like to point out importantly how the hypocrisy though of what is going on, the very family that is leading the charge for the fourteen day restriction, fourteen day minimum on rentals is our neighbor and I do have an important text message from that exact person asking to rent my home for 10 days for their family came in for overflow and this sounds crazy, this sounds crazy but I get it, I support them but I think it's very important for the Board to understand that restricting what we can do for our property, you're also restricting your own rights for the family reunions and the great times that you have on the Island and what I do when my home is rented, I send the potential tenants to the hotels and recommending the local businesses on the Island so by restricting, that you're restricting yourselves as well and I just think that it is ridiculous so I'm seriously begging that you do not enforce the fourteen day restriction; yeah; what are these jars here for; what; you have two large jars facing the audience; let me

answer; __; ___; it's not a prop, hello, my name is Kathryn O'Hagan Klenawicus and I am against all regulations for short term rentals, Shelter Island has one industry, it is tourism, that's it, short term drives tourism, tourism is the heart of every dollar that flows through this Island Memorial Day through Labor Day and spring and autumn seasons, myself and my husband put together a petition on change.org and the first jar is actually my three year old son's animal crackers jar from Costco that we filled up with shells this morning with jingle shells and coecle shells from Bootlegger's Alley and the pro short term rentals petition shows six hundred and eighty-eight supporters, our opposition has three hundred sixty-four signers, I'd like the Board to take a nice long look at these two jars because the supporters of short term rentals is close to double our opposition and what I'm asking you to do is just think about who cares about short term rentals on this Island, who is supporting it and who's voices need to be heard loud and clear and I also say that, I want to add that our petition had no threats, no collusion, no coercion and I didn't hack into anybody else's petition and give any of that information to the Town Board, I love this petition, I've been very passionate about it for a number of months along with my husband, we read the beautiful comments every night, I feel that I've been talking about short term rentals for twelve months and so now what I'm gonna do is let these beautiful wonderful Shelter Island's community members do the talking for me, Paige and Nick Moorhead from South Ferry, we would like to see short term rentals allowed, allow others to enjoy this beautiful Island and supporting the local businesses, it is a win, win, let's focus on something more productive like affordable rentals, John Sieni, the Candelite Inn, the Town is over regulated, Jeannie Markey, my beautiful neighbor in the Heights, this law will __ the Town government which as a taxpayer I'm against paying for, Donna Bradnick, my beautiful plumber Randy Silvani's sister, why is it that we have to have more regulations, are there not noise ordinances and it's time to appreciate the fact that we have a uniqueness about our Island and are we willing to lose it for __; okay Kathryn; __ over regulating legislation will be economic suicide for the Island, be responsible as a Town Board member, remember our business owners, remember our community and hear our clear voices; sir; thank you, hi, my name is Rod Saldaro and I'd just like to take a moment of your time to tell you one of the reasons why Shelter Island is so special to me, my wife, actually she's right over there, wave Ashley, we met here six years ago and I'd like to add that the only reason we met here six years ago is we were able to come to the Island as short term rentals, now since that time we got married and we're actually expecting our first child in July but we loved Shelter Island so much that two years ago we decided to buy a house here, we pooled our life savings, our hearts and our souls into renovating a property that has been taking for more than a year, we have dreams of teaching our children how to swim and ride bikes and make friends here, but we can't keep our home here without short term rentals, now people have been talking about how lucrative short term rentals can be, we don't make any money from our short term rentals, we actually lose money every year so when we're not here, we didn't buy a house to make money, we bought a house because we love it here and we want to be here and we'll make the sacrifices that it takes to actually spend our time out here, my wife and I both work full time jobs, we have full careers and the only time that we've ever had two weeks vacation was for vacation was when we had our honeymoon and we were lucky to have that, so hypothetically if we didn't own a house here and we were renters, we would be locked out, we wouldn't be able to come here and enjoy all the wonderful things this Island has to offer, we just wouldn't have the time and we wouldn't be able to afford it either, it's expensive so in closing please don't make Shelter Island a castle of elitism, don't make it so that only wealthy people that can take off two weeks at a time, can afford that, are the only ones that can come here or buy a house and not rent it out, cause we can't do that, and there are a lot of people in the same boat, if the Town passes a two week minimum, we will be devastated and we will surely have to sell our house, please let us continue to be a part of this wonderful community, thank you; anyone else want to speak or are we at the end of, okay fine, come on up, thanks, sorry I didn't see you; my name is Ashley Perkins, Rod just spoke to you, he's my husband, so I'll be very brief because he was wonderful, just as a concerned member of the community, I think it's only a fair request that both sides of the argument actually gets real statistics, to actually understand how this two week rule would impact everybody, I have only heard from people trying to talk about airbnb making money tonight and big corporations who are against it but as my husband just mentioned and I know that the group of wonderful people that we have because of this two week regulation, none of us make money, we are doing this so that we can spend time out here and we actually cover the majority of the house ourselves, we do it so that we can actually spend time out here and we are willing to spend our own money, pay taxes out here and contribute to this community because we love it so much, so my only request is that we actually get fair statistics and numbers and whoever is doing these ordinance noise complaints, you know, are

those calls actually coming from short term rentals or are they coming from residents who live here, we haven't seen anything and if that exists, please send it our way because we would love to see it, so that's all I have to say, again, not for any regulations, thank you very much; yes or no; yes; okay fine, thank you; hi guys, I'm Edward, a lot of people in this room know who I am or read something I wrote in the Reporter in a letter to the editor, I'm not here to talk to you guys about the FOIL request I have pending or whatever has been denied, I'm really disappointed with the lack of transparency but I'm not gonna get into that, I want to talk about security, I don't know about anybody else in here but I am a licensed security agency owner by New Jersey State Police, I'm in the New York State Police Department of Licensing, I am a licensed security professional so when I comment on these things, I can comment intelligently and in the intent of the law it addresses the security concerning having transient renters come in, I can tell you very affirmatively, there is no increase in security __ by encouraging more tourism on the Island, there's particularly no difference in risk between tourists being here for two weeks minimum or less than two weeks, it's completely over __, as Mr. DiOrio came up here and said, those short term rentals might be safer, might not be safer than a long term, I don't understand that logic, additionally, as the gentleman from airbnb came up and pointed out if you were able to pay attention and take it all in, he detailed very clearly, the background checks and ID and everything that we're able to look at before we rent to somebody, I have on file, your ID, your social, your credit card, I have, I can look at your Linkedin page, I can look at your Facebook page so that when you post that ___, I can, I think that's going to be prohibited when ___ renting my house, okay, I'm also confident and say that any real estate agent on this Island for a hundred years or a hundred and fifty years, whenever real estate agents first started, I guess that's when __ land and stuff, they don't have access to this and you can ask a lot of real estate agents in here, they don't do background checks as I'm able through these services and I know because I'm in the investigative and security __, I know, and I'm also confident in saying that some of the workers that you might have had work on your house, you see all the time, they don't background check, you don't know that these people aren't walking around with active warrants, how do you know, it's completely subjectable, I think there's an easy solution to this and it's a solution that a lot of other towns, villages, have used, it's called community affairs officer, basically the Town has a, an answering machine, a lot of calls may need to be responded to and others don't need a response, this would __ any unconstitutional registry or law because the PD would have the evidence __ for repeat offenders, chronic complaints, any they would be immediately able to address these issues, also the Board would review on a monthly basis and the report from the community affairs officer of the chronic problem, I think the PD can do an exceptional job, they have for years kept the Island very safe and I don't think you need an unconstitutional law to do this, thank you; hi, my name is Claire Bave, I live on Country Club Drive and I wasn't planning on coming up here to say anything but after listening for the last two hours, I find it necessary to, at least let some views known, ninety-nine percent of this is about the two week thing and that doesn't really affect me, I rent for longer than that but I think that people should have a right to rent their house for as long as they want, it took me a long time to buy the property and build my house and it took me over fifteen years and that was a lot of blood, sweat and tears and for someone to come in and tell me how long I can rent my house for and that I have to have papers and people would come in and check my papers and how many people can be in a room and I just find this over restrictive, I thought the world was going towards less restrictions but when I read this, I was horrified and I laughed through some of it thinking that this can't possibly be true, a good neighbor brochure, the only times I wanted to call the cops in my neighborhood and it wasn't Gina, she lives across the street from me was who rented it, we don't have anybody renting, I've had to close my windows, put my air conditioning on and wear earplugs to bed and this wasn't from anybody who was renting a house so if you're gonna have a good neighbor brochure, could you make sure that every resident of Shelter Island gets one and sign it, and have them sign it because that's what I have to do, I have to give you my lease, I have to give you the good neighbor brochure, I have to give you all this stuff, I feel like it's the Gestapo coming in and checking my papers, are you, it's overbearing, I built this house to enjoy and like a lot of other people, if I didn't have renters, I'd find it hard to pay the taxes, I'd find it hard to pay insurance which all that is a lot of money on this Island and you know I have to have that or else I would be very, very hard strapped, I'm gonna be retiring in a couple of years and then I'm gonna be really hard strapped so you know, it just seems so overbearing and I just, I was almost to tears when I read this and said how can they do that, you know, how can you really in good conscience, obviously none of you rent your house, I do know, I can't imagine that somebody who rents their house would come up with this, I really can't, so thank you; hi everyone, my name is Amanda Kraus Katta, I grew up on Shelter Island, graduated from this high school, my

husband Edward and I, he just spoke, we bought and renovated our home in 2015, our intention is to be here and enroll our daughter in school here but in the meantime we rent in the high season to recoup some of the renovation costs which were significant, as other young couples have said, we don't make money on our house, absolutely not, we're just trying to get by but I want to talk to you about the enforcement issue, the Town Board has not specified who or how the enforcement will work, there has been talk about hiring a full time enforcement officer or part time, similar to East Hampton, the Town has already investigated using spyware software to scour the internet looking for offenders of the rental registry, but no dollars and cents have yet to be presented about how a hopefully modest rental registry fee for homeowners will offset what could be significant costs to the Town, think about it, the volume of homes on Shelter Island isn't even in the same ballpark as East Hampton but again no data has been presented by the Town in regard to enforcement, we tried to foresee the facts, my husband FOILed the Town of East Hampton ordinance enforcement department __ for short term rental, perhaps a preview of what's to come and is not free, the thick file in front of me details cases of neighbor against neighbor, of regular patrols to register property and sneaky tactics use to accumulate homeowners and their guests, let me give you examples, June 18th, 2016 a complainer says a rental behind my house is a constant source of grief, it's impacting the quiet enjoyment of my yard, shut this rental down, the officer's report then detailed how he interviewed the tenant who claimed to be relatives of the owner, then he questioned the tenants about the personal information about relatives before issuing a ticket, here's another one, on May 24th the officer reports an e-mail with pictures of the house without a rental registry, different house, the officer investigates the issue with numerous visits to the home leaving notes and phone messages for the owner, finally the officer and owner speak on the phone and the owner it confirmed last week it was my daughter and her friends in the house and this week it's me and I don't rent my home but of course, it could have ended there, the officer diligently followed up with several more visits to the house over a period of weeks before finally closing the case, is this what we want Shelter Island to become, spyware and scare tactics, asking residents and their guests for their papers, going onto private property without a warrant for those in the audience who are left and especially for those who are listening, if we are angry, argumentative, accusatory, we are all of these things, that's because the Town Board has heard all of these facts before and ignored them, our multiple attempts at compromise have been ignored without even a response, for those who are in support tonight, listen to the facts and demand that the Town Board listen to them too, thank you; my name is Larry Adler, I'd like to start by hoping that none of you people that are opposed to, none of you people who don't rent your home, I hope you never have a tragedy in your family where money becomes an issue and you find yourself having debt to do it, in November I had no feeling about the short term rental issue one way or the other, as renting our home had only happened twice in the twenty years that we've lived here but I then felt compelled to speak to the Board at a work session because of the shocking and discriminatory and bullying words I heard from a certain councilman, I asked for his recusal then because his extreme bias was apparent, I also told the Board that this was going to lead to lawsuits, they are going to be very costly to the Town and its taxpayers over a non issue, a non issue, at the time it was noise, in response another councilman famously repeated his mantra, bring it on, after reviewing the tapes of Town work sessions, it became evident that hypocrisy should also be added to the list, Board members were arguing short term rentals when they themselves had admitted renting to short term for their own purposes, some on the council denied it but the tapes don't lie, let's be clear, contrary to an article in this week's Reporter, the Councilman asked a resident to gather his forces and send as many threatening notes to his own colleagues as possible demanding that they take a hard line position on short term rentals or face the consequences, check the video tape; yeah; the February 14th work session; Mr. Adler, get on the short term rental law; I'm speaking, look at the letter that was written, the Supervisor said in all his years on the Board he has never been threatened before, is that, in what world is this okay, again I ask for his recusal or resignation as this was now bordering on the unbelievable, you're out of line; yeah we got it; you're out line; I pleaded with the Board; you're out of line; it's true; I'm not out of line, it's true, I've pleaded with the Board on multiple occasions in person and in writing to use some common sense and recognize that the economic damage this regulation would do to a resort community that depends on revenue from summer visitors for survival, I cannot fathom why they don't seem to care, they were elected to fairly represent all the taxpayers of Shelter Island, not just a select few, now here we are, everything has been said by, everything that has been said by level headed people over the last nine months in plain language without the benefit of lawyers turns out to be spot on and true, virtually every argument brought to the Board now has its place in a legal document that they can't ignore, now we, the Town and taxpayers are going to

have to pay the price for their __ unless they finally see the light and drop it and finally if the Attorney General of the United States and the Chairman of the Congressional Committee on Intelligence see fit to recuse themselves to avoid the impression of impropriety on certain issues; times up; that Mr. Colligan should take their example and do the same; when hell freezes over, and you can quote me on that, when hell freezes over, get your facts straight; what facts are straight is on tape; get your facts straight; I just have one question actually for everybody here; could you give your name again; hi, my name is Lisa and I have a question for everyone here, when the hell are we __ neighbors, I mean when did we decide the government was in a better position to decide how we manage our personal lives, why the hell don't people just get up off their couch, pick up the phone, walk next door, tell the neighbors they are being loud; yes; they're not there; so what, pick up the phone, call, I don't think short terms are the enemy here really, everyone in the community can win this scenario, everyone, if you look at this with a rational balance and a fair management of the rental process, asking government to step in and define __ and try to make duration the grounds for commercial use is not just irrational behavior, it's a textbook case of over reach and it's clearly counter the law, the right to rent is a fundamental legal right that is __ when you purchase it, that is a fact that is legal, I started renting my home because I needed to but now I rent because I want to, I am blessed, absolutely blessed to be able to share the experience that this wonderful Island holds with people that are new, I was that person after all, I was a short term rental for many, many years before I was fortunate enough to buy my home, please don't paint all short term rental owners with the same brush, there are laws in place today to deal with noise and nuisances, please use them, furthermore as a short term rental owner I resent the implication that people who rent my home are somehow less worthy or less entitled to be here than the guests who arrive on the Island to stay in homes where they're not paying to be a guest, I like all of my fellow short term rental owners have a rigid vetting process that requires a minimum age, signed contract, home rule, driver's licenses, background checks, limits on the number of cars and parking, names of all the overnight guests and a max of only two people per bedroom, these are my rules, not the government's rules, I would challenge anyone here who raises concerns about transients ruining the quality of life on this Island to show me their vetting process they use when they invite guests to stay in their home free of charge, my guess is there aren't any, show me how my quality of life is being protected from the noise and ___ the guests of my neighbors, I'll tell you how, I call them and I finally want to make just two quick corrections in comments today, unless you all look to Town Supervisor Scott Russell for a moral or a legal __ on short term rentals, I should remind all of you that Mr. Russell himself said on the record prior to the passing of the law in Southold and you can read it yourself in Suffolk Times that he himself contemplated making his home a short term rental and second reiterating again, it is factually inaccurate to say that the State upheld the fourteen day limit in Southold, the issue that was brought to the court related to grandfathering rights, it had nothing to do with fourteen day, that law and that regulation challenge is coming, finally if you want to look to precedence, look to Riverhead, Riverhead is being sued in Federal Court for fair housing act which is exactly the case you're gonna face; okay, thank you; they're settling in __ town __ court; thank you, I think we're about to, at the end do you want to wind it up for us, yeah; you keep baiting them in; hello, my name is Linda Kraus, first I would like to thank the Town Board for their time, I have known many of you for years and I believe you to be good people working on a very difficult situation, I've been a Shelter Island resident for forty years, my husband and three children attended Shelter Island School, my daughter and her family recently bought a home here that they rent short term, I've been a registered nurse at a local hospital, Eastern Long Island, for over twenty-seven years, in the past I have served on the Shelter Island Ambulance as an EMT, my husband and myself have been members and supported many community organizations including the Fire Department, Ambulance, Shelter Island 10K, 5K, Chamber, we're committed to this community, I'm well aware and sensitive to the challenges to keeping our community viable along with following this issue of short term rentals, I have listened to the need for community housing for our volunteers, young people and seniors, Shelter Island has become one of the more expensive zip codes on the east coast, the lowest priced home now is in the range of half a million dollars, the likelihood of a young person being able to afford housing on Shelter Island without assistance of some kind whether or the community is slim to none, it's erroneous to tie short term rentals to the lack of long term housing, Shelter Island is home to many adverse groups from families who have called Shelter Island their home for generations to retired persons who can afford to vacate their homes to snowbird south, we also have those who work hard to make the Island their home even if only part time, this group, the majority of owners who rent short term have stated they did not buy on Shelter Island to become a landlord, they bought to enjoy what we all love on this

beautiful Island, fact, East Hampton has over five hundred affordable units, Shelter Island none, fact, owners frequent our stores, restaurants, churches, fundraisers, use local contractors, pay taxes and abide by Town safety codes, fact, owners do rent in the high season to be able to afford their home and enjoy their home in the off season, fact, renters look to enjoy the same beauty of this Island if only for a short time and also contribute greatly to the Island economy, fact, there has been no documentation finding short term rentals have has significant measurable affect on noise or security threats, owners have repeatedly stated, fact, the maximum time limit most people are able to rent during one stay is one week, owners have tried to rent for longer stays but have been unsuccessful, it has been said, start with two week time frame, then revisit, come in strong and then back off, I cannot agree, once our rights have been restricted it will be hard to get back, if this regulation goes into effect the physical limiting stays to two weeks, we will be limiting this group of owners and ultimately a community who benefits from their revenue for no justifiable fact based reason; thank you Linda; let this Town Board and this community work together to focus our time, energy and financial resources seriously addressing the community housing issue, in conclusion, this is America and every person is entitled to his opinion or feeling, however I ask the Board that when you write this law, may your decisions be based on facts pertinent to this unique and special Island, not feelings or hearsay, this is your elected responsibility and thank you very much for listening; Brian, it's a half hour past my bedtime, do you really want to talk some more; no, we're done; okay, I think it's all been said and my colleagues and I have learned a lot; I agree; but I don't want to step on your toes, thanks for coming Brian, I'm gonna close this hearing and my colleagues have been very conscientious that they actually read that file of correspondence and I'm going to keep the door open for one week from today for any further correspondence anyone wants to get in, maybe something occurred to you after what you listened to today and you want to put in a word, just send it in to me or Dottie Ogar.

On motion of Councilman Shepherd and seconded by Supervisor Dougherty, the public hearing was closed at 7:27 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

April 21, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 21st day of April, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, and twenty-three persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. A letter from the Shelter Island Country Club requesting the extension of their lease for one year.
2. e-mails concerning Short Term Rentals, as follows
    - arguments opposing the proposed law
    - it is the Town's duty to safeguard the residentiality of Shelter Island

    Sag Harbor and other towns are not regulated
    - pass the law and publish a proposed amendment to the advertising clause
    - you are selling the soul of this town to make it a castle for the elite
    - a violation of property rights
    - concerning the speaking on behalf of neighborhood associations- 5
    - this is becoming a big business and not simply a way to save the farm
    - rental data presented at hearing

how to monitor the 14 day policy
should be same rules as for B&Bs
allow short term rentals
100 more signatures on petition
petition hit 700 signatures
100% supportive of a 14 day minimum
concerning Southold's law
a copy of a speech from the hearing
a copy of a letter to the editor
should focus time and energy on issue of community housing
signs in IGA window - 2
support reasonable regulation
negative impact of transients
intent of legislation
additional facts concerning airbnb
articles in newspaper - 2
please vote against the two week short term rental
this law stinks
STRs should come to a popular vote
would it not make sense to put this on hold or up to a referendum - 2
urging to do a referendum in November
after adoption, should schedule meetings with 3 other towns to discus their experiences
stop the insane rental legislation
opposing the proposed law
would like more concrete evidence of the claim that transient rentals threaten the residential character and quality of life.

The Supervisor presented the following financial report for the month of March, 2017:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
MARCH 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Checking	3,448,015.19	599,778.77	594,566.40	3,453,227.56	770,572.24
Hwy Checking	961,421.73	2,481.09	125,961.06	837,941.76	
T&AChecking	60,865.51	372,038.41	369,540.83	63,363.09	15,409.78
T&A Savings	12,223.94	0.31	0.00	12,224.25	
Hwy Cap Res	266,439.06	22,507.01	0.00	288,946.07	
WNW Supply	35,303.24	1,386.25	5,657.41	31,032.08	110,043.83
Taylor's Island	39,981.36	3.38	0.00	39,984.74	
Comm Preserv	5,534,062.69	185,303.94	10,850.00	5,708,523.63	1,593,462.85
Waterways	215,205.45	4,413.36	0.00	219,618.81	
Reserve Fund	665,001.93	8,181.42	0.00	673,183.35	
Bridge St Esc	0.00	0.00	0.00	0.00	353,322.82
Environmentsl	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Reser	7,658.33	0.00	0.00	7,658.33	
Ambul. Reser	301,624.93	12.72	0.00	301,637.65	
Ambul. Train	29,078.56	0.74	0.00	26,079.30	
TOTALS	11,592,638.92	1,196,107.40	1,106,575.70	11,682,170.62	2,842,811.52

RESOLUTION NO. 191

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds in the amount of $234.30 received from Cook Maran & Associates, Inc. to the 2017 A1910.400 unallocated insurance account.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 192

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Judith Lechmanski is hereby appointed to serve as Assessment Clerk to the Board of Assessors for 30 hours per week at the rate of $33,060.80 per year effective May 8, 2017.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 193

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Tracy Gibbs is hereby appointed to serve as part time Custodian for the year 2017 at the rate of $20.00 per hour, retroactive to April 17, 2017.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 194

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on December 28, 2016, John D'Amato was reappointed to serve as a member of the Planning Board for a term to expire on December 31, 2021, and

"Whereas", Mr. D'Amato has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. D'Amato continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That John D'Amato is hereby reappointed to serve as a member of the Planning Board for a term to expire on December 31, 2021.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 195

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:.

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on March 10, 2017, Ken Pysher was reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019, and

"Whereas", Mr. Pysher has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Pysher continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Ken Pysher is hereby reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 196

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,195.00 from the A1010.484 Town Board office and miscellaneous account to General Code for the eCode 360 annual maintenance fee for the period April 1, 2017 to March 31, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 197

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams: to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute a license agreement between the Town of Shelter Island and the Shelter Island Historical Society concerning the parking for Historical Society events for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 198

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to the terms of the agreement between the Town of Shelter Island and the Shelter Island Country Club, Inc., the Town authorized a license to the Shelter Island Country Club, Inc., to operate a public golf course and clubhouse on premises owned by the Town of Shelter Island, and

"Whereas", a ten year license was granted, the terms of said license to expire on December 31, 2017, and

"Whereas", said license provides that upon notice from the Shelter Island Country Club, Inc., the term of the license is deemed to be extended for one year, and

"Whereas", the Shelter Island Country Club, Inc., has submitted said notice for another year's extension, now, Therefore

BE IT RESOLVED, That the term of the license between the Town of Shelter Island and the Shelter Island Country Club, Inc. is hereby extended to expire on December 31, 2027.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 199

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $900.00 from the 2017 A1330.476 Tax Collection software consulting account to Software Consulting Associates, Inc., 54 Elizabeth Street, Suite 17B, Red Hook, New York 12571, for the annual tax software service and support contract for the Receiver of Taxes for the period 5-1-2017 through 4-30-2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 200

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $500.00 from the Police Department A3120.491 contracts account to All Traffic Solutions, Inc., 3100 Research Drive, State College, PA 16801 for the annual management of the Police Department's speed trailer for the period May 26, 2017 through May 25, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 201

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $98.33 from the A1490.484 Public Works office and miscellaneous account, $98.33 from the A5010.400 Superintendent of Highways office and miscellaneous account, and $98.34 from the A8160.484 Landfill office and miscellaneous account to ISolved HCM, P. O. Box 993, Coldwater, MI 49036-0993, ATTN.: Finance Dept. for a one year service agreement for payroll software for the Highway, Landfill and Public Works departments for the period May 28, 2016 through May 25, 2018.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 202

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $648.00 from the Police Department's A3120.491 contracts account to 3SI Security Systems, Inc., P O Box 5146, New York, NY 100878-5146, for the annual usage fees for 3 units of electronic surveillance equipment.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 203

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,860.00 to the Island Boatyard and Marina from the Police Department 2017 A3120.479 boat maintenance account for the 2017 seasonal dockage for the Police boat.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 204

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Town Board of the Town of Shelter Island does hereby approve the Service Award Program list of all 2016 volunteer ambulance workers of the Shelter Island Volunteer EMS, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to execute a certified copy of this resolution and forward to the EMS Director with the certified list for the required posting.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 205

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $3,900.00 from the A1620.476 buildings computer services account to MainStreetGIS, LLC, P. O. Box 1331, Northampton, MA 01061 for a one year agreement for the provision of Web GIS hosting for the term June 1, 2017 through May 31, 2018.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 206

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Section 2019-a of the Uniform Justice Court Act, the Town of Shelter Island must perform an internal audit of the Justice Court on Shelter Island, and

"Whereas", said audit was performed by AVZ Certified Public Accounts and presented to the Town on April 21, 2017, now, Therefore

BE IT RESOLVED, That the Town Board does hereby acknowledge that said required audit has been performed and received, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of said audit to Joan Casazza, Internal Control Liaison, NYS Office of Court Administration, 2500 Pond View, Suite LL01, Castleton-on-Hudson, NY 12033.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 207

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the Suffolk Bicycle Riders Association, Inc. has requested an outdoor assembly permit for their annual event "Bike-Boat-Bike" scheduled for June 4, 2017, and

"Whereas", the Association has provided the required application and compliance fees and certificate of insurance, and

"Whereas", said application has been submitted to the Shelter Island Highway Department and Shelter Island Police Department for their recommendations, and

"Whereas", the Shelter Island Police Department has approved the application as submitted and stated that the need for additional fees for police services will not be required as they will use scheduled staff to cover the event, and

"Whereas", the Shelter Island Highway Department has responded favorably with the following recommendations:

1. if the roads are to be marked, they must be marked with chalk or washable paint, and
2. if roads need to be closed, the Highway Superintendent must be notified no later than 48 hours before the event, now, Therefore

BE IT RESOLVED, That said request is hereby approved subject to the requirement that permission is hereby granted to utilize the property at the corner of Burns Road and North Cartwright Road to stage their refreshment station.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 208

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Resolution No. 190 - 2017 dated April 4, 2017 establishing the date of retirement for Mr. James Cronin, is hereby amended to read as follows:

"Whereas", the Town has been notified by the New York State and Local Retirement Systems Employees' Retirement System Police and Fire Retirement System that James D Cronin's application for retirement has been changed to May 6, 2017, now, Therefore

BE IT RESOLVED, That the Town hereby accepts and implements James D. Cronin's retirement from Town employment effective May 6, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 209

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 7th day of April, 2017 on a proposed LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 133, ZONING, RE: SHORT TERM RENTALS, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 4 - 2017 entitled AMENDMENTS TO CHAPTER 133, ZONING, RE: SHORT TERM RENTALS, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

SECTION 1. Legislative Intent.

The Shelter Island Town Board has determined that with the advent of Internet based "for rent by owner" services, there has been a dramatic increase in residential homes being rented for short periods of time. The Town Board finds that such transient rentals threaten the residential character and quality of life of neighborhoods in which they occur. These concerns are best addressed through appropriate legislation.

Additionally, the Town Board has determined that a short-term rental, as being potentially more lucrative, will necessarily decrease the inventory of available long-term affordable rentals. Therefore, the Town Board, in order to protect the health, safety and welfare of the community, requires the regulation of these transient rental properties.

Regulation of rentals will preserve and protect the Island's neighborhoods, provide standards and procedures for rentals, allow owners and residents continued quiet enjoyment of their residential properties, as well as educate prospective renters on the Town's regulations and

expected behavior through the Good Neighbor Brochure for Vacation Renters that is part of the owner's lease agreement with the renter.

SECTION 2. Amend Chapter 133-1 Definitions by adding the following definitions:

ADVERTISING. Any and all advertising or any other form of communication for marketing that is used to encourage, persuade, or manipulate viewers, readers, or listeners into contracting for goods and/or services as may be viewed through various media, including but not limited to newspapers, magazines, flyers, handbills, television commercials, radio signage, direct mail, websites, emails, or text messages by owner and/or owner's agent or representative.

CONVENTIONAL BEDROOM. A room designed principally as a sleeping area. Rooms having other purposes, such as dens, living rooms and hallways are not to be interpreted as a conventional bedroom.

GOOD NEIGHBOR BROCHURE. A document prepared by the Town that summarizes the general rules of conduct, consideration, and respect, including but not limited to provisions of the Town Code of the Town of Shelter Island applicable to renters.

LOCAL CONTACT PERSON. An individual designated by the owner or owner's agent or representative who resides on Shelter Island and is available 24 hours per day, seven (7) days per week for the purpose of responding by telephone or in-person to complaints regarding the condition or conduct of occupants of the residential rental and who is authorized by the owner to take remedial action.

OWNER. The legal owner of any property.

OWNER OCCUPIED. Premises where owner is simultaneously domiciled on the same or adjacent premises with tenant or tenants during a rental term.

RENTAL LICENSE. An annual license issued by the Town to the owner to allow the use or occupancy of a vacation rental, pursuant to this Chapter.

RENTAL NOTIFICATION. Notification of a confirmed rental made by the owner of a vacation rental to the Town.

RENTAL REGISTRY. A registry maintained by the owner of a vacation rental showing the dates of rental and tenant names and contact information.

RENTAL TERM. The period of time a tenant rents or leases a portion or all of a premises.

TENANT. A person to whom an owner or owner's agents and/or representatives grant temporary use of land or a part of a building, usually in exchange for rent.

VACATION RENTAL. A dwelling unit which is used as a temporary residence by persons other than the owner or owner's immediate family and for which money or other consideration or compensation is paid by the tenant to the owner or owner's agent and/or representative, directly or indirectly, for the use and enjoyment of all or a portion of the dwelling unit. Vacation rentals include, but are not limited to one-family dwellings, two-family dwellings, apartments, and any other buildings or structures, whether attached or detached to a primary structure.

For the purposes of this Chapter, Vacation Rentals shall **not** include:

a. Any premises or portion of premises rented to a tenant as a fixed and permanent home; or
b. Any premises, or portion of premises, that is owner occupied; or
c. Any premises used exclusively for non-residential commercial or non-profit purposes; or
d. Any legally operating commercial hotel/motel or bed-and-breakfast establishment; or
e. Rental of property for more than fourteen consecutive days; or
f. Rental of premises located in the B-Business zone; or
g. Short-term rentals by Taylor's Island Foundation, The Nature Conservancy Mashomack or Sylvester Manor that are used as fund-raisers for these non-profits.

SECTION 3. Amend Chapter 133 by adding a new section 133-14.1, Vacation Rental Regulation, to read as follows:

A. License requirements. Vacation rentals shall be permitted subject to issuance of a vacation rental license, renewable annually and subject to the following requirements:

1) Submittal of a completed, fully-executed Vacation Rental License Application or Vacation Rental License Annual Renewal Application, with applicable license fee(s) as established by resolution of the Town Board.

2) The vacation rental shall have a valid and current certificate of occupancy or certificate of compliance and shall be in compliance with the Town Building and Zoning Codes. There shall be no more than one vacation rental on a property.

3) The total number of conventional bedrooms in a premises shall not exceed the number indicated on a certificate of occupancy or certificate of compliance and the filed building plans for all structures on the premises.

4) Occupancy of a vacation rental shall not exceed two (2) persons per conventional bedroom.

5) The owner of a vacation rental shall maintain a copy of the rental agreement on premises, and the rental registry for examination by the Town, if requested. Rental registry records and rental agreements shall be preserved a minimum of three (3) years.

6) The Town shall provide a Good Neighbor Brochure to owner in digital, PDF format, made available for downloading and printing on the Town of Shelter Island website. Good Neighbor Brochures may be updated and revised from time to time, and it is the owner's responsibility to ensure that a current version is provided to tenants.

7) The Owner must print and provide a Good Neighbor Brochure to each tenant prior to commencement of the rental term. Owner is required to have each tenant sign a Good Neighbor Brochure, and it shall be made a part of the lease agreement with the owner.

8) No signs advertising a vacation rental shall be allowed.

9) All vacation rentals must maintain a local contact person. Owner shall provide to the Town, current contact information of the local contact person, including the name, address, phone number, and email address. Owner must also certify that owner has provided the immediate property neighbors with owner's personal cell phone number to call in event of problems with the vacation rental.

10) The vacation rental license may not be transferred or assigned upon death or transfer of the named licensee. The license does not authorize any person, other than the person named therein, to operate the vacation rental license on the property.

11) A writing, promulgated by the Office of the Town Attorney, executed by the owner(s) of the rental property, which designates either:

(a) A person, firm or corporation with an actual place of business, dwelling place, or usual place of abode located within the boundaries of the Town of Shelter Island; or

(b) The Town Clerk of the Town of Shelter Island as agent for service for criminal and civil process pursuant to CPLR Section 318. Every owner shall insure that the address for delivery of such process is current and shall advise the Town Clerk whenever the address is changed. The designated agent, upon receipt of service of process under this designation shall forthwith transmit by regular and certified mail to the owner(s) of the rental property at the address included on the owner(s) application.

B. Advertising

1) The following applies to all advertising of vacation rentals:

a) The current vacation rental license number assigned by the Town for the advertised vacation rental must be displayed; and

b) The listed occupancy of the advertised vacation rental must not exceed the maximum allowed by the vacation rental license; and

c) The minimum rental period shall not be less than fourteen (14) days.

2) Failure to include the required information in advertising shall be a violation of this Chapter.

C. Vacation Rental Timing

1) No property owner may allow their vacation rental to be rented more than once in any fourteen day period.

D. Penalties for Violations.

1) License required. It shall be unlawful and a violation of this Chapter for any person or entity owning, renting or leasing a vacation rental within the Town to rent, lease or permit the occupancy of such vacation rental property without having first licensed the property as a vacation rental property and paying the license fee established by the Town Board.

2) Use prohibited. It shall be unlawful and a violation of this Chapter for any person or entity to allow use or occupancy of a vacation rental without that property being validly licensed as a vacation rental property with the Town.

3) Violation of this Code shall result in fines as set forth below. The vacation rental license may be suspended or revoked for any violation deemed appropriate by the Town Board, subject to a due process hearing prior to the action.

a. For the first violation, a minimum fine of $500, not to exceed $1,500.

b. For the second violation within the next 12 months, a minimum fine of $750, not to exceed $2,500, and/or suspension of the vacation rental license for a period up

to six (6) months, and during said time the premises shall not be utilized for a vacation rental.

c. For the third violation within the next 12 months, a minimum fine of $1,000 not to exceed $4,000, and suspension of the vacation rental license for a period of twelve (12) months, and during said time the premises shall not be utilized for a vacation rental.

d. The Town Board shall be the body to suspend a vacation rental license pursuant to the section above, and shall offer the permittee a reasonable opportunity to appear and be heard on the suspension prior to imposing the suspension.

E. Applicability.

This law applies to all properties which are used as vacation rentals, regardless of whether such activity occurred prior to adoption of these regulations. Short term vacation rentals are a commercial use which has never been allowed by residential zoning, and this legislation provides guidelines to allow it, subject to limitations. The licensing requirement is a ministerial act which does not significantly change previous rights, privileges, or practices regarding the property.

F. Review Board.

The Town Board will be the review board for issues associated with implementation of this law. The Town Board reserves the right to amend this law to add or change restrictions and license terms as it deems necessary.

SECTION 4. SEVERABILITY. In the event that any portion of this Chapter is hereafter found to be invalid, such invalidity shall not affect the remaining portions of this Chapter.

SECTION 5. EFFECTIVE DATE. This law shall become effective immediately upon filing with the Secretary of State. Implementation of this law shall be as follows:

a. All vacation rentals owners shall obtain a vacation rental license prior to July 1, 2017.

b. The limit on rentals more than once in a fourteen day period may be temporarily waived if the property owner submits written proof to the Town that the rental agreement was signed prior to adoption of this ordinance.

c. However, after December 31, 2017, all vacation rentals, regardless of date entered into, must comply with the limit on rentals to once in a fourteen day period.

The Supervisor made the following statement: This is a very sad day for Shelter Island, several weeks ago I proposed a compromise and the Town Board rejected it and as recently as this week I conferred with my colleagues in Sag Harbor and Greenport. The Village of Sag Harbor and the Village of Greenport. The Village of Sag Harbor has rejected short term rental registration, twice the Mayor Schroeder tells me, and maybe three times, and the Village of Greenport Board under Mayor George Hubbard rejected a proposed short term rental restriction law last month. They did it because they said they felt and believed it was harmful to the young and moderate income residents and harmful to local businesses, in addition to that, there's also higher taxes to enforce, East Hampton is a much larger Town than we are, and have seven full time enforcement officers, two of them have told me they're lucky if they have sixty percent compliance even though they have the unpleasant task of knocking on people's doors but I must say I took an oath of office and of course I would work to implement and enforce any law enacted by a majority of the Town Board and in this instance I will work with the three enforcement colleagues, the Town Attorney and Councilmen Colligan and Shepherd who have been working on the enforcement aspects and, but I'll just conclude, I mentioned it some time ago, my late granddad says it much better than I could possibly say it, he immigrated from County Cork, Ireland, Terry Darvey, he was penniless, he drank too much, he never had a dime, very charming man but he was constantly helping other people and I as a young kid asked but granddad you know, and why, he said Jimmy me boy you gotta help the next guy, we're failing this duly in my opinion.

Councilman Colligan made the following statement: the only thing I want to say, as a point of clarification, I don't know about Sag Harbor cause I called over there and they didn't call back but the thing in Greenport, I did talk to George Hubbard about two weeks ago and the thing that was, the draft was never put up, the draft was never made because the Town Board over there was only considering owner occupied short term rentals, they weren't considering or entertaining non-owner occupied short term rentals so, we didn't go in that direction, we didn't require what Southampton required in terms of getting a permit, we did not require what East Hampton required in terms of two week minimum, no exception except for the two exceptions every six months, ours is more liberal than that, what Southold did in terms of requiring fourteen day minimum, we did something which considered to be and I know it doesn't sit well, the word

compromise doesn't sit well because you're not talking to people, usually the people that are in the audience are on one side or the other and I don't mean just slightly on one side, I mean we have basically polarized with twenty hard core people here and twenty hard core people on the other side, obviously there have been people who have voiced their opinions about this but I honestly think that what we've done is in terms of allowing short term rentals to go forward, non owner occupied and allowing the person to have one rental per fourteen day period, still allows people to have week end rentals, week long rentals and it actually encourages, I know people disagree with that but I think it encourages the idea of moving back to the traditional way of the way the Island was, trying to promote longer period times, we will never get back to where it was and the people have made the argument, the argument is that it is rare that people get off for a two week period of time or a month long period of time, as happened forty and fifty years ago but I do think that we did not want to be one of the few, not the only because everybody said that the only community on the east end was wrong, obviously the Village of Sag Harbor does not, it's not impacted by the East Hampton resolution, law but I just read a thing here in yesterday's Newsday about short term rentals as put out by Airbnb and it's in yesterday's Newsday, the first quarter of 2017, fifty-five percent increase on Long Island guest arrivals to 6,500 compared with the 2016 quarter, so they're comparing January, February and March of 2016 with January, February and March of 2017 and they're quoting a fifty-five percent increase in the use of short term rentals, I just think it's something that in my eyes, hits home on zoning regulation, I do believe that people that don't rent their homes have rights as well, I also think that it's not necessarily in keeping with the spirit of the comprehensive plan and for that reason I have to vote for the legislation as it now appears, I think it's something that's fair, we tried to streamline the registration process, we're never gonna be compared to East Hampton, we're not doing this because of noise complaints, if it was just about noise, people would just pick up the phone and call the Police Department, it's not a noise issue in my mind, I also went on record as saying it's to me, I don't make judgments about the quality of people that rent for two days, that rent for a week, that rent for a month or rent for a year, you can have good and bad in any type of rental that you have, so I'm not throwing anybody under the bus in terms of the quality of the individual that you will get but I am respecting the rights of people that live in a residential area that do not expect to have, be surrounded by a constant stream of people that they don't know and I'm concerned, I'm concerned a little bit about the housing issue even though there is not a lot of hard data, my feeling is that if you let this thing go too far, you'll never get that back, I would rather move more cautiously and the last thing I have to say on it, part of this legislation from the very get go was a promise to this community that we'd sit down in November of every year, especially in the first three or four years of this implementation and to try to take any corrective action that we needed to take, to tweak anything that needed tweaking in order to make the thing better for the welfare of Shelter Island and I think we're willing to do that and again you don't know until you actually experience it but Chuck you had asked me two days ago to check into the, and I asked Laury this, this morning, about why did we not put this on as a referendum in November and the answer was that it could not be put on there, that was defeated in Albany this past year, it was something that was going to be talked about because having just come back from California, California is a state where they put everything on referendum and they put it out to the people, I'll tell you, there would have been five very happy people up here, probably if we would have just put it out for a Town vote but apparently that's not an option; no, not a legal mechanism; it's not a legal option so we can't do that but I did follow through on that and try to look that up, that's all I have to say Paul.

Councilman Shepherd reported as follows: I have just a little tiny bit to say and that is that this has brought me no joy whatsoever and I get no sense of accomplishment from it thus far, there's some flaws in it right now even as we pass it but I have my stomach flipping over but in order to get things rolling forward and moving the way we need to get them move the way we need them to move, I am going to vote probably in a few seconds and make it happen for now and then start before November in fixing those few things that are contradictory enough to have my head spinning, that's all I can do, but I will do it because you know I had, from a few people, not just a few but people whose judgment I trust who have lived here a long time, tell me that there's something out there that we should look out for, that we should be steering away in some way or another taking invasive action if you will and I looked at it until my eyes bleed and I know that there are sour points on both sides but certainly I know one thing for sure and the concern was this, that we used to live in a place where we always knew our neighbors and they're terrified that we're gonna be living in a place where our neighbors are always new and that's

really what's got everybody spooked and I don't' blame them but I'm gonna do everything I can to represent both parties here and I know that the rest of us are committed to that as well because even if you're in a minority it doesn't mean that you should kidnap the __, there are some things in here that I'm not in love with, but that's it.

Roll Call Vote:	Councilwoman Lewis	aye
	Councilman Shepherd	aye
	Councilman Colligan	aye
	Councilwoman Brach-Williams	aye
	Supervisor Dougherty	nay
		4 in favor 1 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 210

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time, on the 12th day of May, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled A LOCAL LAW TO AMEND THE MILDRED FLOWER HIRD NATURE PRESERVE - EAST STEWARDSHIP MANAGEMENT PLAN, to wit;

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

SECTION 1. Amend the Public Access and Signage Section of The Mildred Flower Hird Nature Preserve - East Stewardship Management Plan to read as follows:

Public access should be from Manhanset Road, almost opposite the entrance to The Mildred Flower Hird Nature Preserve East, as the road has a small shoulder for parking at that location. The Town will erect a bronze plaque embedded into a large stone identifying the preserve name along with its intended usage at a point along Manhanset Road. The property should be available for the public to walk. Future signage will not contain any restrictions indicating "Private Property" or "No Trespassing". In addition to the bronze plaque, there will be "Town of Shelter Island, County of Suffolk, Preserved Open Space" signs modified to reflect "Hunting by Permit Only" with a contact phone number to Town Representative.

SECTION 2. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 211

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:41 p. m., prevailing time, on the 12th day of May, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled A LOCAL LAW TO AMEND THE MILDRED FLOWER HIRD NATURE PRESERVE - WEST STEWARDSHIP MANAGEMENT PLAN, to wit;

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

SECTION 1. Amend the Public Access and Signage Section of The Mildred Flower Hird Nature Preserve - West Stewardship Management Plan to read as follows:

Public access to this parcel should be from the southerly area of Manhanset Road near the boundary shared with the Catholic Cemetery, as the road has a small shoulder for parking at that location.

The Town will erect a bronze plaque embedded into a large stone identifying the preserve name along with its intended usage at a point along Manhanset Road. The property should be available for the public to walk. Future signage will not contain any restrictions indicating "Private Property" or "No Trespassing". In addition to the bronze plaque, there will be "Town of Shelter Island, County of Suffolk, Preserved Open Space" signs modified to reflect "Hunting by Permit Only" with a contact phone number to Town Representative.

SECTION 2. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 212

Councilman Colligan offered the following resolution, which was seconded by Councilman Brach-Williams, to wit:

BE IT RESOLVED, That the Town Board calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 12th day of May, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 113, SWIMMING POOLS RE: SEPTIC SETBACK, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Amend Chapter 113, Swimming Pools, of the Shelter Island Town Code as follows:

A. Section 113-5 Permits, subsection (B)(6)(c) shall be amended as follows:

c. Effluent drywells must be vented or covered with a grate and sited at least 50 feet from any wells supplying potable water and all surface waters, including freshwater and tidal wetlands and at least 20 feet from any septic system including such facilities on neighboring properties.

Section 2. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 213

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the following transfers of 2017 funds are hereby approved: $42.00 from the Police Department A3120.490 DARE account to the A3120.273 Police Department firearms and ammunition account; $10,755.00 from the A1990.400 Contingent account to the A6772.141 Nutrition Program salary account; and $100.00 from the B1990.400 Part Town Contingent account to the B8020.495 Planning Board printing and advertising account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 214

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That general claims numbered 439 through 539 in the amount of $95,304.09, highway claims numbered 63 through 76 in the amount of $11,269.19, and West Neck Water claim number 11 in the amount of $60.00 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:04 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Robert Waife/Shelter Island Ground Tackle, 9 North Ferry Road, for permission to install a mooring in Smith's Cove at a location approximately 120' from mooring number O-3118 and 90' from mooring number O-3420.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: It was approved by a vote of 5 - 1 - 0 and again they tried to emphasize, I guess Robert you were there that evening; yes; and tried to emphasize that the use of this mooring would be for storm purposes and there would be a three year period for renewal and that was kind of it, there was a little more discussion than that but I think that was the main part of it and it was a request to be able to take a boat during a storm and be able to bring it to that safe haven from off Island and then when the storm subsided that within a matter of days or shortly thereafter the boat would be removed and go back to its original spot.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: that's accurate, I have another mooring over there, it's a rental

with the same capacity so basically a boat comes when it's blowing out of the northeast and __ across the channel over there and protect it and when it's, you know the storm passes, it's time to move back.

The Supervisor declared the public hearing closed at 5:06 p. m. and called to order the public hearing to be held as advertised on the application of Richard Clark, 6J Hager Road, for permission to install a 32" x 24' seasonal aluminum ramp onto a 6' x 32' seasonal floating dock anchored by two 10" diameter anchor pilings at offshore end of the existing fixed dock in Menantic Creek.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the vote went 6 - 0 in favor or, to extend the existing dock into Menantic Creek, the old dock was a T dock, non-conforming, fixed, the new dock will be a conforming dock and actually makes the situation better and the navigation will be better so they were unanimous in favor of supporting this application, 95 feet long.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:07 p. m. and called to order the public hearing to be held as advertised on the application of Shelter Island Clinton Ave., LLC/Zachary Vella, for permission to remove existing 6' x 20' floating dock and access ramp, remove two existing dolphins, and install a new 32" x 22' aluminum ramp onto a 6' x 30' seasonal floating dock with a 2' x 4' access platform secured with two 8" diameter piling in Dering Harbor.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:

1. A letter from the Shelter Island Yacht Club wishing to go on record as opposing the current application as configured, as the proposed dock will be hazardous to navigation in this already congested area of Dering Harbor, and when a vessel is tied to the outside of the floating dock, the hazardous condition will be exacerbated.
2. A letter from Mr. and Mrs. Landry opposing this application.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the vote was six to zero against; actually zero to six, right; zero to six, right against and it was because of exactly what Dottie stated, it is a very congested area, the existing dock that is there is non-conforming and according to the Code, you cannot modify a non-conforming dock so there was a lot of discussion about this, we looked it very clearly, the size of the boat, the size of the beam that was going in there, they just felt it was going to make the navigation of those small boats coming in with you know, under sail very difficult and they were totally against it; right, the main issue was the impedance of activity there, it would most likely be an obstacle to navigation as proposed; yeah; cause we have in fact allowed changes to existing non-conforming docks as long as they didn't exacerbate the situation or impede the waterway more and this just didn't fit the bill so they had to say no.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Jack Costello on behalf of the applicant, this application, I want it to be tabled for further review by the Waterways Committee and I'll go and meet with those guys, what we can do is I can shorten the overall length of it; that will help; basically the way this is right now, it doesn't affect, it's a congested spot, it's a difficult spot, it ultimately is not gonna be any worse the way it's laid out because of the size of the boat, the size of the boat is actually gonna stick out past the dock and impede navigation either way so we turned the dock and at this point I could stay within the DEC jurisdiction, within their parameters of their law and be in two and a half feet of water and I can shorten that ramp, I realize that so let us go back to the Waterways with a list for revision; good idea; yeah because it can be moved further back and it was one mooring in question about it having too large a boat that's not contiguous with the rest of the boats in that area; you will have to come, there's going to have to be some handholding necessary to make that happen; yes; and does everybody understand what I'm saying; yes; they can

overcome any objections, right; so I'll be there on the first Monday of the month; okay; and it will basically be about shortening that ramp and I think that will be a way we can cure this problem; that was kind of brought up as a possible option but there was some push back so; right; it can't be where it was; I think it might be a very good time because Jack is at the podium that we thank him for the beautiful new dock; oh right; the dock is well done; no problem, thank you; I went down there yesterday and a bunch of people were down there walking it, it's such an improvement; the seagulls like it as well; they __ on it, but the construction was right on; __; and the fact that you got it in so quickly is a big help but the quality of the thing, it's a major step up from what we had; very nice; thank you very much; thank you Jack; and thank you for helping us with the financing of that, we appreciate that as well, we couldn't have done it without your cooperation and your suggestion to do that, so, we appreciate that; thank you.

The Supervisor declared the public hearing closed at 5:12 p. m. and called to order the public hearing to be held as advertised on the application of Peter D. Johnson, 54 C West Neck Road, for permission to install a stake, mooring and pulley system in West Neck Bay at a location next to the Town landing on West Neck Road at the immediate north/northeast side of the ramp.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: we discussed this, we looked at it, it went down by a vote of zero to six and it went down for really one primary thing, it's not on Town property so the Town property is to the south, he was looking to put it to the north and we don't own that property so it couldn't be put there even if we wanted to, the Town owns that thirty feet south of the ramp between there and the property of Sam and Karen Seymour so it was just a can't be done, he needs to go on a waiting list and see if he can get some type of a mooring some place else; he called me today and he said he will go back to the Waterways Committee and talk to them; okay

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:53 p. m. and called to order the public hearing to be held as advertised on the application of John and Kathleen King, 29 Winthrop Road, for a wetlands permit for permission to install a 14' by 24' in ground pool and patio.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for the reports from the Planning Board and Conservation Advisory Council, which were as follows:

Councilman Colligan presented the Conservation Advisory Council report, as follows: it did not go well, only because of the, I realize it was a smaller pool but its close proximity to the bulkhead just, it was just too close to the bulkhead and they turned it down.

Councilman Shepherd presented the Planning Board report, as follows:
March 30, 2017
Re: **King Wetlands Application**
29 Winthrop Road, Shelter Island NY
SCTM # 700 - 7 - 4 -14.7 & 15.1
C Zone residential, within the Near Shore Overlay District
Observations from field inspection
Originally, this property had a two story beach cottage, built close to the water's edge before wetland regulations. In 2009 this same applicant applied for a large addition to be added to the original cottage and to install a swimming pool. Permission was granted for both. The addition was built, but the pool was not. This is an application to add a pool and patio at this time. This property is narrow from the water to the road, so the pool only fits in the 25 ft semi regulated setback up to the 75 ft wetland setback. It is a small pool 14 X 24 ft.
There is a new DEC permit issued 1/13/2017 with an expiration date of 1/13/2022.
ID # 1-4732-00925/00002
The pool listed as salt water, means it employs a salt cell filtration system.

The pool is at an average elevation of 9 ft.
There is a covenant against any further construction in the regulated area. The question is does this pool constitute addition construction when the pool was previously allowed and the covenant did not restrict it. While this is open to debate, reading the language, the Town has the right to "annul or repeal" this covenant.
This property is in C zone with only 30 ft front yard setbacks, but a review of the survey, we see that the pool patio intrudes into even that. So the patio needs to be reconfigured to avoid this intrusion or the applicant needs to seek relief from the Zoning Board of Appeals.
Recommendations
The Planning Board approves the application, if the noted issues above are resolved.
By:
Emory Breiner, Planning Board member
John Kerr, Planning Board member
For the Planning Board

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: good afternoon, Dan Hall, Land Use Ecological Services; thank you; as agent for the owner, we did submit revised surveys which have the thirty foot yard setback adhered to, I hope you got a copy; right, you took that thing out, right; we took um; the patio; yes we shifted the patio so it meets the thirty foot setback; right; and the pool and all the activities are landward of the seventy-five foot Shelter Island adjacent regulated area and this is a smaller pool and patio, it had been previously approved, I'll answer any other, we have the __ DEC permit and what the description, is correct, to construct a pool, they didn't construct a pool, they went to construct the pool, the permit had expired so this is trying to legalize, put the permit back in place so they can finish the construction at the site and have the pool which had been previously approved, there, your Board previously approved; is part of this pool in the flood plain; this pool is, I don't think this pool is in the flood plain, no, most of it is above elevation eight, it's beyond the, it's not in the flood plain, it's all plain X, it's not in the flood plain zone, correct; I'm looking at my notes from God knows which conversations, something about the elevations, A zone L seven, right, you need a certification for the pool equipment but not the pool, that came from our Building Permits Examiner; okay, well we'll hear that and they'll raise the pool equipment as they need to; I'm sorry; they can raise the pool equipment as they need to; right; as they need to, to adhere to that; right, __ certification and my recollection is coming back to me, I think that's a Building Department thing you know as regard to the permit; we had a discussion with Lori Beard Raymond; okay; introduce yourself; Christine Beckwith; okay; we had a discussion with Lori Beard Raymond; okay; and I had put her in contact with the surveyor; right; and they had cleared that up in regard to certification; okay; apparently there isn't a certification for the pool equipment but we will have it at the height that is necessary in regards to any flooding or anything like that; that's a Building Department thing, alright; right; what's the depth of the pool by the way; six; it goes from four to six; four to six but we have the three feet seven inches to the water line so as we were building it, we wanted to possibly go down to you know seven feet but nothing, nothing within the two feet of the groundwater because it was tested and basically we have three feet seven inches to the groundwater and to the Shelter Island Code, basically states that you can be, you need to have two feet from the groundwater to the base of the pool; right and there's dewatering allowed during the course of construction; exactly; well it's gotta go back anyhow so; but if it makes a difference in regards to approval, then we'll do it at six feet; thank you; let me just ask so we get it clear, when you had pools in the Near Shore, the Town had asked that they have automatic pool covers; yes; is that something that you would like to ask if they are interested in or are you interested in; we can discuss that I suppose; yeah; so do you have a problem with that; automatic pool cover; __ paying for it; to put an automatic pool cover, since the staircase is outside the rectangle of the pool, I don't think it's conducive, I mean we would have to put the stairs within the rectangular because the steps come out from the rectangle on the side, so to do it; I get the picture; so to do an automatic pool cover, the pool technically needs to be a full rectangle; right; so, but if that's one of the parameters then; it would have to be and why would it have to be a full rectangle; because it's an automatic pool cover, it will __ and it slides in a track; I'm just envisioning, there's no way the pool cover can come to an end; it can end short of the stairs but I don't know if that meets the goals; __ the length of the pool but you could talk to a pool person, maybe there is a possible adaptation you could have with the stairs, a short little thing; there might be covers you could put in; like a snap cover; a snap cover, yes, that's exactly what I was thinking of; just so you understand, the reason the Town Board is pushing for that is

that in the Near Shore areas the water table is so narrow that we would try to avoid pool evaporation because then it needs to be topped off and then you're just using up your eliminated water; I understand; __ , is it; ___ correct, it is supposed to be salt water; it's not saltwater right now; the salt water filtration; there is no; that's supposed to be, yes; you don't like pump bay water into it do you; no, not at all, just a matter of not using chlorine, it's salt __; so you top it off with freshwater; correct you do; it just requires far less salt, it's easier on the filtration system and everything else when you use that system; that system is already in the original resolution of 2009, and no water storage area, right, I don't recall any; I don't recall any; I don't think it was specified; no, no; I think have one or both of you present for, when they meet would be huge, I think just having you there you know, it always seems to be more favorable when the person is at the easy meeting whether it's the Planning Board or the WMAC or the CAC, it's always much better when you're present and you can address any concerns; as far as the pool cover goes, the configuration of the pool and it's not built yet, it's flexible, you could bring the stairs in; I don't know; or customize the cover; as far as customize the cover, or looking at this, they might be able to do I don't know because I don't know the specifics involved, you might be able to have two, one for the pool and a small one for the stairs, but I'm not positive on that because I don't know how they work exactly; or possibly put in like a forty-five degree steps into the pool and just do a rectangle pool; right; yes; that is a possibility, a lot of people do that; anything else sir; no that's all I have; thanks for coming in; thank you for your time.

The Supervisor declared the public hearing closed at 5:25 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 215

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Robert Waife/Shelter Island Ground Tackle, 9 North Ferry Road, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove at a location approximately 120' from mooring number O-3118 and 90' from mooring number O-3420, and

"Whereas", a public hearing was duly held on the 21st day of April, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation, with the proviso that said mooring shall only be used as an emergency storm mooring.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 216

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", Richard Clark, 6J Hager Road, has petitioned the Town of Shelter Island for permission to install a 32" x 24' seasonal aluminum ramp onto a 6' x 32' seasonal floating dock anchored by two 10" diameter anchor pilings at offshore end of the existing fixed dock in Menantic Creek, and

"Whereas", a public hearing was duly held on the 21st day of April, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That pursuant to Part 617, Section 617.10 of the State Environmental Quality Review Act and Chapter 60 of the Code of the Town of Shelter Island, notice is hereby given that the Town Board, as lead agency, has determined that the project will not have a significant effect on the environment, and a Draft Environmental Impact Statement will not be prepared.

Environmental Review Status pursuant to Chapter 60 of the Town Code of the Town of Shelter Island: Type II.

Reasons supporting this determination: The proposed dock extension:

1. will not cause an obstruction into navigable channels or an interference with navigation;

2. will not adversely affect the public's right to use Town waters or land under Town waters;

3. will not adversely affect shellfishing grounds or other aquatic wildlife which may exist in the immediate area;

4. will not adversely affect the quality of the tidal waters, shoreline or beaches;

5. will not adversely affect the rights of adjacent residents; and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned construction as per specifications filed, after said applicant, pursuant to Section 53-9 of the Code of the Town of Shelter Island, has filed with the Town Clerk a certificate that the owner has at least three hundred thousand ($300,000.00) dollars liability insurance on the location and operations covered by said permit, a copy of the contractor's current Home Improvement Contractor's License and a certificate from the contractor performing the operations covered by said permit that said contractor has an owner's/contractor's policy issued in favor of the Town of Shelter Island for the liability limits of at least five hundred thousand ($500,000.00) dollars covering operations of the contractor pursuant to said permit, and

BE IT FURTHER RESOLVED, That said operations shall be completed within one (1) year from the date of issuance of this permit; said permit is subject to the recommended limitations and any requirements that may be necessary under the New York State Department of Environmental Conservation, the Army Corps of Engineers, and any other agencies having jurisdiction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilwoman Lewis and seconded by Councilman Shepherd, the meeting was adjourned at 5:27 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

May 2, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 2nd day of May, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan and Councilwoman Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and six persons were present. All Town Board members signed a waiver of notice.

The Supervisor called the special meeting to order at 2:13 p. m.

RESOLUTION NO. 217

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That John Mahoney is hereby appointed to serve as part time Bay Constable for the year of 2017 at the rate of $20.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilman Shepherd, the special meeting was adjourned at 2:15 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

May 12, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 12th day of May, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and approximately thirty-five persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

RESOLUTION NO. 218

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Andrew Graffagnino is hereby appointed to the position of full time Police Officer effective immediately.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

Supervisor Dougherty administered the oath of office to Police Officer Andrew Graffagnino.

Correspondence included the following

1. A letter from James Murphy volunteering to serve on the Water Advisory Committee.

Supervisor Dougherty read a PROCLAMATION which had been presented to Frances Morino, Janet Rescigno, Henrietta Roberts, Virginia Schulze and Carol Gray, to honor them for their volunteerism for calling to check on senior citizens program. (A copy of these proclamations are attached to these minutes.)

RESOLUTION NO. 219

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Marc B. Kurnick, 2 Hillside Drive, has petitioned the Town of Shelter Island for permission to install a mooring in the northernmost cove of West Neck Bay, at a location designated as latitude 41.065667° north and longitude 72.363028° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 2nd day of June, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 220

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Philip Sabalja, 6C Westmoreland Drive, has petitioned the Town of Shelter Island for permission to construct a proposed fixed pier, ramp, floating dock, tie-of piles and stair up the bank, now, Therefore

BE IT RESOLVED, That pursuant to Section 53-9 of the Code of the Town of Shelter Island, a public hearing will be held at 4:41 p. m., prevailing time, on the 2nd day of June, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed construction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 221

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on February 17, 2017, Peter Grand was reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019, and

"Whereas", Mr. Grand has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Grand continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Peter Grand is hereby reappointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 222

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on January 27, 2017, George Zinger was reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2020, and

"Whereas", Mr. Zinger has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Zinger continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That George Zinger is hereby reappointed to serve as a member of the Waterways Management Advisory Council for a term to expire on February 1, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 223

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Mariana Koehler Torrealba is hereby appointed to serve as part time Detention Attendant for the year 2017 at the rate of $50.00 per hour for the first two hours and $20.00 per hour thereafter.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 224

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Jack Crowley is hereby appointed to serve as Summer Intern in the Building Department for the summer of 2017 at the rate of $18.00 per hour effective June through August.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 225

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Lisa Shaw as a member of the West Neck Water District Board of Directors expired on April 25, 2017, and

"Whereas", Ms. Shaw has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Lisa Shaw is hereby reappointed to serve as a member of the West Neck Water District Board of Directors for a term to expire on April 25, 2022.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 226

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Catherine Davidson is hereby appointed to serve as Minibus Driver for the year 2017, retroactive to April 26, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 227

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the Town of Shelter Island Police Department has received funds from the County of Suffolk under the Equitable Sharing Program administered by the Department of Justice, and

"Whereas", said funds may not be commingled into the ordinary budget funds according to the Department of Justice Equitable Sharing Guide and must therefore be maintained in a separate account and was unknown during the budgeting process, now, Therefore

BE IT RESOLVED, That the following budget revisions are hereby approved:

$16,675.96 increase to the 2017 A3120.493 Police Department Equitable Sharing Funds expense account, and the 2017 A2770R Equitable Sharing Funds revenue account is increased by $16,675.96, funded by the funds received from the County of Suffolk.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 228

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the grant funds in the amount of $25,000.00 received from the New York State Senate to a new revenue account 2017 A3289G 4 poster grant account, and the funds in the amount of $2,325.25 from the County of Suffolk to the 2016 general fund.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 229

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $3,096.00 from the A3120.493 Police Department equitable sharing account to CDW Government, 75 Remittance Drive, Suite 1515, Chicago, IL 60675-5723 for the Police Department's three year webex services contract.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 230

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the hours of the Clerk to the Committees is hereby increased from 35 hours per week to 40 hours per week retroactive to April 3, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 231

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $5,593.00 from the Police Department A3120.491 contracts account to Admit Computer Services, Inc., 500 Bi-County Blvd., Suite 122, Farmingdale, NY 11735, for the annual Impact software maintenance for the Police Department for the term June 1, 2017 through May 31, 2018.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 232

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Jay L. Card, Superintendent of Highways, has requested permission to advertise for sealed bids for 500 plus or minus tons of Type 6 asphaltic concrete picked up, and 3,000 tons of Type 6F asphaltic concrete delivered and applied for the year 2017, now, Therefore

BE IT RESOLVED, That said request to advertise is hereby approved, and

BE IT FURTHER RESOLVED, That the award of the bid shall be the decision of the Town Board.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 233

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the Commissioner of Public Works advertised for requests for sealed proposals from design professionals for the design and engineering of a public restroom facility at Crescent Beach; said proposals to be received by 3 p. m. on the 17th day of March, 2017, and

"Whereas", the following proposal was received and publicly opened and read aloud, as follows: Sherman Engineering & Consulting P. A., 70 Magnolia Dunes Circle, St. Augustine, Florida 32080, as follows:

Design service plans & specifications	$6,250.00
Sanitary design plans	$2,000.00
NYS DEC permit application	$2,250.00
SC Health Dept. Wastewater permit application	$1,200.00
SC Health Dept. Board of Review application	$3,600.00
(IF Variance from County Code is required)	
Town of Shelter Island wetlands permit application	$3,650.00
Bid Total	$18,950.00, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the aforementioned proposal to Sherman Engineering & Consulting P. A., 70 Magnolia Dunes Circle, St. Augustine, Florida 32080, the sole bidder for the aforementioned price.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 234

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", sealed bids for 500 plus or minus tons of Type 6F asphalt picked up were received by the Town Clerk's Office until 3:00 p. m. on the 11th day of May, 2017, at which time they were publicly opened and read aloud, as follows:

Corazzini Asphalt	$73.00 per ton,
East Island Asphalt	$85.00 per ton, and

"Whereas", sealed bids for 3,000 plus or minus tons of Type 6F asphalt delivered and applied were received by the Town Clerk's Office until 3:00 p. m. on the 11th day of May, 2017, at which time they were publicly opened and read aloud, as follows:

Corazzini Asphalt	$82.90 per ton installed,
South Fork Asphalt	$93.81 per ton installed, and
Rosemar Construction	$98.00 per ton installed, and

"Whereas", the Superintendent of Highways and the Town Board have reviewed the aforementioned bids, now, Therefore

BE IT RESOLVED, That the Town Board hereby awards the bid for 500 plus or minus tons of asphalt picked up, to Corazzini Asphalt, the lowest responsible bidder, for the amount of $73.00 per ton, and

BE IT FURTHER RESOLVED, That the Town Board hereby awards the bid for 3,000 plus or minus tons of asphalt, delivered and applied to Corazzini Asphalt, the lowest responsible bidder, for the amount of $82.90 per ton.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 235

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,140.00 from the A1110.415 Justice Court computer programs account to Service Education, Inc., 790 Canning Parkway, Suite 1, Victor, New York 14564 for the CourtRoom Program annual license/maintenance agreement fee for the period June 1, 2017 through May 31, 2018.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 236

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That pursuant to Section 3 A 1) of Chapter 133, Zoning, of the Shelter Island Town Code, a fee of $150.00 is hereby established to be charged for the issuance of an annual short term rental license.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 237

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the following 2016 budget transfers are hereby approved:
$535.00 from the CP8710.483 Community Preservation Fund surveys account to the A8709.159 Community Preservation Fund clerk personal services account;
$11,595.00 from the B3621.101 Building Permits Coordinator longevity account,
$275.00 from the B8710.472 Conservation Advisory Council pamphlets and public info account, and
$5,475.00 from the B9060.800 Part Town health insurance account, and dispersed as follows:
$11.00 to the B1980.499 MTA payroll tax account,
$685.00 to the B3620.101 Building Inspector personal services account,
$488.00 to the B3620.103 Building Inspector clerk personal services account,
$387.00 to the B3620.107 buy back account,
$2,214.00 to the B3621.100 Building Permits Coordinator personal services account,
$685.00 to the B8010.101 Zoning Officer personal services account,
$874.00 to the B8010.103 Zoning Clerk personal services account,
$31.00 to the B8010.440 Zoning Officer training account,
$1.00 to the B8012.101 Zoning Board of Appeals personal services account,
$4,792.00 to the B8012.102 Zoning Board of Appeals clerk personal services account,
$1,955.00 to the B8020.102 Planning Board clerk personal services account,
$275.00 to the B8030.485 Water Advisory Committee salt water monitoring account,
$1,146.00 to the B9010.800 State Retirement account,
$256.00 to the B9030.800 Social Security account,
$1,755.00 to the B9040.800 Workers Compensation account, and
$1,790.00 to the B9060.801 health insurance stipend account;
$4,466.00 from the DA5130.152 Highway Machinery overtime personal services account,
$1,101.00 from the DA5130.154 Highway Machinery double overtime personal services account,
$2,981.00 from the DA5140.168 Highway Machinery double overtime personal services account, and
$8,135.00 from the DA9060.847 Highway health insurance account, and dispersed as follows:
$487.00 to the DA5130.146 Highway Machinery mechanic personal services account,
$5,080.00 to the DA5130.156 Highway Machinery buy back personal services account,
$1,628.00 to the DA5140.148 Highway Machinery vacation sell back account,
$129.00 to the DA5140.151 Highway Brush & Weeds personal services account,
$1,224.00 to the DA5140.155 Highway Brush & Weeds personal services account,
$803.00 to the DA9010.846 Highway Machinery retirement account,

$2,522.00 to the DA9010.847 Highway Snow Removal retirement account,
$521.00 to the DA9030.846 Highway Machinery Social Security account,
$975.00 to the DA9040.846 Highway Machinery Workers Compensation account,
$390.00 to the DA9040.847 Highway Snow Removal Workers Compensation account, and
$2,924.00 to the DA9040.848 Highway Brush & Weeds Workers Compensation account; and
$6,950.00 from the DB5110.441 Highway Repair & Improvements fuel account, and
$376.00 from the DB5110.482 Highway Repair & Improvements MS4 maintenance account and dispersed as follows:
$3,761.00 to the DB5110.146 Highway Repair & Improvements personal services account,
$1,499.00 to the DB5110.148 Highway Repair & Improvements personal services account,
$77.00 to the DB5110.149 Highway Repair & Improvements personal services account,
$551.00 to the DB5110.159 Highway Repair & Improvements overtime personal services account,
$248.00 to the DB5110.162 Highway Repair & Improvements deferred compensation account,
$184.00 to the DB5110.180 Highway Repair & Improvements MS4 personal services account,
$18.00 to the DB5110.181 Highway Repair & Improvements longevity account,
$458.00 to the DB9010.845 Highway Repair & Improvements retirement account,
$335.00 to the DB9030.845 Highway Repair & Improvements Social Security account, and
$195.00 to the DB9040.845 Highway Repair & Improvements Workers Compensation account; and

BE IT FURTHER RESOLVED, That the following 2016 budget modification is hereby approved:
$502.00 from the Waterways Fund Balance to the A5710.100 Waterways Management Advisory Council clerk personal services account; and

BE IT FURTHER RESOLVED, That the following transferals of 2017 funds are hereby approved:
$5,000.00 from the A8160.442 Landfill purchase of bags account to the A1490.421 Public Works Congdon's Creek Dock account;
$8,560.00 from the A1990.400 Contingent account and dispersed as follows:
$3,860.00 to the A6776.408 Silver Circle maintenance account,
$4,200.00 to a new A8389.100 Water Quality Improvement clerk personal services account, and
$500.00 to a new A8389.484 Water Quality Improvement Projects account;
$250.00 from the A7320.200 Youth Center equipment account to the A7320.484 Youth Center office and miscellaneous account;
$1,000.00 from the A8160.437 Landfill contingency account to the A8160.435 Landfill hazardous waste facility maintenance account; and
$400.00 from the A8160.488 Landfill high visibility clothing account to the A8160.484 Landfill office and miscellaneous account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 238

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That general claims numbered 540 through 715 in the amount of $127,847.02, highway claims numbered 77 through 91 in the amount of $18,066.96, and West Neck Water claims numbered 12 through 13 in the amount of $319.70 are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:50 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed amendments to the MILDRED FLOWER HIRD NATURE PRESERVE - EAST STEWARDSHIP MANAGEMENT PLAN.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Gordon or Laury, Gordon is the Chair of our community land

preservation board, I see the Hunt family is here, Esther was terribly generous years ago in doing these two transactions; the children are here; I know, I know; it's been, we're just revising the plan to make sure that the stewardship plan, okay, is reflecting the wishes of the family, okay and the stone, I'm kind of excited about that cause I think that the stone from a safety point of view with the plaque there, identifies the entrance to the parks so that during the hunting season, when Beau Payne puts the signs up for hunting, it will be really where the designated entrance is, I think from a safety point of view, I think it's a really good measure, okay and the signs that were there previously which were the yellow no hunting signs, private property, our proposal is to basically, this is what we used in the past is the small green sign like this okay which showed it as open space, what we're proposing in case we have the same color sign that this be a mock up of it which basically identifies the property as the Mildred Flower Hird Nature Preserve East or West, okay, it's preserved as open space, the logo of the Town of Shelter Island, the Village of Dering Harbor, the Township of Shelter Island and Suffolk County will be there and again with no hunting, a phone number to contact someone within the Town, it will be the same color, it will be posted at each end, it should blend with the property and I think it's a much more aesthetically pleasing and I think where it belongs to the Town and the taxpayers, I'm very excited about having this __, okay, that's basically all I have to say, what we're doing is making a small modification; thank you very much; Esther; I didn't hear, when Dottie read the thing, I didn't hear Village of Dering Harbor; I don't think it said; that was in reference to hunting, that's all, I think she was reading something about restrictions related to hunting but I think the bronze plaque has all three; __ any of the other things that mention both the Town and the County should also mention the Village; absolutely; thank you very much.

The Supervisor declared the public hearing closed at 4:55 p. m. and called to order the public hearing to be held as advertised on proposed amendments to the MILDRED FLOWER HIRD NATURE PRESERVE - WEST STEWARDSHIP MANAGEMENT PLAN.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: is it a total of about thirty-six acres, is that what it is; it's close to that; fourteen and eleven; Peter; this is one of the most beautiful properties on Shelter Island, it has mature woodlands, beautiful for walking the distance down to the saltwater marsh and creek, perfect for bird watching, it's a beautiful legacy that you and your family have left us; yes I second that, I had the pleasure at difficult times of negotiating with Esther on these two magnificent pieces of open space and you made such a contribution, you and your family and as you say, your children, one of them is here today, Bridg, to the long term enjoyment of Shelter Island, protecting our aquifer, moderating development and providing as my colleagues have said, opportunities for our fellow neighbors and friends and visitors to walk in nature, so thank you Esther very much and it's great to see you, thanks for coming up here today for the hearing; it's also a nice backdrop for the Catholic Cemetery; yeah; so you don't have a building and houses right behind the Catholic Cemetery, it's very nice as a person who has his parents buried up there, that's a nice, it's a nice thought, it really is very pleasing; one quick thing, I came from a rural background and moved to Shelter Island in the early nineties, my sister-in-law lived next to your property and we would explore those woods and it would be nice, it was just beautiful and __; thanks.

The Supervisor declared the public hearing closed at 4:58 p. m. called to order the public hearing to be held as advertised on a proposed LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 113, SWIMMING POOLS RE: SEPTIC SETBACK.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: one little, I'm not sure, the original intent was to lessen the amount of separation we needed from the pool, we've also with the way it's worded got fifty feet from all surface waters, I don't think we can do that, I think it has to be seventy-five feet, at least by the DEC regs, right; so we need to correct that; well you have to say any wells __ and seventy-five feet from all surface waters; yeah and at least seventy-five feet from all surface waters, so the word and at least seven feet from, that would the only thing; we could just add that; __; __; that's the only thing I found; good catch Paul.

The Supervisor declared the public hearing closed at 5:00 p. m. and reconvened the recessed public hearing on the application of Robert Sloan, 171 North Ram Island Drive, for permission to remove and replace 100 linear feet of existing deteriorated timber jetty in same location with new vinyl .

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: they were just waiting for the DEC permission and they got it, they hadn't submitted that with the original application, they got it and they got a seven to zero okey dokey from the committee; WMAC; yes; oh good; it's just a replacement; it looked good to me.

The Supervisor declared the public hearing closed at 5:01 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 239

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 12th day of May, 2017, on a proposed amendment to the MILDRED FLOWER HIRD NATURE PRESERVE - EAST STEWARDSHIP MANAGEMENT PLAN, and

"Whereas"', all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Public Access and Signage Section of the MILDRED FLOWER HIRD NATURE PRESERVE - EAST STEWARDSHIP MANAGEMENT PLAN is hereby amended, to wit:

Amend the Public Access and Signage Section of The Mildred Flower Hird Nature Preserve - East Stewardship Management Plan to read as follows:

Public access should be from Manhanset Road, almost opposite the entrance to The Mildred Flower Hird Nature Preserve West, as the road has a small shoulder for parking at that location. The Town will erect a bronze plaque embedded into a large stone identifying the preserve name along with its intended usage at a point along Manhanset Road. The property should be available for the public to walk. Future signage will not contain any restrictions indicating "Private Property" or "No Trespassing". In addition to the bronze plaque, there will be "Town of Shelter Island, Village of Dering Harbor, County of Suffolk, Preserved Open Space" signs modified to reflect "Hunting by Permit Only" with a contact phone number to Town Representative.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 240

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 12th day of May, 2017, on a proposed amendment to the MILDRED FLOWER HIRD NATURE PRESERVE - WEST STEWARDSHIP MANAGEMENT PLAN, and

"Whereas"', all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Public Access and Signage Section of the MILDRED FLOWER HIRD NATURE PRESERVE - WEST STEWARDSHIP MANAGEMENT PLAN, is hereby amended to read as follows:

Public access to this parcel should be from the southerly area of Manhanset Road near the boundary shared with the Catholic Cemetery, as the road has a small shoulder for parking at that location.

The Town will erect a bronze plaque embedded into a large stone identifying the preserve name along with its intended usage at a point along Manhanset Road. The property should be available for the public to walk. Future signage will not contain any restrictions indicating "Private Property" or "No Trespassing". In addition to the bronze plaque, there will be "Town of Shelter Island, Village of Dering Harbor, County of Suffolk, Preserved Open Space" signs modified to reflect "Hunting by Permit Only" with a contact phone number to Town Representative.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 241

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", a public hearing was duly held on the 12th day of May, 2017, on a proposed LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 113, SWIMMING POOLS, RE: SEPTIC SETBACK, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 5 - 2017, ENTITLED AMENDMENTS TO CHAPTER 113, SWIMMING POOLS, RE: SEPTIC SETBACK, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Amend Chapter 113, Swimming Pools, of the Shelter Island Town Code as follows:

A. Section 113-5 Permits, subsection (B)(6)(c) shall be amended as follows:

c. Effluent drywells must be vented or covered with a grate and sited at least 50 feet from any wells supplying potable water and all surface waters, including freshwater and tidal wetlands and at least 75 feet from any septic system including such facilities on neighboring properties.

Section 2. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 242

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Robert Sloan, 171 North Ram Island Drive, has petitioned the Town of Shelter Island for permission to remove and replace 100 linear feet of existing deteriorated timber jetty in same location with new vinyl jetty, and

"Whereas", a public hearing was duly held on the 24th day of June, 2016, and reconvened on the 12th day of May, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That pursuant to Part 617, Section 617.10 of the State Environmental Quality Review Act and Chapter 60 of the Code of the Town of Shelter Island, notice is hereby given that the Town Board, as lead agency, has determined that the project will not have a significant effect on the environment, and a Draft Environmental Impact Statement will not be prepared.

Environmental Review Status pursuant to Chapter 60 of the Town Code of the Town of Shelter Island: Type II.

Reasons supporting this determination:

The proposed jetty replacement:

1. will not cause an obstruction into navigable channels or an interference with navigation;
2. will not adversely affect the public's right to use Town waters or land under Town waters;
3. will not adversely affect shellfishing grounds or other aquatic wildlife which may exist in the immediate area;
4. will not adversely affect the quality of the tidal waters, shoreline or beaches;
5. will not adversely affect the rights of adjacent residents; and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned construction as per specifications filed, after said applicant, pursuant to Section 53-9 of the Code of the Town of Shelter Island, has filed with the Town Clerk a certificate that the owner has at least three hundred thousand ($300,000.00) dollars liability insurance on the location and operations covered by said permit, a copy of the contractor's current Home Improvement Contractor's License and a certificate from the contractor performing the operations covered by said permit that said contractor has an owner's/contractor's policy issued in favor of the Town of Shelter Island for the liability limits of at least five hundred thousand ($500,000.00) dollars covering operations of the contractor pursuant to said permit, and

BE IT FURTHER RESOLVED, That said operations shall be completed within one (1) year from the date of issuance of this permit; said permit is subject to the recommended limitations and any requirements that may be necessary under the New York State Department of

Environmental Conservation, the Army Corps of Engineers, and any other agencies having jurisdiction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilwoman Lewis, the meeting was adjourned at 5:09 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

May 23, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 23rd day of May, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and approximately thirty-three persons were present. All Town Board members signed a waiver of notice.

The Supervisor called the special meeting to order at 1:00 p. m.

RESOLUTION NO. 243

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a vacancy exists in the position of Sergeant in the Shelter Island Police Department, and

"Whereas", the Town Board/Police Commission has interviewed applicants for said position, now, Therefore

BE IT RESOLVED, That Police Officer Christopher Drake is hereby appointed to serve as Sergeant for the Shelter Island Police Department effective immediately.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

Supervisor Dougherty administered the oath of office to the newly appointed Police Sergeant Christopher Drake.

RESOLUTION NO. 244

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Taylor Rando is hereby appointed to serve as Traffic Control Officer for the year 2017 at the rate of $14.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 245

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Robert Hitscherich is hereby appointed to serve as Traffic Control Officer for the year 2017 at the rate of $15.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 246

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Desirae Hubbard is hereby appointed to serve as Traffic Control Officer for the year 2017 at the rate of $15.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 247

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $239.00 to Chase Card Services from the A1015.400 media office and miscellaneous account for the annual maintenance charge for the Town website.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Shepherd and seconded by Councilman Colligan, the special meeting was adjourned at 1:07 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

May 24, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 4th day of May, 2017. Town Board members present were Councilman Paul D. Shepherd and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and one person were present. The Town Board members present signed a waiver of notice.

The Deputy Supervisor called the special meeting to order at 11:32 a. m.

RESOLUTION NO. 248

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the Town of Shelter Island and the Shelter Island Police Benevolent Association are parties to a collective negotiations agreement covering the period January 1, 2015 through December 31, 2018; and

"Whereas", the Town Board, pursuant to the Town/PBA collective negotiations agreement, conducted a Grievance Hearing on May 1, 2017 regarding an appeal filed by PBA unit member Sgt. James Cronin regarding the denial by Police Chief James Read of a grievance filed by Sgt. Cronin that was placed into evidence during the hearing as Exhibit "I"; and

"Whereas", the Town Board has duly and carefully considered the information placed before it by Sgt. Cronin, reviewed the relevant provisions of the Town/PBA collective negotiations agreement (Exhibit "A"), and considered other information, some of which is set forth below, as part of its deliberations ; and

"Whereas", the Town Board has decided to deny the appeal and wishes to set forth some of its reasoning for same including, but not limited to:

1. <u>The Grievance Was Not Timely Filed</u>

2. The Town/PBA collective negotiations agreement, at Article VI, Section 5, requires that grievances be filed within 10 working days from when the employee "knew or should have known of the facts underlying the grievance";

3. Sgt. Cronin, for many months before filing his grievance, knew (*e.g.*, Exhibit "D") and complained about what he perceived to be the Town's refusal to interpret Town/PBA collective negotiations agreement Article IV, Section 2, regarding one year final average salary, as applying to Tier 2 employees such as himself; and

4. Sgt. Cronin stated during his April 14, 2017 appearance before the Town Board and also during the May 1, 2017 hearing that he had been complaining about the Town's refusal to

guarantee him the one year final average salary benefit for more than 10 working days before when he finally filed his grievance; and

5. The Town Board further notes that Sgt. Cronin stated during his April 14, 2017 appearance before the Town Board and also during the May 1, 2017 hearing that several other components of his grievance (*e.g.*, regarding payback days and being rescheduled) have been longstanding issues/problems prior to his filing the grievance;

6. The Grievance Does Not Establish A Violation of the Complained About Provisions of the Town/PBA Collective Negotiations Agreement

7. Article IV, Section 2 was not violated because the PBA did not negotiate into the Town/PBA collective negotiations agreement the benefits of Retirement and Social Security Law Section 443(f) (*e.g.,* Exhibits "F", "G") the adoption and implementation of which is required in order for Tier 2 members such as Sgt. Cronin to receive the one year final average salary benefit;

8. Sgt. Cronin's assertion (*e.g.*, Exhibits "B", "C", "K") that the Town agreed to provide him with the one year final average salary benefit during collective bargaining is inconsistent with the language contained in the various Town/PBA collective negotiations agreements to which he cites;

9. It is also inconsistent with the memoranda of agreement between the Town and the PBA settling the negotiations that led to the execution of those collective negotiations agreements;

10. It, and his personal recollections regarding the relevant negotiations, are also inconsistent with the Town's and its agent's records from those and other rounds of Town/PBA collective negotiations;

11. With regard to the other alleged contract violations complained about by Sgt. Cronin, the Town Board notes that Sgt. Cronin has twice (including during the hearing as well as during his April 14, 2017 appearance before the Board) stated that the only reason that he was making these complaints was to try to find another way to provide himself with financial benefits that he perceived would off-set the monies that he believed that he would lose as a result of the Town not granting him the one year final average salary benefit (something the Town cannot do outside of collective negotiations with the PBA and which it has refused to do during previous contract negotiations);

12. There is no violation of the Town/PBA collective negotiations agreement's holiday pay provision because the Town/PBA's practice has been to prorate this benefit for employees separating mid-year (*i.e.*, after January 1) from employment and because holiday payments, like salary, cease upon separation from employment;

13. There is no violation of the Town/PBA collective negotiations agreement's longevity pay provision because the Town/PBA's practice has been to prorate this benefit for employees separating mid-year (*i.e.*, after January 1) from employment and because longevity payments, like salary, cease upon separation from employment;

14. There is no violation of the Town/PBA collective negotiations agreement's personal days provision because the agreement explicitly provides for prorating for employees separating mid-year (*i.e.*, after January 1) from employment;

15. There is no violation of the Town/PBA collective negotiations agreement's payback days provision because the agreement does not prohibit the complained of long-standing practice;

16. There is no violation of the Town/PBA collective negotiations agreement's cleaning allowance, night differential, uniform allowance and cell phone provisions because Sgt. Cronin provided no evidence about, and thus abandoned his appeal concerning them and, in any event, the agreement does not prohibit the complained of long-standing practices; and

17. There is no violation of the Town/PBA collective negotiations agreement's rescheduling provision because the agreement does not prohibit the complained of long-standing practice; now, Therefore

BE IT RESOLVED, That Sgt. Cronin's grievance is hereby denied as having not been timely filed and, even if it was timely filed, as not having established a violation of the provisions of the Town/PBA collective negotiations agreement to which he referred the Board during the hearing.

Vote: 3 in favor 0 opposed 2 absent

The resolution was thereupon declared duly adopted.

On motion of Councilman Shepherd and seconded by Councilwoman Brach-Williams, the special meeting was adjourned at 11:34 a. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

June 2, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 2nd day of June, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, and Town Clerk Dorothy S. Ogar were present. All Town Board members signed a waiver of notice.

The Supervisor called the special meeting to order at 4:00 p. m.

Supervisor Dougherty moved and Councilman Shepherd seconded to go into executive session to discuss collective bargaining and personnel. This motion was carried.

On motion of Councilman Colligan and seconded by Councilman Shepherd, the special meeting was adjourned at 4:28 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

June 2, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 2nd day of June, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and five persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. A letter from the Shelter Island Chamber of Commerce requesting permission to hang their announcement banner for the Art Show & Craft Fair across Route 114.
2. A letter from Delphine "Kelly" Michalak resigning from the position of Custodian.

The Supervisor presented the following financial report for the month of April, 2017:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
APRIL 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Checking	3,453,227.56	139,837.30	532,605.65	3,060,369.21	770,989.45
Hwy Checking	837,941.76	65,079.34	93,561.43	809,459.67	
T&AChecking	63,363.09	209,519.64	203,898.07	68,984.66	15,418.10
T&A Savings	12,224.25	0.28	0.00	12,224.53	
Hwy Cap Res	288,946.07	6.65	0.00	288,952.72	

WNW Supply	31,032.08	4,375.84	60.00	35,347.92	110,103.41
Taylor's Island	39,984.74	3.27	0.00	39,988.01	
Comm Preserv	5,708,523.63	249,576.33	0.00	5,958,099.96	1,594,325.62
Waterways	219,618.81	3,840.00	0.00	223,458.81	
Reserve Fund	673,183.35	5,409.87	0.00	678,593.22	
Bridge St Esc	0.00	0.00	0.00	0.00	353,514.13
Environmental	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Res	7,658.33	0.00	0.00	7,658.33	
Ambul Reserv	307,637.65	12.31	0.00	307,649.96	
Ambul Train	29,079.30	0.67	0.00	29,079.97	
TOTALS	11,688,170.62	677,661.50	830,215.15	11,535,616.97	2,844,350.71

The Supervisor reported that the following Proclamations had been presented:

A PROCLAMATION honoring John Capon for his service to the Shelter Island Fire Department for sixty years. (A copy of this proclamation is attached to these minutes.)

A PROCLAMATION honoring Albert and Tippi Bevan for earning the distinction of being chosen as Citizens of the Year by the Shelter Island Lions Club for 2017. (A copy of this proclamation is attached to these minutes.)

RESOLUTION NO. 249

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Terry Becker and Bruce Kim, 94 Gardiner's Bay Drive, have petitioned the Town of Shelter Island for permission to install a mooring in Gardiner's Bay at a location designated as latitude 41.106917° north and latitude 72.330417° west; said location was formerly occupied by the Lemond O-2786 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 23rd day of June, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 250

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the term of Herb Stelljes as a member of the Green Options Advisory Committee expired on May 10, 2017, and

"Whereas", Mr. Stelljes has expressed his interest to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Herb Stelljes is hereby reappointed to serve as a member of the Greens Options Advisory Committee for a term to expire on May 10, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 251

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That John Sturges is hereby appointed to serve as Lifeguard for the year 2017 at the rate of $17.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 252

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Morgan McCarthy is hereby appointed to serve as Lifeguard for the year 2017 at the rate of $17.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 253

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Patrick Anderson is hereby appointed to serve as Lifeguard for the year 2017 at the rate of $17.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 254

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Erik Thilberg is hereby appointed to serve as Lifeguard for the year 2017 at the rate of $16.50 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 255

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Domenico Seddio is hereby appointed to serve as Lifeguard for the year 2017 at the rate of $16.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 256

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Arthur P. Bloom is hereby appointed to serve the Town as part time Fire Marshall for up to but not exceeding ten hours per week at the rate of $25.00 per hour, effective June 5, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 257

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $665.20 from the 2017 A3120.491 Police Department service contracts account to Carr Business Systems, P. O. Box 28330, New York, New York 10087-8330 for the annual maintenance contract for the period January 24, 2017 through January 23, 2018, for the second copy machine in the Police Department.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 258

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the contract for 2016 audit of Community Preservation funds between the Town of Shelter Island and George R. Rehn, CPA, 286 Main Street, East Setauket, New York 11733, for an amount not to exceed $4,000.00; said fee to be paid after audit from the Community Preservation Fund.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 259

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Shelter Island 10K Run, Inc. has requested permission, as per application dated May 18, 2017, to hold an after race party on Saturday, June 17, 2017, at 5:30 p. m. through 10 p. m. at the Island Boatyard, and

"Whereas", the required fees of $100.00 application fee and $100.00 compliance fee have been submitted, and

"Whereas", the Shelter Island Highway Department has stated that if there are any markings on the street, it must be washable and any signage removed immediately after the event, and as in the past, the Highway Department will coordinate any details with the events committee, and

"Whereas", the Shelter Island Police Department responded that they are prepared to assist with this event as they have done in the past, with the full understanding that the event has a private security firm hired via Hampton Management, that regarding amplified music from the post race party, they will be considered exempt as per statute as a charitable organization, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 260

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Shelter Island 10K Run Board has requested permission as per letter and application, to hold the 38th annual Shelter Island Run and the Five Kilometer Fun Walk on Shelter Island on Saturday, June 17, 2017, at 5:30 p. m., and

"Whereas", the required fees of $100.00 application fee and $100.00 compliance fee have been submitted, and

"Whereas", pursuant to Section 33-2 B (2), the Town Board has determined that the proposed Run and Walk will benefit the Town, and no fees will be required for Police and Highway costs associated with the event, and

"Whereas", the Police Department has responded that they are prepared to assist with this event as they have done in the past, and

"Whereas", the Superintendent of Highways responded that if there are any markings on the street, they must be washable, and any signage removed immediately after the race, and the Highway Department will coordinate any details with the racing committee, now, Therefore

BE IT RESOLVED, That said request is hereby approved subject to the Highway Department recommendations as follows:

(a) if there are any markings on the street, it must be washable and any signs removed immediately after the race, and

BE IT FURTHER RESOLVED, That the Town Board strongly encourages all runners, residents, and visitors to cooperate in order to protect the health, safety and welfare of all.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 261

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the Commissioner of Public Works of the Town of Shelter Island is applying to the Department of Environmental Conservation for permits concerning the Hi-Berry Lane dredging project and the Taylor's Island south seawall bulkheading project, and

"Whereas", a fee is required for the filing of said applications for said projects, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the following sums as stated: $200.00 from the 2017 Public Works A1490.422 dredging account to the Department of Environmental Conservation for the Hi-Berry Lane dredging project; and $200.00 from the 2017 Taylor's Island A8510.412 dock repairs account to the Department of Environmental Conservation for the south seawall project, for the filing of said applications.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION. 262

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Reich, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $844.64 from the A1620.476 buildings computer maintenance account to Dell, Inc., One Dell Way, Mail Stop 8129, Round Rock, Texas 78682, for a two year warranty on the Highway Department Power Edge T320 server, tag number 435ZK02 for the period May 8, 2017 through May 7, 2019.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 263

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Jenny Landey Productions, 207 Three Mile Harbor H C Road, East Hampton, New York 11937, has requested a filming permit for June 12 and 13, 2017, for filming at 5 Seagate Road, and

"Whereas", the filming crew consists of approximately 15 persons, 2 cube trucks, 1 passenger van, 1 cargo van, 1 suv, and 2 cars, and

"Whereas", said application has been reviewed by the Police Department and Highway Department, and

"Whereas", the Highway Department has responded that there must not be any obstructions on the road or walkways during the filming and all garbage must be picked up in the area, and

"Whereas", the Police Department is recommending that the majority of the vehicles should be parked on the location property (5 Seagate Road), especially large commercial type vehicles, and that vehicles parked off of location property (if any) on the public roadway should be parked on the shoulder of the road, in the direction of travel, and should not obstruct normal roadway usage, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to issue the aforementioned filming permit upon receipt of the following fees:

Minor filming application fee	$500.00
Two days filming fees $1,000 per day	$2,000.00, and
Clean up deposit	$1,000.00.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 264

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", John and Kathleen King have applied to the Shelter Island Town Board for permission to construct a pool and patio within the regulated area at 29 Winthrop Road, Shelter Island, New York and zoned C-Residential/Near Shore and Peninsular Overlay District, designated as Suffolk County Tax Map Lot 0700-07-04-15.2; and

"Whereas", the applicants seek to construct a swimming pool and patio within the regulated area as depicted on the survey by John C. Ehlers last revised March 29, 2017, so that the project is subject to Chapter 129 of the Code of the Town of Shelter Island; and

"Whereas", the application was referred to the Planning Board and Conservation Advisory Council for recommendations, and recommendations have been submitted and considered; and

"Whereas" the New York State Department of Environmental Conservation issued a letter of non-jurisdiction; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on April 21, 2017, and

"Whereas", this Board now wishes to render a decision on this wetlands application, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board finds that this is a Type II action which will not result in a significant adverse impact on the environment; and

BE IT FURTHER RESOLVED, That the Town Board makes the following findings as to the application:

1) The parcel is a 1.54 acre parcel bordering Dering Harbor, which is currently developed with a two-story house located 10' from the wetlands; and

2) The parcel has an unusual triangular shape, with 566' frontage along the wetlands and 665' frontage along Winthrop Road; and

3) Applicants seek to construct a swimming pool and patio 82' varying to 78' from the wetlands; and

4) Applicants indicate the maximum groundwater elevation at this site is 3.7' below the lowest depth of the pool so that dewatering will not be necessary during construction, but measures must be taken to ensure that the pool is above the water table which are reflected in the conditions of approval; and

5) The swimming pool will have an automatic swimming pool cover to reduce water loss, which is important to protect the water table in this area; and

6) As mitigation, applicants state they will install an automatic pool cover and pool drywell outside the vegetative buffer, as well as maintain silt fencing during construction to prevent stormwater runoff; and

7) Applicants had received a prior approval to construct a larger pool and patio in 2009, but the pool was not built, and the wetlands approval lapsed; and

8) The Town Board has determined that the covenants against future construction required as part of the 2009 pool approval should not limit construction of this 2017 pool, but will continue to limit any future development in the wetlands regulated area; and

BE IT FURTHER RESOLVED, That the wetlands permit to construct a swimming pool and patio within the regulated area for the premises located at 29 Winthrop Road, Shelter Island, New York, is hereby granted, subject to the following conditions:

1) The above-described project shall be constructed as depicted on the survey by John C. Ehlers last revised March 29, 2017; and

2) The following mitigation measures shall be in place prior to issuance of a certificate of occupancy: install an automatic pool cover and pool drywell outside the vegetative buffer; and

3) In order to prevent intrusion of this project into the water table and the negative impacts of any associated dewatering, applicants are required to have a Building Department inspection after the pool excavation and prior to installation of the pool to verify that the pool will be above the groundwater; and

4) During construction, there shall be no parking which would block Winthrop Road, and all construction supplies and parking should be on the subject parking behind the silt fence and kept as far from the wetlands as possible; and

5) During construction, wire-backed silt fences shall be securely placed at the location shown on the above-described site plan. The silt fence shall be maintained throughout construction and until the disturbed soil has been stabilized. Soil disturbance should be minimized where possible. Construction materials and equipment shall be staged outside the regulated area; and

6) Construction procedures and erosion controls shall be designed to prevent any runoff from disturbed ground into the wetlands areas. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and

7) Prior to issuance of a wetlands permit, the applicants must file a certificate of insurance with the Town Clerk showing the Town of Shelter Island as an additional insured under a comprehensive general liability policy with a minimum limits of $500,000; and

8) This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That copies of this approval shall be filed with the Building Inspector.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 265

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $3,187.50 to the Coecles Harbor Marina from the Police Department 2017 A3120.479 boat maintenance account for the 2017 seasonal dockage for the Police boat.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 266

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Assemblyman Fred W. Thiele has introduced a bill A. 479 - A and Senator Kenneth LaValle has introduced a bill S.1386A entitled "AN ACT to amend the environmental conservation law, in relation to crossbows, and to repeal certain provisions of such law relating thereto, and

"Whereas", The Deer and Tick Committee of the Town of Shelter Island has recommended that the Town Board support the proposed legislation, now, Therefore

BE IT RESOLVED, That the Town Board of the Town of Shelter Island does hereby support the proposed home rule request as submitted by Assemblyman Thiele and Senator LaValle, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to execute and forward the Home Rule Request forms to the Home Rule Counsel's Offices in Albany, New York.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 267

Councilman Shepherd offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

"Whereas", the Shelter Island Chamber of Commerce has requested permission to hang an announcement banner across Route 114 between the Shelter Island Presbyterian Church building and the Verizon pole on the south side of Route 114, advertising the 54th Art Show and Craft Fair event for Saturday, August 26, 2017, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 268

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Noam Gottesman, 121 South Ferry, LLC, 121 South Ferry Road, has petitioned the Town of Shelter Island for permission to install a mooring in Smith's Cove, approximately 170' south of the O-3245 Casey mooring and approximately 200' east of the O-3254 Russekoff mooring; said mooring location was formerly occupied by the Frowein O-2712 mooring, and further designated as latitude 41.04870° north and 72.31760° west, and

"Whereas", a public hearing was duly held on the 17th day of February, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the installation of a mooring in Smith's Cove at a location designated as latitude 41.049251° north and longitude 72.31685° west.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 269

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute a Short Term Rental Helper Software License Agreement between the Town of Shelter Island and Mr. John Spuhler, CEO of Bear Cloud Software, 69 North Paradise Parkway, Building B, Suite 224, Garden City, Utah 84028, for the provision of a master STR database for the Town of Shelter Island to manage and provide the Town with necessary information concerning short term rentals within the Town, for an annual fee of $3,600.00 per year.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 270

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:41 p. m., prevailing time, on the 23rd day of June, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled AMENDMENT TO CHAPTER 126, VEHICLES AND TRAFFIC, SECTION 126-8 of the Code of the Town of Shelter Island, as follows:
Be it enacted by the Town Board of the Town of Shelter Island, to wit:
Section 1. Add a new Section 126-8 HH, as follows:

Section 126-8 HH: No person shall park a vehicle, nor shall the registered owner of a vehicle cause, suffer, allow or permit said vehicle to park along Route 114 from the Town Dock on Bridge Street to a point 150 feet south and ending at Verizon pole 11, between the hours of 1:00 a. m. and 5:00 a. m.
Section 2. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.
Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 271

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved:
$930.00 from the A1355.104 Assessors Clerk personal services account to the A1355.484 Assessors office and miscellaneous account;
$3,000.00 from the A1990.400 Contingent account to the A1010.484 Town Board office and miscellaneous account;
$30.00 from the A3120.271 Police Department boat equipment to the A3120.479 Police Department boat maintenance account;
$1,100.00 from the A8160.437 Landfill contingency account to the A8160.484 Landfill office and miscellaneous account; and
$7,500.00 from the B1990.400 Part Town Contingent account to a new B3622.100 Fire Marshall personal services account.
Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 272

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That general claims numbered 716 through 851 in the amount of $59,531.83, and highway claims numbered 92 through 107 in the amount of $232,565.39, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.
Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

At 4:57 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Marc B. Kurnick, 2 Hillside Drive, for permission to install a mooring in the northernmost cove of West Neck Bay, at a location designated as latitude 41.065667° north and longitude 72.363028° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: the vote from the WMAC was a vote seven, zero, four approving, this is a new mooring in the northwest corner of West Neck Bay and it has new coordinates so the coordinates were checked and rechecked and so they're okay with this; thank you very much.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:58 p. m. and called to order the public hearing to be held as advertised on the application of Philip Sabalja, 6C Westmoreland Drive, for permission to construct a proposed fixed pier, ramp, floating dock, tie-of piles and stair up the bank.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: Paul do you have the report; well no because we haven't met on it yet; no they haven't met on it; that's coming up on Monday; on Monday; they're on a monthly schedule and this is on a three week schedule so from time to time we trip on each other and that's something that I'm sorry about that; we won't act on this tonight, we'd like to hear from our volunteer committee on Monday and you may, if you're on the Island, you may want to attend the meeting, it's a public meeting; do you want to recess it or hold it, yeah I'll recess the hearing so we can; I've spoken to John Needham is that who; yes, yes, I told him the dock is being staked and he had told me about that he had to see it first so he said he was gonna be, he said they were gonna vote on that the fifth or sixth of June; correct; Monday; exactly right; then after that it comes back here; yes, the twenty-third I think will be our next; the twenty-third; both Paul and I will be at the meeting, we're the liaisons to the WMAC so we'll be there to represent the Board there and listen to them; yeah and if you have spoken to John, I don't think it's necessary for you to attend the meeting but feel free to, it's a public meeting; okay, it's Monday evening at seven or seven thirty; six, six o'clock; six; yes; is it here; right in this room; six o'clock right in this room, here on the fifth; alright; and if you're in town, it's always good to attend and to be honest with you, it's good, because there's questions that might come up and the fact that you're here, you can address those questions; that night they will vote on it; no, no; we do the vote on it; they recommend but that's really, we go along with what they recommend; they do take a vote there but it's not the final vote; it's to recommend; to recommend; do you want to know anything about it now or do you; no; well since you came in, come on up; why not; Jeff Patanjo, on behalf of the applicant Philip Sabalja and I met you; what is your name; Jeff Patanjo; oh yeah; and I'm the applicant, I'm the agent for the applicant, the whole project started off with the location of the proposed dock which was twenty-five feet away from the property line, the DEC had some issues with the location, there was some wetlands grasses, they asked us to move it over, I think I'm fifty-five feet from the property line so we shifted over the whole dock, it still meets all your requirements for the one hundred foot from the high tide line, we have a six by thirty floating dock, it's all gonna be untreated wood and there's gonna be a platform up top and we do have a DEC permit all ready for the project, which you have in your files and it was like Phil said, it was staked, we staked it on Saturday; yeah, good; so you move it over, what was it, fifty-eight feet; about fifty-five feet from the property line; from the property line; that's where we're placing it; from the original I gave you; yeah we moved it thirty feet to the west; moved it an additional thirty feet to the west; yes; good; and the property is two hundred and some feet wide; that's what it indicates; I think it was a good idea that you did move it because it was so close to the property line, could cause a problem being just thirty feet from the property line; okay; the fact that fifty-five feet, do you know what size boat is going on the dock; probably two twenty-five footers; two twenty-five footers; we do meet the requirements for the DEC for the thirty inches of water depth at low tide which works out great with your maximum requirements for distance out into the waterway at high tide; they'll ask you a bunch of questions, but they'll go over it, they'll actually throw it up on the screen and they go over it with a fine tooth comb and the fact that one or both of you were there is always great; okay; it does help; okay great; thanks for coming in; no problem.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no further comments, the Supervisor declared the public hearing recessed at 5:03 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 273

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Marc B. Kurnick, 2 Hillside Drive, has petitioned the Town of Shelter Island for permission to install a mooring in the northernmost cove of West Neck Bay, at a location designated as latitude 41.065667° north and longitude 72.363028° west, and

June 2, 2017 - continued

"Whereas", a public hearing was duly held on the 2nd day of June, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the installation of a mooring in the northernmost cove of West Neck Bay, at a location designated as latitude 41.065200° north and longitude 72.36360° west.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

Councilwoman Lewis moved and Supervisor Dougherty seconded to adjourn the meeting at 5:05 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

June 23, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 23rd day of June, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and one person were also present.

The Supervisor called the meeting to order at 4:34 p. m.

Salute to flag.

Correspondence included the following:

1. An e-mail stating that Ian Kanarvogel is resigning from his position of Recreation Aide to supervise the Youth Center, effective June 26, 2017.
2. A letter from Veronica Siller stating that she resigned from the position of Senior Services Assistant effective June 9, 2017.

The Supervisor presented the following financial report for the month of May, 2017:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
MAY 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Checking	3,060,369.21	1,515,036.41	640,052.26	3,935,353.36	771,433.83
Hwy Checking	809,459.67	408,986.68	97,408.33	1,121,038.02	
T&A Check	68,984.66	3,559,969.89	3,553,352.15	75,602.40	15,426.98
T&A Savings	12,224.53	0.33	0.00	12,224.86	
Hwy Cap Res	288,952.72	7.84	0.00	288,960.56	
WNW Supply	35,347.92	2,133.00	319.70	37,161.22	110,166.90
Taylor's Island	39,988.01	3.38	0.00	39,991.39	
Comm Preserv	5,958,099.96	163,383.45	0.00	6,121,483.41	1,595,244.58
Waterways	223,458.81	9,245.00	502.00	232,201.81	
Reserve Fund	678,593.22	10,345.73	0.00	688,938.95	
Bridge St Esc	0.00	0.00	0.00	0.00	353,717.91
Environmental	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Res	7,658.33	10,506.32	0.00	18,164.65	
Ambul Res	307,649.96	12.72	0.00	307,662.68	
Ambul Train	29,079.97	0.79	0.00	29,080.76	
TOTALS	11,535,616.97	5,679,631.54	4,291,634.44	12,923,614.07	2,845,990.20

RESOLUTION NO. 274

Councilwoman Brach Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Ralph F. Clark, 17 Crescent Way, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor near the Stone Wall at a location designated as latitude 41.08574° north and longitude 72.31213° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 14th day of July, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 275

Councilman Colligan offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the funds in the amount of $147.52 received from AFLAC to Trust & Agency account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 276

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the Town of Shelter Island has received a check from New York Municipal Insurance Reciprocal in the amount of $2,924.90 for damage incurred to the 2005 Ford F450 ambulance vehicle, and

"Whereas", receipt of these funds was unknown at budget time, now, Therefore

BE IT RESOLVED, That the following 2017 budget revisions are hereby approved:

$2,924.90 increase to the 2017 A2680 insurance recovery revenue account, to be funded by the above mentioned check, and

$2,924.90 increase to the 2017 A4540.485 Ambulance vehicle repairs expense account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 277

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to Section 30(1)(h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on June 2, 2017, Morgan McCarthy was reappointed to serve as Lifeguard for the year 2017, and

"Whereas", Miss McCarthy is unable to sign and file said constitution oath of office within the required time, and

"Whereas", the Town Board desires to have Miss McCarthy accept said position, now, Therefore

BE IT RESOLVED, That Morgan McCarthy is hereby appointed to serve as Lifeguard for the year 2017 at the rate of $17.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 278

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That James Murphy is hereby appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 279

Councilwoman Brach Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Superintendent of Highways has requested permission to purchase three new medium duty snow plow dump trucks and sanders, one new horizontal vegetation grinder and one new or slightly used, low-hour excavator with low boy trailer, and

"Whereas", the Superintendent of Highways wishes to expend funds from the Highway Capital Reserve Fund for said equipment, as follows:
$55,000 for each of five years (2018-2022) to purchase three trucks; and
$50,000 for each of five years (2017-2021) to purchase an excavator with trailer; and
$15,000 for each of seven years (2017-2023) to purchase a horizontal vegetation grinder; and

Whereas", the equipment exceeds the period of probable usefulness as defined in the Local Finance Law Section 11.00, making the withdrawal from the Highway Capital Reserve Fund subject to a permissive referendum pursuant to GML 6-c, now, Therefore

BE IT RESOLVED, That the Town Board hereby approved the aforementioned withdrawals from the Highway Capital Reserve Fund for a total not to exceed $630,000, and

BE IT FURTHER RESOLVED, That within 10 days after the adoption of this resolution by the Town Board, the Town Clerk shall, as set forth in Town Law §90, post and publish a notice which shall set forth the date of the adoption of this resolution and contain an abstract of this resolution, concisely stating the purpose and effect thereof. Such notice shall specify that such resolution was adopted subject to a permissive referendum, upon such approval. This resolution is adopted subject to a permissive referendum pursuant to General Municipal Law 6-C, and shall not take effect until 30 days from the date of publication in the official newspaper of the Town.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 280

Councilman Colligan offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That Marissa Fanelli is hereby appointed to serve as part time Clerk Typist in the Senior Services Office at the rate of $17.60 per hour retroactive to June 13, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 281

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That David Binder is hereby appointed to serve as part time Clerk Typist in the Senior Services Office at the rate of $17.60 per hour retroactive to June 13, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 282

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of Douglas Matz as a member of the Zoning Board of Appeals will expire on July 8, 2017, and

"Whereas", Douglas Matz has expressed his willingness to continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Douglas Matz is hereby reappointed to serve as a member of the Zoning Board of Appeals for a term to expire on July 8, 2022, and

BE IT FURTHER RESOLVED, That Douglas Matz is hereby reappointed to serve as Chairman of the Zoning Board of Appeals for a term to run coterminously with his term as member.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 283

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the term of Scott R. Campbell as a member of the Deer and Tick Committee expired on June 20, 2017, and

"Whereas", Scott R. Campbell has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Scott R. Campbell is hereby reappointed to serve as a member of the Deer and Tick Committee for a term to expire on June 24, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 284

Councilwoman Brach Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", filming permit number 64 was issued on June 5, 2017 to Jenny Landey Productions for filming at 50 Seagate Road on June 12 and 13, 2017, and

"Whereas", a filming clean up deposit of $1,000.00 was paid for said filming, and

"Whereas", it has been determined that no part of the deposit was utilized, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit amount of $1,000.00 to Jenny Landey Productions, Inc., 207 Three Mile Harbor HC Road, East Hampton, New York 11937.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 285

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Superintendent of Highways is hereby authorized to advertise for sealed bids for the following machinery:

three new medium duty snow plow dump trucks and sanders
one new horizontal vegetation grinder, and
one new or slightly used, low hour excavator with low boy trailer, and

BE IT FURTHER RESOLVED, That the Town Board is hereby authorized to award the bids for same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 286

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the 38th annual Shelter Island Run and the Five Kilometer Fun Walk was held on Shelter Island on Saturday, June 17, 2017, and

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the $100.00 compliance fee was submitted, and

"Whereas", the Superintendent of Highways has determined that the event created no extra impact for the Highway Department staff and that the compliance fee should be returned in full, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $100.00 to the Shelter Island 10K Run, Inc., P. O. Box 266, Shelter Island, New York 11964.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 287

Councilman Shepherd offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

"Whereas", the Shelter Island 10K Run, Inc. held an after race party on Saturday, June 17, 2017, at 5:30 p. m. through 10 p. m. at the Island Boatyard, and

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the $100.00 compliance fee was submitted, and

"Whereas", the Superintendent of Highways has determined that the event created no extra impact for the Highway Department staff and that the compliance fee should be returned in full, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $100.00 to the Shelter Island 10K Run, Inc., P. O. Box 266, Shelter Island, New York 11964.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 288

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the Shelter Island Historical Society paid a compliance fee of $100.00 for their Antique and Classic Car Show on June 10, 2017, and

"Whereas", the Superintendent of Highways has determined that no portion of said fee was to be retained by the Town, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 compliance fee to the Shelter Island Historical Society, P. O. Box 847, Shelter Island, New York 11964.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 289

Councilwoman Brach Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Friends of the Shelter Island Public Library have requested permission as per application dated June 6, 2017 to hold an a fundraiser party music event under the tent on Friday, July 7, 2017, at 6 p. m., and

"Whereas", the Shelter Island Highway Department has stated that there must not be any obstructions on the road or walkways during the event, and all garbage must be picked up in the area, and

"Whereas", the Shelter Island Police Department responded that there is no need for additional police services, now, Therefore

BE IT RESOLVED, That said request is hereby approved, and

BE IT FURTHER RESOLVED, That the Town Board hereby waives the $100.00 application fee and $100.00 compliance fee.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 290

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach Williams, to wit:

"Whereas", the Suffolk Bicycle Riders Association, Inc. paid a compliance fee of $100.00 for the Bike-Boat-Bike event on June 4, 2017, and

"Whereas", the Superintendent of Highways has determined that no portion of said fee was to be retained by the Town, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 compliance fee to the Suffolk Bicycle Riders Association, Inc., 6 Doyle Court, Lake Grove, New York 11755.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 291

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, William S. Baldwin of the Great Peconic Race has requested permission as per application, to hold a stand up paddle boat and kayak race on Saturday, September 9, 2017, and

"Whereas", the required fees of $100.00 application fee and $100.00 compliance fee have been submitted, and

"Whereas", the Shelter Island Police Department will patrol the waters surrounding the Island and provide emergency response when and if needed, and there will be no need for additional police services, and EMS Director Jack Thilberg advised that there will be no need for additional EMS staffing and that they will respond on an as needed basis, and

"Whereas", the Shelter Island Highway Department recommended that applicants be sure to remove any garbage/debris left at any of the three legs along the course and at Wade's Beach, and supply staff to keep the bathrooms clean during the event, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 292

Councilman Colligan offered the following resolution, which was seconded by Councilman Reich, to wit:

"Whereas", Serge Nivelle Studios, 205 Hudson Street, Suite 1201, New York, New York 10005 has requested a filming permit for June 28, 2017 for filming at 40B Stearns Point Road, and

"Whereas", said filming includes thirteen persons, four vehicles and the filming hours will be from 8 a. m. to 7 p. m., now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for said filming subject to the provision of the following:

a certificate of insurance for the location of 40B Stearns Point Road,

fees as follows: application fee of $500.00
late fee of $500.00
one day filming fee $1,000.00
clean up deposit of $1,000.00, and

approval by the Police Department and the Highway Department.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 293

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Shelter Island Fireworks, Inc., 4 Hudson Avenue, P. O. Box 452, Shelter Island, New York 11964, has requested permission pursuant to application received on June 20, 2017, to have a fireworks display at Crescent Beach on Saturday, July 8, 2017 at 9:30 p. m., rain date Sunday, July 9, 2017 at 9:30 p. m.; said fireworks to be launched from a barge anchored approximately 800 feet from the low tide mark, and

"Whereas", Fireworks by Grucci, Inc., 20 Pinehurst Drive, Bellport, New York 11713, will be producing the fireworks show, and

"Whereas", the required fees of $100.00 application fee, and $100.00 compliance fee have been submitted, and

"Whereas", pursuant to Section 33-2 B (2), the Town Board has determined that the proposed fireworks are a benefit to the Town, and no fees will be required for Police and Highway costs associated with the event, and

"Whereas", the Shelter Island Highway Department stated that this department has the following comments or recommendations: please have the contact person keep in touch with the Highway Department concerning delivery of portable bathrooms. The portable bathrooms need to be delivered on Friday in the earliest a. m. possible; we ask that a general cleanup be performed immediately following the event using the supplied garbage cans; this department will have laborers who will clean up after the event on the following day as we have in the past years, and

"Whereas", the Police Department reviewed the application and finds nothing that would prevent the Town from granting preliminary approval to the applicant; final approval will be based on a United States Coast Guard "Marine Event Permit", and the Department is prepared to assist with this event as in the past, now, Therefore

BE IT RESOLVED, That pursuant to Section 33-3 of the Town Code, permission is hereby granted to Shelter Island Fireworks, Inc. to have said fireworks display, subject to the

following: provision of the permit granted by the U. S. Department of Homeland Security, U. S. Coast Guard for this marine event, and provision of the name and insurance certificate for the company providing the barge for said display, and

BE IT FURTHER RESOLVED, That said operations shall be in compliance with the New York State Law, and the usual and normal precautions incident to said operations shall be complied with.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 294

Councilwoman Brach Williams offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $90.45 from the A 1620.476 buildings computers account to Microsoft Corporation, P. O. 842103, Dallas, Texas 75284-2103, for the annual fee for additional e-mail licenses.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 295

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach Williams, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Shelter Island Public Library has requested permission as per application dated June 6, 2017 to hold an annual 'Music Under the Tent Concert' event on Wednesday, July 12, 2017, at 6 p. m., and

"Whereas", the Shelter Island Highway Department has stated that there must not be any obstructions on the road or walkways during the event, and all garbage must be picked up in the area, and

"Whereas", the Shelter Island Police Department responded that there is no need for additional police services, now, Therefore

BE IT RESOLVED, That said request is hereby approved, and

BE IT FURTHER RESOLVED, That the Town Board hereby waives the $100.00 application fee and $100.00 compliance fee.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 296

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That resolution number 199 adopted on April 21, 2017 is hereby amended to read as follows:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $450.00 from the B3620.491 Building Inspector service contracts account, and $450.00 from the B8010.491 Zoning Officer service contracts account to Software Consulting Associates, Inc., 54 Elizabeth Street, Suite 17B, Red Hook, New York 12571, for the annual maintenance and support for the Municity Software for the period May 1, 2017 through April 30, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 297

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $790.00 from the A1330.476 Receiver of Taxes software account to Business Automation Services, Inc., 661 Plank Road, Clifton Park, NY 12065 for the annual software support, maintenance and hosting fee for the period February 1, 2017 through January 31, 2018 for the Internet Tax Tier II program.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 298

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $750.00 from the 2017 A1620.483 buildings telephone account to Telenet NY, Inc., 115 North Richmond Avenue, Suite 1, Massapequa, New York 11758-3439, for the quarterly contract payment for servicing the telephone systems for the period July 1, 2017 through September 30, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 299

Councilwoman Brach Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:41 p. m., prevailing time, on the 14th day of July, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled AMENDMENTS TO CHAPTER 133, RE: WATER AND SIZE LIMITATIONS ON ACCESSORY SLEEPING, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

A. Chapter 133, Section 133-6(E)(3) of the Shelter Island Town Code, entitled District A Permitted Accessory Uses, is hereby amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. No accessory building shall have a washer, dryer, kitchen facilities or shall be used for rental purposes. The prohibited kitchen facilities include a stove, oven, refrigerator greater than 6 c.f., a sink greater than 15' x 15', and dishwasher. Any building with accessory sleeping quarters shall not be greater than 50% of the footprint of the primary building. The accessory sleeping quarters shall include no more than two conventional bedrooms.

B. Chapter 133, Section 133-7(E)(3) of the Shelter Island Town Code, entitled District AA Permitted Accessory Uses, is hereby amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. No accessory building shall have a washer, dryer, kitchen facilities or shall be used for rental purposes. The prohibited kitchen facilities include a stove, oven, refrigerator greater than 6 c.f., a sink greater than 15" x 15", and dishwasher. Any building with accessory sleeping quarters shall not be greater than 50% of the footprint of the primary building. The accessory sleeping quarters shall include no more than two conventional bedrooms.

C. Chapter 133, Section 133-10(E)(3) of the Shelter Island Town Code, entitled District C Permitted Accessory Uses, is hereby amended to read as follows:

(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. No accessory building shall have a washer, dryer, kitchen facilities or shall be used for rental purposes. The prohibited kitchen facilities include a stove, oven, refrigerator greater than 6 c.f., a sink greater than 15" x 15", and dishwasher. Any building with accessory sleeping quarters shall not be greater than 50% of the footprint of the primary building. The accessory sleeping quarters shall include no more than two conventional bedrooms.

Section 3. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 4 in favor 1 opposed (Councilman Shepherd voted nay)

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 300

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach Williams, to wit:

"Whereas", the Town of Shelter Island is a party respondent in certain tax certiorari proceedings commenced by the property owner of property located at 20 Thompson Road, Shelter Island, New York a/k/a tax map number 0700-024-01-019 for assessment year 2014/2015, and

"Whereas", the parties to said litigation have attempted to narrow their differences, and

"Whereas", after a review of the relative merits of the petitioner's claims, the parties have agreed to settle the above tax certiorari claim, now, Therefore

BE IT RESOLVED, That the Town Board hereby approves of and has no objection to the settlement of the claim of the petitioner (Ralph Whipple) on the terms as set forth on the annexed Stipulation of Settlement, as in the best interests of the Town and its taxpayers, and

BE IT FURTHER RESOLVED, That the Town Attorney or Special Counsel is authorized and directed to execute the appropriate Stipulations of Settlement, and consent to the entry of an Order of Judgment, if any, implementing the aforesaid settlement, and

BE IT FURTHER RESOLVED, That in accordance with the agreement, and as consented to by the Town Assessors, the assessment and any tax bill shall be so adjusted as directed by, and upon receipt of fully executed copy of a Court Order, and

BE IT FURTHER RESOLVED, That the Town Clerk provide the Town's Legal Counsel with a copy of this resolution upon adoption.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 301

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the Town of Shelter Island is a party respondent in certain tax certiorari proceedings commenced by the property owner of property located at 18 Little Ram Island Drive, Shelter Island, New York a/k/a tax map number 0700-009-03-026 for assessment year 2015/2016, and

"Whereas", the parties to said litigation have attempted to narrow their differences, and

"Whereas", after a review of the relative merits of the petitioner's claims, the parties have agreed to settle the above tax certiorari claim, now, Therefore

BE IT RESOLVED, That the Town Board hereby approves of and has no objection to the settlement of the claim of the petitioners (Jan and Eva Sudol) on the terms as set forth on the annexed Stipulation of Settlement, as in the best interests of the Town and its taxpayers, and

BE IT FURTHER RESOLVED, That the Town Attorney or Special Counsel is authorized and directed to execute the appropriate Stipulations of Settlement, and consent to the entry of an Order of Judgment, if any, implementing the aforesaid settlement, and

BE IT FURTHER RESOLVED, That in accordance with the agreement, and as consented to by the Town Assessors, the assessment and any tax bill shall be so adjusted as directed by, and upon receipt of fully executed copy of a Court Order, and

BE IT FURTHER RESOLVED, That the Town Clerk provide the Town's Legal Counsel with a copy of this resolution upon adoption.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 302

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the New York State Department of Taxation and Finance has issued a notice of vendor collection credit to the Town of Shelter Island for the period ending May 31, 2017 in the amount of $200.00, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to transfer the sum of $200.00 from the trust and agency account to general account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 303

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Alfred Loreto, 2 East Brander Parkway, has petitioned the Town of Shelter Island for permission to reconstruct in place 179 feet of timber bulkhead in private basin and along front of property including 11 foot return on the west and 20 foot return on the east with vinyl bulkhead; southern plus or minus section to be built directly in front of existing wall with helical screw deadmen to preserve the integrity of existing house and deck; replace existing plus or minus 4 foot by 39 foot fixed lower dock in basin and associated 8 inch pilings; tropical hardwood to be used for decking and cap; replace existing water and electric lines; maintenance dredge plus or minus 23 foot by 39 foot private boat basin and plus or minus 15 foot by 20 foot

shoaling on east side of bulkhead to 4 feet below mean low water, resulting plus or minus 100 cubic yards of sand/silt being taken to an approved upland site; incidental dredging of plus or minus 10 foot by 37 foot west side of bulkhead to 4 foot below mean low water due to failing bulkhead, resulting plus or minus 15 cubic yards of sand/silt material being used as backfill or taken to an approved upland site, and

"Whereas", the Waterways Committee of the Town Board has inspected the site and approved of said repairs, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned repair work.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 304

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach Williams, to wit:

"Whereas", Zachary Vella/ZV Shelter LLC, 85 Shore Road, Shelter Island, New York, zoned AA-Residential/Near Shore and Peninsular Overlay District, and designated as Suffolk County Tax Map Lot 0700-013-01-018, seeks permission to construct an additional 625 square foot third story observation room in addition to the previously approved 11,615 SFLA building, and

"Whereas", it has been determined that a special permit is required under §133-6(B) of the Town Code to construct a building with a SFLA over 6,000, now, Therefore

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 14th day of July, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 305

Supervisor Dougherty offered the following resolution, which was seconded by Coucilman Colligan, to wit:

BE IT RESOLVED, That the following 2016 budget transfers are hereby approved:
$4.00 from the A1010.200 Town Board equipment account,
$430.44 from the A1010.484 Town Board office & miscellaneous account,
$524.28 from the A1010.492 Town Board school, travel & mileage account,
$0.30 from the A1010.493 Town Board law library account,
$0.78 from the A1010.495 Town Board printing & advertising account,
$0.43 from the A1010.497 Town Board professional services account,
$0.25 from the A1010.475 Town Board drug testing account,
$281.59 from the A1015.200 Media Department equipment account,
$1,630.54 from the A1015.400 Media Department office & miscellaneous account,
$944.93 from the A1015.403 Media Department Tech-Tehan account,
$93.13 from the A1015.406 Media Department Tech-McGayhey account,
$7,315.22 from the A1110.106 Justice Court part time clerk account,
$39.67 from A1110.484 Justice Court office & miscellaneous account,
$38.50 from the A1110.410 Justice Court interpreter account,
$252.01 from the A1110.415 Justice Court computer programs account,
$3.60 from the A1220.102 Supervisor account clerk longevity account,
$38.86 from the A1220.107 Supervisor discretionary overtime account,
$33.76 from the A1220.110 Supervisor confidential secretary longevity account,
$561.73 from the A1220.200 Supervisor equipment account,
$984.23 from the A1220.412 Supervisor ADP account,
$273.36 from the A1220.484 Supervisor office & miscellaneous account,
$263.10 from the A1220.491 Supervisor service contracts account,
$67.24 from the A1220.492 Supervisor school, travel, mileage account,
$0.84 from the A1330.414 Receiver of Taxes postage account,
$3,200.26 from the A1355.104 Assessors clerk personal services account,
$62.59 from the A1355.105 Assessors clerk overtime account,
$2,000.00 from the A1355.108 Assessors clerk longevity account,

$0.99 from the A1355.200 Assessors equipment account,
$44.21 from the A1355.484 Assessors office & miscellaneous account,
$150.85 from the A1355.492 Assessors school, travel, mileage account,
$251.34 from the A1356.100 Assessment Board of Review personal services account,
$4.65 from the A1356.101 Assessment Board of Review personal services account,
$12.54 from the A1356.103 Assessment Board of Review personal services account,
$62.50 from the A1356.484 Assessment Board of Review office & miscellaneous account,
$326.40 from the A1480.400 Green Options Advisory Committee contractual account,
$0.89 from the A1410.102 Town Clerk deputy town clerk #1 overtime account,
$216.79 from the A1410.108 Town Clerk deputy town clerk stipend account,
$353.75 from the A1410.200 Town Clerk equipment account,
$343.57 from the A1420.101 Town Attorney longevity account,
$517.55 from the A1420.484 Town Attorney office & miscellaneous account,
$12,110.00 from the A1490.106 Public Works custodians personal services account,
$688.55 from the A1490.115 Public Workspersonal services account,
$1,349.65 from the A1490.120 Public Works personal services account,
$523.31 from the A1490.121 Public Works regular overtime account,
$305.71 from the A1490.122 Public Works double overtime account,
$75.24 from the A1490.200 Public Works equipment account,
$100.00 from the A1490.271 Public Works boat equipment account,
$448.67 from the A1490.479 Public Works boat maintenance account,
$340.23 from the A1490.484 Public Works office & miscellaneous account,
$27.35 from the A1490.497 Public Works professional services account,
$57.68 from the A1490.409 Public Works parks & beaches account,
$91.58 from the A1490.410 Public Works grounds maintenance account,
$2.31 from the A1490.411 Public Works buoys & lifelines account,
$652.99 from the A1490.412 Public Works Town dock maintenance account,
$10,000.00 from the A1490.413 Public Works Jetties & Bulkheads account,
$4,862.15 from the A1490.414 Public Works Town Hall & other buildings account,
$342.01 from the A1490.415 Public Works trees account,
$51.56 from the A1490.416 Public Works mowers repair account,
$3,728.17 from the A1490.417 Public Works Towns Landing account,
$0.92 from the A1490.418 Public Works gas allowance account,
$551.58 from the A1490.419 Public Works generator maintenance account,
$3.80 from the A1490.420 Public Works signs & signals account,
$228.76 from the A1490.421 Public Works Congdon's Creek Dock account,
$15.41 from the A1490.424 Public Works fuel depot account,
$2.98 from the A1490.425 Public Works non highway tree maintenance account,
$500.00 from the A1620.200 Buildings equipment account,
$2,329.53 from the A1620.276 Buildings computer equipment account,
$0.58 from the A1620.483 Buildings telephones account,
$0.64 from the A1620.408 Buildings repairs and maintenance account,
$0.61 from the A1620.423 Buildings electricity account,
$414.08 from the A1620.424 Buildings fuel account,
$1,137.59 from the A1910.400 Unallocated Insurance account,
$26,474.36 from the A3120.105 Police Department personal services account,
$2,775.00 from the A3120.111 Police Department special overtime personal services account,
$2,435.00 from the A3120.115 Police Department seasonal police personal services account,
$105.16 from the A3120.117 Police Department crossong guard personal services account,
$1,542.42 from the A3120.118 Police Department training personal services account,
$203.00 from the A3120.120 Police Department TCO personal services account,
$1,256.41 from the A3120.122 Police Department Stop DWI personal services account,
$626.90 from the A3120.131 Police Department clerk overtime personal services account,
$383.51 from the A3120.271 Police Department boat equipment account,
$2.37 from the A3120.272 Police Department new car account,
$540.00 from the A3120.274 Police Department radio equipment account,
$30.44 from the A3120.277 Police Department office equipment account,
$957.41 from the A3120.278 Police Department safety equipment account,
$5.00 from the A3120.480 Police Department radio contract account,
$153.00 from the A3120.482 Police Department boat gas and oil account,

$0.40 from the A3120.483 Police Department telephones account,
$3.50 from the A3120.484 Police Department office and miscellaneous account,
$201.42 from the A3120.485 Police Department car maintenance account,
$570.45 from the A3120.487 Police Department uniform allowance account,
$3.86 from the A3120.490 Police Department DARE training materials account,
$219.00 from the A3120.457 Police Department towing account,
$100.00 from the A3120.476 Police Department FOIL expense account,
$500.00 from the A3150.200 Jail equipment account,
$5,629.51 from the A3510.100 Animal Control personal services account,
$250.00 from the A3510.200 Animal Control equipment account,
$500.00 from the A3510.431 Animal Control veterinarian account,
$142.01 from the A3510.492 Animal Control travel/mileage account,
$1,000.00 from the A3989.400 NIMS contractual account,
$1,000.00 from the A4010.100 Deer & Tick clerk personal services account,
$56.26 from the A4010.200 Deer & Tick equipment account,
$3,426.40 from the A4010.422 Deer & Tick corn account,
$385.32 from the A4010.484 Deer & Tick office and miscellaneous account,
$2,718.13 from the A4010.491 Deer & Tick 4 poster maintenance account,
$2,321.65 from the A4010.495 Deer & Tick printing and advertising account,
$1,949.03 from the A4010.498 Deer & Tick Deer Reduction Management account,
$141.03 from the A4010.408 Deer & Tick signs, repairs, etc. account,
$1.87 from the A4210.100 Communities that Care account,
$451.50 from the A4540.100 Ambulance secretary personal services account,
$0.94 from the A4540.484 Ambulance office and miscellaneous account,
$150.00 from the A4560.200 Medical Center equipment account,
$0.59 from the A4560.408 Medical Center repairs and maintenance account,
$404.20 from the A4560.423 Medical Center electricity account,
$1,393.11 from the A4560.424 Medical Center fuel account,
$180.01 from the A5010.200 Superintendent of Highways equipment account,
$54.24 from the A5010.400 Superintendent of Highways office and miscellaneous account,
$965.00 from the A5010.440 Superintendent of Highways training account,
$585.00 from the A5010.492 Superintendent of Highways travel/mileage account,
$0.96 from the A5182.400 Street Lighting contractual account,
$157.29 from the A5989.100 Ferry Study Group clerk personal services account,
$1,839.47 from the A6772.141 Nutrition Program cooks personal services account,
$642.40 from the A6772.141 Nutrition Program food service workers personal services account,
$1,032.42 from the A6772.143 Nutrition Program cooks personal services account,
$1,496.50 from the A6772.145 Nutrition Program food service workers personal services account,
$4,080.00 from the A6772.146 Nutrition Program driver personal services account,
$0.22 from the A6772.400 Nutrition Program food account,
$47.54 from the A6772.440 Nutrition Program maintenance account,
$72.96 from the A6772.484 Nutrition Program rent and supplies account,
$208.21 from the A6772.485 Nutrition Program van maintenance and fuel account,
$6,494.12 from the A6775.156 Residential Repair personal services account,
$1,185.95 from the A6775.157 Residential Repair assistant personal services account,
$390.01 from the A6775.256 Residential Repair equipment account,
$75.41 from the A6775.484 Residential Repair office and miscellaneous account,
$306.18 from the A6775.492 Residential Repair travel account,
$28.13 from the A6775.439 Residential Repair supplies account,
$5,269.46 from the A6776.139 Silver Circle personal services account,
$3,892.86 from the A6776.140 Silver Circle aide personal services account,
$1,516.17 from the A6776.141 Silver Circle van driver personal services account,
$1,774.19 from the A6776.143 Silver Circle cook personal services account,
$174.01 from the A6776.239 Silver Circle equipment account,
$1,200.90 from the A6776.422 Silver Circle meals/snacks account,
$17.42 from the A6776.483 Silver Circle telephone account,
$0.54 from the A6776.484 Silver Circle office & miscellaneous account,
$606.49 from the A6776.486 Silver Circle van fuel account,
$575.00 from the A6776.497 Silver Circle program providers account,

$2.71 from the A6776.408 Silver Circle maintenance account,
$495.34 from the A6776.445 Silver Circle utilities account,
$1.17 from the A6776.480 Silver Circle resource materials account,
$3,295.65 from the A6777.144 Senior Center clerk personal services account,
$0.63 from the A6777.200 Senior Center equipment account,
$100.00 from the A6777.422 Senior Center meals/snacks account,
$19.51 from the A6777.428 Senior Center telephone account,
$776.16 from the A6777.433 Senior Center transportation account,
$76.32 from the A6777.483 Senior Center cable/internet account,
$471.14 from the A6777.484 Senior Center office & miscellaneous account,
$1,950.00 from the A6777.497 Senior Center program providers account,
$202.67 from the A6777.408 Senior Center maintenance account,
$902.05 from the A6777.445 Senior Center utilities account,
$100.00 from the A6777.480 Senior Center resource materials account,
$260.43 from the A6778.485 Senior Recreation account,
$7,179.75 from the A7020.105 FIT aides personal services account,
$3,326.58 from the A7020.462 FIT Center account,
$692.05 from the A7020.484 Recreation office and miscellaneous account,
$3,039.11 from the A7310.400 Youth Recreation Programs account,
$1,367.08 from the A7320.200 Youth Center equipment account,
$0.73 from the A7320.483 Youth Center phone/cable account,
$276.76 from the A7320.484 Youth Center office & miscellaneous account,
$2,660.26 from the A7320.408 Youth Center repairs & maintenance account,
$164.71 from the A7320.423 Youth Center electricity account,
$2,774.92 from the A7320.424 Youth Center fuel oil/heat account,
$30.00 from the A7510.400 Historian contractual account,
$1,070.00 from the A7620.100 Adult Recreation aerobics instructor personal services account,
$538.63 from the A7620.400 Adult Recreation Programs account,
$89.74 from the A8140.100 Community Housing Board clerk personal services account,
$22.97 from the A8140.400 Community Housing Board miscellaneous account,
$204.97 from the A8140.495 Community Housing Board advertising account,
$200.00 from the A8140.480 Community Housing Board consulting account,
$106.16 from the A8160.104 Landfill haz mat personal services account,
$238.85 from the A8160.106 Landfill haz mat personal services account,
$100.00 from the A8160.108 Landfill haz mat personal services account,
$581.87 from the A8160.118 Landfill personal services account,
$1,460.00 from the A8160.119 Landfill part time personal services account,
$0.24 from the A8160.451 Landfill C&D hauling account,
$1,094.69 from the A8160.484 Landfill office & miscellaneous account,
$499.80 from the A8160.487 Landfill clothing allowance account,
$85.73 from the A8160.488 Landfill high visibility clothing account,
$90.00 from the A8160.495 Landfill printing and advertising account,
$30.20 from the A8160.497 Landfill professional services account,
$0.08 from the A8160.408 Landfill repairs and maintenance account,
$307.89 from the A8160.423 Landfill electricity account,
$50.00 from the A8160.432 Landfill test wells account,
$101.53 from the A8160.433 Landfill solid waste carting fees account,
$22.65 from the A8160.434 Landfill hazardous waste carting fees account,
$0.35 from the A8160.435 Landfill hazardous waste facility mMaintenance account,
$1,500.00 from the A8160.437 Landfill contingency account,
$268.78 from the A8160.438 Landfill processed concrete account,
$101.25 from the A8160.441 Landfill brush grinding rental account,
$26.17 from the A8160.442 Landfill purchase of bags account,
$550.16 from the A8711.400 Piping Plover contractual account,
$9,153.25 from the A9015.800 Police Retirement account,
$7,000.00 from the A9025.800 EMS LOSAP account,
$1,669.83 from the A9030.800 Social Security account,
$41.65 from the A9055.800 Disability Insurance account,
$9,691.30 from the A9060.800 Medical Insurance account,
$14,686.39 from the A9060.801 Health Insurance Stipends account, and

$12,713.80 from the A9089.800 Medicare reimbursements account, and dispersed as follows:
$1,154.72 to the A1110.103 Justice Court clerk personal services account,
$313.08 to the A1110.104 Justice Court clerk overtime personal services account,
$20.00 to the A1220.104 Supervisor administrative aide personal services account,
$286.18 to the A1330.484 Receiver of Taxes office & miscellaneous account,
$34.77 to the A1356.102 Assessment Board of Review personal services account,
$34.77 to the A1356.104 Assessment Board of Review personal services account,
$327.17 to the A1356.105 Assessment Board of Review secretary personal services account,
$444.38 to the A1410.109 Town Clerk deputy town clerk #3 personal services account,
$89.13 to the A1490.102 Public Works clerk personal services account,
$920.10 to the A1490.105 Public Works vacation sell back account,
$741.47 to the A1490.114 Public Works personal services account,
$974.87 to the A1490.118 Public Works personal services account,
$1,859.21 to the A1620.476 Buildings computer maintenance IT account,
$7.42 to the A1980.499 MTA Payroll Tax account,
$5,227.85 to the A3120.100 Police Department Chief personal services account,
$4,213.73 to the A3120.101 Police Department Sergeant personal services account,
$3,054.85 to the A3120.102 Police Department Sergeant personal services account,
$2,250.29 to the A3120.103 Police Department Drake personal services account,
$2,250.29 to the A3120.104 Police Department T. Cronin personal services account,
$2,229.63 to the A3120.106 Police Department Legrady personal services account,
$2,055.01 to the A3120.107 Police Department Rando personal services account,
$2,229.63 to the A3120.108 Police Department McGayhey personal services account,
$4,227.82 to the A3120.109 Police Department Chief longevity account,
$9,519.90 to the A3120.110 Police Department regular overtime account,
$896.26 to the A3120.112 Police Department night differential account,
$2,435.00 to the A3120.113 Police Department part time personal services account,
$1,091.01 to the A3120.114 Police Department holiday pay account,
$0.13 to the A3120.119 Police Department drug training-DARE personal services account,
$445.61 to the A3120.121 Police Department bay constable personal services account,
$54,659.29 to the A3120.123 Police Department accrued sick time account,
$20,222.30 to the A3120.124 Police Department unused vacation account,
$38,619.18 to the A3120.126 Police Department retro pay account,
$2,351.68 to the A3120.130 Police Department clerk personal services account,
$695.49 to the A3120.133 Police Department part time clerk personal services account,
$2,525.00 to the A3120.488 Police Department uniform cleaning account,
$875.00 to the A3150.100 Jail Attendants personal services account,
$3,229.45 to the A4010.101 Animal Control personal services account
$178.27 to the A5010.103 Superintendent of Highways part time secretary personal services account,
$135.00 to the A6772.144 Nutrition Program longevity account,
$1,093.19 to the A6776.144 Silver Circle aides personal services account,
$472.96 to the A6776.145 Silver Circle aide personal services account,
$222.23 to the A6776.146 Silver Circle aide personal services account,
$58.61 to the A6777.141 Senior Center personal services account,
$3,019.32 to the A6777.145 Senior Center AAA driver personal services account,
$7,926.70 to the A7020.102 Recreation aides personal services account,
$0.01 to the A7020.104 FIT longevity account,
$712.60 to the A7150.100 Beaches-lifeguards personal services account,
$89.13 to the A8160.101 Landfill part time secretary personal services account,
$6.38 to the A8160.105 Landfill haz mat personal services account,
$318.45 to the A8160.107 Landfill haz mat personal services account,
$60.05 to the A8160.113 Landfill personal services account,
$974.77 to the A8160.114 Landfill personal services account,
$3,372.56 to the A8160.115 Landfill personal services account,
$1,119.15 to the A8160.116 Landfill personal services account,
$1,274.61 to the A8160.117 Landfill personal services account,
$3,342.45 to the A8160.127 Landfill overtime personal services account,
$472.15 to the A8160.129 Landfill double overtime personal services account,
$119.80 to the A8160.132 Landfill sell back account,

$98.86 to the A8160.199 Landfill deferred compensation account,
$534.74 to the A8709.158 Community Preservation Fund clerk personal services account,
$909.12 to the A8711.100 Piping Plover personal services account,
$6,527.00 to the A9010.800 State Retirement System account,
$6,147.81 to the A9040.800 Workers Compensation account,
$2,066.09 to the A9050.800 Unemployment Insurance account,
$38,825.51 to the A9950.900 Operating Transfer Out account, and

BE IT FURTHER RESOLVED, That the following transferals of 2017 funds are hereby approved:
$154.00 from the A1356.100 Assessment Board of Review personal services account and dispersed as follows:
$77.00 to the A1356.101 Assessment Board of Review personal services account, and
$77.00 to the A1356.104 Assessment Board of Review personal services account;
$2,001.18 from the A1990.400 Contingent account and dispersed as follows:
$1.02 to the A1220.105 Supervisor administrative aide longevity personal services account,
$2,000.00 to the A1410.107 Town Clerk deputy town clerk overtime personal services account, and
$.16 to the A7020.104 Recreation longevity personal services account;
$107.81 from the A3120.487-12 Police Department J. Cronin uniform account to the A3120.487-13 Police Department Drake uniform account;
$500.00 from the A3150.200 Jail equipment account to the A3120.273 Police Department firearms and ammunition account;
$100.00 from the A5010.440 Superintendent of Highways training account to the A5010.200 Superintendent of Highways equipment account;
$2,000.00 from the A8160.434 Landfill hazardous waste carting fees account to the A8160.435 Landfill hazardous waste facility maintenance account;
$600.00 from the A8160.488 Landfill high visibility clothing account to the A8160.484 Landfill office and miscellaneous account;
$4,000.00 from the B1990.400 Part Town Contingent account and dispersed as follows:
$1,000.00 to the B3620.109 Building Inspector overtime personal services account,
$1,000.00 to the B8010.109 Zoning Officer overtime account, and
$2,000.00 to the B8010.439 Zoning short term rental clerk personal services account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 306

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That general claims numbered 852 through 993 in the amount of $78,812.70, Community Preservation Fund claim number 3 in the amount of $3,300.00, highway claims numbered 108 through 130 in the amount of $17,216.58, and West Neck Water claims numbered 14 through 17 in the amount of $579.97, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:02 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Terry Becker and Bruce Kim, 94 Gardiner's Bay Drive, for permission to install a mooring in Gardiner's Bay at a location designated as latitude 41.106917° north and latitude 72.330417° west; said location was formerly occupied by the Lemond O-2786 mooring.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: basically it was seven to zero, everybody is okay with it, no real issues; it's a takeover; yes it's a takeover.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:03 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled AMENDMENT TO CHAPTER 126, VEHICLES AND TRAFFIC.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: the good news is that it eliminates overnight parking which is just what we tried to do and if we have to tweak it next year, we will but I think it was a good compromise, it was a step in the right direction, people were complaining about the fact that the vehicles were being left there for days on end and this prevents that from happening, or the person will be summoned, so it's a good thing.

The Supervisor declared the public hearing closed at 5:05 p. m. and reconvened the recessed public hearing on the application of Philip Sabalja, 6C Westmoreland Drive, for permission to construct a proposed fixed pier, ramp, floating dock, tie-off piles and stair up the bank.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: it was approved seven to zero, right Paul, that's the way I had it; that's right, yeah it was an application for a new dock and they gave them a thumps up on putting a good application in, nice and clean and easy to understand; seven zip; yes.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:06 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 307

Councilwoman Brach Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Terry Becker and Bruce Kim, 94 Gardiner's Bay Drive, have petitioned the Town of Shelter Island for permission to install a mooring in Gardiner's Bay at a location designated as latitude 41.106917° north and latitude 72.330417° west; said location was formerly occupied by the Lemond O-2786 mooring, and

"Whereas", a public hearing was duly held on the 23rd day of June, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 308

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach Williams, to wit:

"Whereas", Philip Sabalja, 6C Westmoreland Drive, has petitioned the Town of Shelter Island for permission to construct a proposed fixed pier, ramp, floating dock, tie-off piles and stair up the bank, and

"Whereas", a public hearing was duly held on the 2nd day of June, 2017, and continued on June 23, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That pursuant to Part 617, Section 617.10 of the State Environmental Quality Review Act and Chapter 60 of the Code of the Town of Shelter Island, notice is hereby given that the Town Board, as lead agency, has determined that the project will not have a significant effect on the environment, and a Draft Environmental Impact Statement will not be prepared.

Environmental Review Status pursuant to Chapter 60 of the Town Code of the Town of Shelter Island: Type II.

Reasons supporting this determination:

The proposed dock:

1. will not cause an obstruction into navigable channels or an interference with navigation;
2. will not adversely affect the public's right to use Town waters or land under Town waters;
3. will not adversely affect shellfishing grounds or other aquatic wildlife which may exist in the immediate area;
4. will not adversely affect the quality of the tidal waters, shoreline or beaches;
5. will not adversely affect the rights of adjacent residents; and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned construction as per specifications filed, after said applicant, pursuant to Section 53-9 of the Code of the Town of Shelter Island, has filed with the Town Clerk a certificate that the owner has at least three hundred thousand ($300,000.00) dollars liability insurance on the location and operations covered by said permit, a copy of the contractor's current Home Improvement Contractor's License and a certificate from the contractor performing the operations covered by said permit that said contractor has an owner's/contractor's policy issued in favor of the Town of Shelter Island for the liability limits of at least five hundred thousand ($500,000.00) dollars covering operations of the contractor pursuant to said permit, and

BE IT FURTHER RESOLVED, That said operations shall be completed within one (1) year from the date of issuance of this permit; said permit is subject to the recommended limitations and any requirements that may be necessary under the New York State Department of Environmental Conservation, the Army Corps of Engineers, and any other agencies having jurisdiction.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 309

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 23rd day of June, 2017, on a proposed Local Law entitled AMENDMENT TO CHAPTER 126, VEHICLES AND TRAFFIC, and

"Whereas", all interested persons were heard in favor of or in opposition to said proposed Local Law, now, Therefore

BE IT RESOLVED, That the Town Board does hereby adopt Local Law No. 6 - 2017 entitled AMENDMENT TO CHAPTER 126, VEHICLES AND TRAFFIC, as follows:

Be it enacted by the Town Board of the Town of Shelter Island, to wit:

Section 1. Add a new Section 126-8 HH, as follows:

Section 126-8 HH: No person shall park a vehicle, nor shall the registered owner of a vehicle cause, suffer, allow or permit said vehicle to park along Route 114 from the Town Dock on Bridge Street to a point 150 feet south and ending at Verizon pole 11, between the hours of 1:00 a. m. and 5:00 a. m.

Section 2. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:11 p. m., Councilman Shepherd moved and Councilman Colligan seconded to adjourn the regular meeting and reconvene the recessed executive session. At 5:21 p. m., the Supervisor adjourned the executive session and at that time the regular meeting was adjourned. This motion was carried.

Dorothy S. Ogar
Town Clerk

July 5, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 5th day of July, 2017. Town Board members present were Councilmen Paul D. Shepherd and James T. Colligan and Councilwomen N. Christine Lewis and Amber Brach Williams. Supervisor James D. Dougherty was absent. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and two persons were present. All Town Board members present signed a waiver of notice.

The Deputy Supervisor called the special meeting to order at 3:12 p. m.

RESOLUTION NO. 310

Councilman Colligan offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $50,335.00 from the A1490.499 Public Works Bridge Street bathroom account to Madden Fabrications, The Portland Loo, 2550 NW 25th Pl., Portland, Oregon 97210, which represents the 50% payment required prior to the shipment of the Bridge Street restroom as per the awarded agreement.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilman Shepherd, the special meeting was adjourned at 3:14 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

July 14, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 14th day of July, 2017. Town Board members present were Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach Williams. Supervisor James D. Dougherty was absent. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and nine persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. A letter from Andrea N. Nydegger, Town Social Worker, stating she is planning to leave her position on July 30, 2017.
2. A letter from the Shelter Island Country Club requesting approval to operate the golf course after dark on August 6, 2017 for their Moonlight Madness Golf Tournament.

RESOLUTION NO. 311

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Edward Goldberg, 10 Bowditch Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Coecles Harbor at a location off Captain Bob's Landing and further designated as latitude 41.089104° north and 72.32300° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 4th day of August, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 312

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", JBH of Peconic, Inc., AKA Robert Waife, 9 North Ferry Road, has petitioned the Town of Shelter Island for permission to install a private mooring in West Neck Creek off Daniel Lord Road at a location designated as 41.067649° North and 72.353859° West, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:41 p. m., prevailing time, on the 4th day of August, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 313

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Garth Griffin is hereby appointed to serve as Recreation Aide for the year 2017 effective July 17, 2017.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 314

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Nell Lowell is hereby appointed to serve as Recreation Specialist/Swim Instructor for the year 2017 at the rate of $30.00 per hour retroactive to July 10, 2017.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 315

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Arthur P. Bloom is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00, and for each additional hour at the rate of $20.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 316

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Taylor P. Rando is hereby appointed to serve as Detention Attendant for the year 2017 to be paid at the following rate schedule:

for the first two hours or any part thereof $100.00;

for each additional hour at the rate of $20.00 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 317

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Huson B. Sherman as a member of the Community Housing Board will expire on August 13, 2017, and

"Whereas", Mr. Sherman has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Huson B. Sherman is hereby reappointed to serve as a member of the Community Housing Board for a term to expire on August 13, 2020.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 318

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Bethany Ortmann, 1 Highland Boulevard, East Hampton, New York 11937 is hereby appointed to serve as Provisional Superintendent of Recreation for the Town of Shelter Island for the year 2017 for 40 hours per week at the rate of $60,000.00 per year effective July 17, 2017, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to issue her one free parking permit while serving as the Superintendent of Recreation to park at the Town beaches when performing her duties of supervising the lifeguards.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 319

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute an agreement between the Town of Shelter Island and Lucille Buergers as the Town's Social Worker for the term August 1, 2017 through July 31, 2018 for 14 hours per month, to be paid after audit at the rate of $68.34 per hour.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 320

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the funds received in the amount of $2,832.00 from The Nature Conservancy as follows: $554.00 to the A3510.491 tickicide account and $2,278.00 to the A3510.422 corn account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 321

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Shelter Island Country Club has requested permission to operate their golf course after dark to approximately 10:30 p. m. on Sunday, July 23, 2017 to hold a Moonlight Madness Golf Tournament, now, Therefore

BE IT RESOLVED, That that the Town Board hereby approves the extension of the golf course operation for the Shelter Island Country Club on July 23, 2017 to approximately 10:30 p. m.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 322

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $400.00 from the A3120.491 Police Department contracts account to Magloclen, Attn.: Fiscal Department, Suite 100, 140 Terry Drive, Newtown, Pennsylvania 18940, for the annual user fee effective July 1, 2017 through June 30, 2018, for the crime law enforcement network.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 323

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That effective July 15, 2017, the fees charged for opening roads is hereby increased pursuant to the following schedule:

New permit:

$100.00 basic residential permit fee

$250.00 major project (gas, electric, cable, water, etc.)

Additional fees:

$100.00 per opening in pavement up to 4' by 4'

$ 50.00 per opening in grass shoulder 4' wide by 4' long to 5' deep

$ .10 per foot of open trenching less than 18" deep or less

$ .30 per foot of open trenching 18" to 5'

$ .00 trenchless shooting

Insurance coverage 1m/2m

Work without permit $200.00 penalty and permit fees.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 324

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", filming permit number 65 was issued on June 28, 2017 to Serge Nivelle Studios for filming at 40 B Stearns Point Road on June 28, 2017, and

"Whereas", a filming clean up deposit of $1,000.00 was paid for said filming by Serge Nivelle Studios, and

"Whereas", it has been determined that no part of the deposit was utilized, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit amount of $1,000.00 to Serge Nivelle Studios, 205 Hudson Street, Suite 1201, New York, New York 10013.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 325

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Shelter Island Fireworks, Inc., 4 Hudson Avenue, held a fireworks display on Shelter Island on Saturday, July 8, 2017, and

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the $100.00 compliance fee was submitted, and

"Whereas", the Superintendent of Highways requests that no fees are required from the Shelter Island Fireworks, Inc. for the display, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $100.00 to Shelter Island Fireworks, Inc., P. O. Box 452, Shelter Island, New York 11964.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 326

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Hay Beach Association has requested permission as per application dated July 11, 2017, to hold a block party on Saturday, August 12, 2017, on street in front of 8 & 10 Hay Beach Road, and

"Whereas", the required fees of $100.00 application fee and $100.00 compliance fee have been submitted, and

"Whereas", the Shelter Island Highway Department has stated as follows:

the Highway Department will drop off barricades for the event, and

please be sure to remove any garbage/debris left after the party, and

"Whereas", the Shelter Island Police Department responded that there is no anticipated need for police services, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 327

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town of Shelter Island has applied to the Department of Environmental Conservation for a permit to install 80 linear feet of 10" 100% fiber coir logs, revegetate intertidal marsh area in front of bulkhead with Spartina Alterniflora and high marsh area landward Spartina Patens, revegetate area landward of bulkhead with Cape American Beachgrass on Taylor's Island, and

"Whereas", Costello Marine Contracting Corp. has been designated by the DEC through a project provided to North Ferry, Inc., to provide certain mitigation for the Taylor's Island wetlands restoration project, at no cost to the Town of Shelter Island, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the application and any and all necessary paperwork to effectuate the aforementioned project.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 328

Councilman Colligan offered the following resolution, which was seconded by Councilman Brach-Williams, to wit:

"Whereas", the Town of Shelter Island proposes to apply for a grant to replace the deteriorated portable bathroom at Crescent Beach with a 440 square foot bathhouse with a 300 square foot covered deck, 180 square foot open deck with handicapped accessible ramp, in the same location, and

"Whereas", it is required by law that a "lead agency" be established to review this matter pursuant to 6 NYCRR Part 617 (SEQRA) and this Board wishes to establish itself as Lead Agency and render a declaration of significance pursuant to SEQRA, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA, and

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this is an "Unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF Parts 1 and 2 and the negative declaration.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 329

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town of Shelter Island has identified appropriate sources of possible funding to complete the Crescent Beach Restroom Facility Project in the programs available under the New York State Consolidated Funding Application (CFA); and

"Whereas", CFA programs identified as possible funding sources include but may not be limited to the Environmental Protection Fund Municipal Grant Program (EPF) and of New York State's Office of Parks, Recreation, and Historic Preservation (OPRHP), and Empire State Development (ESD) Grant Funds; and

"Whereas", The Crescent Beach Restroom Facility Project will provide for upgraded restroom facilities and advanced wastewater treatment technology; and

"Whereas", under the Environmental Protection Fund Municipal Grant Program of the OPRHP, the Town would provide 100% of funding up front, and the grant would reimburse up to 50 percent (50%) of eligible project costs, up to an administrative cap of $500,000 if awarded; and

"Whereas", under the Empire State Development Grant Funds, the Town would provide 100% funding up front, and the grant would reimburse up to 20% of eligible project costs with a requirement of a minimum 10% cash matching funds; and

"Whereas" the Crescent Beach Restroom Facility Project cost is estimated to be approximately $250,000.00; now, Therefore

BE IT RESOLVED, That the Town of Shelter Island is hereby authorized and directed to file an application for funds under the Consolidated Funding Application programs and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Town of Shelter Island for the Crescent Beach Restroom Facility Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property; and

BE IT FURTHER RESOLVED, That the Town Board of the Town of Shelter Island authorizes the Town Supervisor or his designee to sign any and all paperwork in connection with such CFA application; and

BE IT FURTHER RESOLVED, If the grant request is approved, a separate Town Board resolution accepting the awarded grant(s) shall be adopted and identify the source of funding for the up-front costs; and

BE IT FURTHER RESOLVED, That the Town Board of the Town of Shelter Island hereby reaffirms the 2007-2011 Shelter Island Parks and Recreation Master Plan, first adopted in 2006, which among other priorities supports rehabilitation of Crescent Beach facilities to meet the needs of the community, and

BE IT FURTHER RESOLVED, That the Supervisor is hereby authorized and directed to Sign any and all Documents Pertaining to the Application for the Crescent Beach Restroom Facility Project.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 330

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 4th day of August, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed LOCAL LAW AMENDING CHAPTER 16, ENTITLED OFFICERS AND EMPLOYEES, RE: RESIDENCY, as follows:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Amend Chapter 16 of the Shelter Island Town Code, titled "Officers and Employees" by amending Section 16-2 as follows:

§ 16-2 Full-time residency required.

Employment priority will be given to qualified residents of the Town of Shelter Island. Every Town employee is strongly encouraged to be a full-time resident of the Town of Shelter Island throughout the term of his or her employment.

Section 2. Amend Chapter 16 of the Shelter Island Town Code, titled "Officers and Employees" by deleting Section 16-3 in its entirety.

Section 3. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 331

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:43 p. m., prevailing time, on the 4th day of August, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 36, BEACHES AND PARKS, RE: COMMERCE, as follows:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Purpose. This regulation is being adopted in order to ensure that Town beaches, landings and parks are kept open for quiet use by visitors and residents by requiring Town Board review and approval of any such activities.

Section 2. Chapter 36, Article II of the Shelter Island Town Code is hereby amended to read as follows:

Section 36-14.2 shall be added to read as follows:

§ 36-14.2. Commerce on Town property.

36-14.2. No person shall solicit or engage in any business, trade or commercial transaction on a Town beach or park, or on streets within 500 feet of the boundary of any Town beach, landing or park, except as permitted by agreement with the Town Board. This shall cover any activity involving the sale of merchandise or services, or for which any fee, payment, donation or other consideration is required or requested.
Section 2. Effective Date. This Local Law shall take effect upon filing with the Secretary of State.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 332

Councilman Colligan offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved:
$200.00 from the A5010.400 Superintendent of Highways training account to the A5010.200 Superintendent of Highways equipment account;
$500.00 from the A1490.422 Public Works dredging account,
$1,000.00 from the A1490.411 Public Works buoys and lifelines account,
$300.00 from the Public Works Town Hall and other buildings account, and
$1,000.00 from the Landfill A8160.200 equipment account to the A1490.200 Public Works equipment account;
$40.00 from the Police Department A3120.271 boat equipment account to the Police Department A 3120.479 boat maintenance account;
$75.00 from the Police Department A3120.487-9 Part Time Uniform account to the Police Department A3120.487-13 Drake Uniform account;
and
$73,269.00 from the A1990.400 contingent account to the Public Works A1490.499 Bridge Street bathroom facility account.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 333

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That general claims numbered 994 through 1131 in the amount of $149,155.09, Community Preservation Fund claim number 4 in the amount of $6.04, highway claims numbered 131 through 145 in the amount of $5,204.03, and West Neck Water claims numbered 18 through 20 in the amount of $7,385.88, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 334

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Shelter Island Educational Foundation has requested permission as per application dated July 12, 2017 to hold a fundraiser event at the Doyle residence at 47 Ram Island Road on July 16, 2017, and

"Whereas", the Shelter Island Highway Department has no objections to said application, and

"Whereas", the Shelter Island Police Department responded that there is no need for additional police services, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:50 p. m., Deputy Supervisor Lewis recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Ralph F. Clark, 17 Crescent

Way, for permission to install a mooring in Coecles Harbor near the Stone Wall at a location designated as latitude 41.08574° north and longitude 72.31213° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: Paul; there's really nothing to say, five, zero okay; okay; no issues.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, Deputy Supervisor Lewis declared the public hearing closed at 4:51 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled AMENDMENTS TO CHAPTER 133, RE: WATER AND SIZE LIMITATIONS ON ACCESSORY SLEEPING.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Councilman Shepherd presented the report of the Planning Board which was as follows:
30 June 2017
Re: **Town Code 133**
Limitations on Accessory Sleeping
Per the request of Planning Board Liaison Paul Shepherd, we are writing to the Town Board regarding the proposed Amendments to Chapter 133 - Limitation on Accessory Sleeping.
We have heard that these changes have been in discussion for the past few weeks and are lead to believe that the primary goal is to limit water use with the secondary goal of limiting the rental of Accessory Sleeping Quarters (ASQ) in the Near Shore Peninsular Overlay District.
The existing code was last amended on 5 March 2004. It currently reads:
(3) Other accessory uses.
(a) An accessory building used for sleeping quarters for domestics, house guests and members of the family. No accessory building shall have kitchen facilities or shall be used for rental purposes. The area of the first floor of an accessory building to be used for sleeping purposes shall be not less than 480 square feet, excluding closets, bathrooms, pantries, porches, breezeways and attached garages. The accessory sleeping quarters shall include no more than two conventional bedrooms. [Amended 3-5-2004 by L. L. No. 5-2004]
For the past 13 years, ASQs have been permitted all modern conveniences with the exception of kitchen facilities. This was traditionally interpreted as no oven or range. Small built-in cooktops have been permitted.
A key point to this is modern conveniences. A domestic, house guest or family member using the ASQ is able to make a cup of tea, heat up a bowl of soup, or fry an egg without having to travel to the Principal Building. They are able to bathe, clean, and launder without having to carry all to the Principal Building.
Often ASQs second as Pool Houses. Most homeowners entertain around their pool which can include serving drinks and snacks, barbecuing, and swimming with its use of towels. They are able to bathe, clean and launder without having to carry all to the Principal Building.
Modern conveniences have traditionally included: a sink large enough to wash a frying pan or fill a mop bucket; a dishwasher so that the glasses and plates can remain within the structure; a refrigerator to store beverages, make ice, and cater to the entertainment use of the structure; and a washer and dryer to locally launder linens and towels.
From the title of the proposed amendment, we assume that the proposer believes these items greatly expand a residences water usage. But we ask how does it do so? Is not the same amount of water being used on a property whether it is being used within one structure or two by the same number of occupants? Does a family of six wash more glasses and plates in two structures than in one? Does that family of six launder more sheets and towels in two structures than in one? Has a Quantitative Study on actual water use been carried out?
The code describes ASQs are for domestic help, house guests, or family members. We believe the average ASQ on a NSPO property is in use for two to three months in the summer and possibly a few additional weekends in the off season. In a few examples, they are used for young or elderly family members, or by domestic help for young or elderly family members, year round. Should an elderly family member be required to travel to the Primary House for every meal and cleaning need?

We recognize that ASQs are not meant to be Primary Houses. The code currently limits them to two convention bedrooms. We have heard that overly large ASQs exist but we do not have direct knowledge of any. Have examples been cited? It makes sense that an ASQ would have a living area, a den, a kitchenette, bathrooms, and a place to do laundry.

The proposed language restricts an ASQ's size based on the size of the Primary Structure. If it is to be limited, would it not be better to do so based on the size of the lot? It seems to us that a two acre property can better support a large ASQ than a half-acre lot can support a small ASQ. If a homeowner would like two twenty feet by twenty feet bedrooms, and/or a large living area for pool entertainment or Pilates, why should they be restricted? Do larger bedrooms or living areas use more water than smaller ones? Are large ASQs more apt to be illegally rented than small ASQs?

The distinction between an ASQ and an Accessory Apartment (AA) is limited. The apartment is permitted a full kitchen. The apartment must be outside the NSPO and must maintain a license. Lori Beard Raymond mentioned to the Planning Board that there have only been two or three licensed apartments in the past, and that the one currently licensed apartment's license is about to expire.

133-17B(1) reads:

B. Existing accessory apartments in all districts.

(1) Existing accessory apartments, whether seasonal or year round, if lacking a license as an accessory apartment shall be brought into conformity with the requirements of § **133-17**. Their owners shall obtain a license within 18 months of the effective date of this provision. Failing that, the occupancy of the unit as an accessory apartment shall be discontinued forthwith.

If an AA is without a current license, is it not just an ASQ? Without a current license, would not any cooking facility within, or rental of, the unit be illegal? As AA usage and licensing is currently unenforced, should it be reexamined?

It is not clear how this amendment affects Accessory Structures without Sleeping Quarters, such as a standalone Pool Houses, entertainment Barns, separate professional offices, or workshops. Will these structures still be permitted modern conveniences?

It is likewise unclear if these provisions apply to ASQs which are in essence attached to Primary Residences. There are residences on Shelter Island that have multiple Entries, Kitchens, and Laundries. The internal unit can be separated by closing a door and just as easily accessed as a detached ASQ.

To us this appears to be far more than a clarification of the existing code; it is a substantial changing of the code. We are in support of clarifying the code but not the stripping of homeowners' rights to use the modern conveniences to which they are accustomed. Before the code changes are attributed to water usage, a Quantitative Study on actual water use should be performed. If the true goal is to reduce the abuse of renting out these structures, tightening up of both Accessory Sleeping Structures and Accessory Apartments code should be studied. And no changes to the code should be made without providing clear cut provisions for the enforcement of the existing code and the proposed changes. For the above reasons, we are against the proposed language change.

Sincerely yours,
The Shelter Island Planning Board
Paul Mobius, Chairman
Emory Breiner, Vice Chairman
John D'Amato
John Kerr
Ian McDonald, Architect

Deputy Supervisor Lewis opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Pam; Pam Pospisil, I did respectfully request that the Board give due consideration to studying this thoroughly before enacting on it, I think the fifty percent is a very restrictive designation and I think it's somewhat arbitrary, I wonder if there's some sort of sliding scale that could be considered based on the size of the piece of property or, and I also wonder whether the restriction should be specifically designated for the conditioned space versus the non-conditioned space, I'll give you an example, if one is building a two car garage, well if you have a fifteen hundred square foot house as you're proposing it, and the footprint of that fifteen hundred square foot house is a thousand square feet, therefore our accessory structure with sleeping within it, would be limited to five hundred square feet, however perhaps that accessory building is in fact a two car garage with a bedroom and a bathroom as part of

it, therefore the five hundred square feet is gonna be used up in the square footage of the garage alone, there's nothing left for that accessory structure, so I think maybe there's some sort of scale or amendment that needs to be __ because, I have three projects currently that would all fall under this and they would all be not allowed, then the other thing I'd like to say is that if one is limiting the sizes, square footage of an accessory structure that has sleeping in it, but when used as the example that I just said, a two car garage, for argument sake, a twenty-four by twenty-four or five hundred seventy-six square feet but attached to that, they want a bedroom and a bathroom, under scenario that I gave you, I'm over the limit so therefore what's gonna happen is, somebody's gonna put up a two car garage but then they're gonna put up a separate building which would have the location for the accessory structure so now we're getting increased density because we're gonna have multiple building on a property which would all theoretically be allowed as of right so I think one has to think of it in that sense as well in terms of increasing the density because of multiple buildings and then my last question would be, or my last comment would be, or maybe this would be more for the Building Department but what happens if, let's say you voted on this today and the law goes into effect, I have three projects currently, two of which are hung up right now with the Health Department and the DEC, they've been designed, the construction documents are done, there's been a tremendous amount of time and money by my clients yet because we all know the Health Department takes forever, am I then, are these clients then shut out from being able to do their project so those are all just things that I wanted to mention; thank you very much; my name is Kim Noland and I just would support the Planning Board and also Pam and also to say that some of these provisions seem __ to me, any building with accessory sleeping quarters shall not be greater than, does that mean the footprint should not be greater than or the square foot living area should not be greater than, it just seems that more time needs to be spent on you know looking into a little more specificity about how they could operate and in addition, I'm building a garage soon and I cannot fit my frying pan in a sink that size, not that I'm gonna be doing a lot of frying but does anybody ever like how big that sink is, I mean would it really change water use to allow a slightly larger sink, that's just a minor point, mostly I just wanted to say that I supported the lengthy letter and also what my architect is saying, thank you very much; it was lengthy wasn't it, they are notoriously lengthy, but thorough, it's a big piece of the puzzle; anything from the Board; does anybody have anything from the Building Department that you'd like to say; no; I did get an informal, in an informal discussion with two people from the Community Housing Board who have some questions too but they did not put them in writing but theirs kind of implied when you restrict what we restricted, are you in some way impacting affordable housing a person's ability to rent a small studio or something if you so as I said they didn't do any formal presentation to it, it was sort of just phone calls from them because I'm their liaison to bring their information but I said I would bring it to you and of course, nothing that we do in the nature of hearings like this get acted on tonight, they will be discussed I assume by the Board again on Tuesday at the work session, with these comments that have been made, taken into consideration and I guess it would be appropriate to close the hearing for everything but written correspondence, would that be; as soon as we're done making comments; oh I'm sorry; it's alright; if we are done, are we don't; well I wouldn't think so, have people on the Community Housing Board called us to ask questions like that, I don't see this as one member you know, as the Building Department indicated to me, it's not really a step in the right direction considering the concerns that we have, putting roofs over people's heads now, I've written my own little filibuster here, you know, it's not quite as lengthy as the Planning Board's but you know sometimes you've got to say what you've got to say because that's why you figure why you came here; right; go right ahead, take your time; bear with me, it should be about three minutes: It is perhaps ironic that, here in the season of the celebration of our liberty, and on the very anniversary of the liberation of France from the oppression of their Lords and Masters, at this moment, having apparently done all things deemed more worthy of our efforts, we are addressing the size of sinks and refrigerators, the presence of washers, dryers and dishwashers in accessory quarters. But, as they say, here we are, so I'll begin by pointing out the why of my opposition to this proposed alteration of our Code. First and foremost, as has been pointed out by the Planning Board, it does nothing to actually achieve its stated aims of water conservation and restrained density. That alone should finish the discussion, but I'll add that the very underlying premise it is built on is fatally flawed. The "kitchen facilities" cited are, in fact, things you indeed find in kitchens. But you also find refrigerators, washers and dryers, sinks, in garages and basements. Are those then suddenly kitchens? The answer is obviously no. But why? Because there is one, and only one, appliance or facility, which makes any room, anywhere, a kitchen: A working cook stove. In its absence, it is just room with some common amenities and conveniences. To ban their use is

unfair to the landowner and the occupants. But worse, it is unfair with no provable benefit to the community at large, either the direct neighbors or anybody else. I urge you to rethink what is presented here. I know of several present Town employees who have benefited from the existence of accessory quarters, some possibly illegal for want of registration or because of location. Some benefited by living in these quarters, others by making them available. I see nothing wrong with their existence, but I do see something wrong with what we have done, and apparently are hell bent on continuing to do, which is make it hard for landowners to create decent accommodations for people, whether domestic help, family, friends, or a person in need of a roof. Perhaps, if we get out of the way, people will find a way to solve a problem which we have failed, and I mean collossally and miserably failed, at dealing with: housing. Regardless, to quote one of our Building Inspectors when I showed him the law "I've had no part in this, but it doesn't seem to be a move in the right direction". I pushed, along with the majority of this Board, to put in a short term rental law, despite my misgivings both about its propriety and its efficacy, because literally hundreds of residents wanted the effort made. What is before us now is something nobody has mentioned to me outside the confines of this building. It is a solution in search of a problem... but if you must persist, I would simply ask that we continue the by now long standing practice of "no cooking", which would mean keeping the prohibition of the cooking facilities in the proposal... or easier still, simply change "kitchen" to "cooking" in the original paragraph. Or take it out altogether and allow cooking on properly, safely installed equipment that is no longer installed secretively, but legally, in the open with proper inspections. That, my colleagues, is a clarification. This is, as it stands, and as noted by the Planning Board, a significant change in law and in practice. Please, let's reconsider the language to reflect the stated purpose and intent. Otherwise, this literally will accomplish nothing except aggravating landowners by denying their guests the amenities most people have become accustomed to. This proposal does not even pass the most basic test put to a ZBA variance: does it do more harm to deny than it does good for the community. We can, and must do better; just one thing, and that is, there might actually be a scenario where somebody might build a smaller house if they knew that they could have an equivalent type scenario for their family and guests and so this would make it not be able to do it because of the ambiguous language regarding the fifty percent and I know people are building big houses and I know that would be an unusual situation but you wouldn't want to outlaw that kind of situation and again I'm supporting the idea that you know, the size of the property is also important, not just the footprint; are there any other comments; I would say Lori, since the Building Department initiated this, maybe the purpose of what the intent of what you were to do, I think it went beyond water usage but I may be wrong on that but I think we need to clear up that intent for what this legislation was for, the second thing is, rather than bring it back to the Town Board meeting on Tuesday, I would be more in favor of maybe somebody from the Planning Board, maybe with Paul, somebody from the Building Department to sit down to see if they could clarify the language that would be more appropriate than to come back here; once the intent is straightened out, I think that makes some sense; okay; and I don't know, forgive me Jimmy but I'm just trying to give this some discussion where it needs to be, that the intent, we as a Board are responsible for; right; that's a big deal, we don't serve the people that work with us, before us, right and that's what we have to remember, we serve the people that pay us and who we should be considering; and I concur with that to a point and I do think we are obligated to, some times, and when there is good cause to listen to people that work for us, that work for the Town, that have, that are faced with issues that are causing potential problems and trying to be somewhat sympathetic to what they are going through so therefore I do think that we would be best buying some time, asking for some clarification on the intent and the purpose of the law and then getting together a small group of people outside of the Town Board, maybe have Paul as a representative or maybe one other person if you so choose, to sit down and see if you can bang out the language and bring it back and we'll deal with it; okay, I reiterate, we need a direction on the housing thing, alright, __ to the point of actually making me virtually ill to think of the best we can do to stop people from doing things or having things, it's not why I came here and as you can see, it upsets me and it upsets me a second time now and I don't care if you care if I'm upset; no; it just matters to me very much __ we do something to make something positive come out of all this bullshit that we involve ourselves in; Paul; forgive my French; Paul, Paul, we have heard it and that's why I suggested what I did so I think we've heard it and we do care about everybody's feeling in this, we're not robots; is there a problem in the minds of any of you of closing this hearing except for written correspondence and taking your discussion to the work session where you might redefine the purpose or create you know, what the purpose was, to a greater level of satisfaction, does that make sense; I have no problem with that; just be mindful of what our agenda schedule looks like, it

gets a little tight sometimes and I __ that we will make it, I will also understanding Jim's point that you know that the broad discussion can sometimes consume a lot of time; I agree; and I don't want to get caught up in that; fine; so if we could in some fashion or another, decide whether we're trying to help or hinder, it would be a tremendous help to me to decide __; that's why I suggested that outside the Town Board to do something first; no you are right; and avoid a lot of those mini hearings that; we will; alright, good enough; so we'll close this hearing except for written correspondence.

Deputy Supervisor Lewis declared the public hearing closed at 5:13 p. m. called to order the public hearing to be held as advertised on the application of Zachary Vella/ZV Shelter LLC, 85 Shore Road, Shelter Island, New York, zoned AA-Residential/Near Shore and Peninsular Overlay District, and designated as Suffolk County Tax Map 0700-013-01-018, to construct an additional 625 square foot third story observation room in addition to the previously approved 11,615 SFLA building.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Councilman Shepherd presented the Planning Board memo, as follows:
14 July 2017
Re: **Vella Special Exception Permit Application**
Vella Residence
85 Shore Road
Shelter Island, NY 11964
SCTM # 700-13-01-18
Zone AA reverting to A Residential standards, within the Near Shore Peninsular Overlay District
We are in receipt of the Town of Shelter Island Special Exemption Permit Application prepared by Barbara B. Corwin Architect, dated 1 June 2017 to add 625 sf to the previously approved 11,615 sf (29 February 2016). The applicant is seeking additional relief from the 6,000 sf maximum habitable house size permitted under code.
By ZBA Resolution 10-16, dated 25 January 2017, the applicant was permitted to construct a three-story flat-roofed house that is 39.11' taller than average existing grade, or 14.11' higher than the 25' allowable height for a flat-roofed house.
Planning Board members reviewed the design drawings prepared by Barbara B. Corwin Architect, the supporting application material, and the two previous Special Permit Memorandums.
We submit the following observations:
The applicant's Partial Floor Plan at Observation Room dated 7 September 2016 uses an architectural convention that shows staircases going both up and down. This indicates to us that a roof deck may be planned on top of the observation room. The applicant's partial Roof Plan at Observation Room does not show the staircase, but to be certain, one of our recommendations is that the roof space can not be used for any habitable space, including an observation deck.
The Town has already permitted a 11,615 sf house. An equitable mitigation to add the 625 sf would be to take it from somewhere else. Removal from Cellar space alone, which has no visual impact on the massing of the house, to us, is not sufficient. We ask the applicant to propose an alternate downsizing, possibly shortening the house by some length which over (2) floors should yield the same square footage.
In our 13 April 2013 and 29 January 2016 Special Permit Memorandums, we noted "If the Town Board finds reason to accept the proposal in part or whole, we recommend that conditions be attached to the approval, and made part of the Building Permit file, that would not permit any future expansion of bedrooms or change of use from its current single family residential use." We repeat this in our current momentum.
As was the case in 2013, and again in 2015, the Planning Board remains divided on the acceptance of the project as currently designed and presented. The majority of the board recommends not approving the additional 625 sf.

Deputy Supervisor Lewis opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Barbara; okay, I'm Barbara Corwin, I'm the architect for Zachary Vella who is here with his son Sebastian and this application is for an amended special permit for the addition of six hundred twenty-five square foot third story observation room, a two story eleven thousand six hundred fifteen square foot was approved by the Town Board resolution on February 29th, 2016, application would bring the total square footage to

12,240, the Town Board approved a thirty-four foot high sloped roof over most of the roof area, allowed by Section 133 6 B in the Zoning Ordinance to have a total height of thirty-five feet, permission for the new two story residence was granted but the applicant's proposal to reconstruct the existing third story observation room was denied, as a result of these restrictions, the applicant was instructed to seek variances from the Zoning Board to allow a third story with a flat roof height exceeding twenty-five feet, I just want to say that the existing house which I think you're all familiar with, it's not pretty, the existing house was purchased originally thinking it could be renovated which it can't be, but one of the main reasons this was attractive was the third story observation room and the really wonderful really exceptional views that it has, so to no fault of the applicant, the existing dilapidated three story residence cannot be renovated and must be demolished, to comply with the current Zoning Ordinance, a variance for the observation room and third story and additional height was sought and granted by the Zoning Board on January 25th, 2017, there are benefits to the Town, the new height of twenty-seven feet over most of the house, the new height is twenty-seven feet now, that's the top of the second story which is most of the house, instead of the Town Board approved height of thirty-four foot sloped roofing, the observation room's area and volume is considerably less than that of the sloped roofing that was approved, unlike the existing house, there will not be a deck on nor access to the roof of the observation room and we do and I think we have given you drawings showing that roof without any staircase or deck or anything on it, the existing observation room is seven hundred eighty-seven square feet, at six hundred twenty-five square feet is twenty percent smaller than the existing, the third story observation room in the existing house is forty-four feet seven inches above average grade and this height was approved in November 2012 by the Town Board for a previous house designed for this house, so how did we accomplish lowering, we have actually lowered the overall, the roof of the observation room by six foot eleven inches, how did we accomplish this, the original flat roof design that we presented to the Town Board, had a roof height of thirty-nine foot nine above average grade which was four foot ten lower than the existing house and was approved by the Town Board in 2012, that's the original, the first, working with the Zoning Board, we agreed to excavate part of the site and lower the entire house on the site by an additional two foot one inches which translates to an overall height that is thirty-seven foot eight above average grade, six foot eleven lower than the existing house; so what you're saying is the entire new house as proposed is gonna be this much lower than the existing house which means that the roof of the second floor, so all of volume is just gonna evaporate so that the roof will be down there and the only thing that's gonna protrude up will be these new small revised smaller observation above that flat area, so to but to be clear; but it's still six foot eleven lower than the existing observation room; it should follow the rest of the house; so basically this will be the level of the observation room, this will be the level of the second floor now, pretty much; thank you; and the reason that we bring that up is so that the Town understands that in all the negotiations that we were trying to accommodate and give back which we felt we accomplished, the Town asked us for a lot of things and we tried to accommodate many of them and they came over the resolution that they felt was an enhancement and a reasonable compromise, it wasn't just, it didn't come from one direction or the other, it was very negotiated so that we were all together on it; so excavation and lowering of the entire house minimized the impact of the height from both Rocky Point and Shore Road, several other nonconformities have been eliminated or negated during the three years long approval process and they include, the overall height which has been lowered by six foot eleven, the approved, originally there was a two bedroom, one bath accessory apartment above the garage that's been eliminated, the garage will be restored but not expanded, the existing wetlands intrusion has been eliminated, existing five foot front yard and five foot sideyard setback intrusion have been eliminated, the Town Board originally approved a 9,768 square foot addition to the existing 5,060 square foot house for a total of 13,382 square feet, the current permit is for 11,615, the requested six hundred twenty-five square foot observation room brings the total footage to 12,240 which is nine percent smaller than previously approved by this Board, granting the six hundred twenty-five square foot addition to the approved 11,615 square foot residence will not produce an undesirable change in the character of the neighborhood, the forty-four foot high residence has been on the property for forty years, the Zoning Board resolution of January 25 of 2017 approved the third story and the thirty-seven foot eight overall height, the neighborhood has many large properties and buildings such as the adjacent Pridwin Hotel, the Perlman Music Center and the nearby Sunset Beach Motel, there is a forty plus acre undeveloped wooded property directly across Rocky Point Road, at six hundred twenty-five square feet, the observation room is only five percent of the total house area, seven point six percent of the flat roof area and twelve percent of the Town Board approved sloped roof areas, its volume is less than the

volume of the approved sloped roof, ninety-two point four percent of the house will be two stories with a flat roof, there is precedence for the third story observation room, they are a distinguishing feature of this seaside community and found in many existing Island homes, both old and new, extensive drawings and documentation has been provided, meetings, hearings and consultations have been conducted so that this project has been thoroughly reviewed by the Town, it has been a long process and we thank you for your consideration and patience and ask for this one last approval which will benefit both the Town and the owners; thank you very much; do we have the elevation that shows these heights; yes; so; I wanted everybody to see, I want it to be part of the records; right; okay, do you want to describe it; yes, so this is, the average grade, now this is not, the average grade has actually been lowered another two feet from this green line that shows here, so the whole house is going down another two feet, this is your second floor and the observation room, this is the view from Shore Road and this is the west elevation, I did submit all of these drawings so you have them; do you want to show the drawing that shows how much lower the whole thing is gonna be again cause that really; I do have another diagram, this may be it here; we'll share, the question I have would be, this is then, at least in theory, it's going to be __ higher with the __ than the house we approved without it; the house you approved without it, that sloped roof was thirty-four point something feet high and this will be thirty-seven point eight at the top of the observation room; three point four feet higher or something like that, that we approved; but wait; however; however after you approved that sloped roof, with the Zoning Board we worked out that we would excavate the site and lower the entire house by two feet; but that's part of the six foot eleven net is it not; yes, so, speaking in absolute terms of above the sea; yes; how much higher is the proposed structure going to be than the one that we approved; only at the observation room; yes; it's; that's the one that I'm talking about; so you approved close to thirty-four feet eight, something like that, so add two point one to that, thirty-six point nine and we are; so two point one is the number, yes; two point one would be the number; no it's gonna be one, no because it's a different, we are, the observation room will be one, let's see, thirty-four point eight plus two point one; right; so that is thirty-six; I'm looking for a net difference and you know there is one there, so tell me what it is; thirty-six point nine minus thirty-four, so it's, yes two point one; it has to be, it can't be anything else can it; now but also, yes, so that means though, what's the square foot; the whole profile is gonna be at that height by much smaller; let's say it's gonna be, I don't know the number, let's say it's gonna be a fifteen by fifteen room; yes; so that small fifteen by fifteen room is the only piece that will broach that height whereas the rest of the house has now been brought down; correct; that's an important point I think; yes; don't you think; I'm just doing the math, if you took your thirty-six point nine; plus; no, we're at thirty-four point eight, __ you get thirty-four point six and we are now at thirty-eight point seven; right; so the basic structure because we're removing all the bulk from the original design would have been at a height relative, now we dropped the whole house and made one little square; right; I just wanted to know the number; I wanted us all to be on the same page, that's all; it's a rare event, Ambrose, to be on the same page; is that all of us or is that all of us including Paul; right; we're hoping to get a majority; so essentially the floor plan has not changed; no; right, you've answered most of the questions now; this is the first I've heard of the Planning Board's comments but I would like to say that the basement because of the slope of this property, the basement is visible, it's above ground from Shore Road, it's not like it's hidden; right; so diminishing that space negatively impacted the homeowner but not the Town in any way, it's just another detriment that would cause the homeowner that would want to use some of that space incorporating it in the lower level instead of putting it up on the upper; he's gonna need a GPS to find himself in here; you know what, seriously, they are big rooms, it's not like; they're large rooms, we've already cut the bedrooms down from the original; yes, considerably, from twelve to nine, that's, Health Department bedrooms, the house is five bedrooms; right; right; no matter what you tell the Health Department, they determine their own count; of course they do; it could become something other; well the living room, as a den, they say we think this is a bedroom; it's been done, they know; put a closet in; okay, so we accommodated them; usually not on an instance like this but another instance; I agree with that a hundred percent; one more question; where is the new observation room in relation to the existing one on the Herrmann house; it's in the same place; it's in the same place; the stairs coming up are in the exact same place; just trying to visualize; __ property to get the same view pretty much; when we originally designed the house, we figured we were keeping the volume and then over the years and applications and just __ information and coming back for multiple different things, we've ___ and now we're at a new application; so we didn't want to juggle where that was and located relatively and almost exactly in the same spot; I think lowering the profile of whole house by a couple of feet is very big, otherwise I would not really be in favor

of it by I think when you look at it from Shore Road, you see the bulk of the first and second story down, it's less than, it's never gonna be an eyesore because the house is beautiful, beautifully designed so I think it's less obtuse than the original look of it; we would hope that you all, in spite of the fact that some people may not be modernists, feel that this is gonna be an enhancement; there's only one way to go as far as what you've got there and what's coming in; I think, with all due respect to Barbara's talent and Mr. Vella's vision, it wasn't a hard job to make that look better; that's a cheap shot; lowering the bar very low; well I have a comment and that is only that we've been told for years now that that building is gonna come down and I'm concerned that it's a nuisance you know, it keeps getting vandalized by kids who start; well we've done additional security on it now; good; we keep spending money on the inside so there's no issues with the house itself, it is ___; we've secured the exterior as much as possible; and I'm sure the Town Board is right in saying that the sooner it came down, the better, less hassle for everybody; will be helpful; I'd be happy to make some promises to that, as soon as, well I know that we have the height from the Zoning Board but as soon as we have a permit, I'll take down the; to be honest, the timing would be important, the demolition so that when the fall gets here and the people go home for the most part and camp is away and the hotel is less taxed and then you do a major part of the building during the fall, winter and spring so that maybe you're working on the interior of the house you know next summer; that would be our intention; that would be very helpful for traffic in and out of that area, particularly; it appears that we won't possibly be doing anything until after Labor Day, to simplify the conversation till we get everything in place and get all the paperwork done and get the permit for the demolition itself, is gonna be somewhat of a process because you guys have to approve this, they've already approved the protection plan and the site but until we implement all that, we're not gonna be doing anything before Labor Day so it will be quiet; also I think we have some restrictions on the building; right, yes; I did not recuse myself on the first vote because it was a __ house but obviously the picture on the third page is obviously my house so you know I have to recuse myself from the vote on this; you can vote; you have to recuse yourself because you have a what; no I know, Mr. Breiner; yes I know; my understanding is this special permit is for the additional six hundred twenty-five square foot; yes; the observation room and third story was decided on __; essentially there would be drawings submitted for the Building Department; oh yes; the whole thing, Mr. Breiner, do you want to come up or do you want to; what is your __; I wanted to know if you could condense and articulate for me the Planning Board's primary objections; let's just say it is divided, I would say some members of the Planning Board do not understand this is not a review of the entire project, so you would be getting comments that the house is too big, they're finished with that, we've discussed that, even the third floor discussion, __ the third floor, __ the height, it's only a discussion of the six hundred twenty-five square feet; got it; so even if you denied that I suppose they would take that six hundred twenty-five feet out of the basement; I understand all of that, I just wanted to know what the, so you're saying; I'm saying that some of the members did not understand exactly what this application is for, they think it is for the entire project; do you think they would argue with your analysis; be careful where you're going; okay thank you; are there comments from other people in the audience, okay, are there objections to closing this hearing; no; do you see any reasons to keep it open for written correspondence any further; yeah just in case, I talked to one of the __ but they might not have anything but I did talk to one of the neighbors today; why not; so what's the deadline for accepting written correspondence; the usual, what is it a week or; a week; do we have a usual Dottie; no not really, usually a week or two, whatever they decide on with each individual; by not this Tuesday, the following Tuesday's work session; yes, I don't want to impact being able to vote on this three weeks from today, that's all; right; because I think Mr. Vella has gone on long enough and me too and I can certainly tell you that Sebastian is not gonna want to come back again, he's already saying to himself, why did I think this was a good idea and I don't blame him, I find myself saying that myself; it could be the most exciting thing that happens all summer; when you write in school what you did on your summer vacation, I want to be sure we're included, okay that being the case, we'll close this public hearing except for written correspondence.

At 5:42 p. m., Deputy Supervisor Lewis declared the public hearing closed but that the Town Board will accept written correspondence on said application until the second Tuesday work session following this meeting, and reconvened the regular Town Board meeting.

RESOLUTION NO. 335

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Ralph F. Clark, 17 Crescent Way, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor near the Stone Wall at a location designated as latitude 41.08574° north and longitude 72.31213° west, and

"Whereas", a public hearing was duly held on the 14th day of July, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilwoman Brach-Williams, the meeting was adjourned at 5:43 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

August 4, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 4th day of August, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and six persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

The Supervisor called for a moment of silence in memory and tribute to our friend and colleague Neal Raymond who passed away on Wednesday, August 2, 2017. After a very distinguished career as a Deputy Investigator in the Suffolk County Sheriff's Office, Neal retired, and he and his dear wife, Cathy, bought a home and settled on Shelter Island, but retirement was never a word in Neal's vocabulary. He served very effectively as a Councilman on the this Shelter Island Town Board from 2006 to 2007, and Neal also served the Town in many, many other capacities; a very hard working and very effective member of the Zoning Board of Appeals, he served on the Board of Assessment Review, and was a very active volunteer for many years in the Town's Senior Services program, performing many functions, some humble and some sophisticated, Neal was never one to shrink from any volunteer duty, and he offered services as a ham radio operator to the Police Department, the EMS and many others. Neal Raymond was a giver and not a taker, and Neal will be sorely missed by all of us; a moment of silence please.

Correspondence included the following:

1. A letter from Bruce Saul submitting his resignation from the Community Housing Board.
2. A memo from the Town Clerk stating as follows: The Town Board adopted a resolution on the 23rd day of June, 2017, authorizing the Superintendent of Highways to purchase three new medium duty snow plow dump trucks and sanders, one new horizontal vegetation grinder and one new or slightly used, low-hour excavator with low boy trailer with funds from the Highway Capital Reserve Fund for said equipment, subject to permissive referendum, as follows:

$55,000 for each of five years (2018-2022) to purchase three trucks; and
$50,000 for each of five years (2017-2021) to purchase an excavator with trailer; and
$15,000 for each of seven years (2017-2023) to purchase a horizontal vegetation grinder; and

Whereas, as of July 31, 2017, no petition was filed, now, Therefore, said purchases from the Highway Capital Reserve fund are hereby authorized.

3. An e-mail from Bethany Notley concerning a recreated Recreation Commission.
4. A letter from John D'Amato concerning Fresh Pond.

The Supervisor presented the following financial report for the month of June as follows:

REPORT OF MONTHLY STATEMENTS OF SUPERVISOR
JUNE 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	3,935,353.36	1,933,348.39	871,299.59	4,997,402.16	771,900.13
Hwy Checking	1,121,038.02	138,039.82	347,849.98	911,227.86	
T&AChecking	75,602.40	3,769,445.42	3,765,150.42	79,897.40	15,436.25
T&A Savings	12,224.86	0.30	0.00	12,225.16	
Hwy Cap Res	288,960.56	22,507.48	0.00	311,468.04	
WNW Supply	37,161.22	1,980.76	579.97	38,562.01	110,233.50
Taylor's Island	39,991.39	4.92	0.00	39,996.31	
Comm Preserv	6,121,483.41	350.75	3,300.00	6,118,534.16	1,596,208.84
Waterways	232,201.81	6,620.00	0.00	238,821.81	
Reserve Fund	688,938.95	5,462.95	0.00	694,401.90	
Bridge St Esc	0.00	0.00	0.00	0.00	353,931.73
Environmental	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Reserv	18,164.65	0.00	0.00	18,164.65	
Ambulance Re	301,662.68	17.29	0.00	301,679.97	
Ambulance Tr	29,080.76	0.72	0.00	29,081.48	
TOTALS	12,917,614.07	5,877,778.80	4,988,179.96	13,807,212.91	2,847,710.45

RESOLUTION NO. 336

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", James V. Pascale, 132 West Neck Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latitude 41.065031° north and longitude 72.363001° west; said mooring location was formerly occupied by the Van Kesteren W-2781 mooring, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 25th day of August, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 337

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", Steven D. Winegar, 10 Dickerson Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Menantic Creek, approximately 125 south of the Staebler mooring at a location designated as latitude 41.058756° north and longitude 72.343904° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:41 p. m., prevailing time, on the 25th day of August, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 338

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Catherine Davidson is hereby appointed to serve as Recreation Aide for the year 2017 retroactive to July 24, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 339

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Eva Czeladko is hereby appointed to serve as FIT Aide for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 340

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Mark Mobius is hereby appointed to serve as Chairman of the Water Quality Improvement Advisory Board for a term to run coterminously with his term as member.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 341

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That James Eklund is hereby appointed to serve as Vice Chairman of the Water Quality Improvement Advisory Board for a term to run coterminously with his term as member.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 342

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on June 23, 2017, James Murphy was appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019, and

"Whereas", Mr. Murphy has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Murphy serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That James Murphy is hereby appointed to serve as a member of the Water Advisory Committee for a term to expire on April 2, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 343

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds received in the amount of $337.70 from Cook, Maran & Associates, Inc. to the 2017 A1910.400 insurance account, and the reimbursement funds received from PERMA to the A9055.800 account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 344

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $350.00 from the Police Department A3120.484 office and miscellaneous account to Chase Card Services, P O Box 15153, Wilmington, DE 19886-5153 for the registration fee for Chief James J. Read to attend the 2017 International Association of Chiefs of Police conference, October 21 - 24, 2017, in Philadelphia, Pennsylvania.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 345

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That effective August 4, 2017, the hourly wage for part time Custodians is hereby increased from the present $20.00 per hour to $25.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 346

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $206.81 for excess copies for the Town Hall second floor copier, as follows:

A4540.484	$22.97
A5710 400	$22.98
A8140.400	$22.98
A8710.484	$22.98
B3610.400	$22.98
B8012.484	$22.98
B8020.484	$22.98
B8030.484	$22.98, and
B8710.484	$22.98.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 347

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the agreement between the Town of Shelter Island and Cullen & Danowski, LLP, 1650 Route 112, Port Jefferson Station, New York 11776-3060, for the provision of financial accounting services for the Town for the period June 1, 2017 through May 31, 2018, for the sum of $43,400.00.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 348

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the Town Board is desirous to disband the present Recreation Commission and establish a new Commission, now, Therefore

BE IT RESOLVED, That the present Recreation Commission is hereby disbanded effective August 7, 2017, and

BE IT FURTHER RESOLVED, That effective August 7, 2017, a Recreation Commission consisting of seven members serving seven year terms, except the initial terms shall be as specified, is hereby established as follows:

Jim Polychon	for a term of one year, to expire on August 7, 2018;
Kim Reilly	for a term of two years, to expire on August 7, 2019;
Maggie Davis	for a term of three years, to expire on August 7, 2020;
Anthony Rando	for a term of four years, to expire on August 7, 2021;

Bethany Notley	for a term of five years, to expire on August 7, 2022;
Catherine Davidson	for a term of six years, to expire on August 7, 2023; and
Deborah Brewer	for a term of seven years, to expire on August 7, 2024.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 349

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Shake Productions, 12 Sheridan Square #B, New York, New York 10014, has requested a filming permit for August 15, 2017, for filming at 24 Stearns Point Road, and

"Whereas", the filming crew consists of approximately 24 persons, 1 motorhome, 1 box truck, 2 sprinters, and 1 cargo van, and

"Whereas", said application has been reviewed by the Police Department and Highway Department, and

"Whereas", the Highway Department has responded that there must not be any obstructions on the road or walkways during the filming, and all garbage must be picked up in the area, and

"Whereas", the Police Department is recommending that the majority of the vehicles should be parked on the location property (5 Seagate Road), especially large commercial type vehicles, and that vehicles parked off of location property (if any) on the public roadway should be parked on the shoulder of the road, in the direction of travel, and should not obstruct normal roadway usage, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to issue the aforementioned filming permit upon receipt of the following fees:

Minor filming application fee	$500.00
One day filming fee $1,000 per day	$1,000.00, and
Clean up deposit	$1,000.00.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 350

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit

"Whereas", the Taylor's Island Foundation has their annual kettlebake scheduled to be held at Taylor's Island on Saturday, August 12, 2017, and

"Whereas", the Foundation has requested permission to use St. Gabriel's Meadow as an alternate location in case of inclement weather, now, Therefore

BE IT RESOLVED, That the Town Board does hereby authorize the proposed use of St. Gabriel's Meadow on Saturday, August 12, 2017 as their backup location for the kettlebake.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 351

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, W. E. Restaurant Corp., AKA The Dory, requested permission as per application, to have a music benefit for the Shelter Island Ambulance on August 13, 2017, from 9:00 p. m. to 12:00 a. m., and

"Whereas", the required fees of $100.00 application fee and $100.00 compliance fee have been submitted, and

"Whereas", the Police Department has responded that they have no problems with the aforementioned application, and

"Whereas", the Superintendent of Highways responded that the there must not be any obstructions on the road or walkways during the event, and all garbage must be picked up in the area, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 352

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Sylvester Manor Educational Farm has requested permission as per application dated July 28, 2017 to hold a fundraising cocktail party event on Friday, July 18, 2017, from 6 p. m. to 8 p.m., and

"Whereas", the Shelter Island Highway Department has stated that there must not be any obstructions on the road or walkways during the event, and all garbage must be picked up in the area, and

"Whereas", the Shelter Island Police Department responded that there is no need for additional police services, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 353

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, Richard Clark, 8 Manwaring Road has requested permission as per application dated August 3, 2017, to hold a fundraising event on Saturday, August 12, 2017, and

"Whereas", the required fees of $100.00 application fee and $100.00 compliance fee have been submitted, and

"Whereas", the Shelter Island Highway Department has stated they have no objections or comments on the event, and

"Whereas", the Shelter Island Police Department responded that there is no anticipated need for police services, and to please keep in mind that the applicant is requesting an exemption from the Town Noise Code as a charitable event which states that noise generated by municipally sponsored or sanctioned functions or charitable events designed to promote the health, safety or welfare of the inhabitants of Shelter Island are exempted, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 354

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the Shelter Island Educational Foundation paid a compliance fee of $100.00 for their fundraiser event at the Doyle residence on July 16, 2017, and

"Whereas", the Superintendent of Highways has determined that no portion of said fee was to be retained by the Town, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 compliance fee to the Shelter Island Educational Foundation, P. O. Box 806, Shelter Island Heights, New York 11964.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 355

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute an agreement to extend the indexed lump sum municipal snow and ice agreement between the State of New York and the Town of Shelter Island for the period June 30, 2017 through June 30, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 356

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", sealed bids were received until 3:00 p. m. on the 21st day of July, 2017, for vegetative grinding services at the recycling center, at which time they were publicly opened and read aloud, as follows:

Wainscott Sand and Gravel:

cost to grind brush per yard $6.00/ hour $670.00
cost to re-grind mulch per yard $6.00/ hour $670.00
cost to grind leaves per yard $6.00/ hour $670.00
cost to grind logs per yard $6.00/ hour $670.00
cost to pile with payloader per day $1,200.00
discounts 3% for five or more consecutive days of grinding, and

"Whereas", the Superintendent of Highways has reviewed said bids and recommends that the bid be awarded to Wainscott Sand and Gravel, now, Therefore

BE IT RESOLVED, That the Town Board hereby awards the bid for vegetative grinding services at the recycling center to Wainscott Sand and Gravel, the sole bidder for the aforementioned fees.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 357

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", ZV Shelter LLC, located at 85 Shore Road, Shelter Island, New York, zoned AA Residential reverting to A Residential, and designated as Suffolk County Tax Map No. 0700-013-01-018, seeks permission to amend the special permit approved by the Town Board on February 29, 2016 to add a third story viewing room with an additional 625 SFLA for a new approved SFLA of 12,240; and

"Whereas", it was determined that a special permit is required under §133-6(F)(1) of the Town Code to increase the size of improvements with a SFLA of 6,000 square feet or above; and

"Whereas", the applicant has provided notice of the special permit hearing to property owners and filed proof of such notice with the Town Clerk; and

"Whereas", this Board considered the application and accompanying documents at a public hearing, pursuant to notice, on July 14, 2017; and

"Whereas", this Board now wishes to render a decision on this special permit application, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this is an "unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF Parts 1 and 2 and the Negative Declaration; and

BE IT FURTHER RESOLVED, That the requested amendment of the original special permit to add an observation room with an additional 625 SFLA is found to be in compliance with the standards set forth in Section 133-35 of the Code of the Town of Shelter Island because:

1. Applicant is already approved for a special permit to demolish the existing three story house and construct a new two-story single family dwelling of 11,615 square feet living area as well as decks, new swimming pool, renovated tennis court, construct new open patios, renovate less than 50% of the existing garage; and
2. The newly-proposed third story observation room was given variances by the Zoning Board on January 25, 2017 to construct a house with more than two stories and for a height of 37.8'; and
3. The existing house on the property is in a severely dilapidated condition and is an attractive nuisance which should be removed as soon as possible; and
4. The existing house is 44'7" high and has a 787 square foot third story observation area; and
5. The proposed new observation room will create a house that is 37.8' and have a 625 square foot third story observation room, which is lower and less obtrusive than what currently exists; and
6. The homes to the west are 1,807 SFLA seasonal home on a one acre lot and a 1,546 SFLA year-round home on a ½ acre lot. The adjacent hotel is a pre-existing nonconforming commercial use with approximately 20,000 SFLA on a 7.5 acre parcel; and

7. The addition of a 625 SFLA third story will not significantly affect the overall mass of this very large new home, especially since applicant has agreed to excavate part of the site to lower the entire house by an additional 2'1"; and
8. This project is suitable for location in this part of Town because the area is a mixed use area with both residential and nonconforming commercial and educational uses, and the existing structure on this property is 6,746 SFLA; and
9. This amendment to the 2/29/16 SFLA special permit will not be detrimental to surrounding property values because the new structure is designed to conform to the Town Zoning Code and will be less visually obtrusive than the current building; and
10. This amendment to the 2/29/16 SFLA special permit is harmonious with the character of the existing and probable development of uses in this vicinity because it is residential in nature; and
11. This amendment to the 2/29/16 SFLA special permit will not interfere with established uses in the neighborhood including odors, dust, light, buffers or noise because the pre-construction and post-construction conditions in this resolution will minimize these impacts; and

BE IT FURTHER RESOLVED, That a special permit to amend the special permit approved by the Town Board on February 29, 2016 to add a third story viewing room with an additional 625 SFLA for a new approved SFLA of 12,240 as shown in the Building Height Diagram dated May 16, 2017 and Partial Floor Plan at Observation Room revised September 14, 2016 by Barbara B. Corwin Architect, is hereby approved subject to adherence to all the conditions set forth in the special permit approval dated February 29, 2016 and the following:

a. The above-described project shall be constructed at the location and in the method shown on the Corwin plans referenced above; and
b. Any increase in SFLA above 12,240 SFLA, including any plans to finish the currently non-habitable areas of the structures on this property, shall require the applicant to obtain a special permit for said increase, although the Town Board wants to make it clear that it will not look favorably on any further increase in SFLA; and
c. In order to abate attractive nuisance created by the existing dilapidated house, the existing house should be demolished after Labor Day but prior to Thanksgiving 2017, with a super silt fence erected pursuant to DEC specifications to protect the wetlands from stormwater runoff; and
d. This approval shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That a copy of this approval shall be filed with the Building Inspector.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 358

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board does hereby authorize the payment of fees charged for physical examinations and licensing fees which are required for licensing of CDL drivers who drive Town buses which facilitate Town programs, after submission of a voucher by the employee and audited by the Town Board.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 359

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", pursuant to Chapter 40 of the Town Code, the Police Department is authorized to have unclaimed boats deposited in the impound area, and

"Whereas", the Shelter Island Police Department has requested the Town Board to establish fees for the impoundment and storage of any vessels deposited in the Police impound area and have recommended the following schedule of fees:

1. If vessel is placed in the Police Department impound for 14 days or less - the fee to be charged should be $50.00;

2. If the vessel is placed in the Police Department impound for more than 14 days - the fee to be charged should be $100.00, now, Therefore

BE IT RESOLVED, That the Town Board does hereby approved the aforementioned Police Department recommendations for fees; said schedule of fees to be effective August 5, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 360

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 25th day of August, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed local law to amend Town Code Chapter 43 of the Town Code in connection with Septic Systems, to wit:

Be it enacted by the Town Board of the Town of Shelter Island as follows:

SECTION 1. Legislative Intent.

In order to effectively deal with water quality issues and changing Health Department regulations, the Town is developing a database of septic systems including the new I/A OWTS. In order to keep the database current, the Town must be notified of repairs and changes to existing septic systems or construction of new septic systems. This will require such construction to obtain a building permit, which will give the Town this information.

SECTION 2. Amendment.

Shelter Island Town Code Chapter 43-6(A) is hereby amended by adding an additional sentence to read as follows:

§43-6. Application for building permit; use of aluminum wiring.

A. A building permit is also required to install, move, repair or replace the septic system on a property.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(12) and §10(1)(ii)(a)(14).

SECTION 4. Severability.

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

SECTION 5. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 1 in favor 4 opposed

The resolution was thereupon declared duly NOT adopted.

RESOLUTION NO. 361

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:43 p. m., prevailing time, on the 25th day of August, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed local law entitled AMENDMENTS TO CHAPTER 126 ENTITLED SIGNED NO PARKING, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Amend Chapter 126-8.1 of the Shelter Island Town Code, titled "Additional parking regulations" by adding subsection A(8) to read as follows:

8. When police have posted official signs prohibiting, restricting or limiting the stopping, standing or parking of vehicles, no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs.

Section 2. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 362

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Town Board calls for a public hearing to be held at 4:50 p. m., prevailing time, on the 25th day of August, 2017, for all interested persons to be heard in favor of or in opposition to a proposed LOCAL LAW ENTITLED AMENDMENTS TO CREATE CHAPTER 109, RE: SITE PLAN REVIEW, as follows:

Be it enacted by the Town Board of the Town of Shelter Island as follows:

SECTION 1. Add a new Chapter 109, Site Plan Review, to the Shelter Island Town Code, as follows:

Section 109-1. Applicability.

A. Applicability of site plan procedure and standards. This chapter shall apply to an application for a building permit for any use, building or structure, except the single family home use on a single and separate lot, customary nonagricultural accessory uses to single family residential home use as stated in the Town Code and in kind, in place repairs and maintenance. Any change in use or intensity of use which will affect the characteristics of the site in terms of parking, loading, access, drainage, open space or utilities, shall require site plan approval by the Planning Board. In kind and in place repairs to roofing, siding, window replacement, sidewalks and similar projects, shall be approved by the building department. In all cases where site plan approval is required by this section, no building permit shall be issued by the Building Inspector except upon authorization of and in conformity with plans approved by the Planning Board.

Section 109-2. Objectives of site plan procedure and review.

A. In considering and acting upon site plans, the Planning Board shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular and may prescribe appropriate conditions and safeguards as may be required in order that the result of its action may, to the maximum extent possible, further the expressed intent of this section and the accomplishment of the following objectives in particular:

1. Traffic access. All proposed traffic access ways are adequate in number, width, grade, alignment and visibility, are located in proper relationship with intersections, pedestrian crossings and places of public assembly and are in conformance with overall traffic safety considerations.

2. Interior circulation and parking. Adequate off-street parking and loading spaces are provided to satisfy the parking needs of the proposed uses on site and the provisions of §§ 133-8 (B)(8) and 133-9(F)(1) of the Town Code, and the interior circulation system is adequate to provide convenient access to such spaces consistent with pedestrian safety.

3. Landscaping and screening. All required service, storage and similar areas are appropriately screened.

4. Existing development and Comprehensive Plan. The development proposed is at a scale and density consistent with existing development and with the Comprehensive Plan of the Town of Shelter Island.

5. Natural features. Due regard shall be paid to all natural features on and adjacent to the site, including but not limited to water bodies, drainage courses, wetlands, marshes, dunes, bluffs, beaches, escarpments, woodlands, large trees, unique plant and wildlife habitat and flood hazard areas.

6. Cultural features. Due regard shall be paid to all cultural features on and adjacent to the site, including but not limited to archaeological and paleontological remains, old trails, historic buildings and sites and agricultural fields.

7. Pavement. All plazas and other paved areas intended for use by pedestrians shall use such pavement and plant materials so as to encourage their use by pedestrians during all seasons of the year and prevent the creation of vast expanses of pavement.

8. Lighting. All outdoor lighting is of such nature and so arranged as to preclude the projection of direct light and glare onto adjoining properties and streets and shall be in compliance with Chapter 83 ("Lighting") of the Town Code.

9. Facades. Building facades shall be compatible with the surrounding area.

10. Drainage. The drainage system and layout proposal will afford an adequate solution to any drainage problems. Any construction activities involving soil disturbance of more than one acre shall be in compliance with the provisions of the MS4 program and NYSDEC regulations.

11. Public utilities. The plans for water supply and sewage disposal are adequate.

12. Public-address or sound system. Any sound or public-address system shall be such that no sound from a system shall be audible on adjoining properties or on the adjacent street, and shall be in compliance with Chapter 92 ("Noise") of the Town Code.

13. Handicapped access. The plan and building design shall accommodate the needs of the handicapped and be in conformance with the state standards for construction concerning the handicapped.

14. Energy conservation. The site plan and building design shall maximize the conservation of energy.

B. Nothing herein shall preclude the Planning Board from requesting neighboring properties to participate in the construction of joint or shared improvements, such as parking, access or drainage, provided that a problem has been identified which can be mitigated only by joint action and an implementation plan has been formulated to institute said mitigation.

Section 109-3. Submission Procedures

A. A site plan could follow one of two tracks, depending on the nature of the application - the administrative site plan or a full site plan.

B. Pre-submission conference. Prior to the submission of a site development plan, the applicant or his agent shall meet with the Planning Board. The purpose of such conference shall be to discuss proposed uses or development in order to determine which of the site development plan elements shall be submitted to the Planning Board in order for said Board to investigate conformity with the provisions and intent of this chapter or whether the project should follow the administrative site plan process.

Section 109-4. Administrative Site Plan Eligibility

A. In accordance with the procedures required by §109-5 for administrative site plan applications, the following applications, or any other deemed appropriate by way of the pre-submission conference, shall be eligible for administrative site plan review:

1. Amendments or modifications to previously approved site plans or legally existing structures, so long as:

a. The lot coverage is not increased or decreased by more than 10% or 500 square feet, whichever is less; and

b. The floor area is not increased or decreased by more than 10% or 500 square feet, whichever is less; and

c. The footprint of proposed structures and accessory structures does not deviate from the existing footprint of such structures by more than 10% or 500 square feet, whichever is less; and

d. The amendment or modification to the previously approved site plan conforms with the zoning requirements in place at the time of the application for administrative site plan review.

2. Interior commercial renovation provided that any additional parking spaces can be accommodated without requiring an increase in lot coverage that would render the application ineligible for administrative site plan review.

3. Change one permitted use to another permitted use in an already approved commercial site plan provided that any additional parking spaces necessary can be accommodated without requiring an increase in lot coverage that would make the application ineligible for administrative site plan review.

4. Renewal of expired approved or conditionally approved site plans for a period of not more than nine months, provided that not more than one renewal of the approved site plan has previously been granted and not more than three years have passed since the approved site plan expired.

5. Changes to signage as approved by the Planning Board as part of an approved site plan.

B. The Planning Board shall be solely responsible for determining whether an application is eligible for administrative site plan review in accordance with the procedures required for administrative site plan applications.

Section 109-5. Administrative Site Plan Elements

A. Submission. A complete administrative site plan application shall consist of:

1. A completed administrative site plan application form.

2. An administrative site plan review fee.

3. An environmental assessment form, Part 1, where required by Chapter 60 ("Environmental Quality Review") of the Town Code.

4. A site plan.

a. If an applicant is eligible for administrative site plan review pursuant to §109-4A(1)(b), (c) or (d), a site plan shall not be required as part of a submission so long as site conditions have not changed since the submittal of the most recently approved site plan on file in the Building Department. If an applicant is eligible for administrative site plan review, full color elevations of the approved signage and the proposed signage shall be required. Nothing within this section shall prevent the Planning Board from requiring a site plan for these applications if in its sole discretion it determines that other information is deemed necessary to determine conformity of the proposed site plan with the spirit and intent of this chapter.

b. For applications for administrative site plan review pursuant to 109-4A(a), the applicant shall cause a site plan map at a minimum scale of one inch equals 40 feet, to be prepared by an architect, landscape architect, civil engineer or surveyor that shall include the elements included in §109-7 of this chapter. The Planning Board at its discretion shall have the authority to allow the site plan to omit those elements not necessary for making a determination on the issuance of an administrative site plan approval. In addition, nothing within this section shall prevent the Planning Board from requiring additional elements not included in §109-7 if in its sole discretion it determines that other information is deemed necessary to determine conformity of the proposed site plan with the spirit and intent of this Chapter.

c. Unless waived by the Planning Board, plans for all required improvements must be submitted by a professional engineer or licensed architect or, if appropriate, a registered landscape architect. Installation of such improvements must be under the direct supervision of a registered architect or licensed engineer.

B. Nothing within this section shall require an application to be deemed incomplete if the Planning Board determines an application for administrative site plan review to be complete.

Section 109-6. Administrative Site Plan Application Procedure

A. Administrative site plan review shall commence with an applicant providing a submission of an administrative site plan application to the Planning Board.

B. Within 10 business days after the first Planning Board meeting following receipt of the administrative site plan review application, the Planning Board shall determine whether the application is complete. The Planning Board shall notify the applicant by first-class mail of said determination. If the Planning Board deems the application incomplete, the notice mailed shall list the elements of the submission that are in need of amendment in order for the application to be deemed complete.

C. Review by committee. Once an application has been deemed complete, the application shall initially be reviewed by a committee of two members of the Board, selected by the Chairman, in consultation with the Planning Board Engineer. The Planning Board committee shall review the application and present its findings and recommendations to the remainder of the Planning Board. Within 60 calendar days of the application being deemed complete, the full Planning Board shall issue a determination, in writing, whether to:

1. Approve the administrative site plan;
2. Approve the administrative site plan with conditions;
3. Declare the application ineligible for administrative site plan review based upon its review and consideration of the factors set forth in Section 109-4, and refer the application for full site plan review pursuant to the relevant requirements of this chapter.

D. In determining whether to approve an application, the Planning Board shall consider the following factors:

1. The size of the subject parcel.
2. The proximity of the applicant's premises to wetlands, endangered plant and animal species, wildlife and other similar environmental concerns.
3. The extent of the proposed development and/or disturbance of the applicant's premises.
4. The environmental significance, if any, of the applicant's parcel and the proposed development's impact upon the environment, including existing transportation resources.
5. Compatibility of the proposed development with the aesthetic resources of the community or with the existing community or neighborhood character.
6. Compatibility of the proposed development with the recommendations of the Town of Shelter Island Comprehensive Plan.
7. Dimensional compatibility of the proposed modifications with the already approved site plan.
8. Compatibility with architectural and design elements of the already approved site plan.

9. Changes in traffic, development or use of surrounding properties and roads since the approval of approved site plan.

E. A statement shall be placed on all written determinations for administrative site plans approved by the Planning Board to the effect that the owner(s) agree(s) to comply with the plan and all conditions noted thereon. The owner(s) or a bona fide agent responsible for completion of the work shall be required to sign such statement and provide such guaranty before any approved plans will be released by the Planning Board. In the event that the site plan is not signed by the owner or his agent within 45 calendar days of the date of the written determination of the Planning Board approving the administrative site plan, said written determination shall be deemed null and void.

Section 109-7. Full Site Plan Elements.

A. Submission. A complete site plan application shall consist of:

1. A completed site plan application form.
2. A site plan review fee.
3. An environmental assessment form, Part 1, where required by Chapter 60 ("Environmental Quality Review") of the Town Code or by state law.
4. A site plan.

B. Site plan. The applicant shall cause a site plan map at a minimum scale of one inch equals 40 feet to be prepared by an architect, landscape architect, civil engineer or surveyor. The site plan shall include those of the elements listed herein which are appropriate to the proposed development or uses as indicated by the Planning Board in a pre-submission conference.

1. Legal data.

a. The name and address of the owner of record.

b. The name and address of the person, firm or organization preparing the map, sealed with the applicable New York State license seal and signature.

c. The date, North arrow and written and graphic scale.

d. The property description, prepared by a licensed surveyor or civil engineer. The site plan may reference a land surveyor's map or base reference map. All distances shall be in feet and hundredths of a foot. All angles shall be given to the nearest 10 seconds or closer. The error of closure shall not exceed one in 10,000.

e. The locations, names and existing widths of adjacent streets and curb lines.

f. The location and owners of all adjoining lands and those lands directly across the street, as shown on the most recent tax records.

g. The location, width and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to the public use within or adjoining the property.

h. A complete outline of existing easements, deed restrictions or covenants applying to the property.

i. Existing zoning.

2. Natural features.

a. Existing contours with intervals of two feet or less referencing 1988 NAVD datum or other datum satisfactory to the Planning Board. In addition, spot elevations will be required where contour elevations are less than two feet on the site.

b. The approximate boundaries of any areas subject to flooding or stormwater overflows.

c. The location of existing features enumerated above, including the mapping of all existing trees that are greater than 12 inches in diameter at 3 feet in height, and any other significant existing natural features.

d. The location of any existing cultural features enumerated above and any other significant cultural features.

3. Existing structures and utilities.

a. Outlines of all structures and location of all uses not requiring structures.

b. Paved areas, including parking areas, sidewalks and vehicular access between the site and public streets.

c. Locations, dimensions, grades and flow direction of any existing culverts or waterlines, as well as other underground and aboveground utilities within and adjacent to the property.

d. Other existing development, including fences, landscaping and screening.

e. The location and use of all buildings and structures within 200 feet of the boundary of the subject property.

f. The location and distance of the closest fire hydrant or fire cistern.

4. Proposed development.

a. The location of proposed buildings or structural improvements, indicating setbacks from all property lines and horizontal distances from existing structures.

b. The location and design of all uses not requiring structures, such as off-street parking and loading areas and pedestrian circulation. Parking calculations shall be shown.

c. The location, direction, power and time of use for any proposed outdoor lighting or public-address systems.

d. The location and plans for any outdoor signs, which must be in accordance with applicable sign regulations.

e. Grading and drainage plans shall be based on retention of a two-inch rainstorm over a 24-hour period; drainage calculations, contours and spot grade elevations to be shown.

f. Proposed landscaping, buffering and street tree plans, including material size, quantity and location. A list of plantings shall also be shown.

g. The location of water and sewer mains, electrical service and Cablevision installations, locations of water valves and hydrants and/or any alternate means of water supply and sewage disposal and treatment.

h. An indication that all storage areas for materials, vehicles, supplies, products or equipment shall be located in either a side or rear yard in compliance with this chapter and that such areas are adequately fenced or screened.

i. If the site plan only indicates a first stage, a supplementary plan indicating ultimate development.

j. The location of any fire hydrant, cistern, well or other fire-protection device.

k. Any other information deemed by the Planning Board to be necessary to determine conformity of the site plan with the spirit and intent of this chapter or Chapter 133 ("Zoning").

5. Unless waived by the Planning Board, plans for all required improvements must be submitted by a professional engineer or licensed architect or, if appropriate, a registered landscape architect.

Section 109-8. Site plan application procedure.

A. Pre-submission conference. Prior to the submission of a site development plan, the applicant or his agent shall meet with the Planning Board. The purpose of such conference shall be to discuss proposed uses or development in order to determine which of the site development plan elements shall be submitted to the Planning Board in order for said Board to investigate conformity with the provisions and intent of this chapter.

B. Within six months following the pre-submission conference, ten (10) copies of the site development plan application and any related information shall be submitted to the Planning Board. Within a reasonable time after receipt of the application, the Planning Board shall determine whether the application is complete. If the Planning Board determines the application to be incomplete, it shall forthwith notify the applicant wherein the application is deficient.

C. If the Planning Board determines the application to be complete, it shall transmit the application to the Building Department and any other municipal or county agency or district that has jurisdiction or that is potentially affected by the proposed development, as deemed necessary by the Planning Board.

D. Within 20 business days after receipt of the application, the Building Inspector shall certify on each site development plan or amendment whether or not the plan meets the requirements of all provisions of chapter 133 Zoning, other than those of this section regarding site development approval.

E. If the Planning Board determines that a public hearing on the application is necessary, it shall schedule and hold the same within 62 calendar days of all departments determining the application to be complete. In determining whether or not to hold a public hearing, the Planning Board shall consider the degree of public interest in the application and the extent to which a public hearing can aid the decision making process by providing a mechanism for collection of relevant data. Notice of such hearing shall be given as prescribed by §111-6.2.

F. Within 62 calendar days of the conclusion of the public hearing or, if none was held, within 62 calendar days of determining the application to be complete, the Planning Board shall inform the Building Inspector and Town Clerk and the applicant, in writing, of its approval, approval with modifications or disapproval. This sixty-two day period may be extended by the Planning Board upon the written consent of the applicant or as may be permitted under the State Environmental Quality Review Act as implemented by Chapter 60 ("Environmental Quality Review") of the Town Code.

G. No application shall be deemed complete until either a negative declaration has been made for the application pursuant to the State Environmental Quality Review Act (SEQRA) or by Chapter 60 of the Town Code or, if a positive declaration is made, until a draft environmental impact statement has been accepted by the Planning Board as satisfactory with respect to scope, content and adequacy. Reasonable time shall be provided for compliance with the SEQRA, including the preparation of a final environmental impact statement.
H. Amendments to a site development plan shall be acted upon in the same manner as the approval of the original plan.
I. An approved site development plan shall be valid for a period of two years from the date of approval unless a building permit is obtained. All work proposed on the plan shall be complete within two years from the date of approval unless a longer period was approved or the applicant obtains an extension from the Planning Board.
J. No regrading or any other work in preparation of future use of a site may take place until site plan approval or written permission has been received from the Planning Board.
K. In the case of a site plan application requiring a zoning variance or special use permit, the site development plan shall be subject to a preliminary review by the Planning Board prior to action on said application by the Zoning Board of Appeals or Town Board. If the zoning variance or special use permit is approved by the Zoning Board of Appeals or Town Board, the approved application shall then be subject to a final site plan review by the Planning Board. Building permits issued pursuant to a variance or special use permit shall be in accordance with any conditions established by the Board of Appeals and Planning Board.
L. A statement shall be placed on all site plans approved by the Planning Board to the effect that the owner(s) agree(s) to comply with the plan and all conditions noted thereon. The owner(s) or a bona fide agent responsible for completion of the work shall be required to sign such statement and provide such guaranty before any approved plans will be released by the Planning Board. In the event that the site plan is not signed by the owner or his agent within 45 calendar days of the date of the resolution of the Planning Board approving the plan, said resolution shall be deemed null and void.
M. No certificate of occupancy shall be issued until all requirements of site plan approval have been completed or an undertaking to complete them, with a cash deposit or other surety acceptable to the Town Board, shall have been given to and accepted by the Town Board. Such undertaking shall provide for completion on or before a certain time and, unless such time is extended by resolution of the Town Board, if the requirements of site plan approval have not been completed by such date, any certificate of occupancy which shall have been issued shall automatically become null and void. The determination of the Town Board whether such requirements have been completed shall be based on a recommendation from the Building Department and shall be final and binding where the same have not been completed before issuance of the certificate of occupancy.
Section 109-9. Fees.
A. Applicants shall submit the requisite fees with an application for a site plan or administrative site plan application, in an amount established from time to time by resolution of the Town Board.
SECTION 3. Effective Date:
This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 363

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That as per request of the auditors, the following 2016 interfund transfer is hereby approved:
$38,825.51 from the A9950.900 Operating Transfer Out account to the V5031 Operating Transfer In account; and

BE IT FURTHER RESOLVED, That the following transferals of 2017 funds are hereby approved:
$1,000.00 from the A1010.496 Town Board Association of Towns account to the A1010.495 Town Board printing and advertising account;
$150.00 from the A1110.200 Justice Court equipment account to the A1110.492 Justice Court travel account; and

$5,600.00 from the B1990.400 Part Town Contingent account and dispersed as follows:
$4,800.00 to the B3620.484 Building Inspector office and miscellaneous account,
$300.00 to the B8010.439 Zoning miscellaneous account, and
$500.00 to the B8010.484 Zoning Officer office and miscellaneous account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 364

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That general claims numbered 1132 through 1273 in the amount of $146,669.77, Community Preservation Fund claims numbered 5 through 6 in the amount of $4,200.00, highway claims numbered 146 through 162 in the amount of $138,113.70, and West Neck Water claims numbered 21 through 22 in the amount of $2,390.00, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 365

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $825.62 from the A3510.495 Animal Control printing and advertising account to the Postmaster, 123 North Sea Road, Southampton, NY 11968 for postage for the Deer & Tick survey mailing.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:03 p. m. the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Edward Goldberg, 10 Bowditch Road, to install a stake, mooring and pulley system in Coecles Harbor at a location off Captain Bob's Landing and further designated as latitude 41.089104° north and 72.32300° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: give him the bad news, we have done nothing yet, we have a meeting on Monday, the WMAC, __ forward in any fashion whatsoever and I apologize for that; oh okay; I'm sorry to waste your time; it isn't; I don't think they had it in time for the last meeting, it fell in between the cycles, we're on a three week cycle, they're on a four week cycle and sometimes it stutters; okay, shall I come to that; tomorrow night, we meet at; it's Monday night; oh I'm sorry, Monday night, 6 o'clock; here; right here; are you gonna be around, probably; if necessary, most of the time if it's not controversial, then it's no problem; okay; but if you are around, it's not a bad thing either; yeah, I'll try to be here; okay.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing held open at 5:05 p. m. and called to order the public hearing to be held as advertised on the application of JBH of Peconic, Inc., AKA Robert Waife, 9 North Ferry Road, has petitioned the Town of Shelter Island for permission to install a private mooring in West Neck Creek off Daniel Lord Road at a location designated as 41.067649° North and 72.353859° West.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:

1. An e-mail from Pamela Adler opposing this application as the boat is too large for the area.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: we did listen to this one for quite a while, there was a similar application

made one year ago for the same site, the same mooring and it was denied, and the feeling of the WMAC was that that was a navigational channel, the boat was too large for that area and it was gonna cause a problem for navigation so they spent some time finding an alternate spot just west of there inside West Neck Bay itself and they did find an alternate spot and I guess Mr. Needham called him and offered that to him and he did not wish to occupy that mooring so we're back to square one and I guess we'll be talking about it on Monday night's meeting again, so, but there was space available further up; should I leave it open; I guess; I think we should close it; do you think you will be receiving more input; well not at that spot, I mean, we talked about it for a long period of time and that navigational channel in there because of the build up, it's not very wide and we had turned somebody down for that exact same spot, for a smaller boat, this is a slightly larger boat so they thought that you know, and they did spend a lot of time, going up into the bay, which was; I was just trying to figure out what you thought might come out of Monday's session, more information; well the applicant was here before the start of the meeting, we explained it to him, Paul and I sit as liaisons, we welcomed him to come to the Monday night meeting to discuss it with the WMAC, I don't know whether he's gonna show or he's not gonna show but we'll see what happens; I guess you could close it, especially if you're not gonna get any more input; but if you leave it open, you can act on it on the same application, right; that's what he was asking about, he did ask something about reserving the fee; did he ask on the application but change the location; it's depending on where it goes, if he waits til somebody gives one up there; well if that's the case and there's a waiting list there; there is not a waiting list; there is not a waiting list; no, not for a mooring; well who knows whether that's gonna be a month, a year or ten years; right; the concern is the forfeit of the application fee, how much is that; 225; that's a high price ___ question; let's do us a favor and leave it open and give him the option of showing up Monday and this way, if he doesn't show up Monday, then we can close the application; right.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing recessed at 5:09 p. m. and called to order the public hearing to be held as advertised on the proposed LOCAL LAW AMENDING CHAPTER 16, ENTITLED OFFICERS AND EMPLOYEES, RE: RESIDENCY.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: we don't want to act on this tonight; I know, Chief Read and I met this morning and I brought Dottie into the conversation, but we can have the public hearing on it; it was always the feeling and I'll speak for myself that when possible we'd love to have a person from Shelter Island for obvious reasons, you know, you absolutely love to fill that position and again if the credentials are somewhat equal, I'd always side with the Shelter Island person, if the credentials were drastically different for a well qualified person from off Island, we would like to hire the best qualified person, especially in a key position, so that's my feeling, I don't know about the others but that's my feeling.

The Supervisor declared the public hearing closed at 5:11 p. m. and called to order the public hearing to be held as advertised on the proposed LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 36, BEACHES AND PARKS, RE COMMERCE.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: Paul; I'm listening and I didn't hear anything, the discussion was some weeks ago so forgive me, I don't, what did come up with this as far as the ice cream guy and what not, did we decide; we did; we put it in the agreement; okay; I don't know if that's the right place but; alright, I get you, that's fine, it almost sounded like __ the noise from that all summer long; I'm definitely in favor of the new provision here strictly because of the covering of the Town's liability, you know I think it's something at Town beaches and I think it's important to have the Town covered in terms of liability especially with the nature of what some businesses are that are operating in certain places so it is a good thing, it addresses some of the concerns that have arisen from some of the taxpayers, I don't say everybody but there's been enough concerns expressed personally to me that I felt that something had to be done, something was done, I think it is reasonable and fair and I'm in favor; everybody seems to be on board with this on this side as

well, we go back and forth with the agreement itself but that's not part of the law so we should be clear, something from the floor; the Town has ___ so __ for that as well; yeah I have a copy; ___ the address of the Town and you're under our policy as well for; thank you Mr. Stromberg; no problem; glad to do it; okay, with the agreement is there another day or time to discuss this or should it be; that will probably come up, you know, we're not pressed for that right now; okay, I just made some notes on it; it's got to be a work session; it say ninety-nine percent of __, so; and everybody, most everybody has given an implicit nod to the three day thing; yes, okay; yeah, that's okay; so it looks; __ this situation and __; actually it looks pretty good; okay; if any substantive thing comes up, I will let you know; absolutely, thanks; alright; well I agree with the revision as well, I think that it is far fetched to put in there something that makes the Town and ourselves I guess liable for __ responsible, so I agree with that and I agree with pretty much everything that has been put in here, it's fair, as far as, one thing I have on here to address, do I have time; yeah sure; this is the time; okay, there's one thing in there where it does mention as far as I guess the sale of merchandise for services, I just say this is a lot of times, what I do is a healing practice with massage and everything, so a lot of what we use, the different kind of oils and different things that people might want to purchase and we do sell on line so as far as the agreement goes, I just wanted to see if there was any possible way that it could be merchandise that has to do with our particular service, you know, is there any way that it can; why can't you just sell them on line; I mean I could, I just; the only thing different would be that you could __ that you, you don't know where that ends you know, it starts with a couple of bottles of whatever and then before you know it, it's; yeah, and that is an option but I think with when you agree to something or when you sign off on an agreement, I don't want to alter that in any way or do something to alter that in any way; right; so it kind of like, you kind of want to change the wording so that in the future, if something doesn't happen, like I can see how it can go over but perhaps if I sell one or two and it just went against my agreement, I didn't want to have to have something go against my __; I do, I do, ___, I get that; but I totally see what you're saying is you don't want it to get out of hand and I don't want it to be very small and you know, go against the agreement so that's all I'm saying; I don't know what to say to that, personally except that, the camel's nose and that's what the argument would be against; right; where does the merchandise __ cease; right; so ___ go here on line and get; it's not __ , I just want to ___; it's good of you to bring it up, you could have just hustled it on the side and nobody would have ever known, I appreciate that, you know, then you go back and forth to the van and they think you're doing something else, you're better off coming up; right.

The Supervisor declared the public hearing closed at 5:19 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 366

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 4th day of August, 2017, on a proposed LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 36, BEACHES AND PARKS, RE: COMMERCE, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 7 - 2017 entitled LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 36, BEACHES AND PARKS, RE: COMMERCE, is hereby adopted, as follows:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Purpose. This regulation is being adopted in order to ensure that Town beaches, landing and parks are kept open for quiet use by visitors and residents by requiring Town Board review and approval of any such activities.

Section 2. Chapter 36, Article II of the Shelter Island Town Code is hereby amended to read as follows:

Section 36-14.2 shall be added to read as follows:

§36-14.2. Commerce on Town property.

36-14.2. No person shall solicit or engage in any business, trade or commercial transaction on a Town beach or park, or on streets within 500 feet of the boundary of any Town beach, landing or park, except as permitted by agreement with the Town Board. This shall cover any activity involving the sale of merchandise or services, or for which any fee, payment, donation or other consideration is required or requested.

Section 2. Effective Date. This Local Law shall take effect upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Shepherd and seconded by Councilman Colligan, the meeting was adjourned at 5:24 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

August 25, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 25th day of August, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and four persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. A memo from the Town Clerk reporting that Confidential Deputy Town Clerk Tramesa Overstreet presented her resignation effective July 15, 2017, and Alexandra M. Binder has been appointed to said position effective August 14, 2017.

The Supervisor presented the following financial report for the month of July, 2017:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
JULY 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	4,997,402.16	281,640.54	721,199.36	4,557,843.34	772,441.75
Hwy Checking	911,227.86	3,389.48	81,937.00	832,680.34	
T&AChecking	79,897.40	93,908.52	75,585.58	98,220.34	15,447.04
T&A Savings	12,225.16	0.31	0.00	12,225.47	
Hwy Cap Res	311,468.04	7.94	0.00	311.475.98	
WNW Supply	38,562.01	9,898.36	7,385.88	41,074.51	110,310.85
Taylor's Island	39,996.31	5.08	0.00	40,001.39	
Comm Preserv	6,118,534.16	202,875.46	6.04	6,321,403.58	1,597,328.82
Waterways	238,821.81	4,925.00	0.00	243,746.81	
Reserve Fund	694,401.90	5,470.63	0.00	699,872.53	
Bridge St Esc	0.00	0.00	0.00	0.00	354,180.05
Environmental	15,750.00	0.00	0.00	15,750.00	
FIT CTR Res	18,164.65	0.00	0.00	18,164.65	
AmbulanceRes	301,679.97	17.86	0.00	301,697.83	
Ambulance Tr.	29,081.48	0.74	0.00	29,082.22	
TOTALS	13,807,212.91	602,139.94	886,113.94	13,523,238.99	2,849,708.54

RESOLUTION NO. 367

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Paulette Van Vranken as a member of the Conservation Advisory Council will expire on September 20, 2017, and

"Whereas", Mrs. Van Vranken has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Paulette Van Vranken is hereby re-appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 368

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Alexandra M. Binder is hereby appointed to serve as Sub-Registrar of Vital Statistics for a term to run coterminously with the term of office of the Town Clerk.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 369

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Howard Johansen as a member of the Conservation Advisory Council will expire on September 20, 2017, and

"Whereas", Mr. Johansen has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Howard Johansen is hereby re-appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 370

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Emily Bohach, P. O. Box 506, Southold, New York 11971, is hereby appointed to serve as FIT Manager at the rate of $24.00 per hour effective September 4, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 371

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", the term of Reeves W. Thompson as a member of the Assessment Board of Review will expire on September 30, 2017, and

"Whereas", Mr. Thompson has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Reeves W. Thompson is hereby re-appointed to serve as a member of the Assessment Board of Review for a term to expire on September 20, 2022.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 372

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on July 14, 2017, Huson B. Sherman was reappointed to serve as a member of the Community Housing Board for a term to expire on August 13, 2020, and

"Whereas", Mr. Sherman has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Sherman continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Huson B. Sherman is hereby reappointed to serve as a member of the Community Housing Board for a term to expire on August 13, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 373

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas"', a vacancy exists on the Community Housing Board, and

"Whereas", David Doyle has expressed his interest in serving the Town in said capacity, now, Therefore

BE IT RESOLVED, That David Doyle is hereby appointed to serve as a member of the Community Housing Board for a term to expire on August 12, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 374

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds received from New York State for the Ram Island Second Causeway restoration project in the amount of $65,720.00 to the DB2701 Highway Road refunds of prior years expenditures revenue account, the reimbursement check from Sprint in the amount of $69.16 to the A7020.484 Recreation office and miscellaneous account, and the reimbursement check from The Nature Conservancy in the amount of $1,302.00 as follows: $935.00 to the A3510.422 Animal Control corn account, and $367.50 to the A3510.491 Animal Control 4 poster maintenance account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 375

Councilman Shepherd offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

"Whereas", pursuant to Resolution No. 359 - 2001, dated June 8, 2001, the Town Board authorized eligible employees who wish to waive his/her rights to medical insurance coverage provided by the Town of Shelter Island, by applying in writing, and

"Whereas", an application has been filed by Bethany Ortmann, now, Therefore

BE IT RESOLVED, That the Town Board hereby approves the payment of salary compensation to the aforementioned applicant for certain medical insurance coverage pursuant to said Resolution No. 359 for the year 2007, effective October 1, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 376

Councilman Shepherd offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $287.98 for the copier on the second floor of the Town Hall for the term of July 11, 2017 through July 10, 2018, as follows:

A4540.484	$32.00
A5710 400	$32.00
A8140.400	$32.00
A8710.484	$32.00
B3610.400	$32.00

B8012.484	$32.00
B8020.484	$32.00
B8030.484	$32.00, and
B8710.484	$31.98.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 377

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Jay L. Card, Commissioner of Public Works, has requested permission to advertise for sealed bids for the hauling of household hazardous waste, now, Therefore

BE IT RESOLVED, That said request is hereby approved.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 378

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for sealed bids for the disposal of municipal solid waste and for equipment to be used for such disposal of municipal solid waste generated in the Town of Shelter Island for a period of two years commencing on January 1, 2018 and terminating on December 31, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 379

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for sealed bids for the Taylor's Island South Bulkheading Project.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 380

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Commissioner of Public Works is hereby authorized and directed to advertise for sealed bids for the proposed repair of approximately 197 feet of seawall and north stairs located at Taylor's Island.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 381

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", sealed bids were received by the Town Clerk's office until 3 p. m. on the 18th day of August, 2017, for the proposed purchase of an excavator and trailer, and

"Whereas", the following bids were received:

Edward Ehrbar	Total delivered price	$290,200.00
	annual lease payment	$62,053.82
	annual payment X 5	$310,269.10
H. O. Penn Machinery Company		No bid
All Island Equipment Corp.	Total delivered price	$225.682.00
	annual lease payment	$48,981.69
	annual payment X 5	$244,908.45
JESCO, Inc.	Total delivered price	$281,625.00
	annual lease payment	$60,910.85
	annual payment x 5	$304,554.25,

now, Therefore

BE IT RESOLVED, That the Town Board hereby awards the bid to All Island Equipment Corp. for the amount of $225,682.00, with annual lease payments of $48,981.69; said amounts to be paid from Highway Capital Reserve funds.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 382

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Hay Beach Association paid a compliance fee of $100.00 for their block party event on August 12, 2017, and

"Whereas", the Superintendent of Highways has determined that no portion of said fee was to be retained by the Town, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 compliance fee to the Hay Beach Association, P. O. Box 313, Shelter Island Heights, New York 11965.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 383

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, the Sylvester Manor Educational Farm paid a compliance fee of $100.00 for their fundraising cocktail party on August 18, 2017, and

"Whereas", the Superintendent of Highways reported that no portion of the deposit was required, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 deposit to the Sylvester Manor Educational Farm, P. O. Box 2029, Shelter Island, New York 11964.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 384

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", pursuant to Chapter 33 of the Shelter Island Town Code, W. E. Restaurant Corp., AKA The Dory, paid a compliance fee of $100.00 for their music benefit on August 13, 2017, and

"Whereas", the Superintendent of Highways reported that no portion of the deposit was required, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 deposit to W. E. Restaurant Corp., AKA The Dory, P. O. Box 3040, Shelter Island Heights, New York 11965.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 385

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Richard Clark paid a compliance fee of $100.00 for his fundraiser event on August 2, 2017, and

"Whereas", the Superintendent of Highways has determined that no portion of said fee was to be retained by the Town, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 compliance fee to Richard Clark, P. O. Box 1533, Shelter Island, New York 11964.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 386

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", filming permit number 66 was issued on August 9, 2017 to Shake Productions for filming at 24 Stearns Point Road on August 15, 2017, and

"Whereas", a filming clean up deposit of $1,000.00 was paid for said, and

"Whereas", it has been determined that no part of the deposit was utilized, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit amount of $1,000.00 to Shake Productions, 12 Sheridan Square #B, New York, New York 10014.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 387

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $249.00 from the A3120.483 Police Department telephone account to Chase Card Services for the annual LogMeIn subscription.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 388

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to refund the sum of $736.16 from West Neck Water funds to Nanette Burns-Teitelbaum for an overcharge on water usage.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 389

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Resolution No. 138 - 2017 concerning training courses is hereby amended to read as follows:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $825.00 from the 2017 A8160.490 landfill hazmat training account to Miller Environmental Group Calverton Training Institute, 538 Edwards Avenue, Calverton, NY 11933 for five Highway Department employees to attend an eight hour hazwoper refresher training course on May 10, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 390

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Mrs. June Shatken has donated art supplies to the Shelter Island Senior Services' "Watercolor Classes", valued at $36.53, to be utilized by the Silver Circle, now, Therefore

BE IT RESOLVED, That the Town Board does hereby extend a sincere thank you to Mrs. June Shatken for her generous gift to the Silver Circle.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 391

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", John and Marianne Castle, 32 Country Club Drive have donated the following supplies to the Youth Center, Recreation Program and Shelter Island Senior Services valued

at $5,000.00: 1 box of holiday plates, 1 box of assorted glasses, 1 wood chest, 11 holiday stocking holders, furniture and many boxes of toys, now, Therefore

BE IT RESOLVED, That the Town Board does hereby extend a sincere thank you to Mr. and Mrs. John Castle for their generous gifts to the Town's programs.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 392

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Great Peconic Race has requested the execution of a landlord authorization form to apply for a special event permit for their race on September 9, 2017, and

"Whereas", the Town Board approves of said permission, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the requested landlord authorization form for the sale or services of alcoholic beverages for consumption on Town owned property.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 393

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to refund the amount of $2,412.50 to Jack Thilberg, EMS Director, from the A4540.492 Ambulance travel account for the registration fees for seven EMS members to attend the Vital Signs Conference in Rochester, New York, October 25 though 29, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 394

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time, on the 15th day of September, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed local law to amend Chapter 43 of the Town Code in connection with Septic Systems, to wit:

Be it enacted by the Town Board of the Town of Shelter Island as follows:

SECTION 1. Legislative Intent.

In order to effectively deal with water quality issues and changing Health Department regulations, the Town is developing a database of septic systems including the new I/A OWTS. In order to keep the database current, the Town must be notified of repairs and changes to existing septic systems or construction of new septic systems. This will require such construction to obtain a building permit, which will give the Town this information.

SECTION 2. Amendment.

Shelter Island Town Code Chapter 43-6(A) is hereby amended by adding an additional sentence to read as follows:

§43-6. Application for building permit; use of aluminum wiring.

A. A building permit is also required to install, move, repair or replace the septic system on a property.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(12) and §10(1)(ii)(a)(14).

SECTION 4. Severability.

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

SECTION 5. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 395

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved:
$500.00 from the A1010.496 Town Board Association of Towns account to the A1010.495 Town Board printing and advertising account;
$4,000.00 from the A1490.124 Public Works interns personal services account to the A8160.497 Landfill professional services account;
$2,414.82 from the A1990.400 Contingent account to the A3120.123 Police Department accrued sick time personal services account;
$3,000.00 from the A3120.115 Police Department seasonal police personal services account to the A3120.120 Police Department traffic control officers personal services account;
$1,300.00 from the A3120.482 Police Department boat gas and oil account to the A3120.479 Police Department boat maintenance account;
$690.00 from the A3120.486 Police Department car gas and oil account to the A3120.480 Police Department radio contract account;
$200.00 from the A6776.422 Silver Circle meals and snacks account to the A6776.484 Silver Circle office and miscellaneous account;
$500.00 from the A7320.408 Youth Center maintenance account to the A7320.484 Youth Center office and miscellaneous account;
$200.00 from the A8160.437 Landfill contingency account to the A8160.431 Landfill excavation equipment account; and
$650.00 from the B1990.400 Part Town Contingent account to the B8010.139 Zoning short term rentals clerk personal services account; and

BE IT FURTHER RESOLVED, That the following budget modification is hereby approved:
$60,131.43 from the General Fund unassigned fund balance to the A3120.123 Police Department accrued sick time personal services account.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 396

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That general claims numbered 1274 through 1431 in the amount of $164,160.77, highway claims numbered 163 through 173 in the amount of $5,529.30, and West Neck Water claim number 23 in the amount of $178.74, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 397

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the State of New York provides financial aid for household hazardous waste programs, and

"Whereas", the Town of Shelter Island, herein call the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York, and the Municipality deems it to be in the public interest and benefit to file an application under these laws, and

"Whereas", it is necessary that a contract by and between the people of the State of New York, herein called the State, and the Municipality be executed for such State aid, now, Therefore

BE IT RESOLVED, by the Town Board of the Town of Shelter Island:

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

2. That Jay L. Card, Jr., Commissioner of Public Works, or Brian Sherman, Foreman, is directed and authorized as the official representative of the Municipality to act in connection with the application, to sign the resulting contract if said application is approved by the State, and to provide such additional information as may be required.
3. That the Municipality agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such cost as indicated in the contract.
4. That two (2) certified copies of this resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:53 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of James V. Pascale, 132 West Neck Road, for permission to install a mooring in West Neck Bay at a location designated as latitude 41.065031° north and longitude 72.363001° west; said mooring location was formerly occupied by the Van Kesteren W-2781 mooring.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: by a vote of five, zero, one, the one recused himself because Mike Anglin is the one who is actually installing it so he recused himself, it's a seventeen foot ten inch boat with a seven foot five inch beam with a draft of eighteen inches, it's taking over an existing mooring as we mentioned and they had no problem with it, it's a similar sized boat going on the mooring so there's no problem.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:55 p. m. and called to order the public hearing to be held as advertised on the application of Steven D. Winegar, 10 Dickerson Drive, for permission to install a mooring in Menantic Creek, approximately 125 south of the Staebler mooring at a location designated as latitude 41.058756° north and longitude 72.343904° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: same story, five, zero, one, abstention for the same reason, everything is good.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:56 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled AMENDMENTS TO CHAPTER 126 ENTITLED SIGNED NO PARKING.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: just a good law that you know that helps in terms of safety for traffic and pedestrians and bikers and everybody else that the Police Department has the authority to be able to put these signs up as needed at special events and sometimes they are needed and when I think of in terms of congested areas, it's a good thing if it saves an accident or a life, it's a great thing.

The Supervisor declared the public hearing closed at 4:58 p. m. and called to order the public hearing to be held as advertised on the proposed local law concerning Site Plan Review.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:

1. The Suffolk County Department of Economic Development and Planning report, as follows: Pursuant to the requirements of Sections A 14-14 to A 14-25 of the Suffolk County Administrative Code, the above referenced application which has been submitted to the Suffolk County Planning Commission is considered to be a matter for local determination as there is no apparent significant county-wide or inter-community impact(s). A decision of local determination should not be construed as either an approval or disapproval.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I'd like to; come on up; hi everybody, so I've been following right along from home from the beginning as I think everybody knows here, this came about, I mean we all started talking about this when my neighbor put up a storage barn where he wasn't allowed to put a storage barn, he inappropriately got a permit that he should not have been given, so we all stopped him and then we worked on it and he worked with the planning department and worked with the Board and we got it to a place where the community seemed to be accepting of the putting the storage barn on that location and I understand why we started to start the process, this process but I just want to caution one more time, us all to remember how difficult it is to do business on Shelter Island, it is a really, really hard thing to do, the last thing we want to do is restrict people's flexibility to try things and see how it works and adjust without too much bureaucracy, without too much getting in the way and I do respect that you've a very long way with the planning department to get this so that it is the least amount of onerous as it can be, it's still gonna take time and money for those that want to do new things on their property, that they didn't have to do before and it gets to be, it will restrict people trying, now maybe that's what the intent was, maybe we didn't want to do any more parking lots for trucks, I understand but at the same time that is creating business and jobs on this Island that are so, so hard to come by, one thing as you go forward, very quickly is, that you do consider leaving this public hearing open because it is the busiest time of the year for our local businesses and I, and obviously none of them were able to come today and it's, I don't know how many have been following along and I don't know how many really understand what the impact's gonna be on them if, have any expressed any opinion but I sure would love to hear from them so maybe you guys have heard from them, maybe the planning department knows more about what people think of this, I think it has been under the radar, no one really did see this, what the impact would be on them, now, also as we go forward, everything is gonna fall on the planning department which, you know, things requiring landscaping, it would be extraordinarily expensive and I want you to be super diligent about making sure that those pre-submission hearings are, you know, dealt with well, but I have to reiterate one more time that I don't think this is necessary, I think all the laws that we need are already in place, I think, we have a new Building Department that's two new individuals who have not shown, who have been doing a very good job and are just starting to see where they're at and see how they're gonna be able to handle the zoning and the building that's going on and maybe working hard with the Board to make sure that you guys give them good advice and I think that this is more at the current time than we need, however I'm not sitting where you're sitting so you guys have to make the decision, but thank you very much, if you have any questions for me at this point, if not, I will just repeat that I would like you to leave this public hearing open and I would like you to vote no and decide this is great work and perhaps we will need it in the future, we don't need it yet, we need our Building Department to get into the role that they are just learning; in regard to leaving it open, I'm guessing not because we already have revisions that have been worked on that may be reheard, what do you think Laury; I think the revisions I've seen to date are minor and will not require a rehearing; I would agree with that; okay, so that would be the possible action tonight; I have ___ to that; but they __ on changes before the hearing, so I have it scheduled to get to you tomorrow morning so you might want to look at them, I mean they are minor but __; right; I'll tell you, to be honest with you, I think, Paul did a lot of work on this you and we did a lot of work collectively on this thing and put a lot of time and effort into it and I thought that you know, the things that were happening on 114, was kind of ___a red flag to it, we didn't want to see things, whether it, the business came in and then changed dramatically to something other than what it initially was supposed to be, or in the case of the storage units where we would have to stop things once they started, to me, I wanted to see something whether it was administrative or not and make it free of government as possible but to have things run smoothly so that the person when they started construction, we'd have had a dialogue with them and the Building Department and the Planning Board so that there would be the least amount of problems as __, I mean Paul's comments about repair were excellent, you know I didn't, in terms

of streamlining things, we talked about replacement and repairs of roofs and sidewalks and things like that and we weren't looking to make that a difficult situation for the person, that wasn't something that we wanted, we wanted to side with the business people on that but I just think that it was something that you know, to think we started a few months ago; years ago; well probably years ago too but I think that things were happening and we were being chastised too as a Town Board; sure; how did this happen, how could you allow this kind of thing to happen and I think the more articulation you had up front with site plan review in terms of getting your t's crossed and your i's dotted properly, that it would be a little smoother transition, they'd be less apt to have errors in judgment in what we were allowing to happen, am I wrong or am I, I don't know; it makes sense Jim; so my questions __, so my training from my education is in landscape architecture which is all about preparing your site properly from the very beginning and how important it is to lay out a design and understand the screening and shrubbery and drainage and all of these things and so they're all extremely important things and as a Town, we should care that these people are doing the right thing, my concern was that the things that came up weren't allowed to be done in with our existing Code and so we did have to stop it because it got done when it shouldn't have been done and at some level, I know it's coming though I've tried to make sure and I've spoken my peace and everyone, especially the planning department is conscious when they say well gee it sure would be nice to have eight foot trees along the edge of that property, nice isn't what we're looking for, what we're looking for is to make sure that they don't make mistakes and that they don't and we did a great job getting out anything that smelled like architectural review in here because I don't believe that there's any reason that we should be doing that, I don't think anybody in this Town believes that so we've come a long way and as a document, it doesn't even have to be a law to say hey we did a lot of work and people should care and they should you know, so; a few words of caution by the way, we have a Planning Board that is very supportive and really very fair and you've got a Town Board member who is the liaison to the Planning Board who fits the role, the kind of guy you want there, to a T because he's all about that, anything that you've mentioned is about what Paul stands for; I appreciate those things; you might have more concern if you had me there but you've got Paul there and I think Paul probably speaks; we know how quick these things change; no, no, it's true, he's there for the long haul, he told me, he's a thirty year man, so; and one other thing, I want to go back to a point you made which was, you know we don't want somebody to try to change the use of a building, I'd like anything to happen in some of these buildings that have been derelict for ten years, I know the idea that somebody might go to __ lease and I'm gonna turn that restaurant into retail and say oh gees, we're gonna have to go through that da da da da and we get in the way of just having something in some of these buildings, makes me nervous as well; I understand that, I do and that's why I wanted the pre-conference, pre-submission conference which is what the Planning Board is all about, which path it takes, that's why I wanted the easy path to be the first option for them and I expected most of those things would probably go that way, you know I mean, I hear you loud and clear; yeah, did; most places have one of these silly things, I don't love it either but I assure you, it's another, you know; and so that, is there a procedure for going before to the Planning Board or; you go to the Building Department with the plan and they tell you whether or not they can issue ___ issue a permit or not or it has to go to the Planning Board for a pre-submission review, a conference to talk about whether or not it even needs to go through them or not, I tried to get as many doubtful things, or as many simple things on it, out of the way; in my hypothetical where there's a current restaurant on the Island, if somebody decides to make it a furniture store for the season and there's adequate parking, we don't even have to go here right; I don't know if that's the case, if it's a significant use, and if it's changed; cause it won't go to the Building Department, but again when you get to the Building Department and end up getting reviewed, see that; understood; so if that's the case, then I feel a little bit better about not stopping people from trying things, as long as they; it depends on what they do, you know honestly, if the stuff they are doing inside requires a; a building permit, right; then they were supposed to be going in there, some of these things will happen in the dead of night, no doubt, Shelter Island is a dead of night place, I don't know what to tell you, you know as well as I do, I'm not gonna; well I don't ____, I'm all for acting on this tonight but I'm not comfortable about it because I haven't seen the final draft; understood; I'm not doing that; I hear you; that's my point actually; well I thank you guys very much for your time and I know you have worked very, very hard on this and I do appreciate the direction you are headed, I just needed to say I'm still thinking there already is enough laws on the books; thank you; you're welcome; I have to say that I think that Craig has some very good points ___, does that seem like a ___; I mentioned when we circulated it to the Chamber, I just don't know whether it happened, I don't know who is responsible for that, I'm not a member of the

Chamber, so I'm guessing that it didn't happen, is that correct, all those __ from the Chamber, raise their hand, alright, so it didn't happen; well we're not gonna vote on it so let's; I really thought we should have had that done; well maybe we can discuss it; if you choose to ignore, then; I'm just asking, is it, do you find it a bad idea to leave it open; I do because I thought Peter Reich, God Bless Peter, I extended an email to him today, he is struggling, he wrote a letter when the short term rental hearings, that __, and it was a beautiful letter, there is never an appropriate time to hold a public hearing and you may remember on the short term rental law, we had the audacity to convene a hearing in January and I finally told Judy to throw out __ from Aspen, Colorado, Palm Springs, Palm Beach, I had a file this big saying how dare you schedule a public hearing in January and then we had the second public hearing in April and got fewer letters saying how dare you hold a public hearing in April, we're all just finally getting out here and we're busy opening up our houses, we can't have public hearings, so I think we should hold the public hearing but then we should hold them in the summer when everyone is here and they can come and participate so I, my inclination, I'm not saying we should vote on it tonight necessarily but I think we should close the public hearing, there's been plenty of publicity on this; we can compromise and leave it open for written comments; sure written comments, get the word out to the Chamber, they know about it but just as a reminder, Emory, you've got your hand up; I'm gonna stay here, you made a point I think you sort of missed and that is, if all the people who are affected by this, were aware of it, then _ , it's kind of empty; I'm thinking that's true; yeah; so then, leave it open, I'd advise you to leave it open but you're not ready to adopt it; yeah and Emory if we leave it open for written comments, the written comments may be endorsing your and Craig's things, we've got to have another public hearing; __ too busy, let them come in and tell us that, we're open to education and information; you have some things here that are a little tricky like they can't clear their property, right now you can clear your property, but once you do this, you can't clear your property; see that's an issue that I banged around a lot as you know, my understanding was that unless you applied for a building permit and didn't initiate this process, the clearing was just clearing, you know, it's a difficult thing to prove, I don't really like this thing because I just don't know how you prove it, I don't know how you prove the motivations that people have so I have an issue with it myself; so you're doing this for future use, but you may not be doing; exactly, in preparation for a specific use or just generally, sometimes you need to clear land to see what you've got, again we don't even know how many wooded lots we're talking about you know, most property is pretty much developed, I don't even know what's in this inventory thing you know; right; I don't know what we would do if somebody did that you know; well I want to say __ clear ___; personally I would like to see ___; ___; I know, again until I've seen the final draft of what we actually, because many times we think we've agreed on something and it comes out __ we say wait a minute, that' not exactly what I meant; so I wouldn't be voting on this tonight; I don't have a problem leaving it open for another month because we're gonna get another draft, we'll review it and talk about it at the next work session, then it can be disseminated to people who are interested, take one last look at it, if they come and talk about it on September 15th, then we'll, we'll listen to what they say and if we're happy with it and we want to vote on it that night or take back; I don't know the level of change we're looking at, that's the thing, right now Laury says they are minor, I don't know, that song sometimes: __ it's a good idea; yeah, keep it open and if people raise ___; I'll close the public hearing and keep it open for written comments, for how long; three weeks; three weeks; right; so I'm closing the public hearing, keeping it open for written comments for three weeks.

At 5:19 p. m., the Supervisor reconvened the recessed public hearing on the application of Edward Goldberg, 10 Bowditch Road, for permission to install a stake, mooring and pulley system in Coecles Harbor at a location off Captain Bob's Landing and further designated as latitude 41.089104° north and 72.32300° west.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: we got a five, zero, one on that; yeah; same one, same reason, Mr. Anglin recused himself on this, we finally got him situated; well we moved it a little; we tried to change the venue and he went back to the one he could get; correct; a bird in the hand; he went back to Captain Bob's; he went back to the original; he went back to Captain Bob's landing, he has a fourteen foot boat.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:20 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 398

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", James V. Pascale, 132 West Neck Road, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay at a location designated as latitude 41.065031° north and longitude 72.363001° west; said mooring location was formerly occupied by the Van Kesteren W-2781 mooring, and

"Whereas", a public hearing was duly held on the 25th day of August, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 399

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Steven D. Winegar, 10 Dickerson Drive, has petitioned the Town of Shelter Island for permission to install a mooring in Menantic Creek, approximately 125 south of the Staebler mooring at a location designated as latitude 41.058756° north and longitude 72.343904° west, and

"Whereas", a public hearing was duly held on the 25th day of August, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 400

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 25th day of August, 2017, on a proposed Local Law entitled AMENDMENTS TO CHAPTER 126 ENTITLED SIGNED NO PARKING, and

"Whereas", all interested persons to be heard in favor of or in opposition to said proposed local law, now, Therefore

BE IT RESOLVED, That Local Law No. 9 - 2017 entitled AMENDMENTS TO CHAPTER 126 ENTITLED SIGNED NO PARKING, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Amend Chapter 126-8.1 of the Shelter Island Town Code, titled "Additional parking regulations" by adding subsection A(8) to read as follows:

> 8. When police have posted official signs prohibiting, restricting or limiting the stopping, standing or parking of vehicles, no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs.

Section 2. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 401

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Edward Goldberg, 10 Bowditch Road, has petitioned the Town of Shelter Island for permission to install a stake, mooring and pulley system in Coecles Harbor at a location off Captain Bob's Landing and further designated as latitude 41.089104° north and 72.32300° west, and

"Whereas", a public hearing was duly held on the 4th day of August, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilwoman Lewis and seconded by Councilman Colligan, the meeting was adjourned at 5:26 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

September 7, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on 7th day of September, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and Councilwomen N. Christine Lewis and Amber Brach-Williams. Councilman James T. Colligan was absent. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and three persons were present. Town Board members signed a waiver of notice.

The Supervisor called the special meeting to order at 4:00 p. m.

At 4:01 p. m., Councilman Shepherd moved and Councilwoman Lewis seconded to go into executive session for the purpose of discussing litigation. This motion was carried.

At 5:01 p. m., the Supervisor reconvened the special meeting, and on motion of Councilman Shepherd and seconded by Councilwoman Brach-Williams, the special meeting was adjourned at 5:01 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

September 15, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 15th day of September, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, and eight persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. An e-mail from the Conservation Advisory Council suggesting a proposal for updating the Comprehensive Plan.
2. Letters from Joyce B. Bausman, William Marshall, Giovanna Ketcham, Barbara Marshall and John Ketcham opposing the requiring of a Site Plan Review for commercial businesses.
3. An e-mail from Marika Kaasik stating it is very hard to take time off, especially in the summer, to attend public hearings, and making new laws or restrictions on businesses here will make it hard to keep local businesses afloat.

RESOLUTION NO. 402

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Jorge Cornejo, 47G South Ferry Road, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor approximately 150 feet north of the end of the applicant's dock at a location designated as 41.067265° north and 72.304660° west, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 6th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 403

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Deborah Brewer is hereby appointed to serve as part time Custodian for the year 2017 at the rate of $25.00 per hour, retroactive to September 3, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 404

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Mike Bunce is hereby appointed to serve as FIT Aide for the year 2017 at the rate of $16.66 per hour, retroactive to September 11, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 405

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of Mark Cappellino as member of the Conservation Advisory Council will expire on September 20, 2017, and

"Whereas", Mark Cappellino has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Mark Cappellino is hereby reappointed to serve as member of the Conservation Advisory Council for a term to expire on September 20, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 406

Councilwoman Lewis offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the term of John Reilly as a member of the Conservation Advisory Council will expire on September 20, 2017, and

"Whereas", Mr. Reilly has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That John Reilly is hereby re-appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 407

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Beverlea Walz as a member of the Shelter Island Colonial & Native American Graves Protection Committee will expire on September 21, 2017, and

"Whereas", Beverlea has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Beverlea Walz is hereby reappointed to serve as a member of the Shelter Island Colonial & Native American Graves Protection Committee for a term to expire on September 21, 2020.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 408

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the donation funds received in the amount of $250.00 to the Ambulance Training Capital Reserve Fund account; the reimbursement funds in the amount of $5,646.00 from Southold Recycling, LLC as follows: $2,823.00 to the Public Works A1490.409 parks and beaches account and $2,823.00 to the Public Works A1490.410 grounds maintenance account; the reimbursement funds from PERMA in the amount of $5,232.13 to the A9055.800 disability account, and the reimbursement funds in the amount of $40.00 from State Street Bank and Trust to the trust and agency checking account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 409

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $252.60 from the B3620.491 Building Department service contracts account and $252.60 from the B8010.491 Zoning Officer's service contracts account to Carr Business Systems, P. O. Box 28330, New York, New York 10087-8330 for the annual maintenance contract for the period July 1, 2017 through June 30, 2018 for the copy machine in the Building Department.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 410

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to reimburse the sum of $660.00 from the A4540.492 Ambulance training account to Jack Thilberg for four members to attend an EMT class.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 411

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", GV Productions, 9303 Valley LN SE, Huntsville, AL 35803, has requested a filming permit for September 19 and 20, 2017 for filming at 52 Peconic Avenue and on Grand Avenue between Waverly Place and Meadow Place, and

"Whereas", the filming crew consists of approximately 15 persons, 4 minivans and 1 cube truck, and

"Whereas", said application has been reviewed by the Police Department and Highway Department, and

"Whereas", the Highway Department has responded that there must not be any obstructions on the road or walkways during the filming and all garbage must be picked up in the area, and

"Whereas", the Police Department states that the need for additional fees for police services will not be required for this photo shoot; based on a conversation with the Shelter Island Heights Association, this photo shoot will take place solely on the sidewalks in the Heights along Grand Avenue and will not impede vehicular or pedestrian traffic, and at 52 Peconic Avenue, every attempt should be made to park commercial vehicles on the property at 52 Peconic Avenue; should a special need to park along the shoulder occur, vehicles shall be parked off the thoroughfare and in the direction of travel, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to issue the aforementioned filming permit.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 412

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Mr. William S. Baldwin of the Great Peconic Race held a paddle boat race around Shelter Island on Saturday, September 9, 2017, and

"Whereas", the required $100.00 compliance fee was paid, and

"Whereas", the Superintendent of Highways reported that no portion of said deposit shall be held, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 compliance fee to the William S. Baldwin, P. O. Box 3238, Sag Harbor, New York 11963.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 413

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $4,959.80 from the A4540.484 EMS office and miscellaneous account to SCM Products, Inc., 60 Plant Avenue, Suite #2, Hauppauge, New York 11788, for the 2017 annual maintenance contract for the EMS computer program.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 414

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $750.00 from the 2017 A1620.483 buildings telephone account to Telenet NY, Inc., 115 North Richmond Avenue, Suite 1, Massapequa, New York 11758-3439, for the quarterly contract payment for servicing the telephone systems for the period October 1, 2017 through December 30, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 415

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the New York State Department of Taxation and Finance has issued a notice of vendor collection credit to the Town of Shelter Island for the period ending August 31, 2017 in the amount of $157.63, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to transfer the sum of $157.63 from the trust and agency account to general account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 416

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Fireworks by Grucci, 20 Pinehurst Drive, Bellport, New York 11713, has requested permission pursuant to application received on August 17, 2017, to have a fireworks display off the Dering Harbor Inn on Sunday, September 24, 2017 at approximately 7:15 p. m; said fireworks to be launched from a barge anchored approximately 800 feet north from the high tide mark on shore of the Shelter Island Yacht Club, and

"Whereas", Fireworks by Grucci, Inc. will be producing the fireworks show, and

"Whereas", the required fees of $100.00 application fee, and $100.00 compliance fee have been submitted, and

"Whereas", Jay L. Card, Jr., Superintendent of Highways has reviewed the application and does not see any issues with it from a highway aspect, and

"Whereas", the Police Department reviewed the application and replied that based on the information and map provided in said application, see nothing that would prevent the Town from granting approval to the applicant; they have conferred with both the Shelter Island Fire Department and Shelter Island EMS for planning purposes and each have approved the site location; the Police Department recommends collecting five thousand dollars ($5,000.00) to hold in escrow to cover police fees or other unforeseen emergencies related to the fireworks display; unused funds would then be returned to the applicant upon the completion of the event; therefore the Police Department, Fire Department and Emergency Medical services are prepared to assist with this event as necessary, now, Therefore

BE IT RESOLVED, That pursuant to Section 33-3 of the Town Code, permission is hereby granted to Fireworks by Grucci to have said fireworks display, as requested, and

BE IT FURTHER RESOLVED, That said operations shall be in compliance with the New York State Law, and the usual and normal precautions incident to said operations shall be complied with.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 417

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $150.00 to The Dering Harbor Inn, P. O. Box 3028, Shelter Island Heights, NY 11965 for three unused parking permits for the year 2017, and the fee of $650.00 to Stearns Point Properties, P. O. Box 561, Shelter Island Heights, NY 11965 for 13 unused parking permits for 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 418

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That a special meeting of the Town Board of the Town of Shelter Island will be held at 1:00 p. m., prevailing time, on the 3rd day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for budget purposes.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 419

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, Pursuant to the agreement to allow certain business, trade or commercial transactions on Town beaches or parks or on streets within 500 feet of the boundary of any Town landing or park, the Town Board does hereby set the fee for said permit at $150.00 per year.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 420

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the Town Board established a fee of $150.00 to allow certain business, trade or commercial transactions on Town beaches or parks or on streets within 500 feet of the boundary of any Town landing or park, and

"Whereas", Venture Out Shelter Island, LLC paid said fee, and

"Whereas", the Town Board has determined that the charging of said fees shall not begin until the year 2018, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $150.00 to Venture Out Shelter Island, LLC.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 421

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", sealed bids were received by the Town Clerk's Office until 3 p. m. on the 7th day of September, 2017, for the purchase of one Horizontal Grinder by the Shelter Island Highway Department, at which time they were opened and read aloud as follows:

Bandit Industries 6750 Millbrook Road Remus, MI 49340	bid price	$600,000.00;
Rotochopper, Inc. 217 West Street, P. O. Box 295 St. Martin, MN 56376	bid price	$602,203.00;
Rotochopper, Inc. 217 West Street, P. O. Box 295 St. Martin, MN 56376	bid price	$693,306.00; and
Construction & Industrial Equip. Corp. 200 Route 17 South Lodi, New Jersey 07644	bid price	$710,000.00, and

"Whereas", the Superintendent of Highways and the Town Board have reviewed the aforementioned bids and made the following recommendations:

Bandit Industries did not meet the specifications of the Highway Department;

Rotochopper, Inc. bids did not meet the specifications of the Highway Department, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid to Construction & Industrial Equipment Corp., 200 Route 17 South, Lodi, New Jersey 07644, for the bid price of $710,000.00, and

BE IT FURTHER RESOLVED, That the Supervisor is hereby authorized and directed to execute any and all necessary agreements to effectuate said purchase.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 422

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

"Whereas", a public hearing was duly held on the 25th day of August, 2017 in the Shelter Island Town Hall, Shelter Island, New York, on a proposed Local Law entitled A LOCAL LAW ENTITLED AMENDMENTS TO CHAPTER 109 RE: SITE PLAN REVIEW, and

"Whereas", all interested persons were heard in favor of or in opposition to the proposed local law, and

"Whereas", the Town Board declares itself as lead agency and has prepared a Negative Declaration stating the reasons that the project will not have a significant environmental impact; now, Therefore

BE IT RESOLVED, That pursuant to the State Environmental Quality Review Act (SEQRA) and Chapter 60 of the Shelter Island Town Code, the Town Board has deemed this to be an Unlisted action, that it will not have an adverse effect on the environment and that a Negative Declaration is hereby issued, and

BE IT FURTHER RESOLVED, That Local Law No. 9 -2017 is hereby adopted, to wit:
Be it enacted by the Town Board of the Town of Shelter Island as follows:
SECTION 1. Add a new Chapter 109, Site Plan Review, to the Shelter Island Town Code as follows:
Section 109-1. Applicability.
A. Applicability of site plan procedure and standards. This chapter shall apply to an application for a building permit for any use, building or structure, except the single family home use on a single and separate lot, customary accessory uses to single family residential home use as stated in the Town Code and in kind, in place repairs and maintenance. Any change in use or intensity of use which will affect the characteristics of the site in terms of parking, loading, access, drainage, open space or utilities, shall require site plan approval by the Planning Board. Replacements, in-kind and in-place repairs to roofing, siding, window replacement, sidewalks and similar projects, shall be approved by the Building Department. In all cases where site plan approval is required by this section, no building permit shall be issued by the Building Inspector except upon authorization of and in conformity with plans approved by the Planning Board.
Section 109-2. Objectives of site plan procedure and review.
A. In considering and acting upon site plans, the Planning Board shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular and may prescribe appropriate conditions and safeguards as may be required in order that the result of its action may, to the maximum extent possible, further the expressed intent of this section and the accomplishment of the following objectives in particular:

1. Traffic access. All proposed traffic access ways are adequate in number, width, grade, alignment and visibility, are located in proper relationship with intersections, pedestrian crossings and places of public assembly and are in conformance with overall traffic safety considerations.

2. Interior circulation and parking. Adequate off-street parking and loading spaces are provided to satisfy the parking needs of the proposed uses on site and the provisions of §§ 133-8(B)(8) and 133-9(F)(1) of the Town Code, and the interior circulation system is adequate to provide convenient access to such spaces consistent with pedestrian safety.

3. Landscaping and screening. All required service, storage and similar areas are appropriately screened.

4. Existing development and Comprehensive Plan. The development proposed is at a scale and density consistent with existing development and with the Comprehensive Plan of the Town of Shelter Island.

5. Natural features. Due regard shall be paid to all natural features on and adjacent to the site, including but not limited to water bodies, drainage courses, wetlands, marshes, dunes, bluffs, beaches, escarpments, woodlands, large trees, unique plant and wildlife habitat and flood hazard areas.

6. Cultural features. Due regard shall be paid to all cultural features on and adjacent to the site, including but not limited to archaeological and paleontological remains, old trails, historic buildings and sites and agricultural fields.

7. Pavement. All plazas and other paved areas intended for use by pedestrians shall use such pavement and plant materials so as to encourage their use by pedestrians during all seasons of the year and prevent the creation of vast expanses of pavement.

8. Lighting. All outdoor lighting is of such nature and so arranged as to preclude the projection of direct light and glare onto adjoining properties and streets and shall be in compliance with Chapter 83 ("Lighting") of the Town Code.

9. Facades. Building facades shall be compatible with the surrounding area.

10. Drainage. The drainage system and layout proposal will afford an adequate solution to any drainage problems. Any construction activities involving soil disturbance of more than one acre shall be in compliance with the provisions of the MS4 program and NYSDEC regulations.

11. Public utilities. The plans for water supply and sewage disposal are adequate.

12. Public-address or sound system. Any sound or public-address system shall be such that no sound from a system shall be audible on adjoining properties or on the adjacent street, and shall be in compliance with Chapter 92 ("Noise") of the Town Code.

13. Handicapped access. The plan and building design shall accommodate the needs of the handicapped and be in conformance with the state standards for construction concerning the handicapped.

14. Energy conservation. The site plan and building design shall maximize the conservation of energy.

B. Nothing herein shall preclude the Planning Board from requesting neighboring properties to participate in the construction of joint or shared improvements, such as parking, access or drainage, provided that a problem has been identified which can be mitigated only by joint action and an implementation plan has been formulated to institute said mitigation.

Section 109-3. Submission Procedures

A. A site plan could follow one of two tracks, depending on the nature of the application - the administrative site plan or a full site plan.

B. Pre-submission conference. Prior to the submission of a site development plan, the applicant or his agent shall meet with the Planning Board. The purpose of such conference shall be to discuss proposed uses or development in order to determine which of the site development plan elements shall be submitted to the Planning Board in order for said Board to investigate conformity with the provisions and intent of this chapter or whether the project should follow the administrative site plan process.

Section 109-4. Administrative Site Plan Eligibility

A. In accordance with the procedures required by §109-5 for administrative site plan applications, the following applications, or any other deemed appropriate by way of the pre-submission conference, shall be eligible for administrative site plan review:

1. Amendments or modifications to previously approved site plans or legally existing structures, so long as:

a. The lot coverage is not increased or decreased by more than 10% or 500 square feet, whichever is less; and

b. The floor area is not increased or decreased by more than 10% or 500 square feet, whichever is less; and

c. The footprint of proposed structures and accessory structures does not deviate from the existing footprint of such structures by more than 10% or 500 square feet, whichever is less; and

d. The amendment or modification to the previously approved site plan conforms with the zoning requirements in place at the time of the application for administrative site plan review.

2. Interior commercial renovation provided that any additional parking spaces can be accommodated without requiring an increase in lot coverage that would render the application ineligible for administrative site plan review.

3. Change one permitted use to another permitted use in an already approved commercial site plan provided that any additional parking spaces necessary can be accommodated without requiring an increase in lot coverage that would make the application ineligible for administrative site plan review.

4. Renewal of expired approved or conditionally approved site plans for a period of not more than nine months, provided that not more than one renewal of the approved site plan has previously been granted and not more than three years have passed since the approved site plan expired.

5. Changes to signage as approved by the Planning Board as part of an approved site plan.

B. The Planning Board shall be solely responsible for determining whether an application is eligible for administrative site plan review in accordance with the procedures required for administrative site plan applications.

Section 109-5. Administrative Site Plan Elements

A. Submission. A complete administrative site plan application shall consist of:

1. A completed administrative site plan application form.

2. An administrative site plan review fee.

3. An environmental assessment form, Part 1, where required by Chapter 60 ("Environmental Quality Review") of the Town Code.

4. A site plan.

a. If an applicant is eligible for administrative site plan review pursuant to §109-4A(1)(2), (3) or (4), a site plan shall not be required as part of a submission so long as site conditions have not changed since the submittal of the most recently approved site plan on file in the Building Department. If an applicant is eligible for administrative site plan review under Section 109-4A(5), full color elevations of the approved signage and the proposed signage shall be required. Nothing within this section shall prevent the Planning Board from requiring a site plan for these applications if in its sole discretion it determines that other information is deemed necessary to determine conformity of the proposed site plan with the spirit and intent of this chapter.

b. For applications for administrative site plan review pursuant to 109-4A(1), the applicant shall cause a site plan map at a minimum scale of one inch equals 40 feet, to be prepared by an architect, landscape architect, civil engineer or surveyor that shall include the elements included in §109-7 of this chapter. The Planning Board, at its discretion, shall have the authority to allow the site plan to omit those elements not necessary for making a determination on the issuance of an administrative site plan approval. In addition, nothing within this section shall prevent the Planning Board from requiring additional elements not included in §109-7 if in its sole discretion it determines that other information is deemed necessary to determine conformity of the proposed site plan with the spirit and intent of this chapter.

c. Unless waived by the Planning Board, plans for all required improvements must be submitted by a professional engineer or licensed architect or, if appropriate, a registered landscape architect. Installation of such improvements must be under the direct supervision of a registered architect or licensed engineer.

B. Nothing within this section shall require an application to be deemed incomplete if the Planning Board determines an application for administrative site plan review to be complete.

Section 109-6. Administrative Site Plan Application Procedure

A. Administrative site plan review shall commence with an applicant providing a submission of an administrative site plan application to the Planning Board.

B. Within 10 business days after the first Planning Board meeting following receipt of the administrative site plan review application, the Planning Board shall determine whether the application is complete. The Planning Board shall notify the applicant by first-class mail of said determination. If the Planning Board deems the application incomplete, the notice mailed shall list the elements of the submission that are in need of amendment in order for the application to be deemed complete.

C. Review by committee. Once an application has been deemed complete, the application shall initially be reviewed by a committee of two members of the Board, selected by the Chairman, in consultation with the Planning Board Engineer. The Planning Board committee shall review the application and present its findings and recommendations to the remainder of the Planning Board. Within 60 calendar days of the application being deemed complete, the full Planning Board shall issue a determination, in writing, whether to:

1. Approve the administrative site plan;

2. Approve the administrative site plan with conditions;

3. Declare the application ineligible for administrative site plan review based upon its review and consideration of the factors set forth in Section 109-4, and refer the application for full site plan review pursuant to the relevant requirements of this chapter.

D. In determining whether to approve an application, the Planning Board shall consider the following factors:

1. The size of the subject parcel.

2. The proximity of the applicant's premises to wetlands, endangered plant and animal species, wildlife and other similar environmental concerns.

3. The extent of the proposed development and/or disturbance of the applicant's premises.

4. The environmental significance, if any, of the applicant's parcel and the proposed development's impact upon the environment, including existing transportation resources.

5. Compatibility of the proposed development with the aesthetic resources of the community or with the existing community or neighborhood character.

6. Compatibility of the proposed development with the recommendations of the Town of Shelter Island Comprehensive Plan.

7. Dimensional compatibility of the proposed modifications with the already approved site plan.

8. Compatibility with architectural and design elements of the already approved site plan.

9. Changes in traffic, development or use of surrounding properties and roads since the approval of approved site plan.

E. A statement shall be placed on all written determinations for administrative site plans approved by the Planning Board to the effect that the owner(s) agree(s) to comply with the plan and all conditions noted thereon. The owner(s) or a bona fide agent responsible for completion of the work shall be required to sign such statement and provide such guaranty before any approved plans will be released by the Planning Board. In the event that the site plan is not signed by the owner or his agent within 45 calendar days of the date of the written determination of the Planning Board approving the administrative site plan; said written determination shall be deemed null and void.

Section 109-7. Full Site Plan Elements.

A. Submission. A complete site plan application shall consist of:

1. A completed site plan application form.

2. A site plan review fee.

3. An environmental assessment form, Part 1, where required by Chapter 60 ("Environmental Quality Review") of the Town Code or by state law.

4. A site plan.

B. Site plan. The applicant shall cause a site plan map at a minimum scale of one inch equals 40 feet to be prepared by an architect, landscape architect, civil engineer or surveyor. The site plan shall include those of the elements listed herein which are appropriate to the proposed development or uses as indicated by the Planning Board in a pre-submission conference.

1. Legal data.

a. The name and address of the owner of record.

b. The name and address of the person, firm or organization preparing the map, sealed with the applicable New York State license seal and signature.

c. The date, North arrow and written and graphic scale.

d. The property description, prepared by a licensed surveyor or civil engineer. The site plan may reference a land surveyor's map or base reference map. All distances shall be in feet and hundredths of a foot. All angles shall be given to the nearest 10 seconds or closer. The error of closure shall not exceed one in 10,000.

e. The locations, names and existing widths of adjacent streets and curb lines.

f. The location and owners of all adjoining lands and those lands directly across the street, as shown on the most recent tax records.

g. The location, width and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to the public use within or adjoining the property.

h. A complete outline of existing easements, deed restrictions or covenants applying to the property.

i. Existing zoning.

2. Natural features.

a. Existing contours with intervals of two feet or less referencing 1988 NAVD datum or other datum satisfactory to the Planning Board. In addition, spot elevations will be required where contour elevations are less than two feet on the site.

b. The approximate boundaries of any areas subject to flooding or stormwater overflows.

c. The location of existing features enumerated above, including the mapping of all existing trees that are greater than 12 inches in diameter at 3 feet in height, and any other significant existing natural features.

d. The location of any existing cultural features enumerated above and any other significant cultural features.

3. Existing structures and utilities.

a. Outlines of all structures and location of all uses not requiring structures.

b. Paved areas, including parking areas, sidewalks and vehicular access between the site and public streets.

c. Locations, dimensions, grades and flow direction of any existing culverts or waterlines, as well as other underground and aboveground utilities within and adjacent to the property.

d. Other existing development, including fences, landscaping and screening.

e. The location and use of all buildings and structures within 200 feet of the boundary of the subject property.

f. The location and distance of the closest fire hydrant or fire cistern.

4. Proposed development.

a. The location of proposed buildings or structural improvements, indicating setbacks from all property lines and horizontal distances from existing structures.

b. The location and design of all uses not requiring structures, such as off-street parking and loading areas and pedestrian circulation. Parking calculations shall be shown.

c. The location, direction, power and time of use for any proposed outdoor lighting or public-address systems.

d. The location and plans for any outdoor signs, which must be in accordance with applicable sign regulations.

e. Grading and drainage plans shall be based on retention of a two-inch rainstorm over a 24-hour period; drainage calculations, contours and spot grade elevations to be shown.

f. Proposed landscaping, buffering and street tree plans, including material size, quantity and location. A list of plantings shall also be shown.

g. The location of water and sewer mains, electrical service and Cablevision installations, locations of water valves and hydrants and/or any alternate means of water supply and sewage disposal and treatment.

h. An indication that all storage areas for materials, vehicles, supplies, products or equipment shall be located in either a side or rear yard in compliance with this chapter and that such areas are adequately fenced or screened.

i. If the site plan only indicates a first stage, a supplementary plan indicating ultimate development.

j. The location of any fire hydrant, cistern, well or other fire-protection device.

k. Any other information deemed by the Planning Board to be necessary to determine conformity of the site plan with the spirit and intent of this chapter or Chapter 133 ("Zoning").

5. Unless waived by the Planning Board, plans for all required improvements must be submitted by a professional engineer or licensed architect or, if appropriate, a registered landscape architect.

Section 109-8. Site plan application procedure.

A. Pre-submission conference. Prior to the submission of a site development plan, the applicant or his agent shall meet with the Planning Board. The purpose of such conference shall be to discuss proposed uses or development in order to determine which of the site development plan elements shall be submitted to the Planning Board in order for said Board to investigate conformity with the provisions and intent of this chapter.

B. Within six months following the pre-submission conference, ten (10) copies of the site development plan application and any related information shall be submitted to the Planning Board. Within a reasonable time after receipt of the application, the Planning Board shall determine whether the application is complete. If the Planning Board determines the application to be incomplete, it shall forthwith notify the applicant wherein the application is deficient.

C. If the Planning Board determines the application to be complete, it shall transmit the application to the Building Department and any other municipal or county agency or district that has jurisdiction or that is potentially affected by the proposed development, as deemed necessary by the Planning Board.

D. Within 20 business days after receipt of the application, the Building Inspector shall certify on each site development plan or amendment whether or not the plan meets the requirements of all provisions of Chapter 133, Zoning, other than those of this section regarding site development approval.

E. If the Planning Board determines that a public hearing on the application is necessary, it shall schedule and hold the same within 62 calendar days of all departments determining the application to be complete. In determining whether or not to hold a public hearing, the Planning Board shall consider the degree of public interest in the application and the extent to which a public hearing can aid the decision making process by providing a mechanism for collection of relevant data. Notice of such hearing shall be given as prescribed by §111-6.2.

F. Within 62 calendar days of the conclusion of the public hearing, or if none was held, within 62 calendar days of determining the application to be complete, the Planning Board shall inform the Building Inspector and Town Clerk and the applicant, in writing, of its approval, approval with modifications or disapproval. This sixty-two-day period may be extended by the Planning Board upon the written consent of the applicant or as may be permitted under the State Environmental Quality Review Act as implemented by Chapter 60 ("Environmental Quality Review") of the Town Code.
G. No application shall be deemed complete until either a negative declaration has been made for the application pursuant to the State Environmental Quality Review Act (SEQRA) or by Chapter 60 of the Town Code or, if a positive declaration is made, until a draft environmental impact statement has been accepted by the Planning Board as satisfactory with respect to scope, content and adequacy. Reasonable time shall be provided for compliance with the SEQRA, including the preparation of a final environmental impact statement.
H. Amendments to a site development plan shall be acted upon in the same manner as the approval of the original plan.
I. An approved site development plan shall be valid for a period of two years from the date of approval unless a building permit is obtained. All work proposed on the plan shall be complete within two years from the date of approval unless a longer period was approved or the applicant obtains an extension from the Planning Board.
J. No regrading or any other work that destroys the natural topography of the site may take place until site plan approval or written permission has been received from the Planning Board. The Planning Board reserves the right to require corrective regrading and landscaping should a landowner intentionally proceed with this work prior to approval or written permission.
K. In the case of a site plan application requiring a zoning variance or special use permit, the site development plan shall be subject to a preliminary review by the Planning Board prior to action on said application by the Zoning Board of Appeals or Town Board. If the zoning variance or special use permit is approved by the Zoning Board of Appeals or Town Board, the approved application shall then be subject to a final site plan review by the Planning Board. Building permits issued pursuant to a variance or special use permit shall be in accordance with any conditions established by the Board of Appeals and Planning Board.
L. A statement shall be placed on all site plans approved by the Planning Board to the effect that the owner(s) agree(s) to comply with the plan and all conditions noted thereon. The owner(s) or a bona fide agent responsible for completion of the work shall be required to sign such statement and provide such guaranty before any approved plans will be released by the Planning Board. In the event that the site plan is not signed by the owner or his agent within 45 calendar days of the date of the resolution of the Planning Board approving the plan, said resolution shall be deemed null and void.
M. No certificate of occupancy shall be issued until all requirements of site plan approval have been completed or an undertaking to complete them, with a cash deposit or other surety acceptable to the Town Board, shall have been given to and accepted by the Town Board. Such undertaking shall provide for completion on or before a certain time and, unless such time is extended by resolution of the Town Board, if the requirements of site plan approval have not been completed by such date, any certificate of occupancy which shall have been issued shall automatically become null and void. The determination of the Town Board whether such requirements have been completed shall be based on a recommendation from the Building Department and shall be final and binding where the same have not been completed before issuance of the certificate of occupancy.
Section 109-9. Fees.
A. Applicants shall submit the requisite fees with an application for a site plan or administrative site plan application, in an amount established from time to time by resolution of the Town Board.
SECTION 3. Effective Date:
This Local Law shall take effect ninety days after filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 423

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", Virginia Homan and Richard Homan, 1 and 3 Montclair Avenue, have petitioned the Town of Shelter Island for a wetlands permit for the proposed placement of a 179' row of boulders (60 cubic yards) along the eroded scarp to the east of the boulders installed in 2013; the proposed boulders will range in size from 150 to 2400 pounds (larger stone used where eroded scarp is largest and smaller stone to fill gaps between larger boulders); proposed boulders are necessary to prevent continued erosion/recession of the native upland vegetation and loss of native trees (i.e. eastern red cedars) and maintain/enhance these natural protective features; the boulders shall be excavated approximately 1-3 feet into the beach and will be set on a geotextile fabric to prevent settling of the boulders into the sand; boulders shall be placed with a skidsteer that shall access the beach to the immediate east of the existing boulders; the access route shall be re-vegetated with Panicum virgatum seed after disturbance, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:42 p. m., prevailing time, on the 6th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 424

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Joshua Levine, 37D Westmoreland Drive, has petitioned the Town of Shelter Island for a wetlands permit to receive approval for previous removal of damaged screenroom, remove existing 889 square foot brick patio, construct 2,285 square feet of new deck and two pergolas within regulated area and landward of existing deck, bulkhead and accessory building, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:44 p. m., prevailing time, on the 6th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 425

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Thomas Roush, 2 Little Ram Island Drive, has petitioned the Town of Shelter Island for a wetlands permit for permission to renovate and construct addition to single family home, regrade, removal and replacement of existing swimming pool, well, septic, and removal of existing turf grass and replacement with native vegetation appropriate for the area, now, Therefore

BE IT RESOLVED, That pursuant to Section 129-7 of the Code of the Town of Shelter Island, a public hearing will be held at 4:46 p. m., prevailing time, on the 6th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 426

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Thomas Roush, 2 Little Ram Island Drive, Shelter Island, New York, zoned AA reverting to A-Residential/Near Shore and Peninsular Overlay District, and designated as Suffolk County Tax Map Lot 0700-009-03-020, seeks permission to renovate existing 6,191 square foot house and increase said house to a 9,265 square foot SFLA residence, and

"Whereas", it has been determined that a special permit is required under §133-7(F)(1) of the Town Code to construct improvements with SFLA of 6,000 square feet or above, now, Therefore

BE IT RESOLVED, That the Town Board hereby calls a public hearing to be held at 4:48 p. m., prevailing time, on the 6th day of October, 2017, in the Shelter Island Town Hall, Shelter

Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed application.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 427

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:50 p. m., prevailing time, on the 6th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons were heard in favor of or in opposition to a proposed LOCAL LAW ENTITLED OVERRIDE OF THE TAX LEVY LIMIT, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Shelter Island, County of Suffolk, pursuant to General Municipal Law §3-c, and to allow the Town of Shelter Island, County of Suffolk to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Shelter Island, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 428

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the Community Preservation Fund Advisory Board has reviewed a list of potential properties and recommended to the Town Board that it consider the purchase of fee title to a .98 acre parcel at 46 Congdon Road, Suffolk County Tax Map #0700-015-04-134.2 from Peter and Elizabeth Scudder for the cash purchase price of $800,000.00; such parcel to be preserved as open space, now, Therefore

BE IT RESOLVED, That pursuant to Section 247 of the General Municipal Law and Section 50-5 of the Code of the Town of Shelter Island, the Town Board hereby calls for a public hearing to be held on the 6th day of October, 2017, at 5:00 p. m., prevailing time, at the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the purchase of the above-described real property by the Town of Shelter Island. The Town would purchase this property as open space, and the acquisition would be funded from Town Community Preservation Funds.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 429

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Resolution No. 363 - 2017 dated August 4, 2017, is hereby amended by adding the following to the first paragraph, to wit:

BE IT FURTHER RESOLVED, That as per the request of the auditors, the following 2016 transfer is hereby approved:

$38,825.51 from the V5031 operating transfer in account and $2,974.49 from the V917 unassigned fund balance to the V9730.659 debt service principal Bridge Street ($40,000.00) and V9730.759 debt service interest Bridge Street ($1,800.00).

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 430

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the Town will be receiving $100,000.00 under a one hundred percent reimbursable grant for road paving, and

"Whereas", the Town Board did not budget for said revenues, now, Therefore

BE IT RESOLVED, That the following budget revisions are hereby approved:

$100,000.00 increase to the 2016 DB3089 revenue account, to be funded by the funds received from the above mentioned grant, and

$100,000.00 increase to the 2016 DB5110.445 Highway repair and improvements account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 431

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved:

$5,500.00 from the A1490.410 Public Works grounds maintenance account,

$3,000.00 from the A1490.413 Public Works jetties and bulkheads account,

$650.15 from the A1490.414 Public Works Town Hall and other buildings account,

$2,000.00 from the A1490.415 Public Works trees account,

$2,000.00 from the A1490.416 Public Works mower repairs account, and

$6,250.00 from the A1490.417 Public Works Town Landings account to a new A1490.496 Public Works charging station account;

$350.00 from the A3120.482 Police Department boat gas and oil account to the A3120.479 Police Department boat maintenance account;

$3,000.00 from the A6776.422 Silver Circle food account and dispersed as follows:

$2,000.00 to the A6776.144 Silver Circle personal services account, and

$1,000.00 to the A6776.445 Silver Circle utilities account;

$3,000.00 from the A7320.101 Youth Center longevity account to the A7020.102 Recreation aides personnel services account;

$2,000.00 from the A8160.129 Landfill double time personal services account to the A8160.127 Landfill overtime personal services account;

$200.00 from the A8160.200 Landfill equipment account to the A5010.200 Superintendent of Highways equipment account;

$1,000.00 from the A8160.437 Landfill contingency account to the A8160.438 Landfill processed concrete account; and

$20.00 from the B3610.200 Contractor's License Review Board equipment account to the B3610.400 Contractor's License Review Board office and miscellaneous account; and

BE IT FURTHER RESOLVED, That the following budget modifications are hereby approved:

$2,500.00 from the General Fund unassigned fund balance and dispersed as follows:

$1,000.00 to the A1010.495 Town Board printing and advertising account, and

$1,500.00 to the A4560.423 Medical Center electricity account; and

$660.00 from the Ambulance Training Capital Reserve Fund to the A4540.492 Ambulance Training account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 432

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That general claims numbered 1432 through 1543 in the amount of $112,056.71, highway claims numbered 174 through 198 in the amount of $96,883.92, and West Neck Water claim numbered 24 through 29 in the amount of $9,889.39, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:00 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed Local Law Entitled Amendment to Chapter 43 of the Town Code Concerning Septic Systems.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: yes, Laurie; I would just like to reiterate 'cause there's a bit of confusion going on with different people that have been asking questions, this proposal is intended only for, a mechanism for collecting data, the Town does not intend to review, analyze or inspect anything, the mechanism for collecting data on the location and the type of system that is going into the ground so that we can better, for projects that don't necessarily Suffolk County Department approval, I'd also like to reiterate that since this discussion has taken place and discussions around Fresh Pond, I've had one applicant come in voluntarily who replaced his septic system three years ago, with a copy of his survey and a copy of his receipt with dimensions and we now know what's in the ground and where his septic system which is fantastic, where before both the Town and the County had no information at all, so it helps the homeowner, it helps the future homeowner in the process if the property is sold, it also helps surrounding neighbors if they're collecting data for perhaps an addition or construction that they wish to attain, the Health Department doesn't always have information on existing septic systems so the intent is not to delay or cause delays or to cause additional expenses to property owners, anyway I just wanted to clarify that because there seems to be a lot of confusion in the discussions that I am hearing; um, we got an e-mail from you a couple of days ago regarding some __ you may anticipate putting in on these systems and it sounded to me like more than just knowing where they were; well that's a different entirely, in that e-mail, what I was referring to, is the coordination that's required sometimes by me when applications for building permits come in, that's different, it has nothing to do with data collecting, it has to do with building construction applications that are coming in that either the data is insufficient or it contradicts in information that I'm receiving from the Health Department; okay thanks; one concern that I've heard in talking to people is that by putting this into effect, that this is going to trigger the Suffolk County Health Department review of septic systems going in; no, that's not necessarily true, we're not; it was just data collection; I mean what the Health Department may or may not change in the future, I cannot say, so you know, it's not necessarily, if the Health Department requires something, you know for an emergency repair you know down the line, I mean that's not the Town, that's up to the County to decide how they want to mandate or decide septic systems so the intent also is to share this information, we get a lot of inquiries, not only from homeowners, but sometimes real estate agents, we get them from engineers, architects, contractors, you know where is my septic system, where is my neighbor's septic system, what kind of septic system do I have and you know, if there is no information in the file and there is no information at the County because it's an old system and wouldn't necessarily know and the homeowner doesn't know that; yeah I think the problem that you stated is something that's not affecting just a couple percent of properties on Shelter Island, it's affecting a good number of people that don't know where their septics are, when they were installed and what type of septic system there is, I know down, just having talked to people, there's hundreds and hundreds of homeowners that are in that category, that just don't know where their septic system is, what type of system they have and where it's located, so; and other towns require; and they need to know that; and other towns require septic permits but they do it for other reasons, and you know other towns require fees for this but I'm not proposing, I'm proposing to you that

you don't charge any fees; right; you try to make it as easy as possible to be able to collect the data but you also need to have some sort of mechanism in place to collect the data um, not just voluntarily because I'm not sure that people will do it voluntarily, I mean that's something that can deliberate; and this will not, another concern that people have raised is if they have an emergency over a holiday time or a weekend or something that they wouldn't be able to proceed as they do now; no; so this has nothing to; it has nothing to do with that, as a matter of fact, Councilman Shepherd asked me for a draft which I distributed to you all; right; on what an application might look like, I did my best to try and put a draft together, we can certainly deliberate that and you know, but I put on that draft that an emergency repair proceeds as an emergency repair; right; and you have a certain amount of time to come in later and provide the data, so people still need to do what they need to do; right; it's an emergency; right; and when it's an emergency like that, you may not know what's in the ground until you dig it up; right; so they may not know what is gonna happen until after the fact anyway, any other questions; that was a good explanation, thank you; thanks Lori; Mr. Larsen, everybody is nodding their heads up here, are you, got anything to add; yeah I've got lots to add, I'm the guy that does most of the work on the Island and I have a copy of the application for the, I just want to read it to you, proposed application and it says this is a certification from the licensed certified contractor that the sanitary system meets Town, County, State Code, emergency repair may take place within, may take place without a special permit subject to Suffolk County Department of Health regulations, however owner and contractor are responsible to obtain a permit within 72 hours of repair, maybe an application for a permit but God himself didn't get a permit within 72 hours from the Health Department, the thing is, in order to get a, I don't know if anybody is aware, in order to get a Suffolk County Health Department permit, you'd have to have an updated survey, you'd have to locate the neighbor's wells and septics, most of the people when they have an emergency, I get a call in the morning, my dog was barking in the back yard, I went outside and there's a hole there, the cesspool collapsed you know, what do I do, come over and let's deal with it, I can't go over there and tell people hey look, I'm sorry but you know we've got to go through this whole application permit to fix this thing, I don't know where the neighbor's wells and septics are, I'd have to find all that and you know, it's a, if it's just an information thing they're looking for, that's one thing they're for, but by putting the statement in here that the owner and the, the homeowner and the licensed installer is responsible for the obtaining the permit, a lot of times the people don't have the money to fix the septic systems you know, I end up doing the job and taking payments or whatever, if I've got to tell somebody that the survey alone is gonna be two grand and then an engineer is gonna be another fifteen hundred dollars, the two grand, and then you've got to go to the Board of Health, that's six fifty and whatever I put in, I'm just gonna do the best I can but if they don't like it, then what, do we take it out and start over, I mean you know, if you write it up like this, I won't be able to do repairs here anymore, it's that simple, you know, if you just want information, I think we discussed it at the other meeting, just ask for it, you know, like I have installer's certificates for Suffolk County Health Department approved jobs that we do which I just give you the certificates with the measurements and everything else without an RO number which is the reference number from the County; could we call a time out right there; yeah sure; cause you said a lot, Lori do you have a comment back so we can address the concern; yeah I mean I do because, you Jim said actually I think it was a week or so ago that you know that maybe it would be a good idea to get with Peder and discuss that and I think that that would be extremely helpful because I mean it would be helpful to have Peder come and discuss that application, you know, before anything is finalized; there's a lot of ways you've got to get information, I mean one is by asking me, the other is every time a house closes there's a well test, a water test, you know you could collect the water test information, there should be a septic tank, a septic review before closing, you know, for the buyer as well as the people who are selling, one thing, you don't know what you're selling and the other is the guy doesn't know what he is buying; right; you know the test consists of somebody flushing the toilet, if nothing happens, it works; right; that's what the engineers do right now, I mean you know, I think to put people in __, everybody here is not a millionaire you know and they actually can't afford a repair to start with, you can't tell them okay you're gonna pay for the repair and it might be five or six thousand dollars to get a permit, you know they're not gonna do it I can tell you right now, you know I don't know what they're gonna do but they can't afford that and I understand, but what it says here is different from what you're saying, that's what; well the permit or the application draft that I put together was for two things, one it was to cover emergency repairs but it was also to cover IA systems so if somebody is putting in a new IA system on an existing house; right; you know you're trying to cover two different things; but that goes through the County anyway, you can't do any of that without Suffolk County permits;

that's true but if it's __ the Building Department of the Town would not necessarily know that because there's no construction taking place so I mean, they would be allowed to put an IA system in they have an old septic system and they want to upgrade it, and oh I want to put in a new IA system, well that's fantastic but we wouldn't have __, we wouldn't know where it's going and we wouldn't know; oh I thought the County, I thought the County was involved in all of those; the County is; right; but I don't think anyone would just put one in without going through the procedure, it seems kind of; but the Town wouldn't know, we wouldn't know where it is or what it is, what manufacturer they are using and the other thing is a lot of IA systems have an alarm system __ so I'm expecting that when the homeowners are not there, the alarm is going to go off cause of them are more odd makers than others; right; so we're gonna be getting phone calls from, somebody's gonna be getting phone calls; well the guy on the __; if my neighbor's alarm is going off, who do I call and we won't have any information; yeah; on where to call, we'll know who the homeowner is of course but we won't know who the service person is; right, how about; who needs to be called; how about we get a second time out, we're almost out of time outs, and __ if you would be so kind and maybe get together because there are legitimate concerns here and I think if the two of you got together and spend a little bit of time on this, it would be helpful; right, I wouldn't write it as a law to regulate repairs, I would write it as an information gathering thing because even the Health Department will tell you, you know, if something fails, don't call us, you know you've got to fix it, you can't just leave people there with gaping holes in their back yard; Matt Sherman sent a good e-mail with some concerns he put out there, you know I would like to take a look at those things too; right; and bounce that with you as well; I just hope you guys hold of on this and let's try to make something, that' okay, there's a lot of information out there what I know and Gene Shepherd knows and; absolutely; but to rush into something like this is really bad because it puts a lot of people in liability you know; that would be good if you could work that out because I think we could use that resource; it's probably not too good to rush into a septic issue; no; I wanted to know; you know nobody fixes a cesspool just for something to do you know unless they've got a lot of money burning a hole in their pocket; what mechanism, if any, there is for __ with the County and getting their information, you say that we don't know what permits they give out, is there a way to find out, will they give that information to us; I know what permits are given out for new construction; new construction; Lori wasn't it since 1980 we send ___ with the County permits, I think it's 80 or 79; yeah 81; oh it's 81, okay, so all that should be public record, I mean you might have to FOIL it to get it but it's out there; I know but there's the one that I just gave you an example of was replaced three years ago and you know, the homeowner; but __ the Suffolk County installs systems that were approved by them; you'd have to go to Suffolk County, a lot of that is on microfilm and it's not available on line at the Health Department; right; so you'd have to spend a good deal of time going through the microfilm at the Health Department; right, okay; the only other thing that I wanted to bring up is that the interns during the summer of 2016 did their best to go through the Building Department files; yes; and document the data that was known, now we've gone a little over a year and we've had a lot of new septic systems that have gone in and that information has not been updated on the GIS, so that's my only concern for; right; for moving things along sooner rather than later, not necessarily rushing but at least, you know so that we don't get too far behind because then we'll never catch up; right, I've got to say, most of the new systems I've been putting in, are for additions and renovations which are all subject to Suffolk County; well there are some that are about to come your way that don't have any additions or renovations and no construction whatsoever, the people are going to be putting in septic systems ___; right; where there's no construction on the property so the Town wouldn't necessarily know that, I just happen to know that; you're talking about the ___; right, the people seem to be interested which is good; oh yeah; we want to be able to encourage them; right; __; there are actually three or four grants that have actually been approved on Shelter Island, that we're working with but; and the other thing is to be able to share this information with our water quality improvement advisory board because they are looking at collecting information on if they get applications; that's no problem at all, just, if that's something you wanted, I will give it to you, you know, I'd just hate to see a law that's gonna affect people you know; it's a point well taken, we've heard you and we need to, the two of you need to get together; but I think the thing would be more effective on real estate transactions, having systems inspected actually, physically inspected to see what's there on transactions before a closing, it's just part of the Town's building inspection and that way you'll know what's going on and it's just fifty dollars a year and I think everybody ___, the buyer especially __; yes; if they have something that may be removed or replaced; right; either way; I have one other comment, and I think that was __, I know two instances where you know the buyer didn't realize what they were

buying and neither situation was good; right; so you know, I don't know how one accomplished that __; well it's just like you're doing here but instead of making it you know, emergency repairs, just make it you know before a transaction is closed, it's just part of the Building Department inspections, I met people and when I told them yeah your cesspool is bad, I don't have a cesspool, that was like a hundred years ago, yeah you do actually, they don't believe it; and __ people don't understand __ have a new septic system, I was like, well you know Gene Shepherd put it in and I'm like; he might have pumped it out; yeah, he didn't know the difference a pumpout and a new septic system; right right; that's a very different thing; but also all this, new systems are all kind of you know, they've been around but in Suffolk County they're in the infancy stage with everybody getting their act together with everything you know and there are a lot of false starts here, I think after the first of the year things are gonna be pretty figured out; thanks Peder; Pete, I'm not done with him, Pete, stay there, application for sanitary permit, did you have a chance to look at that stuff, I sent you that stuff; yeah, that's what I've got right here; the level of redundancy as far as what the County does; other than that little statement at the end about the 72 hour thing and all, that's pretty much the same thing that they do; now that's not Laury's fault, why I asked that we actually try to emulate that if we were going to do it; right; I'm just trying to find out the value of the redundancy __ if they have to show us the permit, why not just have that be; right; instead of having to fill out a second one and do the whole bit, that's what I'm a little confused about; __ to fill this out when there is no Suffolk County application that's done, like I thought this was more for when the County is not __; I don't know that they specify that; no, it's, even if the County is involved, do you want to collect that data, I just gave you an example of; yeah; situations where the Town, where a septic might be going in where there's no construction __ so even though the County is issuing their permit, you still want to be able to collect the data; I just, if the County has a permit, why don't you just ask them to give you the information; we don't ask for it, we don't know it's happening, if you don't know what's happening; also they're kind of __ unless you have an RO number, they don't know what you're talking about; __ whether or not to give us a copy if Suffolk County is involved, give us a copy of that, if Suffolk County is not involved, then we __; and I think I tried to divide that out; right; in the information package, if there's an IA system or ___, if you don't have a County approval, you might not have a County approval because it depends on what is being repaired or replaced; right; some people don't need a permit for certain things from the County at this time but that might change; that's true; so any repairs I would be doing with the precast, I run into these old Sears metal septic tanks that rust out after 40 years or so, so everything is, there's no more blocks, there's no more steel or anything like that so it would be concrete, whatever we were replacing would be up to snuff, they also allow plastic septic tanks now which __ but with everything you do with repairs and improvements, it's not gonna be making it worse you know but people you know, like I say, it's not an expense to anybody really who wants to deal with, especially when it comes up as a surprise you know, alright, I kind of made up my own form that I think might be helpful and; okay; and run that by, but the water test thing would be a really good thing, every closing there is a water test and you just put that in your data file and it's an expensive test, like a 400 dollar test; I agree; which is probably more than you're gonna pay for you know; that's been brought up several times, we should try to; and it's all over the Island you know and you can track everything and just make that part of the inspections, alright, thank you; thank you Peder.

The Supervisor declared the public hearing closed at 5:18 p. m. and reconvened the regular Town Board meeting.

On motion of Councilwoman Lewis and seconded by Supervisor Dougherty, the meeting was adjourned at 5:25 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 3, 2017

A special meeting of the Town Board of the Town of Shelter Island for budget purposes was held in the Shelter Island Town Hall, Shelter Island, New York on the 3rd day of October, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Willliams. Town Attorney Laury Dowd, Town Clerk Dorothy S. Ogar and sixteen persons were also present.

The Supervisor called the special meeting to order at 1:00 p. m.

Salute to flag.

The Town Clerk presented the tentative 2018 Town budget to the Town Board members.

At 1:03 p. m., Councilwoman Lewis moved and Councilman Shepherd seconded to recess this special meeting until 9:00 a. m. on Wednesday, October 4, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 3, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 3rd day of October, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and six persons were present. All Town Board members signed a waiver of notice.

The Supervisor called the special meeting to order at 1:03 p. m.

RESOLUTION NO. 433

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Jake Mills Productions, 18 Bridge Street, Brooklyn, New York 11021, has requested a filming permit for October 5, 2017 for filming at 5 Seagate Road, and

"Whereas", the filming crew consists of approximately 15 to 20 persons, 2 sprinter vans, 2 cargo cans and 4 SUVs or minivans, and

"Whereas", said application has been reviewed by the Police Department and Highway Department, and

"Whereas", the Highway Department has responded that there must not be any obstructions on the road or walkways during the filming, and all garbage must be picked up in the area, and

"Whereas", the Police Department states that the need for additional fees for police services will not be required; the majority of the vehicles should be parked on the location property (5 Seagate Road), especially large commercial type vehicles, and the vehicles parked off location property (if any), on the public roadway should be parked on the shoulder of the road in the direction of travel, and should not obstruct normal roadway usage, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to issue the aforementioned filming permit.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 434

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", during the year end closing, it was discovered that the same invoice had inadvertently been submitted once under the 2015 CHIPS and then again under the Requisition 2 in DASNY, and

"Whereas", the $25,000.00 invoice 2015-238 from CAC Contracting Corp. was applied to both CHIPS in 2015 and CCAP, and

"Whereas" the Town has paving projects which were not funded by grants, which the $25,000.00 can be applied to, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island is hereby returning the $25,000.00 reimbursement and submitting a new requisition request so that the account can be corrected and the $25,000.00 reissued.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 435

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the West Neck Water District Board of Directors is hereby authorized to advertise for sealed bids for West Neck Water District phase III Mains Replacement project.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilman Shepherd, the special meeting was adjourned at 1:10 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 4, 2017

The recessed special meeting for budget purposes was reconvened on the 4th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and two persons were also present.

The Supervisor reconvened the special meeting at 9:04 a. m.

The Town Board discussed the proposed budgets for the Zoning Board of Appeals, Town Board, Supervisor, Assessment Board of Review, Town Clerk and many other proposed budgets.

At 9:42 a. m., Councilman Shepherd moved and Councilwoman Lewis seconded to recess this meeting, to be reconvened at 10 a. m. today. This motion was carried.

The Supervisor reconvened the special meeting for budget purposes at 10:12 a. m.

The Town Board discussed the proposed budgets of the Fire Marshal, the Building Permits Examiner and several other proposals.

At 10:47 a. m,. Supervisor Dougherty moved and Councilwoman Lewis seconded to recess this meeting until 11 a. m. This motion was carried.

The Supervisor reconvened the special meeting for budget purposes at 11:00 a. m.

The Town Board discussed the proposed budget for the Town Attorney.

October 4, 2017 - continued

At 11:07 a. m., Councilman Shepherd moved and Supervisor Dougherty seconded to recess the special meeting for budget purposes, to be reconvened at 9 a. m. on Thursday, October 5, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 5, 2017

The recessed special meeting for budget purposes was reconvened on the 5th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and eleven persons were also present.

The Supervisor reconvened the special meeting at 9:02 a. m.

The Town Board discussed the proposed budgets for the Water Advisory Committee, Planning Board, Nutrition and associated programs, Highway, Landfill and Public Works departments and Assessors Office, and several other proposed budgets.

At 11:37 a. m., Councilman Colligan moved and Supervisor Dougherty seconded to recess the special meeting for budget purposes, to be reconvened at 10:00 a. m. on Friday, October 6, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 6, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 6th day of October, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and one person were also present. All Town Board members signed a waiver of notice.

The Supervisor called the special meeting to order at 9:03 a. m.

At 9:03 a. m., Supervisor Dougherty moved and Councilman Shepherd seconded to go into executive session for an interview. This motion was carried.

At 9:38 a. m., the Supervisor reconvened the special meeting, and on motion of Councilman Colligan and seconded by Councilman Shepherd, the special meeting was adjourned at 9:29 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 6, 2017

The recessed special meeting for budget purposes was reconvened on the 6th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and nine persons were also present.

The Supervisor reconvened the special meeting at 10:04 a. m.

The Town Board discussed the proposed budgets for the Recreation Department, and at 10:45 a. m., Councilman Colligan moved and Supervisor Dougherty seconded to recess the special meeting for budget purposes, to be reconvened at 11:00 a. m. on this day. This motion was carried.

The Supervisor reconvened the special meeting for budget purposes at 10:48 a. m.

The Board discussed the Deer & Tick budget, and at 11:10 a. m., Councilman Shepherd moved and Councilwoman Brach-Williams seconded to recess this special meeting until 11:30 a. m. This motion was carried.

At 11:25 a. m., the Supervisor reconvened the special meeting, and the Board discussed the West Neck Water District budget and the Senior Services budget.

At 12:10 p. m., Councilwoman Lewis moved and Councilman Shepherd seconded to recess the special meeting until 9:45 a. m. on the 10th day of October, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 6, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 6th day of October, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and fifteen persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

The Supervisor called for a moment of silence for the people of Puerto Rico and other hurricane damaged areas.

The Supervisor presented the following financial report for the month of August, 2017:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
AUGUST 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	4,557,843.34	199,529.13	765,934.90	3,991,437.57	773,020.86
Hwy Checking	832,680.34	68,747.34	265,833.66	635,594.02	
T&AChecking	98,220.34	23,978.43	20,009.40	102,189.37	15,458.63
T&A Savings	12,225.47	0.31	0.00	12,225.78	

Hwy Cap Res	311,475.98	7.94	39.25	311,444.67	
WNW Supply	41,074.51	9,841.24	3,304.90	47,610.85	110,393.57
Taylor's Island	40,001.39	293.23	0.00	40,294.62	
Comm Preserv	6,321,403.58	320,918.23	2,004,200.00	4,638,121.81	3,598,966.12
Waterways	243,746.81	4,600.00	0.00	248,346.81	
Reserve Fund	699,872.53	5,502.46	0.00	705,374.99	
Bridge St Escr	0.00	0.00	0.00	0.00	354,445.55
Environ Fund	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Reser	18,164.65	0.00	0.00	18,164.65	
Ambul Reserv	301,697.83	17.86	0.00	301,715.69	
AmbuTraining	29,082.22	0.74	0.00	29,082.96	
TOTALS	13,523,283.99	633,436.91	3,059,322.11	11,097,353.79	4,852,284.73

The Supervisor read and presented a Proclamation which proclaims October 8 through 14, 2017 as Fire Prevention Week in the Town of Shelter Island. (A copy of this proclamation is attached to these minutes.)

RESOLUTION NO. 436

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Mr. George E. Butts was appointed by the Town Board to serve as Dog Control Officer on January 5, 2004, and January 4, 2005, as Animal Control Officer on January 3, 2006, January 3, 2007, January 2, 2008, January 5, 2009, January 5, 2010, January 4, 2011, January 3, 2012, January 3, 2013, January 3, 2014, and January 6, 2015; a position from which he resigned on January 23, 2015; and also as member of the Contractors License Review Board on June 18, 2004, and reappointed on January 19, 2007, and January 5, 2010, and

"Whereas", George very sadly passed away at his home on September 5, 2017, and

"Whereas", George was very dedicated to his position on the Contractors License Review Board and worked very diligently to caring for all animals, treating them as his own while serving as Dog Control Officer and Animal Control Officer, now, Therefore

BE IT RESOLVED, That the Town Board of the Town of Shelter Island, on behalf of all the citizens of Shelter Island, hereby extends a formal expression of their deep sorrow at the loss of Mr. George E. Butts, and does hereby record in the Town Board Minutes, the passing of a person who was very dedicated to this Town in many, many ways, helping to keep it the special place that it is, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution to Mrs. George Butts and family as an expression of the Shelter Island Town Board's heartfelt sympathy for a person who worked very hard and diligently for the Town for many years.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 437

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Marissa Fanelli is hereby appointed to serve as Recreation Aide at the rate of $20.00 per hour effective October 2, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 438

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Kelci McIntosh is hereby appointed to serve as Recreation Aide at the rate of $20.00 per hour, retroactive to September 26, 2017.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 439

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That Christopher Corbett is hereby appointed to serve as substitute Food Service Worker (dishwasher) at the rate of $14.89 per hour; said appointment is retroactive to September 11, 2017.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 440

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Amanda Gutiw has taken and passed the Civil Service examination, now, Therefore

BE IT RESOLVED, That Amanda Gutiw is hereby appointed from the Suffolk County list to serve as permanent Clerk Typist for the Town of Shelter Island; said appointment is retroactive to September 19, 2017.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 441

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That Jennifer Beresky is hereby appointed to serve as provisional Senior Clerk Typist for the Town of Shelter Island; said appointment is retroactive to September 19, 2017.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 442

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on August 25, 2017, David Doyle was appointed to serve as a member of the Community Housing Board for a term to expire on August 12, 2020, and

"Whereas", Mr. Doyle has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Doyle serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That David Doyle is hereby appointed to serve as a member of the Community Housing Board for a term to expire on August 12, 2020.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 443

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds received in the amount of $2,169.00 from The Nature Conservancy as follows: $554.00 to the A3510.491 4 Poster maintenance account, and $1,615.00 to the A3510.422 4 Poster corn account; and the reimbursement funds in the amount of $88.76 from the New York State & Local Retirement systems to Trust & Agency.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 444

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $625.00 from the A1620.476 account to East End Computers LLC, 78 White Street, Southampton, New York 11968 for the computer vulnerability scanning service for the term September 15, 2017 through September 14, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 445

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Fireworks by Grucci, 20 Pinehurst Drive, Bellport, New York 11713, had a fireworks display off the Dering Harbor Inn on Sunday, September 24, 2017, launched from a barge anchored approximately 800 feet north from the high tide mark on shore of the Shelter Island Yacht Club, and

"Whereas", the Police Department recommended collecting five thousand dollars ($5,000.00) to hold in escrow to cover police fees or other unforeseen emergencies related to the fireworks display; unused funds would then be returned to the applicant upon the completion of the event; and

"Whereas", Dr. George Kramer has submitted the required deposit of $5,000.00, and

"Whereas", the Police Department determined that the sum of $1,683.75 of said deposit be held by the Town for Police Department manpower during the fireworks, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $5,000.00 from Trust & Agency as follows: $3,316.25 to Dr. George Kramer, 3250 Veterans Highway, Bohemia, New York 11716, the balance of unused funds, and $1,683.75 to Police Department overtime.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 446

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,091.00 from the A1220.491 Supervisor's service contracts account to Williamson Law Book Co., 790 Canning Parkway, Victor, New York 14564, for the annual software support contract for the municipal accounting software for the period October 1, 2017 through September 30, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO 447

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the Town of Shelter Island is a party respondent in certain tax certiorari proceedings commenced by the property owner of property located at 20 Manwaring Road, Shelter Island, New York a/k/a tax map number 0700-015-03-012.20 for assessment years 2009/10 through 2016/2017, and

"Whereas", after a review of the relative merits of the petitioner's claims, the parties have agreed to settle the above tax certiorari claims on certain terms as approved by the Town on February 17, 2017, and as Ordered by the Court on July 31, 2017, and

"Whereas", there was a clerical error in the amount of the original total assessment for the 2016/17 tax year as reflected in the Stipulation and Court Order previously executed, and

"Whereas", the County Comptroller has reviewed the records and the actual 2016/17 original total assessment, and requested revised supplemental agreements and Court Order to reflect the corrected amounts, and so as to implement the parties' original intent, now, Therefore

BE IT RESOLVED, That the Town Board hereby approves of and has no objection to the settlement of the claims of the petitioner (Charles Gulluscio) on the terms as corrected and revised as set forth on the annexed Supplemental Stipulation of Settlement, and Corrected Proposed Order as in the best interests of the Town and its taxpayers, and

BE IT FURTHER RESOLVED, That the Town Attorney or Special Counsel is authorized and directed to execute the appropriate Supplemental Stipulations of Settlement, and consent to the entry of a Corrected Order of Judgment, if any, implementing the aforesaid settlement, and

BE IT FURTHER RESOLVED, That in accordance with the agreement, and as consented to by the Town Assessors, the assessment and any tax bill shall be so adjusted as directed by, and upon receipt of fully executed copy of a Court Order, and

BE IT FURTHER RESOLVED, That the Town Clerk provide the Town's Legal Counsel with a copy of this resolution upon adoption.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 448

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $20.37 from the A1620.476 buildings computer maintenance account to Microsoft, P. O. Box 842103, Dallas, Texas 5284-2103 for one new e-mail address for the FIT Manager.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 449

Councilman Shepherd offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the retainer agreement between the Town of Shelter Island and Lamb & Barnosky for professional services on all labor relations and employment law matters for the period January 1, 2017 through December 31, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 450

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Mary Ellen Adipietro, Patti Bumsted, Louise Clark, Betty Fogarty, Gina Kraus, Linda Kraus, Ann Loeffler, Lisa Shaw, Linda Springer and Julie O'Neill-Bliss have requested permission to hold the Shelter Island 5K Run/Walk on Shelter Island on Saturday, October 21, 2017, at 11:00 a. m., and

"Whereas", the application fee of $100.00 and the compliance fee of $100.00 have been paid, and

"Whereas", said application has been referred to the Police Department and Highway Department for recommendations, and

"Whereas", the Police Department is prepared to assist with the event as they have done in the past, and

"Whereas", the Highway Department reported that as in the past, the Highway Department will coordinate any details with the racing committee, if there are any markings on the street, it must be washable and any signage removed immediately after the race, and

"Whereas", pursuant to Section 33-2 B (2), the Town Board has determined that the proposed 5K Run/Walk will benefit the Town, and no fees will be required for Police and Highway costs associated with the event, now, Therefore

BE IT RESOLVED, That said request is hereby approved subject to the following recommendation of the Highway Department: if there are any markings on the street, it must be washable, and any signage removed immediately after the race.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 451

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the amount of $413.10 to Schmidt's Market for 36 large and 99 medium unused garbage bags.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 452

Councilman Colligan offered the following resolution, which was seconded by Councilman Reich, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $250.00 to The Candlelite Inn, P. O. Box 237, Shelter Island, NY 11964 for five unused parking permits for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 453

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Chief of Police James J. Read, Jr. is hereby authorized and directed to execute the lease agreement between the Town of Shelter Island and Sea Box, Inc., 1 Sea Box Drive, Cinnaminson, New Jersey 08077 for the rental of one 20' refrigerated domestic container for a term of 6 months; said agreement is retroactive to September 19, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 454

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $750.00 from A1220.491 Supervisor's support contracts account to Records Consultants, Inc., 12829 Wetmore Road, San Antonio, Texas 78247, for the renewal of the fixed asset management inventory software for the period September 24, 20176 though September 23, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 455

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:44 p. m., prevailing time, on October 27, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed Local Law to Address Fire Wardens, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Chapter 47 of the Shelter Island Town Code entitled Burning, Open is hereby amended to read as follows:

Section 47-4, Definitions, definition of Fire Wardens is hereby amended to read as follows:

FIRE WARDENS - The duly appointed Fire Wardens of the Town of Shelter Island. For purposes of this Chapter, the Fire Wardens are the Town Fire Marshal and the Fire Chiefs of the Shelter Island Fire District.

Section 2. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 456

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town of Shelter lsland is a member of the Suffolk County Community Development Consortium, and

"Whereas", the Town of Shelter Island expects to receive approximately $13,570.00 in Federal Community Development Block Grant Funds in 2018, now, Therefore

BE IT RESOLVED, That a public hearing will be held at 4:46 p. m., prevailing time, on the 27th day of October 2017, in the Shelter Island Town Hall, Shelter Island, New York for all interested residents to express citizens' views on the local community development needs to be met with these funds.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 457

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved:
$4,500.00 from the A1490.106 Public Works personal services account to the A8160.127 Landfill overtime personal services account;
$200.00 from the A1490.409 Public Works parks and beaches account to the A1490.416 Public Works mower repairs account;
$300.00 from the A1490.424 Public Works fuel depot account to the A1490.415 Public Works trees account;
$3,135.00 from the A3120.115 Police Department personal services account to the A3120.121 Police Department personal services account;
$1,355.00 from the A3120.485 Police Department car repairs account to the A3120.270 Police Department car equipment account;
$5,000.00 from the A4540.408 Ambulance building maintenance account to the A4540.484 Ambulance office and miscellaneous account;
$4,700.00 from the A7320.100 Youth Center personal services account and dispersed as follows:
$3,000.00 to the A7020.484 Youth Center office and miscellaneous account,
$200.00 to the A7320.483 Youth Center phone and internet account, and
$1,500.00 to the A7620.400 Adult Recreation account;
$1,300.00 from the A8160.104 Landfill hazmat personal services account to the A8160.200 Landfill equipment account;
$1,000.00 from the A8160.106 Landfill hazmat personal service account to the A8160.105 Landfill hazmat personal services account;
$2,000.00 from the A8160.108 Landfill hazmat personal services account and dispersed as follows:
$1,700.00 to the A8160.434 Landfill hazardous waste carting fees account, and
$300.00 to the A8160.484 Landfill office and miscellaneous account;
$950.00 from the B1990.400 Part Town Contingent account and dispersed as follows:
$700.00 to the B3620.484 Building Inspector office and miscellaneous account, and
$250.00 to the B8010.484 Zoning Officer office and miscellaneous account; and
$690.00 from the FX8320.408 West Neck Water repairs and maintenance account to the FX8320.200 West Neck Water equipment account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 458

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That general claims numbered 1544 through 1694 in the amount of $107,727.69, Community Preservation Fund claim number 7 in the amount of $5.47, highway claims numbered 199 through 213 in the amount of $12,875.63, and West Neck Water claims numbered 30 through 31 in the amount of $109.00, are hereby approved for payment as audited,

and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:48 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Jorge Cornejo, 47G South Ferry Road, to install a mooring in Coecles Harbor approximately 150 feet north of the end of the applicant's dock at a location designated as 41.067265° north and 72.304660° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: Waterways Management Advisory committee met on September eleventh, six o'clock, it was the first one on the agenda, this particular applicant had already had an approved dock which was in place for several months and now he's looking for a new mooring, it was approved by a vote of seven to zero, the appending, making sure that it was in the exact location and that has been done so I think they followed through on that, John was to call Jorge and Jorge coordinated with the Town Clerk, the exact location has been found according to those coordinates so we're okay, seven to zero.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 4:51 p. m. and called to order the public hearing to be held as advertised on the application of Virginia Homan and Richard Homan, 1 and 3 Montclair Avenue, for a wetlands permit for the proposed placement of a 179 foot row of boulders (60 cubic yards) along the eroded scarp to the east of the boulders installed in 2013; the proposed boulders will range in size from 150 to 2400 pounds (larger stone used where eroded scarp is largest and smaller stone to fill gaps between larger boulders); proposed boulders are necessary to prevent continued erosion/recession of the native upland vegetation and loss of native trees (i.e. eastern red cedars) and maintain /enhance these natural protective features; the boulders shall be excavated approximately 1-3 feet into the beach and will be set on a geotextile fabric to prevent settling of the boulders into the sand; boulders shall be placed with a skidsteer that shall access the beach to the immediate east of the existing boulders; the access route shall be re-vegetated with Panicum virgatum seed after disturbance.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:

1. A letter from Kathryn A. Cunningham opposing granting the application because the survey submitted is inconsistent with the property deed; the coordinates do not conform to the coordinates indicated for the tax map number and are also not in compliance with the Assessors' map; no trespassing signs have been placed on the Town landing; revised documents are not in compliance with the original wetlands permit application or NYSDEC permit letter; the new submission increases by 25% the footage of boulders to be installed, has revised silt fence locations shows outdated drawing of coir log locations.

The Supervisor called for the reports from the Planning Board and Conservation Advisory Council, which were as follows:

Councilman Colligan presented the report of the Conservation Advisory Council, which was as follows: Land Use Ecological Services Inc., acting as agent for Richard and Rita Homan, has submitted a wetlands application requesting to install an additional 179 feet of shoreline protection comprised of native boulders and geotextile fabric. The fabric will prevent the boulders from settling into the sand. The boulders are necessary to prevent continued erosion/recession of the native upland vegetation and loss of native trees (eastern red cedar) as well as maintain/enhance these natural protective features. The skidsteer will access the beach to the immediate east of the existing boulders. The access route will be re-vegetated with Panicum virgatum seed after disturbance.

The CAC discussed this application at the meeting on August 14th.

The CAC unanimously passes a motion to accept the application with the following request:

a. The property boundaries are surveyed and flagged BEFORE any work begins.

b. Add more diversity to marine plantings such as Ammophila b. Spartina patens. and/or Solidago t. or s. (var).

Councilman Shepherd presented the Planning Board report, as follows:

Date: August 24, 2017
To: Shelter Island Town Board
From: Shelter Island Planning Board
Re: Virginia & Richard Homan **Wetlands permit application**
SCTM # 700-22-2-53 & 54 1 & 3 Montclair Ave. Shelter Island, NY
Zone – A- Residential & Near Shore overlay district

Project description summary: Applicant requests a Wetlands Permit in order to construct an erosion control area along the shore consisting of a 179 feet row of 150 to 2400 lb. boulders to be placed to the east of existing boulders that were installed in 2013. The purpose is to prevent continued erosion of the shoreline, the native vegetation and the loss of native trees. A wetlands permit was determined to be necessary because the project involves regulated activities within the regulated area as specified in Town Code chapter 129, section 2.

Submittals: See Appendix "A" below

Observations (from submittals):

1. The project lies in Zone "A" (Residential) and in the Near Shore Overlay district.
2. There is an existing 2,184 sq. ft. residential building on the property as well as a 18' x 20' frame garage.
3. The is no indication on the surveys submitted of the 75' and 100' regulated area lines but high water and low water lines are shown, and it is obvious that the entire proposed project is within the 75' vegetative buffer area.
4. A New York State D.E.C. permit has been granted for the project.

Observations (from site field inspection by both undersigned):

1. Conditions on site seem to comply with the presentation on the survey and the site plan.
2. There is obvious shoreline erosion and damage to vegetation and trees.
3. Previously installed Coir logs seemed to be damaged and/or moved out of place. One Coir log was completely under water at the time of the field inspection and there was some staking to prevent movement of the logs. It did not seem that the Coir logs were doing much to prevent the erosion landward of the logs.
4. A berm of sand and gravel has been placed over the existing section of boulder revetment.

Mitigation proposals:

1. Disturbance to native grasses associated with equipment access and transport of boulders will be mitigated by re-seeding with native switch grass.
2. Boulders are proposed because they have less environmental impact than bulkheads.
3. The Boulders will be placed at the upper margin of the un-vegetated beach so that no natural vegetation will be impacted by the project.

Recommendations:

The Planning Board feels that the proposed boulder revetment will improve the current situation by reducing erosion and will be environmentally and visually acceptable. We recommend granting of the Wetlands Permit.

by: Paul E. Mobius Jr., and John D'Amato for the Planning Board

Appendix A. Submittals

A wetlands permit application package prepared by Land Use Ecological Services, Inc., including:

1. A letter dated 07/21/2017 from the Town Building Permits Coordinator rejecting the building permit application until a wetlands permit is granted.
2. A competed Wetlands Permit Application form dated 07/13/17
3. A completed Short Environmental Assessment Form dated 07/12/17.
4. A narrative describing the project with pictures of current conditions and destruction of native trees and vegetation.
5. A NYS DEC permit #1-4732-00941/00005 dated June 9, 2017.

6. A site plan by Land Use Ecological Services dated June 26, 2017 showing location and details of the project with a cross section of the Boulder revetment.
7. A Survey by John C. Ehlers Land Surveyor revised 3/14/2017.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: William Bowman from Land Use Ecological Services, agent for Homans at 1 and 3 Montclair Ave, Shelter Island, the Clerk did a fine job of repeating the summary of the project and the Board has a lot to cover today so I'll move to some of the issues that were raised today by the neighbors and also if the Town Board has any additional questions, I'll be happy to field them rather than repeat the summary; yes, you've been in before so I think that's good; regarding the survey, this issue had come up the last time when the western most boulders were placed back in 2014, the Homans put down similar row of boulders on their western property line extending if memory serves me, this new application to extend that eastward 179 feet to where the erosion of the upland vegetation stops but at that time, back in 2013, 2014, the __ raised the objection regarding the survey so at that time we had had a letter prepared by the surveyor and I'll distribute it to the Board and then read it, I believe I did send this to the Board several weeks ago; thank you; dear Board members, I'm the surveyor who did the survey work for Mr. Bowman at his vacant land and improved property at 3 Montclair Avenue, the purpose of the survey work was to gain approval from government agencies for the installation of shore preservation measures to try to stop the erosion of the property, to this end we needed to show the high water line at the time of the survey, 2009, it needed to be accurate to the current conditions, the DEC would never accept a high water line from a deed that was last dated August 10, 1993, because a survey is submitted along with an application to the DEC and Town Building Department does not affect what is the official deed to the property, that deed resides at the Suffolk County Department of Real Property and is unchanged since 1993, is Kathryn Cunningham suggesting that we should have used a high water line from a 1993 deed in a 2009 application to the DEC and Town, sincerely John Ehlers, so essentially the discrepancy is because the high water line has changed since the filing of the deed so as the shore changes, the copy of that ___ to the high water; because of the erosion, has that high water line move inward; it depends on what part of the property, for the southern facing has moved inward and for the eastern parts it's probably moved east because the sand has been eroded from the south side, a large part of it has moved, down drift, moved to the east so it has just shifted; okay; you know, this is I think the third or fourth time you've been before us on that __, everything that has been done to date hasn't worked, why; well the first project was a soft erosion control measure at that time back in I believe it was 2011 and there was another consultant involved in this project even before me so it might even be dated back before then, at that time it was quite obvious that they had lost a large number of trees, those trees were jutting out fifteen to twenty feet out and they had some large diameter trees, at that time we were trying to avoid the use of anything hard, certainly everyone knows about the adverse impact of __ so we're looking for a soft solution so that what we tried at that time was sand fill and coir logs I think and at that time, that was installed in 2011 and within a month, Hurricane Irene came and then we had Hurricane Sandy and so that was within a year later but I've come to learn about this site or them to appreciate is that the navigation channel has a real large impact on the open shoreline and certainly coastal storms in the winter and spring and fall have a big impact and can cause lots of erosion at any place but what we've seen is sand placed in the spring or summer gradually gets withered away over the course of the summer as boat wakes come onto the shoreline from the nearby navigation channel at all times of the day and at all tides, it gently slowly scours and removes the sand from the beach, ____ and narrowing it and making it that much more susceptible to these storms when they do come around, for instance we had planted, we did a lot of plantings so that a lot of those went in in early spring and early summer, saw the plants in the ground, saw them starting to root and by the end of the summer they were often sticking out a foot, half of the __ in the ground, half of it was above, the sand was lost and you could tell from the rooting that the sand just kind of lost, eroded away from this planted plug one of the recent pictures that I've shown, that I sent in, also show exposed roots from plants that were previously covered in sand so I think that has kind of caused a, the sand is always being washed from this site; sure; the second __ was to put rocks from the western one hundred and ten feet of the property, so that had been successful, that area stayed put, at that time we just never moved it to the east and now we've kind of continued to see that erosion of this eastern portion to the homeowners, desirous to prevent that from happening any further, as

we all know, these boulders will protect the undeveloped lot, you know, it's a small lot, it's not a buildable lot but we know it has lots of coastal vegetation and we all know the benefits of that in terms of storm buffering, wildlife habitat, a type of beautiful vegetation so the homeowner would like to keep that in place; did you use the geotextile in that portion too; yeah, it is necessary to keep the rocks from settling otherwise they kind of gradually sink into the sand; we used the same material on Shell Beach for that when we put the boulders in place; yeah otherwise, if that is not done, the rock will eventually go down; absolutely; you might have said that the high water mark on the eastern side might have moved out but now you're trying to do some work there because; no, no, it has moved way out so that area is far beyond the extent of the boulders so this is the site plan, the existing boulders are here, the proposed boulders are here and where I'm talking about is down further here to the east; right; so there's actually a bunch of, there's a marsh here so we even stopped just before that marsh starts, another topic raised by Mrs. Cunningham was that the Town permit did not match the State permits when we originally applied for the State, it's obviously the __ and we've gotten State approval although it is for 159 feet rocks, we've done that field work and that permit application was submitted I believe in March or April so got the subsequent, we've modified, we applied for a modification for the DEC permit to go the additional 20 feet to match with the Town, but we have not gotten that modification yet but; Howard, you can come up if you would; I'm Howard Johanson, a resident and neighbor of the property and as I'm on the CAC, we approved this project as it is with the boulders, I'm very happy to see it done that way, only the observations that I'm making are that there are no trespassing signs on the Town landing which were requested to be removed for the last permit and they're still there so I don't know how we could issue a permit that the last permit requirements were not adhered to; could you repeat that last one; you don't understand; how could you issue a new permit which is good, I have no objection to what they are doing but the last requirements in the last permit were not resolved; right, that's the signs; that the signs that are up there; okay; and also that there are stakes which have been from the coir logs, in your application you mentioned that the coir logs were being removed, is that all of them; the ones that I, should I stand back; yes; so the coir logs that have survived, some of them will be kept but some of them are going to be pulled out and rocks put in their place so that, the ones that remain, the rocks will take their place of where these coir logs are, there's some down low; right; that we would just kind of keep those and then I know that Mr. Homan would hammer down some of those stakes as they appear; I would say that's a safety issue with people walking around there; well that was one of the problems, if you go down there at low tide and you're in a kayak, the boat __ they won't __ knocked out, they can be knocked down or cut, cut back; dulled at least; what; dulled at least so they don't stick anyone; ___; it sounds obvious but there it is; right; how about the signs, how many signs are we talking about; two signs that are on the Town landing; right, they say no trespassing, private property, I don't think it's private property; a man can dream, right; they should be removed, yes; that's obvious; do you want to remove them or should we; I think if the Town Board feels __ stipulates that they need __ on the property; yes; a question about the __ was that we kept getting __ that some of them showed __ so we questioned that and there was never done __ behind the water line __ property; __ be the same thing; it's possible, they never showed the width __ the deed; that's correct, we have resubmitted the survey, they __ I believe they jive __ some kind of survey to use the outline the Town property for the site plan; they really don't and that's what the letter was about and what Mr. Ehlers says makes sense, he only used it for the high water line for the DEC approval; yes, the thing is; __ the deed; he shows the high water line which we also show on the plan; correct; and that should equate to the property boundary and the rocks are landward of that, of the high water line; you're correct, ___ the line shows on his drawing originally, __ on Town land; this survey; I have one; meanwhile if the member of the Planning Board wants to make a quick comment, Emory; we had this discussion a few years ago; correct; and it was explained that at that time, most waterfront owners experienced erosion but on this property there is accretion where it gained land, so actually the land that has gained, where it has the signs that are very well on Mr. Homan's property; so the Town has lost the Town landing property; we didn't lose it, it's just the way, it's the way that land __, if there was more filling, see what you're doing is you're taking the Town landing out into the water; correct; but in this case you have a loop of land that's coming in front of the Town landing, it's not connected to the Town landing, it's just connected to Homan; so you're saying that the Town landing ends where; at the water; so at the marshline; straight out from the landing til you get to the high waterline; right; __, it would be coming straight out of the __ and that's what we've been saying; but that's not; this is the Town landing

extension; that's not, that line there is not part of the high water line, that's just part of the survey; right which is not part of the property __ given to the DEC; no; __; he's talking about this here, which according to the Ehler's survey shows that Homan's property boundary, it does not just go straight, that it seems to angle out because it's on the survey, I'm assuming that's how it is recorded but we're talking about the difference between the high water and how that changes, that would be this line; I see; alright, Howard, help, how does this impact the project; it's not part of the project, it's just that it's showing where; we're at least a hundred feet from that issue; the permit that was done before for the previous project was not adhered to; the resolution said __; why was this not, not the signs but the line; the signs are close to the lines, that's all; alright so we're still arguing over the signs; yeah; the signs being on Town property; okay I got; basically that's it; so it's not about the revetment of anything; no, no, no, no, the construction with the boulders we agreed on, the CAC; it's better than a bulkhead; that was fine, just that discussion; alright; the Town has the deed; the most recent survey is what, not for the purposes of the DEC, 2009; no it's more recent than that, I have one here that is, the survey of 2009 and then the elevations added in 2013; okay the elevations were added but it wasn't resurveyed other than that, right, so the land area would have been 2009 date; yes, when I had talked to the; this, that line that we're talking about, that was not, that would not be fluctuating with the tide, this tide issue is for the southern and the eastern property, so this stamped survey shows there's a little slight angle in Mr. Homan's property as it hits the end of the Town landing; how do we go about making this work so that everybody knows whose property is what; well; the survey could be sitting here, or somewhere, I mean the person walking down the beach doesn't know this; exactly; that's the problem, it shows the deed that shows that from the Town and if you look at the original, or even the Town tax map, you can see the difference of the property lines, it doesn't even adhere to what's being shown on this one for the project, now I talked to Mr. Ehlers, he said this is a project survey, it's not a deed survey; right; but that's fine; but then the signs should not be on the Town landing, you can't claim property; and I, I think it seems pretty easy to solve; why; I just know where the project is and we just have to stipulate that as a condition in the approval that all private property, no trespassing signs should be on private property and; are the signs in the marsh grasses, is that where they stuck them, are the signs in the marsh grasses or; there's one in the marsh on the way down; does everybody have to chime in, it would be helpful, Howard; the one in the marsh grass is fine, that's basically where his property is showing; right; it's the two out on the Town landing; okay; and that's why I brought up about the last permit not being finished and we shouldn't be opening a new permit because the last permit in the resolution says the signs should not be on, should be moved to his property; how about you guys meet down in the near, within the next week and discuss this about you know; they should take the signs down; that's the other; just take the signs out, the signs don't belong there, they are on the Town landing; we can move them if necessary if they are on, if they're on Mr. Homan's property, then they can stay but we should be required to; yeah I'm not hearing from you that, you have to check with your client but it doesn't sound like you are objecting to Howard's suggestion that the signs be removed; if they're on the Town landing, then they should be removed but if they're on his private property, then they can stay; so we have to, the two parties as Jim said, have to go down there and; are we talking about moving them five feet, are we talking about moving fifty feet, if we're talking about moving five or ten feet, it's not a big deal, we have to keep moving on this project, if we're talking about fifty or a hundred feet, that's a different story; does it impact the people traversing of the foreshore or what; no; so the impacting of people walking from the landing to the; I know that it is Town property so I walk right by, it doesn't bother me but some people have been; yeah it would intimidate some people, that's the only reason, I know where the property line is; we own it, we should let them enjoy it; that's the reason for it, it's a Town landing and it's also a fire safety; fire safety; it sounds like a clean up item, that's all it really is, is to bring them off that Town landing; my recollection, looking out from the Town landing, they're not straight out but it's your neighborhood, you spend a lot more time out there than we do and that's why I; that's why I suggested it; we can go out there, we can go out there right now but then ultimately I'm not a surveyor so we might just have to have the surveyor verify the location relative and how it should be on the deed; the sooner you can do it the better; it's low tide anyway; is there any other; I don't think so; thank you.

The Supervisor declared the public hearing closed at 5:20 p. m. called to order the public hearing to be held as advertised on the application of Joshua Levine, 37D Westmoreland Drive,

for a wetlands permit for permission to receive approval for previous removal of damaged screenroom, remove existing 889 square foot brick patio, construct 2,285 square feet of new deck and two pergolas within regulated area and landward of existing deck, bulkhead and accessory building.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:
1. An e-mail from John Roe, neighbor of the Levine property, supporting this application.
2. An e-mail from John Roe, President of Westmoreland Farm, in favor of granting approval to this application.
3. An e-mail from Adam Ronzoni and Charlotte Relyea, neighbors of the Levine family, hoping the Town will grant them authorization.
4. An e-mail from Sherry Hines, direct neighbors, stating she is in full support of this application.
5. An e-mail from Michael J. Russo who has no objection to this application being approved.

The Supervisor called for reports from the Planning Board and Conservation Advisory Council, which were as follows:

Councilman Colligan reported the Conservation Advisory Council as follows:

Matthew Sherman, Sherman Engineering and Consulting, acting as agent for Joshua Levine, has submitted a wetlands application requesting approval for previous removal of damaged screened porch and removal of existing 889 square foot brick patio. The application requests permission to construct 2285 square feet of new deck and two pergolas within the regulated area landward of the existing deck, bulkhead and accessory building the two proposed pergolas are over the proposed deck.

The CAC discussed this application at the August 14th meeting.

The CAC passes a motion unanimously to DENY this application.

The CAC recommends the following:

1. Re-vegetate the area below the bulkhead and in the near shore with appropriate marine plants. Before starting a vegetative plan, with spacing, must be submitted to the CAC for approval.
2. Wire-back silt fence should be installed immediately along the top of the bulkhead.
3. All debris must be removed from the beach.
4. Section B1 on the Wetlands application should be denied.
5. Any grass planted must be Zoysia.

Councilman Shepherd presented the Planning Board report as follows:

September 26, 2017
Re: **Levine Wetlands Permit Application**
37 D Westmoreland Drive
Shelter Island, NY
SCTM # 700-22-1-06
Zone A, within the Near Shore Peninsular Overlay District

Project description summary: Applicant requests approval for previous removal of damaged screened room, removal of existing 889 sq. ft. brick patio, construction of 2,285 square feet of deck and two pergolas, and repair of existing decks and stone walkways within the regulated area.

Submittals: See Appendix "A" below

Observations (from submittals):

1. The property is improved with a one and a half story House, a Car Port, a Pump House, an Accessory Sleeping Quarter, a Bulkhead, and a Dock.
2. The Accessory Sleeping Quarter straddles the Bulkhead.
3. The House's screened porch has already been removed.

Observations (from site field inspection by both undersigned):

1. Construction on the House, Accessory Sleeping Quarters, and Garage has been ongoing for some time. Windows, siding, and roofing are new.
2. New well, septic system and propane tank installations are complete.

3. Matt Sherman emailed us that the pool drywell is to have the required eight feet diameter and eight feet depth. The two house drywells in front of the house are to be eight feet in diameter and eight feet in depth. All drywell will maintain four feet of separation similar to the SCDHS for leaching galleries. The eight feet depth will allow the bottom of the drywells to be two feet or more above the water table. The plan currently shows two pools in the driveway island but that location is occupied by two large trees. The existing driveway grate sits over a three feet catch-basin. A Leaching Gallery is being proposed for part of the house and the Accessory Sleeping Quarter stormwater recharge. Some more detail on this system may be worthwhile as it is not what is typically installed on the island. Mr. Sherman indicated he will be submitting revised Site Plan for the public hearing updating drywell detail.
4. Dock has been recently repaired.
5. Existing bulkhead above dock is bowed and may need attention in the near future.
6. Though not part of the application, the proposed pool is very close to the house foundation and care will be needed not to undermine it.
7. The property abuts a vacant parcel to the south and a house to the north. The northern house has a deck that extends into the 75' regulated area.
8. A stone pathway that leads from the house to a wood stair and landing on the adjacent south property has been removed.
Mitigation proposals:
1. Removal of brick in sand patio.
2. Installation of storm water collection and recharge systems.
3. Installation of wire backed silt fence (none is currently in place).
4. Installation of an automatic pool cover on the pool which is outside of the wetlands jurisdiction.
Recommendations:
The Planning Board feels that the removal of existing impermeable porch, the brick and stone patios, and the addition of storm water recharge systems improve the existing use of this property. We recommend approval of the application.
by: John D'Amato, Ian McDonald, Architect, For the Planning Board
Appendix A. Submittals
The wetlands permit application, dated 7/14/2017, prepared by Sherman Engineering & Consulting, included:
1. A letter dated 05/11/2017 from the Town Building Permits Coordinator rejecting the Building permit application until a wetlands permit is granted.
2. Existing and Proposed Site Plans, Proposed Coverage Plan (note Cottage should be 0.4%), and Proposed Vegetation Plan.
3. A NYS DEC letter of No-Jurisdiction dated 1/27/17 was issued based on the property being in excess of 10 feet in elevation.
4. A copy of SCDHS permit R07-17-0007 dated 3/17/2017 permitting six bedrooms.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: good evening, Matt Sherman, I'm here with Ilana Levine, she's the property owner, thank you very much, this application is for the, some work to be done on the property out the end or in the middle of Westmoreland, Josh and Ilana who purchased the property about a year ago, started doing some work on it, initially when they first got the property, the idea of doing some of the exterior work that was gonna be in the realm of requiring a wetlands permit came in after they had started some of the other work on the project, the site as it exists, as it existed previously is just about an acre and a half with West Neck Creek, we'll call it _ is on the east and the private road of Westmoreland Drive on the west, the, on this side you can see where the 100 foot setback is that red line there, the 75 foot wetlands setback is that other line just slightly seaward of the 100 foot, the proposed work that we're looking to do, and I'll have a zoomed in version of this in a second so it will make it easier to see is all on what we'll call the south side of the house, currently there is a brick patio that's there now, there also is a yard to the south of the house so in those areas we'd be looking to remove that brick patio and install a wood deck, the wood deck would be slightly above grade, we'd have about one step down to grade and in a couple of areas, we've got an area here with a wood pergola above and over here with a wood pergola above, the area of the brick patio that will be coming out is this area right in here, the screenroom that was previously taken out, it was 106 square feet, it's this screenroom right here;

right; when we had done a permit search admittedly after the fact, to see what was going on with that screenroom, cause it was installed over the top of a brick patio, so it was an after thought and we went to look to see what was going on with the permit for it, it was not part of the original building and there's a permit in the file for the change of a I believe it says a green room to an enclosed porch, we're not sure if it's that or if it's an area over here on the opposite side of the building so the idea of it being an add on, became pretty evident once we started looking at the property instead of looking at the building, the decking area that we're talking about is what's outlined in dark, right now the pool is taken out just for clarity but this area here would all be permeable decking, like I said, about a step up off of the grade, we have an eighth inch or so between decking boards so stormwater could flow through it and it would just be dirt below because you're not gonna get anything underneath it; Matt is that man made decking or; it will probably be like and Ipe, I don't know how they would install it, I would imagine it would probably be hidden fasteners, that kind of thing, that's kind of a decking of choice nowadays, so you would have, the stormwater would be able to flow through to the ground below, the area of the brick patio is that right in there and the area of that screenroom is right there, also as part of the project we've got, not necessarily part of the wetlands application but part of the project as a whole, we've got a new septic system that was recently installed, the old septic system hung out right about here, right about the hundred foot wetlands setback line, one of the cesspools was actually seaward of the hundred foot setback line, right on it but it was a collapsing cesspool and we had to get rid of it, fortunately the house was not occupied so it was not necessarily an emergency repair in that we had to put the new septic in the same location as the old one without getting, in order to avoid having to get a permit from the Health Department because we weren't under that kind of time constraint, we could abandon the existing leaching pool so it was no longer a hazard and then we got the proper permits from the Health Department in order to get the new system put in, a couple of the storm drains that end in and the Planning Board has talked about, are these two right here, I've got them down on that southeast portion of just below where those other large trees are, if it makes more sense once we get an arborist to go there and look and see where the protection is, to move those drywells up over into this area, we can do that, we've just got to keep them away from the new supply well which has just been installed right up here in the northwest; __ didn't see any issues with putting there by the trees; the way the trees are, I think most of the growth on the trees are, I'm not an arborist but most of the growth on the trees is on the opposite side so putting a couple of drywells, what would be about ten feet, fifteen feet to the opposite side of those trees, as long as they didn't go in there with brute force and ignorance, you should be able to get things put in without; _ if that ever happens, right; wishful thinking but that location because it's outside of the wetlands regulated area, we weren't too worried about completely seriously pinpointing it to precision because we've got some flexibility, we could put it in the driveway, we don't want to do that if not for disturbing more of the driveway than we have to already, that's with the new layout of the pool, this pool here, that's actually under construction now, we just started it, the, as they said and I believe it was the Planning Board's recommendation, we've got an automatic cover that we're putting on that pool so that we can minimize the amount of water loss, evaporation, even though it's outside of the wetlands boundary, they recognize that it's just a prudent thing to do, so lot coverage, the house, the cottage, the carport, all of those things are staying the same so there's no change in any of that, the change is the 960 square feet of the swimming pool, as far as impermeable surfaces, we're losing a little bit of brick patio, brick patio is not as impermeable as concrete or asphalt but at the same time it's not as permeable as decking or as granite, when the brick patios are going in nowadays, the pavers have little nubs on the side that kind of hold them aside from one another and water infiltrates through fairly well, these old brick patios are just regular typical brick, they're hit up hard against one another and you get enough water and things coming through that you can get plant growth going through them but they don't allow infiltration like you would with the current or modern patio; so the carport stays; yes the carport stays; the cottage down near the water stays; yes and that cottage is actually being converted, actually be reverted from an accessory apartment, it's got a legal stove in it; I saw that; and they have no use for that so we decided to, as part of scaling the site back, taking that out so it's just an accessory sleeping, it's a tiny little accessory sleeping; yes it's very small; I wanted to say that, maybe I'm missing it but I don't see those lot calculations in here so if you can make sure I get a copy of that; sure I will, this is the screenroom that had been taken off and you'll see in one of the other pictures, this whole area right up in here, in one of the other pictures you'll see they took off that board and batting siding and put on a horizontal cedar siding,

when they took the siding off of that screenroom, the sill which is the wood framing along the bottom, was all rotten and there was rot coming up the post, without looking at it from a wetlands permit point of view, the contractor had looked at it from a, we're gonna have to rebuild this from a builder's point of view, he asked the property owners if they cared about it one way or the other, they didn't, it was more effort to rebuild it than to just take it out, he took it out so shame on us, we should have at that point, stopped and said to you guys; right; do you want a wetlands permit to take this out, it is the brick patio that it is on, is a hundred and six square feet, it sits slightly inboard of the outside edge so it's just over a hundred square feet, whether or not we could have appealed to have it be seen as a one time hundred square foot exemption or not may have been a viable alternative, unfortunately it's water under the bridge at this point, this is the brick patio we're talking about taking out, if you looked into the back of the picture back where the backhoe is, the hundred foot wetlands setback, basically lines up pretty much with this corner of the house, a little bit off the corner of the house so as you go right across the property, in this area here is where that hundred foot setback is, the pool is just on the outside of that area, the new decking would encompass this brick patio and then extend over and connect the front of the house, the waterside of the house over to that brick patio, over to the pool and the patio or the decking that's around the pool, again is this, after that screenroom has been removed, you can actually still see the shadow of it along the brick just inside of that trim; right; so that's where that screenroom was; you actually salvaged the interior of the house, the beams and things like that, for the most part; yes; some of the above, you put in larger; a lot of the framing was put together in a way that as it settled, it all locked itself into place so when we looked at how to rebuild it and fortify it so it would meet today's standards, enough of the building was being changed that we had to bring it up to current standards; right; the, we replaced a lot of those beams with much more formidable structural members; yeah I say that; we tried to keep the same layout just for simplicity sake of taking one out and putting another one in and not having to do any more reframing than we had to, that was the main goal, just to make it __, this is the little cottage, there's, where the kitchen is now, is down here on the first floor is a kitchen and a shower and a sink and then on the upper floor there is a bedroom and toilet so it's got a funky little layout, it's more like a glorified playhouse really than a cottage; tiny house; and while we're looking at this picture, the CAC had come back with comments about the vegetation on the beach; right; after that initial meeting when they looked at it and they came back with their recommendations for denial, I reached out to the CAC and asked if there was, what we could do other than planting on the beach or what other mitigation could come into play, one of my concerns was if we plant on the beach, the beach has been like this, looking at aerial photos going back at least to the mid 90's, I've got a couple of them up here in a second and you'll be able to see; would you say that's a kind of natural denuding of the beach, it wasn't done by anybody; not in the recent past it certainly hasn't, so if it has been altered at some point, the alteration has __ and it has taken root and it has remained as in this general condition from at least in the mid 90's, the aerial photos I've got are from Google Earth so they're not as clear as far as I would like as far as the presentation is concerned but if you go on line you can see them and they are very clear, you can see where the beach is and where the vegetation is and they go back from 1994 and they go every couple of years, unfortunately a lot of them, like the ones I've got are from April and May so the trees all have leaves on them, if they were from January and February time frame, everything would be bare and you would be able to see a lot more, but __ the aerial photos __; during a storm, I know during an easterly, does the water actually make its way to the wall; I would imagine so, I don't know; I think that might be one of the reasons why vegetation has not remained there; yeah it just gets scoured out; it just gets scoured out; this is the same section of beach just looking from the opposite side and this area here, the Levines' as well as the adjacent parcel which is part of that adjacent parcel of property and then this is looking in the opposite direction, you've got two series of bulkheads, one down here on the seaward front and then another landward in front of it and there's some small vegetation in the middle between them, this from my perspective is the best part of this house, I mean where could you get a railway, they've got a trolley that can carry a decent sized small boat up into the house, shut the door behind it and away you go, it's fantastic, the DEC came out and looked, after the CAC went out to the site, they came and they asked the Town to contact the DEC to come out and look at the beach and look at the work that had been done and see if they saw any red flags come up or they saw any issues, they came out, they looked, they said that the level of work that had been done on the dock should have justified getting a DEC permit because the way that they use it as a rule of thumb is anything over fifty

square feet of decking that's being replaced, you should go to them for a permit because there wouldn't have been a problem getting a permit, there would have been no issues but we should have done it, he didn't issue a violation, he just issued us a warning that said if you do more than fifty square feet of decking again, come to us and get a permit, the DEC's, their website, if you go on and ask if you might need a wetlands permit, one of the things that their website says is if you are doing repair of decking in kind in place, you don't need a permit, it's explicitly stated on their site, however their rule of thumb is if you're doing more than fifty square feet, come in and talk to us, same thing with the Town, if it was a legal existing permitted dock, the Town which the, and this is the point to which the CAC was making about work being done on a dock that if you're doing more than seventy percent reconstruction of a dock, the Town wants you to get a wetlands permit, or a dock permit, excuse me, just doing the decking on the surface of the dock is not anywhere near the seventy percent of the structure of that dock so there's a lot of misconceptions on what should have been part of a wetlands permit and what should not have part of the wetlands permit, so the work on the house, cause there's been reference of not having building permits, the entire house is permitted on all of the house, the work on the dock does not require a permit as far as the structure of the dock itself, there were pre-existing dock lights and plumbing which did not have a building permit so we're going to legalize the pre-existing so that we can then replace and modify it with new modern stuff, if you look underneath it, everything is hanging down and it was just a mess of plumbing and electric work so we are going through the permit process to legalize and upgrade those previous improvements that have previously been done by previous property owners, to show you the aerial photos, the, and again and unfortunately I wish I had clearer pictures but this is the house right here, this is the area of the dock, excuse me, the beach from the property line over to where the dock is and you can see, you can clearly see that it's sand and you can look over here and you can see these areas all have vegetation on them, down here where that grass is, you can see it is fully vegetated and you can see that this area right in front of the house is sand and that aerial photo is from April 2001, August 2010, not quite as clear but you can still see that this whole area in front of the house is beach, coming around this point and coming down over here toward Helen's house, you've got beach with a little bit of vegetation on it and then May 2015 which is the latest one, same thing, you've got, this one is a little clearer, you've got a sandy beach and there's a big tree right there which is unfortunately obscuring the view but you've got that sandy beach right along in there and then you've got that grassy vegetation right next to it, you can clearly see the contrast between the two; that scoured area there; which one; well it's that little one to the right of the dock; yeah, right down; how much does that wobble, I couldn't tell from the second __; let me see, I've got a comparison, I asked the same question, so if I asked the questions, I put the slide in; okay; you can see right here, this is 2001 where it was scoured out; yes; and this is 2015; right; there's the tree that's steering it a little bit but the scouring is not much different from 2001 and 2015 so you've got a 14 year time span here and the profile of that boundary that, that seaward boundary has remained relatively consistent, you're gonna have small fluctuations here and there but for the most part, the contours, you can see where the sand and the grass starts to, starts to fade off into deeper depths, you're gonna have some changes depending on whether it is high tide or low tide from when the photograph is taken and things along those lines but for the most part they appear from my perspective to be substantial __ so there is really no negative aspect that I can see of not having vegetation on the beach, it's remained in a relatively stable state for the 14 years from 2001 to 2015; it wouldn't seem to have been done __: no, not by any _; no; that's kind of where __; and there was a comment made at one of the meetings about if you take it out, you've got to put it back in, end of story; yeah; and that's true and so conversely if you didn't take the stuff out; it's open at that area too, it faces north and east a little bit and you get the nor-easters and the winds coming, you're getting a little more wave action at that particular point; this is the downstairs of that little cottage, there's a stove, what we'll end up doing once we get all of our permits, is take the stove out and just put in a piece of cabinetry in its place cause I'm sure that the tile underneath and who knows how old the tile is, so rather than having to go in and rehab the inside of this building, just do some very minor interior fixes to it just to make it so that it can't be turned back into an accessory apartment later, that's all I've got as far as the basics of the application, if you all have questions for me; yeah what's your experience, I mean, the deck and gaps have been kind of a concern of mine for a while, I don't know if you've had opportunity to observe the actual permeability of the gap, I mean we were trained much, much larger so; I always used a T square on a deck which is just over an 8th inch gap and I've never had a problem with it, I mean, my

experience, my personal experience as well is limited to my own decks but I've never heard anybody talk about an issue of having stormwater hitting on a deck with a typical eighth inch on it and running, it's typically the only time you have it running is if the decking is installed so that it cups; right; and then nothing you're gonna do is gonna keep it from getting in between the boards but that seems to be a, that size gap and if the Board feels that something more permeable is appropriate, well you don't want it too big of a gap; yeah I don't know how much the ipe; ipe; it sinks; okay but does it cup; typically if someone is putting in ipe decking, the decking, the material itself is so expensive then they're getting it installed right and if it's installed right and it's predrilled and it's screwed and even with hidden fasteners or with fasteners on the face of the deck; is it grained so you can right side it; yeah, it's not gonna cup and I've yet to see where it's actually bowed, ipe is a harvested managed rain forest hardwood and it's so dense and so rot resistant that it's so dense that it will actually sink; right; it's not your garden variety cedar; I would ask you with the cupping, you know if you take square material and you cup it, it actually creates a V joint that blocks any and all spacing; and that, actually I hadn't thought about it from that perspective, but yeah; I've did to do myself, so I know; what did you use; it was mahogany; mahogany, yeah, I didn't know if that stuff moved around that much or not; supposedly when you get managed mahogany, it's supposed to be kiln dried and it's supposed to be very stable, a lot of times, it may have been to a certain degree, how effective the kiln drying is, that's up for debate but to simply answer the question, I know of several ipe decks, it's pretty much been the wood of choice for the past several years; right; and I don't know, I have not heard of any complaints which tells me something cause people; and you're speaking of the permeability of the whole thing, where the water is gonna run, which way, it's a pretty flat lot situation, it's not like a runoff situation so much, just something; Laury, any concerns that you have; I think not; Mrs. Levine is here and she'd like to say a couple of words to the Board; please; good evening, I'm Ilana Levine and I just want to thank you very briefly for your time and hopefully this will be the last you hear from us cause I know you are already ___ , all I want to say is we're a family and we love this Island, we've been here for ten years now and we want to protect it, protect its wetlands and its wildlife as much as we can because we love it and we want to raise our kids here so thank you very much; thank you; oh Matt, what's with the silt fence, they put it up but they didn't bury it; yeah they put it up for the pool and I actually went out there today to see how well it was put up so I've already talked to them about the location of it; again it's probably not gonna be an issue but you know; yeah when you're gonna do it, do it right; correct; that's on the short list for them and actually on the site plan we showed the erosion control wrapping down around the, near where they've got it now, more seaward of it cause once we start doing work on the patio, assuming we can take it out and we can put in a deck, we'll have to extend it out into that area so we'll make sure that it's installed correctly; alright; thank you Matt; one more, Laury, the lot coverage calculations are on C 5; thank you; they are small, and I'll get you a copy of the presentation too; thank you.

The Supervisor declared the public hearing closed at 5:52 p. m. and called to order the public hearing to be held as advertised on the application of Thomas Roush, 2 Little Ram Island Drive, for a wetlands permit to renovate and construct addition to single family home, regrade, removal and replacement of existing swimming pool, well, septic, and removal of existing turf grass and replacement with native vegetation appropriate for the area; and the public hearing to be held as advertised on the application of Thomas Roush, 2 Little Ram Island Drive, Shelter Island, New York, zoned AA reverting to A-Residential/Near Shore and Peninsular Overlay District, and designated as Suffolk County Tax Map Lot 0700-009-03-020, seeks permission to renovate existing 6,191 square foot house and increase said house to a 9,265 square foot SFLA residence.

The Clerk read the public notices as advertised in the Shelter Island Reporter.

Correspondence included the following: Wetlands correspondence as follows:

1. An e-mail from Sid and Rita Paterson, neighbors of the Roush property, requesting the Board to stipulate that all parking should be confined to the subject property and not on the road.
2. An e-mail from Lawrence Winston concerning the construction parking and requesting it be restricted to the owner's property.

Special exception correspondence as follows:

1. An e-mail from Sid and Rita Paterson, neighbors of the Roush property, requesting the Board to stipulate that all parking should be confined to the subject property and not on the road.
2. An e-mail from Lawrence Winston concerning the construction parking and requesting it be restricted to the owner's property.

The Supervisor called for the reports from the Planning Board and Conservation Advisory Council, which were as follows:

The Conservation Advisory Council reported as follows:

Matthew Sherman, Sherman Engineering and Consulting, acting as agent for Tom Roush, has submitted a wetlands application requesting multiple changes to the property.

SUMMARY: The present single-family home would be redesigned, elevated to replace the exiting foundation and build a complete foundation underneath the home which would result in the final grade approximately 21.5" above the present grade. There will also be a new addition (24 x 54) of an attached garage, sleeping quarters and many other house structural changes. There is also a request to change the existing garage to living quarters. The existing footprint would be the same. This building is 14.3 feet from the edge of the cement bulkhead. The total living space home with new addition and garage altered to living quarters on this property would change from the present 678 square feet to 9,265 square feet.

The site improvement includes proposed well and septic upgrades, elevating the south side property approximately two feet with 1,900 cubic yards of ill, installing storm water collection drywells at least two feet above groundwater and decreasing turfgrass and replacing native vegetation.

The CAC discussed this application at the meeting on September 18, 2017. Mr. Roush, Mr. Sherman of Sherman Engineering and Consulting, Project General Manager Mr. Tuana, and the Vegetation Plan Architect Edwina von Gal were present to answer questions. A motion was passed unanimously to accept the application as presented.

The Planning Board reported on the wetlands application, as follows:

Oct 3, 2017
RE: Roush Wetlands Permit Application
Roush Residence
2 Little Ram Island Road
Shelter Island NY
SCTM # 700 9 3 20
Zone AA Revert to A Residential standards, within the Near Shore Peninsular Overlay District.
DEC Permit # 1-4732-00204/00011 issued: May 4, 2027
SCDHS # RO7 - 13 -0029 dated May 11, 2017 for 7 bedrooms

This applicant is seeking two different permits. This is a Wetlands Permit for the redevelopment taking place within the 100 wetlands setback and a Special Exception Permit for exceeding the 6000 sq ft living area. Both applications are very detailed and thorough and give a clear picture of what the project entails.

We submit the following observations:

The house is an iconic structure dating from the time of the original Ram Island Subdivisions. With its steep sloping roofs, it is reminiscent of a European country house. The Town should be grateful that the owner chose to renovate rather than just tear it down. Other than the work being done on this existing house which is in the 100 ft setback, the most significant aspect is that 1900 cu yards of fill to be placed in the bowl like depression in the south lawn. Note the photos showing the storm water pooling on the South Lawn. These photos make the case for the applicant.

Following this, the lawn there will be restored with natural vegetation. This accomplishes two goals, one to stop salt water from being blown onto the lawn in a storm and invading the ground water. The other, will give more soil area to hold fresh water and keep the salt water at bay.

The new replacement swimming pool and accessory building is outside the regulated area and no part of this wetlands review.

We submit the following recommendation:

As the applicant spent much effort in making this project more environmentally sound then what exists, the Planning Board recommends approval as submitted.

By: Emory Breiner, Planning Board Member, John Kerr, Planning Board Member, For the Planning Board

The Planning Board reported on the Special Exception Permit application, as follows:
Oct 3, 2017
RE: Roush Special Exception Permit
Roush Residence
2 Little Ram Island Road
Shelter Island NY
SCTM # 700 9 3 20
Zone AA Revert to A Residential standards, within the Near Shore Peninsular Overlay District.
DEC Permit # 1-4732-00204/00011 issued May 4, 2017
SCDHS # R07 - 13-0029 dated May 11, 2017 for 7 bedrooms.
This applicant is seeking two different permits. A Wetlands Permit was addressed in separate Memo. Here we will review the needed Special Permit for a house over 6000 sq ft. of living area.
We submit the following observations:
The main contributor to the increase in living space comes from the new accessory sleeping quarters. This is entirely outside the wetlands regulated area.
The overall 9,265 sq ft is not large for Little Ram. It is the norm here to have a large house, so it is not out of keeping. This property is on a point with water on three sides so there are really few neighbors affected by the increase in size.
The existing house is already over 6000 sq ft being presently 6,782 sq ft. So the addition is 2483 sq ft. Half of that is contained in the new basement, which has no visual effect.
The property is 2.3 acres in a 2 acre zone so there is no chance this could ever be subdivided.
The septic system will be a new I/A nitrogen reducing one.
We submit the following recommendation:
Because of the intense effort to develop this project to be most environmentally sound, the Planning Board recommends approval as presented.
By: Emory Breiner, Planning Board member, John Kerr, Planning Board member, For the Planning Board

The Supervisor opened the hearings for all to be heard in favor of or in opposition. Some views expressed were as follows: Matt Sherman of Sherman Engineering, I had a dyslexic moment where I had a couple of issues with some of the numbers that I had typed up and created some incorrect numbers on, that initial plan, this corrects all of that, they were relatively minor and I'll go through some of them now, the site as everybody knows it, the site out at the end of Little Ram, currently it's developed with that single family home with the accessory structure at one time was a garage, over the years had been upgraded to include living space which is down in the lower corner down by the water, the proposed site, the house stays where it is, the accessory building stays where it is, what we end up doing is doing away with the existing swimming pool which is right here in the middle of the property and constructing and attached to the main structure, a garage, a first floor garage with a finished area to support the new pool on the first floor and then a couple of bedrooms and bathrooms upstairs to add to the bathroom count of the residence, this area right up over here is the swimming pool and a patio area or deck area, on this line, the wetlands limit, the blue line here is the hundred foot wetlands setback line so everything landward of that is beyond the wetlands, the regulated area, the area where we're looking to do the fill that they have brought up in their, I forget if it was the CAC, I believe in their comments is this area down here which is if you are familiar with the place and you've been down there and looked, it is literally a bowl that during a substantial rain event or during storms coming from the right direction, just completely fills up, the existing basement, it's just all space, mechanical space, the small area of the existing house, the whole rest of it is either slab on grade of crawl space, the proposed basement is going to 1406 square feet, you've got living space in this area over here and you've got unfinished full basement in this area over here, the basement is a, it's just like a bonus room or what a typical extra basement room would be, so for the purposes of actual usage, that's what it's gonna be, a bonus room, for the purposes of designing the sanitary system and utilizing and determining the bedroom count, we actually treat it as a bedroom so that anything that could be considered a bedroom, is considered a bedroom, we used that in order to

design the sanitary system, down here you've got some different storage rooms, you've got a full bathroom and you've got elevator access up to the second, third or first floor excuse me, existing first floor, we've 2377 square feet, the way it's laid out, you've got a den on the far right hand side, living room, study, open great room is what you would call it now over here on the left hand side, there is a kitchen and then on the first floor you've got a couple of half baths and one full bath as it exists now, the proposed first floor, the only real increase in living space on the proposed first floor is what is currently a covered porch is basically turning into an enclosed vestibule so you're getting a small addition of living space on that first floor, the footprint itself is increasing a little bit where you've got, you've got two basement stairs that are coming into play, one on the far right hand side and then one up here over on the left hand side, the existing second floor, right now you've got two different areas, this area right in here is an open deck and it allows access from a bedroom on this side to a bedroom over on this side, both of them currently have stairs down to the first floor and then you've got another bedroom up here, as proposed we're enclosing that existing second floor deck so that's gonna be part of what ends up being a large bathroom suite, you've got a couple of toilets, you've got showers, a couple of sinks and this like a sitting dressing area which is all in support of this which is the master bedroom, there is an office up here on the second floor, no closet or anything like that but we still count it as a bedroom again as we did with the bathroom just so that we would have a conservative estimate of what we're looking at for septic design, currently there's a third floor loft, that is gonna be cleaned up a little bit, it's gonna get a dormer but in essence it's gonna remain the same, the new part of the building that's gonna be constructed, the garage, on the basement you're gonna have an area for all the mechanical equipment to support the pool so that's all gonna be enclosed down there in the basement of that building, first floor is a two car garage, as I said earlier it's a support area for the swimming pool with a bathroom and storage area and then on the second floor we're gonna have a bedroom here and a bedroom here and each one of them is gonna have their own bath, so for elevations, as you're looking in from the south, from the water, the major difference in these elevations other than windows, doors, things along those lines is gonna be this area here, that's new second floor, that's where that existing deck is which is right there, that becomes living space and it connects those two sections of the house, side view just to show that you're not getting a whole lot of change, I know it's a little bit hard to visualize from a black and white drawing to what it would look like when it's actually constructed, but this gives you a pretty good comparison that the actual elevation, the real estate ad with the pitch that's on the roof, that's all remaining relatively consistent, same thing coming in from the north, we've got, this area here is that new area of the building, this is the addition which is going up by the pool, it's gonna be designed with that same feel so it fits with the way that the existing house is and this is the accessory building, currently, as it's currently CO'ed, it's got a first floor garage but its CO'ed as finished space so I'm not quite sure what finished space means, to me I think of this as being finished space, so the actual change in use of the building is gonna be minimal, there will be some actual, instead of calling it finished space, we'll call it living space and that first floor gets cleaned up a little bit and we'll see less like a garage and more like actual area you'd be living in, elevation, that's how it exists now, that's how it's gonna exist as the day is done, so basically you're looking at a change in some windows, the overall profile, everything remains the same so there's a very minimal amount of work being done on that building, as part of the project because it is a large project, we prepared a stormwater pollution prevention plan and basically what this does is it helps the contractor, direct the contractor on how to act as they work through the project to help minimize and type of stormwater runoff, any type of erosion, any type of environmental aspects that are gonna be occurring either to the road frontage of the property or seaward to the bay, the harbor, we've got a lot of details and again Laury I'll send you a copy of this so this and you got a copy of the SWPPP in the application but I don't know, did you get a full size copy; no, I didn't even know that there was one; okay I'll get another full size copy; we should have __; absolutely; and how much acreage are you disturbing; if its a two and a half acre site, we're probably gonna be disturbing an acre and three quarters maybe, only where people are walking; we're looking at this area, it's basically all of this area here is being disturbed in one form or another; people aren't gonna walk up there; no but we're regrading, we doing planting, activity is happening so it's clearly more than an acre; thank you; what we've got to do, as part of the SWPPP and this is the reason why I wanted to put this in here is we had, three test holes were done and they're in a number of different spots on the site and each one of them showed the groundwater elevation of between a half a foot and a foot above mean sea level, we also

compared that to test holes that have been done in years past and they're all consistent, they're all in that same range, the, I'll pause on it for a second here, and I've got the drawings coming up in a minute but rather than get out of my flow, what we've got for the septic is, in this area here in front of the house, between the house and the proposed building, is the new nitrogen reducing septic system, IA septic system, when we first submitted the application to the Town, we had an approval for a conventional septic system, just a regular septic tank and leaching pools because when the application was first made to the County, they weren't allowing the IA septic systems yet so in the meantime they changed the Code and we're allowed to submit, we've modified the DEC permit to include the IA septic and then we modified the Health Department permit to include the IA, in a typical site like this, for the system that we're proposing, if you're normally throwing nitrogen into the ground at anywhere from forty parts per million give or take, this system has been putting nitrogen out in the nine or ten range, so a significant amount of nitrogen going into the ground and in an area like this where you know everything counts, we figured that was a good use of one of these systems; will it knock down the price at all or is it still; negative; they need a __; yeah they're bringing in a couple more systems on line; they've got about three and they're going to about seven, so hopefully within the next six months to a year you might see those numbers start to drop; competition; yeah and it's just like with the solar, what happened years ago, the forecast for how quickly the price drops, the contractors that were charging for it don't really pay attention to those forecasts; no; but it'll start, supply and demand will start taking it in; is it __ around you; yeah, year round, and this is just a detail to show what we supplied for the Health Department as a sanitary detail, for the purpose of the septic system, I used a highest anticipated groundwater elevation of two feet because we wanted to make sure that even under a storm condition of a very wet season, groundwater comes up higher than normal, we wanted to make sure that we didn't have any buoyancy issues with the tank, or the pump, and we didn't have any separation of groundwater issues from the leaching galley and the leaching galley that we're using on this site is the same type of infiltration that we're proposing for the Levine property, it's not typical, it's somewhat of a way to handle the same old problem but it's starting to become more and more used because of the area where you've got some groundwater issues and you want to make sure you're not having to go too deep or spread your system out too wide horizontally, here's the groundwater elevation that we were talking about before, we've got out test holes, for the purposes of this, we've got a, test hole number two, test hole number one, test hole number three, a couple of other test holes were put in as part of some other studies done on the property, there's one put in right over here and then there was one put in right next to the house over here, all of the test holes showed groundwater at about a half a foot with the exception of test hole number two which shows groundwater at a foot; above mean sea level; above mean sea level, yeah, exactly and as kind of what you would expect and you go inland and the grade, the ground surface increases, the aquifer increases with it to a certain degree, not parallel but it comes up along with the ground surface as we move forward into the end of Little Ram Island you would expect the groundwater to increase so the result of those test holes were exactly as we would expect them to be so it's good, it just confirms what we already know was accurate; what kind of a __ ; how deep it is; yeah; I don't know how deep the bottom of the aquifer is, in this area you're probably right down at the point, we probably have ten feet or so of; and the well area, in the well area what are you looking at; the well area is up over here and I think they've got just over twenty feet of water up over there cause it kind of flares out; twenty feet of water and then whatever is underneath as well; yeah then there's all saltwater underneath so when I say twenty feet of water I mean clean potable water that; in the well; and typically what we'll do on a site like this where we know there is saltwater, is gonna be a concern, we'll just have the well driller go down and just do field samples until they get to about two hundred parts per million, pull back a little bit to about a hundred parts per million and that gives you a little bit of a cushion so you don't have to worry about infiltrating your well in that short term; with those test holes there, over what period of time were they tested; just a moment in time, it's a grab sample, so as the CAC was concerned about; I just want to adjust them; yeah the observation of a groundwater well over time, these areas are gonna be tidally influenced; right; the tide comes up, about four hours later the groundwater is gonna be at its highest point, the tide goes down, about four hours later the groundwater is gonna be at its lowest point, it's gonna change based on seasons, it's gonna change based on the moon cycles, so there's lots of different variables that come into play with how the actual elevation of the groundwater is gonna be at the moment you dig that foundation, the fact that all of our test wells are showing it at about the same elevation, we just could be very confident that that

plus or minus a half a foot or so is gonna be where we're gonna find groundwater to be at; how much does the interface move, I mean is that what's actually causing the groundwater to swell or is it from this or this; it's a combination of both; lateral and vertical; and what happens as the tide moves, it's not just the water movement, it's also what's causing the tidal movement, the whole dynamics of the whole thing, if the dynamics don't stop at the water's edge, they propagate through and they get down the further you get in because you've got the soils and everything else that are slowing down that movement but it's kind of like an extension of the whole bigger picture so it's not that sea water is coming in under the freshwater and pushing it up or down, that's actually not the way the mechanics work, it's more like it's a __ down version of what's happening tidally in the open water; on a time line, if it all goes the way you ideally would like it to go in terms of getting this project moving, what do you see as a time line realistically; the start to finish of the project; yeah; about eighteen months is what they're hoping; when does the start, ideally your target, what time; if all goes well and we're able to get a wetlands vote at the next hearing and get a permit out by the beginning of November, we're gonna want to start working immediately; okay; the next month or two and for groundwater being, __ some legitimate concerns, what are we doing with dewatering, I think that that concern can be relatively easily mitigated by a condition of the permit that says that you can't dewater, if you get to a point where you have to dewater based on the groundwater elevation, you have to redesign your foundation, make the foundation wall six inches shorter, something along those lines, that's a relatively easy way to handle it, the current foundation, the way they were getting more height in the foundation is we're bringing it up; okay; we're bringing the building up, we're bringing the grade around the building up so that's what's keeping the foundation level, the floor __ at the same level it is today, there's been absolutely no problems with water or moisture or the kinds of things you would expect in a foundation that was constantly inundated cause you'd see it in the slab, you'd see staining, you'd see moisture areas in the __ and it's just not there so the; are you gonna be able to accommodate the construction vehicles and all that stuff on the property itself; yes, I'll show you that here in just a second, we've got a lot; that's a lot of construction, ___; this is a picture of Coecles Harbor overtopping the seawall during a storm just to kind of give you, this is to address that bowl area that we were talking about in the yard, this is after the storm, it takes about an hour and a half; really; yeah; this is the grass after the water has dissipated so, the idea of the regrading is basically to fill in this area to a certain degree, the extent of the grading doesn't go as far as the water does but it's to bring that area up so anything that spills over from the bay immediately goes back out or can get channeled, trapped in a smaller area and it's an area of saltwater tolerant planting, beach grasses, things along those lines so you don't have to dam the property, the problems coming into a turf grass area, another picture of that, this is the vegetation plan that the CAC gave us a very rare pat on the back about so we're kind of proud of that, the old area, right now this whole area down here is all turf grass, the vast majority of that turf grass is going away and they're being put in with drought resistant planting, don't have to be irrigated but local vegetation so we're doing away with a whole lot of bad and putting in a whole lot of good; it's a sensible thing to do that area that's under a lot of pressure waterwise, we have a lot of saltwater intrusion, numbers for irrigation; they're gonna have to irrigate when things initially get installed so they can take root, fortunately we've got the cistern from the previous project so he can use that so he's not gonna have to use well water to do any irrigation, same thing with the pool, use the cistern for topping off the pool, that's the stormwater plan, they brought in an engineer to prepare an overall site, stormwater control and mitigation plan to control a hundred percent of runoff from the roof, eighty percent of runoff from the driveway and about twenty percent of runoff from the grass areas, the turf areas and they're just standard numbers that we use you know, the roof it's all coming off and the grass area, the majority of it is gonna sit and infiltrate there in and of itself, right where it lands, for construction of the foundation, we've got a lithium plan, the house has been thoroughly examined and determined to be structurally sound to be able to accommodate the lithium, the area here on the right hand side of this plan is going to be removed and replaced, that's currently on a slab foundation, same thing with this area up here in the front, but all the rest of it is going to be jacked up in place, oh I'm sorry this area down here on the bottom that's a covered porch now, that's a covered porch that's going to be jacked up in place; did you say twenty-one inches, is that the number; yeah twenty-one, twenty-four, and twenty-five, something like that, the foundation dug out underneath it, new foundation installed and then they're gonna put it back down, they've already got, I believe it's that guy David, he's got on board so they've got him doing this, this is the parking plan, the parking and equipment staging plan, this is the one that is of

primary concern, because it's, the road there is, it's really not much more than a glorified driveway so if anybody is parking on the road, even if someone is parking on the grass off of the road, they are still blocking the road so what we're doing is we've got, it's gonna be done in stages, the area, this gray area here is the patio, this is a proposed pool, that's gonna be the last thing that's constructed so when construction starts we're gonna have this area up here to the top by the roadway and we're gonna have this area below it, all for parking, we can accommodate slightly over twenty cars and trucks in that area, fortunately we don't have to worry about regular parking, they can double park, triple park and jam each other because they're all there, so we can get them in there, we've also got areas down over to the side in this area here where we can accommodate some parking. as part of the stormwater control plan, over in this area here, we've got a concrete washout station so a concrete truck comes, delivers its load, there's always a little bit left, they dump it into that construction concrete washout station and then they exit coming out of this area here in the existing driveway, we're gonna stabilize the end of that existing driveway so that it will minimize the amount of dust, dirt, mud, things like that that are going off of the site on construction vehicles, we're also gonna stabilize this driveway down here which is only gonna be for a construction entrance so that will end up being reclaimed when the project is done but again that minimizes the amount of mud and debris that's being dragged off the site; right; from traffic, this is a substantial job and you're gonna have a substantial amount of traffic in the early morning and late afternoon; are you gonna do an RCA kind of approach or anything like that; that's probably what it's gonna be is RCA, six inches of that, it's on the SWPPP and I'll get you guys a full copy of it, there's gonna be a construction trailer as is typical, to be put in this area and we're gonna put the porta potties on the far side of that trailer so they're somewhat hidden from the road and they're not out there; not in the neighbor's __; no, no, no, so the; the most important thing really is that the contractors all get informed how they're supposed to get off the road so nobody is on the road; absolutely and lastly I know what the Board has done on other projects where, fortunately we've got a fair amount of room and we can get things and work things in, another project where you don't have an amount of room and you have to come up with an off-site parking plan; right; if for some reason we can't accommodate everybody on the site, as a condition of the permit we have no parking and the Town coming up and saying come up with an alternate parking plan; as they say, figure it out, I don't care where you put them, just don't put them on the road; just don't put them on the road or the neighbor's property, right, that's how I feel about it and that's how they feel; there probably will be some questions that come up about hours of operation during the summer which is the peak season of people that are __ but __ and they probably won't want hammering in July and August, although they might, I don't know; the thing is you try to look at a project as if this was happening next door to me; okay; and I've been through several of these projects when I was working at the Heights and we were dealing with they were all __ and we're more than willing to work on hours, obviously in the middle of the summer we don't want to start at nine and end at three but if we can come up with a reasonable constraint; what were we doing, eight to five or something like that; yeah; if there's a standard that the Town; we try to be somewhat consistent, like we just did Vella's, we can look back on that; like not working on holidays, Fourth of July weekend; __; __ somebody jackhammering or you know, the radio going; probably the workers don't want to be there either; so we're more than willing to accommodate whatever needs to be done in that as long as everybody is willing to be reasonable, then I think we can all come out of this; you don't really want to restrict the hours ___; and even if, I know that the Winstons who are just next door are full time residents so in some areas where you've got people who are not gonna be around for a couple of months, you can go at it hard and heavy, that's not an option here so what we'll have to do is just make sure as we go through the year that we keep it under control and if there is a problem, what we will do is we'll post the property manager's name and number on it as well as the project manager's name and number, Tom's name and number, my name and number so if you can't get satisfaction somewhere in one spot, you'll have plenty of other areas to go, for the neighbors and again it's a big project, there is gonna be some inconvenience for people and that's unfortunate but we can do whatever is within our power to keep that inconvenience brought to a minimum; okay, I think that's it; that's all I've got unless you have questions for me, I'd be very happy to, or Tom wanted to have a few things to say as well; I just wanted to ask, are you gonna be able to stage your construction material outside the regulated area; yes, the; __ keeping it somewhere else I guess; as we're coming in, this area right here is gonna be available, we're gonna also have as we switched from the early phase where it's all building construction, then we will be able to use some storage

in this area and then switch it back over to this area over here when we go to do the pool; __; yeah absolutely; yea Lori; I just have a question for Matt; yes ma'am; I haven't seen the SWPPP plans but one of the concerns that was asked of me is the water that's coming off the road because of the slight incline on the road as it heads towards the water; yes; and where the plan shows the existing conditions have a partial retaining wall which looks likes some sort of a storm drain there or something; it's an old entrance wall; it tells at the bottom there; and now that is a much bigger retaining wall so; no, it's not a retaining wall and it should be a drywell; yeah we need to look at that; the water runs down the hill and there's a huge as big as this room pool of water and it needs to be handled somehow, the wall you are seeing is actually part of the, I guess the original entrance, the grand entrance; it looks like it got much bigger cause it's a "U" shape; oh yeah; so I'm just thinking it should be something you look at that water running off that road that it doesn't back up and where does it go in a storm; especially; and I'll get this, the same with the Town, I'll get you guys a couple copies of the full size SWPPP plan so it's all, it's all laid out on the SWPPP plan and it's also addressed on the stormwater containment plan, not everything that's coming off of the road but what's happening down in that area so there's a number of different mitigation things that we can do, whether or not we have to partner with Jay and the Town to see if there's something that the Town needs to do on their end, I don't know but we'll talk about that; good, Tom; real quick, fifteen years ago I was in Amagansett listening to trucks and motorcycles all year long and I discovered Shelter Island and I never wanted to leave, it's beautiful, it's a natural habitat, it's all for me and when I first came, now also I'm involved with the community, a wonderful community, that's the reason I've been assisting but basically it's about place and why I'm bothering to go through all this which is a lot, this is going to be the final place to live, that I'm sure and I want to do two things, I want to enhance my ability to enjoy this wonderful habitat from my house, that means changes in windows, porches and so forth, it's still keeping the same shape, and secondly it means making some substantial changes to the land with respect to the lawn with respect to water usage with respect to fertilizer usage as in zero with respect the kind of chemicals that could possibly be there, I'm extremely acutely aware of the fish kills that happen around here, the __ waste, I used to teach this stuff, by the way of Columbia School of Public Health and so these things, I used to have some pretty sophisticated knowledge of it, not so much anymore but so I was delighted to hear about this new septic system that puts out almost none, I don't know how that happens but Peder Larsen's gonna make it happen somehow; there you go; so it's very important to me that my footprint here be minimized with respect to water usage, with respect to toxins and so forth and so that's why I made an effort to do this thing environmentally correct, I think that's about it; good Tom, we appreciate Tom and Matt, you're volunteering this enhanced septic system, it means a lot to us; the water table is something I'm very, very _, I'm trying to keep the salt out of it and I think that's what's gonna happen with that stuff; yeah; thank you; thank you Mr. Roush, Larry, come on up; Tom has been dreaming about changing that property since the day he got here, he was gonna tow the big building across the; I remember that one; take it over the water and put it next Mashomack and finally his dream is gonna come true and there's no way I can stop it and I don't want to stop it, you can do what you want but as a neighbor and representing a couple of the neighbors who were talking about it, a couple of things, first of all a couple of inconsistencies, I wrote an eleven point thing that I mailed off to Tom, I e-mailed him last night, a couple of things, first of all this is the second renovation to that house, the Barturs did it, it took them forever, they didn't know what the hell they were doing, they worked from seven to seven, it was a nightmare, Fourth of July, they were actually out there digging a hole to put the cesspools in, it was incredible, you couldn't talk to anybody, he couldn't get any help from the Town so I vowed to be a little more active on this particular one but everything seems to be covered but the first question I ask, how many toilets are you adding, the answer was well none, no more, how many toilets will you be adding on this property; did you get my response to your eleven points; no, I got nothing from you; okay and I got this last night at ten thirty; okay well I apologize, I sent you an e-mail the other day and to the question of the number of toilets, the response was there is a total of seven baths, five full baths currently in the structures between the main house and the accessory building, it will be going to a total of nine baths, eight full baths and one half bath when the new construction is all completed and I'll give you a copy of this; so the first thing I had asked Tom gives me an answer it will be staying the same so I don't think it will be the same, secondly, the parking situation is incredibly difficult and I was heartened to see when I finally got a look to see what Tom sent me late last night that there's a little preamble in there and there's a note on that, that if the parking lot be full, he's got to find

parking elsewhere and truck these people in, one of the problems I had with the Barturs is that seven o'clock in the morning, there'd be three cement trucks out there, diesels going and you know dadadadada you know, waiting to get in there and the last one would get in there at eleven o'clock so this is slow, I'm heartened and I'm hoping that that comment on the map is gonna be the law, if it's gonna happen; they can make it; the cement truck, if I may interject, cement trucks sometimes when they're pouring something, they have to time things pretty close, so I mean that would sometimes involve two or three trucks waiting to shoot; yeah but they don't necessarily have to be parked right outside the door there; well they've got to be parked somewhere, just so you know; and the last thing, the porta potty, you've got two and a half acres there, you put it fifty feet from our house, seventy-five feet from our house, the original plan he showed me last night or when I got it, was marked up by the garage, okay we're here all the time with family and everybody else, the other guy is there for the weekend, __; consider that for us; we had looked at it from the respect of having it on the backside of that trailer so that the trailer was between any porta potties and your house but we can certainly, we can meet on site with you and say where do you want it and as long as it's not in an area that's prohibited by the Town or DEC, by all means, if we can accommodate it; that's fine; the only other thing I can say is work correctly, work well and do a good job and get the damn thing over with, good night; I want to add to the eleven points, I couldn't answer ten of them and I didn't want to give anything, authoritative answer so I'm going to give that to him when the contractor returns and I'm gonna stay in touch with him and put it in my calendar I don't know how often but certainly every two weeks, give Larry a call in Florida where he spends most of his year and tell him what's going on so I intend and everything that Larry has brought is totally reasonable, I have no problem with any of it; good, this has been a useful dialogue; we will work with him; enjoy the rest of the evening; we won't as much with you not here; that's a good attitude.

The Supervisor declared the public hearing closed at 6:38 p. m. and called to order the public hearing to be held as advertised on the proposed LOCAL LAW ENTITLED OVERRIDE OF THE TAX LEVY LIMIT.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor reported that we can adopt our 2018 budget November 8th and we're working very diligently to keep costs and taxes down but the tax cap is unrealistic in a well managed Town like Shelter Island, it works in the high taxed towns where there's no show jobs and we don't have that here.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 6:42 p. m. and called to order the public hearing to be held as advertised on the proposed acquisition of a .98 acre parcel at 46 Congdon Road, Suffolk County Tax Map #0700-015-04-134.2 from Peter and Elizabeth Scudder .

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Mr. Gordon Gooding, Chairman of the Community Preservation Fund Advisory Board, reported the following: this has really been an enlightening meeting to attend, it might be boring but what it did, it gives me a little oversight in terms of what everybody does, okay, there's a lot of things that go into our government and I don't have an eleven story building to talk about today but I do want to talk about a piece of property that our committee is interested in preserving, basically it's less than an acre, it's basically wooded, at the end of Congdon Road where the launching ramp is and where the Town dock is, we have no intention of doing improvements to the property, there will be some clearing of vines there closest to the street, it's one less septic system, I was _ to hear this gentleman talk about, since it's not in our law that this particular time to come forward and put in an IA system, I thought it was quite commendable okay, going back to our property, Peter and Elizabeth Scudder about, I guess it's been almost a year that we've been in this conversation, wonderful people, Elizabeth Scudder taught at Shelter Island High School, they are a long line of family, the Burns family and we chatted with them and their wishes were to, they had some opportunities for selling the property because it was a buildable lot, they really

wanted it being it was their last piece of property that she has within her family to be held as open space for the community so they were as excited about this as I was to communicate with her okay, delightful people and I, it really wasn't that difficult a transaction because I had very reasonable people to work with and we just kept them in the loop the whole time, I think this is a benefit for the community, it's up at the head of the harbor, it's one last piece of property that we have to worry about water, septics, things like that, the shoreline is basically vegetation that is really existing, there's nothing been disturbed so I think it's a good choice, I think it's one of the nicer pieces of property that we could have in Coecles Harbor and I think it's something that you would hope that you folks will go ahead and support our committee, Ed Shillingburg has been on our committee for as long as I have been and we've had a lot of support, our committee, not to bore you with our committee but it's interesting how everybody pulls together when we have certain issues, everybody communicates and it's not just a session on a Monday morning at eight thirty, it's what they say, work begins after five, well, our committee does a lot of things after hours okay and I hope you will support this proposal, I don't know if there are any questions anyone has but I'm open to any questions that you might have.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: just a comment, you've got three assessments, you know, appraisals, independent appraisals of property and they all range between a hundred thousand and four hundred thousand dollars more than we're actually paying for it and it is really an acre, I mean .98 so I don't want people at home to think we're buying a half an acre, it's really an acre of waterfront property in a prime place, it's a great location; good negotiating Gordon, we hadn't signed the contract yet so I wasn't gonna mention the appraisals; I' m sorry; the Scudders are wonderful people, thanks; thanks Gordon.

The Supervisor declared the public hearing closed at 6:47 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 459

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Jorge Cornejo, 47G South Ferry Road, has petitioned the Town of Shelter Island for permission to install a mooring in Coecles Harbor approximately 150 feet north of the end of the applicant's dock at a location designated as 41.067265° north and 72.304660° west, and

"Whereas", a public hearing was duly held on the 6th day of October, 2017, for all interested persons to be heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That the Town Clerk is hereby authorized to issue a permit for the aforementioned installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 460

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", a public hearing was duly held on the 6th day of October, 2017, on a proposed LOCAL LAW ENTITLED OVERRIDE OF THE TAX LEVY LIMIT, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 10 - 2017 ENTITLED OVERRIDE OF THE TAX LEVY LIMIT, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Shelter Island, County of Suffolk, pursuant to General Municipal Law § 3-c, and to allow the Town of Shelter Island, County of Suffolk to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2018 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Shelter Island, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

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

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 461

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Section 247 of the General Municipal Law and Section 50-5 of the Code of the Town of Shelter Island, the Town is empowered to purchase rights in real property for the preservation of the community; and

"Whereas", the Town Board of the Town of Shelter Island has determined that it is in the best interest of community preservation and protection of the environment to acquire a lot at 46 Congdon Road SCTM #0700-15-4-134.2 (.98 acres) from Elizabeth and Peter Scudder; and

"Whereas", it is required by law that a "lead agency" be established to review this matter pursuant to 6 NYCRR Part 617 (SEQRA) and this Board wishes to establish itself as Lead Agency and render a declaration of significance pursuant to SEQRA; and

"Whereas", a public hearing was held on October 6, 2017 on the proposed acquisition, and all persons were heard and submitted documents considered, and

"Whereas", the Town Board finds that acquisition of the property is in the best interests of the community in order preserve habitat and protect Open Space, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this is an "unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF and the negative declaration; and

BE IT FURTHER RESOLVED, That the Town of Shelter Island hereby finds:

1. That the property is eligible for acquisition under the Community Preservation Fund program; and

2. The property will be used to further the purposes of preserving natural habitat for plants, animals, birds and waterfowl, protecting the estuarine wetlands and protecting open space next to Coecles Harbor; and

3. That the Town will pay the bargain sale price of $800,000.00 for fee title to the property; and

4. The Town will appropriate funds for the acquisition of the above-described property as specified above, including but not limited to survey, appraisal, environmental audit, title insurance, tax adjustment and taxes prior to acquisition, and

BE IT FURTHER RESOLVED, That said acquisition is hereby approved, and the Supervisor is hereby authorized to execute all necessary documents to effectuate this purchase.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Shepherd and seconded by Councilman Colligan, the meeting was adjourned at 6:52 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 10, 2017

The recessed special meeting for budget purposes was reconvened on the 10th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and ten persons were also present.

The Supervisor reconvened the special meeting at 9:45 a. m.

The Town Board discussed the proposed budgets for Justice Court and the Media Department, and at 10:09 a. m., Councilman Colligan moved and Supervisor Dougherty seconded to recess the special meeting for budget purposes, to be reconvened at 10:45 a. m. on this day. This motion was carried.

The Supervisor reconvened the special meeting for budget purposes at 10:48 a. m.

The Board reviewed a presentation by Tim Purtell and Don D'Amato concerning the use of LED bulbs in several buildings which demonstrated the savings of funds. The Board also discussed the Taylor's Island and Receiver of Taxes' proposed budgets, and at 11:16 a. m., Councilman Colligan moved and Councilwoman Brach-Williams seconded to recess this special meeting until 3:15 p. m. on Wednesday, October 11, 2017. This motion was carried.

At 11:25 a. m., the Supervisor reconvened the special meeting, and the Board discussed the West Neck Water District budget and the Senior Services budget.

At 12:10 p. m., Councilwoman Lewis moved and Councilman Shepherd seconded to recess the special meeting until 9:45 a. m. on the 10th day of October, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 11, 2017

The recessed special meeting for budget purposes was reconvened on the 11th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and five persons were also present.

The Supervisor reconvened the special meeting at 3:18 p. m.

The Town Board discussed the proposed budgets for the EMS program, the IT Department, Police Department, Jail expenses, and the NIMS proposal.

October 11, 2017 - continued

At 4:25 p. m., Councilman Shepherd moved and Supervisor Dougherty seconded to recess the special meeting for budget purposes, to be reconvened at 9:00 a. m. Tuesday, October 17, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 17, 2017

The recessed special meeting for budget purposes was reconvened on the 17th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and four persons were also present.

The Supervisor reconvened the special meeting at 9:05 a. m.

The Town Board discussed the proposed budgets by going line by line for the first 48 pages.

At 11:30 a. m., Supervisor Dougherty moved and Councilman Shepherd seconded to recess the special meeting for budget purposes, to be reconvened at 9:00 a. m. Wednesday, October 18, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 18, 2017

The recessed special meeting for budget purposes was reconvened on the 18th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and three persons were also present.

The Supervisor reconvened the special meeting at 9:03 a. m.

The Town Board continued the discussion for the proposed budgets by going line by line for the remaining pages.

At 10:55 a. m., Supervisor Dougherty moved and Councilman Colligan seconded to recess the special meeting for budget purposes, to be reconvened at 2:00 p. m. Thursday, October 19, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 19, 2017

The recessed special meeting for budget purposes was reconvened on the 19th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and three persons were also present.

The Supervisor reconvened the special meeting at 2:00 p. m.

The Town Board continued the discussion for the proposed budget.

At 2:30 p. m., Supervisor Dougherty moved and Councilman Colligan seconded to recess the special meeting for budget purposes, to be reconvened at 2:55 p. m. this day October 19, 2017. This motion was carried.

The Supervisor reconvened the special meeting at 2:55 p. m., and the Board continued to discuss the proposed budget.

At 4:20 p. m., Supervisor Dougherty moved and Councilman Shepherd seconded to recess the special meeting; said meeting to be reconvened at 10 a. m. on Monday, October 23, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 23, 2017

The recessed special meeting for budget purposes was reconvened on the 23rd day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and one other persons were also present.

The Supervisor reconvened the special meeting at 10:05 a. m.

After a short discussion on the proposed budget, at 10:12 a. m., Supervisor Dougherty moved and Councilman Colligan seconded to recess the special meeting for budget purposes, to be reconvened after the regular work session on Tuesday, October 24, 2017. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 24, 2017

The recessed special meeting for budget purposes was reconvened on the 24th day of October, 2017, in the Shelter Island Town Hall, Shelter Island, New York. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar, and two persons were also present.

The Supervisor reconvened the special meeting at 3:22 p. m.

RESOLUTION NO. 462

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a tentative budget for the fiscal year 2018 has been proposed by the several departments, audited, adjusted and consolidated, and

"Whereas", the Town Board believes this tentative budget, as amended, represents the requirements for the fiscal year 2018, now, Therefore

BE IT RESOLVED, That it is hereby adopted as the preliminary budget for the ensuing year, and the Clerk is hereby authorized and directed to proceed with the necessary advertisements according to law, and

BE IT FURTHER RESOLVED, That the Town Clerk shall give notice pursuant to Article 108 of the Town Law of a public hearing to be held on the preliminary budget in the Shelter Island Town Hall, Shelter Island, New York, on the 8th day of November, 2017, at 1:00 p. m., prevailing time, for all interested persons to be heard in favor of or in opposition to the preliminary budget as compiled or for or against any item or items therein contained.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 3:58 p. m., Councilman Colligan moved and Councilman Shepherd seconded to adjourn the special meeting for budget purposes. This motion was carried.

Dorothy S. Ogar
Town Clerk

October 27, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 27th day of October, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and eight persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

The Supervisor presented the following financial report for the month of September:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
SEPTEMBER 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen Checking	3,991,437.57	244,478.07	827,753.54	3,408,162.10	773,603.82
Hwy Checking	635,594.02	2,718.34	161,895.05	476,417.31	
T&AChecking	102,189.37	49,052.39	21,868.36	129,373.40	15,470.32
T&A Savings	12,225.78	0.29	0.00	12,226.07	
Hwy Cap Res	311,444.67	22,546.95	0.00	333,991.62	
WNW Supply	47,610.85	1,366.50	23,938.14	25,039.21	110,476.82
Taylor's Island	40,294.62	4.96	0.00	40,299.58	
Comm Preserv	4,638,121.81	77,106.67	195,850.00	4,519,378.48	3,601,680.39
Waterways	248,346.81	1,695.00	0.00	250,041.81	
Reserve Fund	705,374.99	5,502.46	0.00	710,877.45	
Bridge St Esc	0.00	0.00	0.00	0.00	354,712.86
Environmental	15,750.00	0.00	0.00	15,750.00	

FIT Ctr Reserv	18,164.65	0.00	0.00	18,164.65	
Ambul. Reserv	301,715.69	17.29	0.00	301,732.98	
Ambul. Train	29,082.96	250.69	0.00	29,333.65	
TOTALS	11,097,353.79	404,739.61	1,231,305.09	10,270,788.31	4,855,944.21

RESOLUTION NO. 463

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Ronald Cyr, 1 Quail Hedge Lane, has petitioned the Town of Shelter Island for permission to install a mooring in West Neck Bay approximately 300 feet northwest of shore of the Skydell property and approximately 200 feet west of the site of the W1776 Skydell mooring, also designated as location latitude 41.063483° north and 72.357967, now, Therefore

BE IT RESOLVED, That pursuant to Section 90-5 of the Code of the Town of Shelter Island, a public hearing will be held at 4:40 p. m., prevailing time, on the 17th day of November, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to the proposed installation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 464

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", a vacancy exists on the Zoning Board of Appeals, and

"Whereas", the Town Board has advertised for and interviewed applicants, now, Therefore

BE IT RESOLVED, That Lisa Krekeler is hereby appointed to serve as a member of the Zoning Board of Appeals for a term to expire on September 8, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 465

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Glenn S. Kehl is hereby appointed to serve as part time Police Officer at the rate of $16.00 per hour effective November 6, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 466

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", a vacancy exist on the Assessment Board of Review, and

"Whereas", the Town Board has sought applicants, now, Therefore

BE IT RESOLVED, That Mary Dudley Luecker is hereby appointed to serve as a member of the Assessment Board of Review for a term to expire on September 30, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 467

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the appointee's title in Resolution No. 438 - 2017, dated October 6, 2017, is hereby amended to read as follows: BE IT RESOLVED, That Kelci McIntosh is hereby appointed to serve as Recreation Leader at the rate of $20.00 per hour, retroactive to September 26, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 468

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That Catherine Davidson is hereby appointed to serve as Recreation Leader for the year 2017 at the rate of $20.00 per hour, retroactive to October 23, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 469

Councilman Colligan offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", sealed bids were received by the Town Clerk's Office until 3:00 p. m. on the 20th day of October, 2017, for the hauling of household hazardous waste, at which time they were publicly opened and read aloud, and

"Whereas", a bid was received from Care Environmental Corp., (the sole bidder), and

"Whereas", the Commissioner of Public Works and the Town Board have reviewed said bid, now, Therefore

BE IT RESOLVED, That the aforementioned bid is hereby awarded to Care Environmental Corp. for the years 2018 and 2019, with an option by both parties to renew for 3 one year increments if agreed upon by both parties in writing 30 days before the expiration date of the active contract, pursuant to the terms specified in the specifications and proposal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 470

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on September 15, 2017, John Reilly was appointed to serve as member of the Conservation Advisory Council, and

"Whereas", the aforementioned appointee has not yet signed and filed said constitutional oaths of office, and

"Whereas", the Town Board desires to have the aforementioned appointee to continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That John Reilly is hereby appointed to serve as member of the Conservation Advisory Council for a term to expire on September 20, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 471

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of Peder Larsen as a member of the Conservation Advisory Council expired on September 20, 2017, and

"Whereas", Peder Larsen has expressed his willingness to continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Peder Larsen is hereby re-appointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 472

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That a special meeting of the Town Board of the Town of Shelter Island will be held at 1:00 p. m., prevailing time, on the 8th day of November, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for the purpose of acting on the 2018 budget.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 473

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", sealed bids were received by the Town Clerk's Office until 3 p. m. on the 20th day of October, 2017, at which time they were publicly opened and read aloud, for the collection, removal and disposal of acceptable waste and recyclables, and

"Whereas", the following bids were received:

National Waste Services, LLC	137.00 msw per ton 2018 - 2019
1863 Harrison Avenue	137.00 msw per ton 2020 - 2021
Bay Shore, NY 11706,	300 tires per ton 2018 - 2019
	300 tires per ton 2020 - 2021, and
Winter Brothers	166.00 msw per ton 2018 - 2019
120 Nancy Street	174.00 msw per ton 2020 - 2021
West Babylon, NY 11704	253.00 tires per ton 2018 - 2019
	265.00 tires per ton 2020 - 2021, and

"Whereas", the Commissioner of Public Works and Town Board have reviewed the aforementioned bids, and

"Whereas", the Commissioner of Public Works has recommended the acceptance of National Waste Services, LLC for MSW and tires, now, Therefore

BE IT RESOLVED, That the contract is hereby awarded to National Waste Services, LLC for the aforementioned amounts.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 474

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", a public hearing was duly held on the 15th day of September, 2017, on a proposed local law to amend Chapter 43 of the Town Code in connection with Septic Systems, and

"Whereas", all interested persons were heard in favor of or in opposition to said proposed local law, now, Therefore

BE IT RESOLVED, That Local Law No. 11 - 2017 entitled A LOCAL LAW TO AMEND CHAPTER 43 OF THE TOWN CODE CONCERNING SEPTIC SYSTEMS, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island as follows:

SECTION 1. Legislative Intent.

In order to effectively deal with water quality issues and changing Health Department regulations, the Town is developing a database of septic systems including the new I/A OWTS. In order to keep the database current, the Town must be notified of repairs and changes to existing septic systems or construction of new septic systems. This will require such construction to obtain a building permit, which will give the Town this information.

SECTION 2. Amendment.

Shelter Island Town Code Chapter 43-6(A) is hereby amended by adding an additional sentence to read as follows:

§43-6. Application for building permit; use of aluminum wiring.

A. A septic registration is also required to install, move, repair or replace the septic system on a property, although the permit for an emergency repair can be obtained seven days after the actual work without penalty.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(12) and §10(1)(ii)(a)(14).

SECTION 4. Severability.

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

SECTION 5. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 475

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Shelter Island 5K Run/Walk paid a compliance fee of $100.00 for their 5K Run/Walk on October 21, 2017, and

"Whereas", Jay Card, Jr., Superintendent of Highways, reported that no portion of the deposit was required, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the $100.00 fee to the Shelter Island 5K Run/Walk, P. O. Box 599, Shelter Island, New York 11964.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 476

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", filming permit number 68 was issued to Jake Mills Productions, 18 Bridge Street, Brooklyn, New York 11021, for filming on October 5, 2017 at 5 Seagate Road, and

"Whereas", Jake Mills Productions paid a clean up deposit of $1,000.00, and

"Whereas", the Highway Department has determined that no portion of said deposit was required, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit to Jake Mills Productions, 18 Bridge Street, Brooklyn, New York 11021.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 477

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", filming permit number 67 was issued on September 18, 2017 to GV Productions, LLC for filming at 52 Peconic Avenue and on Grand Avenue on September 19 and 20, 2017, and

"Whereas", a filming clean up deposit of $1,000.00 was paid for said filming, and

"Whereas", it has been determined that no part of the deposit was utilized, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the deposit amount of $1,000.00 to GV Productions, 9303 Valley Lane SE, Huntsville, Alabama 35803.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 478

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Thomas Roush has applied to the Shelter Island Town Board for house reconstruction, including excavation and lifting the existing house to add a full basement, reconstruction of 76% of the existing house and adding an addition/garage, renovating 32% of the existing accessory structure, and modifying decks and patios for a total 9,265 SFLA at 2 Little Ram Island Drive, Shelter Island, New York and zoned AA reverting to A-Residential/ Near Shore and Peninsular Overlay, designated as Suffolk County Tax Map Lot 0700-9-3-20, as depicted on the proposed site plan by Sherman Engineering last revised 7/16/17; and

"Whereas", it was determined that a special permit is required under §133-6(F)(1) of the Town Code to construct improvements with a SFLA of 6,000 square feet or above; and

"Whereas", the applicant has provided notice of the special permit hearing to property owners and filed proof of such notice with the Town Clerk; and

"Whereas", this Board considered the application and accompanying documents at a public hearing, pursuant to notice, on October 6, 2017; and

"Whereas", this Board now wishes to render a decision on this special permit, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this is an "unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF Parts 1 and 2 and the Negative Declaration; and

BE IT FURTHER RESOLVED, That the special permit for a house with a SFLA in excess of 6,000 is found to be in compliance with the standards set forth in Section 133-35 of the Code of the Town of Shelter Island because:

1. The property is zoned AA reverting to A-Residential/Near Shore and Peninsular Overlay and consists of a 2.28 acre parcel at the tip of the Little Ram Island peninsula extending into Coecles Harbor; and
2. The lot is developed with 4,764 SFLA two-story house located approximately 41' from the wetlands, and 1636 SFLA 2 story accessory building/garage located 14.3' from the wetlands; and
3. Applicant has proposed to add a full basement and substantially reconstruct the existing house to increase the SFLA to 6,390 s.f.; and
4. Applicant has proposed to substantially reconstruct the accessory building/garage but keeping the SFLA at 1,636; and
5. Applicant has proposed to add an attached garage addition, with living space above, to the main house for an additional 1,239 SFLA; and
6. The property is located at the very end of Little Ram Island Drive, which is a very narrow road so that measures need to be taken to ensure that construction traffic does not harm the neighbors or prevent the safe passage of emergency vehicles; and
7. Although the proposed house is large, the size of the house to the lot size is roughly proportional to that of the neighbors in this neighborhood; and
8. Applicant is seeking a wetlands permit for significant construction within the adjacent regulated area as well as this special permit; and
9. This project is suitable for location in this part of Town because the area is similarly residential; and
10. This project will not be detrimental to surrounding property values because this will result in an upgrade of the existing structure, and the new structure is designed to conform to the Town Zoning Code; and
11. This project is harmonious with the character of the existing and probable development of uses in this vicinity because it is residential in nature; and
12. This project will not interfere with established uses in the neighborhood or create odors, dust, light, buffers or noise because the pre-construction and post-construction conditions in this resolution will minimize these impacts; and
13. The groundwater at this site is approximately 1' above sea level, so that there will be a condition that no project excavation can intrude into the water table or require dewatering; in addition, the project should not impact the aquifer and other important natural resources because it has Suffolk County Health Department approval, will replace the existing sanitary system with an advanced treatment septic system, the pool will have an automatic pool cover to reduce evaporation, and the landscaping will be modified to decrease turf grass and increase native vegetation (which requires less water and fertilizer) from 21,333 s.f. to 43,653 s.f.; and
14. A Stormwater Pollution Prevention Plan has been prepared for this project which should ensure that there is no runoff into the bay or other properties during the anticipated 18 month construction period; and
15. In order to minimize the negative impacts of construction on neighbors in this close community, there will be strict conditions regarding construction times, construction parking, and project manager contacts for problems solving, as set forth under the conditions of approval herein; and

BE IT FURTHER RESOLVED, That a special permit to reconstruct the existing house with an attached addition/garage, renovate the existing accessory structure/garage, and modify decks and patios to create a total 9,265 SFLA at 2 Little Ram Island Drive, Shelter Island, New York and zoned AA reverting to A-Residential/Near Shore Overlay, as depicted on the proposed site plan by Sherman Engineering last revised 7/16/17 plus landscaping plans and other plans in the submission, is approved subject to the following conditions to prevent negative impacts of such construction on the neighborhood:

a. The above-described project shall be constructed at the location and in the method shown on the on approved plans; and

b. During construction, wire-backed silt fences shall be securely placed at the location shown in the above cited plans. The silt fence shall be maintained throughout construction and until the disturbed soil has been stabilized. Soil disturbance should be minimized where possible. Construction materials and equipment shall be staged outside the regulated area; and

c. Prior to issuance of a Certificate of Occupancy, Applicant shall complete the following mitigation measures:

1) Implement the Landscape Design Plan by Hollander Landscape Architects last dated 10/24/16 to the satisfaction of the Building Inspector or his designee; and

2) Implement the Roush grading and drainage plan submitted with this application; and

3) Install an I/A septic system approved by the Suffolk County Health Department; and

4) The pool shall be equipped with an automatic pool cover and a low chlorine technology filtration system prior to issuance of a Certificate of Occupancy; and

d. Any increase in SFLA above 9,265 SFLA shall require the applicant to obtain an additional special permit for said increase; and

e. The project is subject to the following conditions **DURING CONSTRUCTION**, and failure to meet these conditions may be the basis for issuing a Stop Work Order on the project until the failure is corrected:

1) Post-construction parking shall be as shown in the Construction Parking plan by Sherman Engineering dated 7/16/17, and contractor parking is prohibited along Little Ram Island Drive during construction; and

2) No project excavation can intrude into the water table or require dewatering; and

3) During the period from May 15 to September 15, no construction work on this project shall occur outside 8 a.m. to 5 p.m. on Monday through Friday, or between 5 p.m. Friday and 8 a.m. Monday (so that the neighbors can have peaceful use of their properties during summer weekends); from September 16 to May 14 can work Saturdays, hours of construction are 7 a.m. to 7 p.m.; and

4) Applicant or his designee must keep the construction site cleaned of all trash and debris on an ongoing basis with a minimum once per week; and

5) Little Ram Island Drive must be maintained to the satisfaction of the Highway Superintendent, and no Certificate of Occupancy for this construction shall be issued unless Little Ram Island Drive is in the same or better condition than it was at the commencement of construction, as determined by the Highway Superintendent; and

6) The project manager shall post a sign on the site with his cell phone number and shall address in a timely fashion neighbor concerns regarding litter control, parking, noise, road conditions and other impacts caused by the project; and

7) Applicant shall install Dark Sky compliant lighting pursuant to the Town Code in all outdoor lighting on this project; and

f. This approval shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That a copy of this approval shall be filed with the Building Inspector and with the Building Permits Examiner.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 479

Councilman Colligan offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 17th day of November, 2017, in the Shelter Island Town Hall, Shelter Island, New York, for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled SANITARY SYSTEM REBATE PROGRAM, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

SECTION 1. Legislative Intent.

This legislation is intended to establish a rebate program to encourage the voluntary upgrade of sanitary systems identified as potential sources of nitrogen pollution in the Town's surface waters and sources of drinking water (the aquifer).

SECTION 2. Amendment

The Shelter Island Town Code is hereby amended by adding a new Chapter 88 (Low-Nitrogen Sanitary System Rebate Program) as follows.

CHAPTER 88: Low-Nitrogen Sanitary System Rebate Program

§ 88-1. Definitions.

Approved Costs - those costs associated with the upgrade/replacement of a current sanitary system with a Low-Nitrogen Sanitary System including equipment, labor, materials and excavation directly related to the removal of the current sanitary system and/or installation of the new Low-Nitrogen Sanitary System, which have been reviewed by the Water Quality Improvement Advisory Board and are deemed to be appropriate and necessary for the replacement of the particular system on the specific property. In determining whether a cost is appropriate and/or necessary, the Water Quality Improvement Advisory Board will consider the usual and customary costs of certain equipment, materials, and labor, as well as any characteristics of the property that may aid or hinder the replacement.

Eligible Property Owners - all owners of residential property within the Town of Shelter Island.

Low-Nitrogen Sanitary System - any sanitary system that has been approved by Suffolk County Department of Health Services that has shown to reduce nitrogen levels to 19 milligrams or less per liter, until such time as Suffolk County Department of Health Services approves a sanitary system that reduces nitrogen levels to 10 milligrams or less per liter at which time that will constitute a Low-Nitrogen Sanitary System and the previous systems reducing to 19 milligrams or less will no longer constitute a Low-Nitrogen Sanitary System.

§88-2. Low-Nitrogen Sanitary System Upgrade Rebate Program:

A. Eligible property owners who upgrade/replace their existing sanitary system with a Suffolk County Department of Health Services approved Low-Nitrogen Sanitary System are eligible from the Town of Shelter Island for a rebate to reimburse for the cost of such replacement so long as the project does not result in the accommodation of new or additional growth.

B. The rebate will be for the reimbursement of approved costs associated with upgrade/ replacement including equipment, labor, materials and excavation directly related to the removal of the existing sanitary system and/or installation of the new Low-Nitrogen Sanitary System. The Town Board, by resolution duly adopted from time to time, shall establish the amount of the rebate.

§ 88-3. Rebate Eligibility Procedure

A. Upon receipt of a Septic Registration Permit for upgrade/replacing a sanitary system, a property owner must provide documentation to the Water Quality Improvement Advisory Board that they are an Eligible property owner.

B. Eligible property owners must submit a rebate application to the Water Quality Improvement Advisory Board providing the information necessary to process the rebate. Such information shall include, but is not necessarily limited to: the current sanitary system on the property; the proposed sanitary system; current location of the sanitary system; proposed location of the replacement system; a letter from an engineer certifying retention to design and obtain permits for a low-nitrogen system for the owner; and any other information required.

C. Once an application is complete, the Water Quality Improvement Advisory Board shall make a recommendation to the Town Board on whether a rebate is appropriate.

D. Upon receipt of this referral, the Town Board shall grant or deny a conditional rebate approval by resolution, identifying conditions which applicant must satisfy including the replacement of the sanitary system within six months of the conditional approval. The Water Quality Improvement Advisory Board has the discretion to issue an extension for good cause shown.

E. Once the upgrade/replacement of the sanitary system is complete, the eligible property owner must submit to the Water Quality Improvement Advisory Board, a Suffolk County Department of Health Services WWM-073 Form including green stamped plan (if available) and a notarized certification from the contractor who performed the upgrade/replacement which must include:

(1) That the upgrade/replacement of the sanitary system was performed in compliance with the requirements of the Suffolk County Department of Health Services; and

(2) A statement or receipt detailing the actual costs for equipment, labor, materials and excavation directly related to the removal of the current sanitary system and/or upgrade/installation of the new Low-Nitrogen Sanitary System.

(3) Upon receipt of all documentation required under this section, the Water Quality Improvement Advisory Board shall authorize the issuance of a rebate up to the amount applicable approved by the Town Board, for approved costs.

§ 88-4. Funding
Funding for the Low-Nitrogen Sanitary System Rebate Program may be provided as a water quality improvement project under Chapter 50 of the Town Code. Payment of rebates shall be subject to availability of funding under such project.
SECTION 3. Authority.
The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3) and Town Law §261.
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 immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 480

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Camille Anglin has applied to the Shelter Island Town Board for a wetlands permit for the premises located at 188 N. Ferry Road, Shelter Island, New York and zoned B-Business/Near Shore Overlay, designated as Suffolk County Tax Map 0700-7-4-82.1; and

"Whereas", the applicant seeks a wetlands permit to upgrade the septic system by installing 3 new leaching pools within the regulated area, as shown on a plan by Nathan Taft Corwin III last dated 11/17/2016, so that the work is subject to Chapter 129 of the Shelter Island Town Code; and

"Whereas", the application was referred to the Planning Board and Conservation Advisory Council for recommendations, and their recommendations have been submitted and considered; and

"Whereas", the NYSDEC issued letter of non-jurisdiction dated 11/5/2001 for this project; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on February 17, 2017, and

"Whereas", this Board now wishes to render a decision on this wetlands application, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board finds that this is an Unlisted action which will not result in any significant adverse impacts on the environment; and

BE IT FURTHER RESOLVED, That the Town Board makes the following findings as to the application:

1) The parcel is a 6,037 s.f. property bordering Dering Harbor currently developed with a retail store with storage; and

2) Applicant seeks to expand the existing septic system to convert 1197 s.f. of storage area to an apartment per a Suffolk County Health Department approval dated 3/5/2012; and

3) The three additional septic rings will be installed approximately 10' from the bulkhead and 14" above the water table pursuant to conditions set forth in a Suffolk County of Health Services Board of Review hearing on 12/9/10; and

4) Measures must be taken to ensure that there is no dewatering involved in installation of the septic upgrades; and

5) As mitigation, Applicant states she will maintain silt fencing around disturbed soil to prevent stormwater runoff; and

BE IT FURTHER RESOLVED, That the wetlands permit to upgrade the septic system at 188 N. Ferry Road, Shelter Island, New York by installing 3 new leaching pools within the regulated area is hereby granted subject to the following conditions:

1) The above-described project shall be constructed as depicted on a plan by Nathan Taft Corwin III last dated 11/17/2016; and

2) During construction, wire-backed silt fences shall be securely placed at the location shown on the above-described plan. The silt fence shall be maintained throughout construction and until the disturbed soil has been stabilized. Soil disturbance should be minimized where possible. Construction materials and equipment shall be staged outside the regulated area; and
3) There shall be no dewatering during installation of the septic upgrades; and
4) Construction procedures and erosion controls shall be designed to prevent any runoff from disturbed ground into the wetlands areas. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
5) Prior to issuance of a wetlands permit, the applicant must file a certificate of insurance with the Town Clerk showing the Town of Shelter Island as an additional insured under a comprehensive general liability policy with minimum limits of $500,000; and
6) This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That copies of this approval shall be filed with the Building Inspector.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 481

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", Joshua Levine has applied to the Shelter Island Town Board for permission for demolition and construction within the regulated area at 37D Westmoreland Drive, Shelter Island, New York and zoned A-Residential/Near Shore Overlay, designated as Suffolk County Tax Map Lot 0700-22-1-06; and

"Whereas", the applicant seeks approval to remove a screened room, 889 s.f. brick patio, construct 2,285 s.f. deck and two pergolas, and repair existing decks and stone walkways within the regulated area as depicted on the proposed site plan by Sherman Engineering, last revised 7/16/17, so that the project is subject to Chapter 129 of the Code of the Town of Shelter Island; and

"Whereas", the application was referred to the Planning Board and Conservation Advisory Council for recommendations, and recommendations have been submitted and considered; and

"Whereas", the NYSDEC issued a letter of non-jurisdiction; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on October 6, 2017, and

"Whereas", this Board now wishes to render a decision on this wetlands application, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board finds that this is a Type II action which will not result in a significant adverse impact on the environment; and

BE IT FURTHER RESOLVED, That the Town Board makes the following findings as to the application:

1. The parcel is a 1.282 acre parcel bordering West Neck Creek which is currently developed with a two-story house located approximately 60' from the wetlands with a brick patio and deck on the water side so that 2/3 of the house lies within the regulated area; and
2. Applicant seeks ratification of the removal of a screened room adjacent to the house and 889 s.f. brick patio, and to construct 2,285 s.f. deck with two pergolas, and repair existing decks and stone walkways within the regulated area; and
3. The Town Board finds that the proposed action and location will not create a risk of impairing the function and value of the wetlands and buffer and that the applicant has demonstrated that there are no practicable alternatives which allow the project to be constructed outside the regulated area because of the current house location; and
4. As mitigation, Applicant states he will install an automatic pool cover to the new pool being constructed outside the regulated area, as well as maintain silt fencing during construction to prevent stormwater runoff; and

BE IT FURTHER RESOLVED, That the wetlands permit to construct 2,285 s.f. deck with two pergolas, and repair existing decks and stone walkways within the regulated area for the

premises located at 37D Westmoreland Drive, Shelter Island, New York, is hereby granted, subject to the following conditions:

1) The above-described project shall be constructed as depicted on the on the proposed site plan by Sherman Engineering last revised 7/16/17; and

2) The Town Board feels that certain conditions should be added to the project to mitigate wetland impacts of this project:

a. All debris must be removed from the beach; and

b. Any grass planted must be Zoysia; and

c. The new deck shall have spacing that maintains the permeability of the structure.

3) The following mitigation measures shall be in place prior to issuance of a certificate of occupancy: install an automatic pool cover on the new pool and install a stormwater collection and recharge system as required by law; and

4) During construction wire-backed silt fences shall be securely placed at the location along the top of the bulkhead. The silt fence shall be maintained throughout construction and until the disturbed soil has been stabilized. Soil disturbance should be minimized where possible. Construction materials and equipment shall be staged outside the regulated area; and

5) Construction procedures and erosion controls shall be designed to prevent any runoff from disturbed ground into the wetland areas. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and

6) Prior to issuance of a wetlands permit, the applicant must file a certificate of insurance with the Town Clerk showing the Town of Shelter Island as an additional insured under a comprehensive general liability policy with minimum limits of $500,000; and

7) This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That copies of this approval shall be filed with the Building Inspector.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 482

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Thomas Roush has applied to the Shelter Island Town Board for permission for house reconstruction with extensive regrading, fill and landscaping within the regulated area at 2 Little Ram Island Drive, Shelter Island, New York and zoned AA reverting to A-Residential/Near Shore and Peninsular Overlay, designated as Suffolk County Tax Map Lot 0700-9-3-20; and

"Whereas", the applicant seeks approval for significant construction, including excavation and lifting the existing house to add a full basement, reconstruction of 76% of the existing house and adding an addition, renovating 32% of the existing accessory structure, modifying decks and patios, and bringing in 1,900 c.y. of fill to raise the grade on the south side approximately 2', all within the regulated area as depicted on the proposed site plan by Sherman Engineering last revised 7/16/17, so that the project is subject to Chapter 129 of the Code of the Town of Shelter Island; and

"Whereas", the application was referred to the Planning Board and Conservation Advisory Council for recommendations, and recommendations have been submitted and considered; and

"Whereas", the NYSDEC issued permit number 1-4372-00204/00011 approving a plan prepared by David Saskas last revised on 11/15/16 and accompanying Drainage Plan, Profile Plan and Landscape Plans; and

"Whereas", this Board considered the proposed action at a public hearing, pursuant to notice, on October 6, 2017, and

"Whereas", this Board now wishes to render a decision on this wetlands application, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, That this Board finds that this is a Type II action which will not result in a significant adverse impact on the environment; and

BE IT FURTHER RESOLVED, That the Town Board makes the following findings as to the application:

1. The parcel is a 2.28 acre parcel at the end of the Little Ram Island peninsula extending into Coecles Harbor, which is currently developed with a two-story house located approximately 41' from the wetlands, a 2 story accessory building/garage located 14.3' from the wetlands, both of which lie within the regulated area; and

2. Applicant seeks to raise the existing main house to add a basement, reconstruct the main house, construct additions, renovate the accessory building/garage, as well as adding an attached garage with second story bedrooms and pool which would be outside the regulated area; and

3. The south waterfront portion of the property floods, and applicant proposes to raising the grade in this area approximately 2' by bringing in 1,900 c.y. of fill to allow saltwater from storms and stormwater runoff to pool and recharge inside the wetlands boundary; and

4. Since most of the renovation will be within the footprints of the existing structures, the current 4,172 s.f. coverage in the wetlands regulated area which will be replaced with 4,164 s.f. coverage in the regulated area (excluding the proposed extensive landscaping and fill); and

5. Applicant proposes to keep the new swimming pool and garage/sleeping quarters outside the regulated area, which the Town Board finds will not have a negative impact because they are designed to avoid significant drainage issues, and applicant agrees to install a pool cover to reduce water evaporation; and

6. There will be significant work done on the south lawn in the regulated area, which has a depression that causes water pooling, including the addition of 1900 c.y. fill to give more soil area to hold fresh water and keep the salt water at bay during storms, but the plan seems to be well designed, and proposed mitigation measures will ensure that the new grades will not create additional stormwater for neighbors and that there will not be increased runoff into the bays, and the landscaping will be modified to decrease turf grass and increase native vegetation from 21,333 s.f. to 43,653 s.f.; and

7. The Town Board finds that the proposed increase in impervious surface of approximately 1200 s.f. will not impair the function and value of adjacent wetlands because drywells will be installed to accept drainage; and

8. The proposed project will not have a negative impact on the quantity and quality of groundwater because there will be a reduction of turf grass; and

9. The proposed project will not create a net increase in the risk of runoff because the regrading will increase the property's ability to collect stormwater and increase appropriate vegetation to collect runoff, and a stormwater pollution prevention plan has been prepared to control stormwater runoff during construction; and

10. The Town Board has reviewed the project and finds that there are no practicable alternatives which allow the project to be constructed outside the regulated area because the property is constrained by the existence of the wetlands consuming a large portion of the property, which constricts the building envelope; and

11. The Town Board has determined that the proposed project has adequate mitigation measures that contribute to the protection and enhancement of wetlands and wetlands benefits;

12. As mitigation, Applicant agrees to install stormwater containment and control devices, upgrade existing septic systems to an I/A septic system, and upgrade landscaping to better accept stormwater including a reduction of turf and the addition of more native vegetation; and

BE IT FURTHER RESOLVED, That the wetlands permit for significant construction, including excavation and lifting the existing house to add a full basement, reconstruction of 76% of the existing house and adding an addition, renovating 32% of the existing accessory structure, modifying decks and patios, and bringing in 1,900 c.y. of fill to raise the grade on the south side approximately 2' within the regulated area for the premises located at 2 Little Ram Island Drive, Shelter Island, New York, is hereby granted, subject to the following conditions:

1) The above-described project shall be constructed as depicted on the proposed site plan by Sherman Engineering last revised 7/16/17; and

2) The following mitigation measures shall be in place prior to issuance of a certificate of occupancy: upgrade existing septic systems to an I/A septic system, upgrade landscaping and grading pursuant to approved grading and drainage plan, and install and maintain a stormwater collection and recharge system as required by law; and

3) During construction, wire-backed silt fences shall be securely placed at the location along the top of the bulkhead. The silt fence shall be maintained throughout construction and until the disturbed soil has been stabilized. Soil disturbance should be minimized where possible. Construction materials and equipment shall be staged outside the regulated area; and

4) Parking, noise, and construction controls shall be pursuant to the Town Board special permit approved conditions; and
5) Construction procedures and erosion controls shall be designed to prevent any runoff from disturbed ground into the wetlands areas. The location of mitigation measures shall be examined by the Building Department prior to the start of work and periodically thereafter; and
6) Prior to issuance of a wetlands permit, the applicant must file a certificate of insurance with the Town Clerk showing the Town of Shelter Island as an additional insured under a comprehensive general liability policy with minimum limits of $500,000; and
7) This permit shall only be valid for construction commencing within two years of the date of this approval; and

BE IT FURTHER RESOLVED, That copies of this approval shall be filed with the Building Inspector.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION. 483

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved:
$2,000.00 from the A1490.121 Public Works overtime personal services account to the A8160.127 Landfill overtime personal services account;
$2,634.00 from the A1490.122 Public Works double time personal services account to the A8160.129 Landfill double time personal services account;
$560.00 from the A1490.413 Public Works jetties and bulkheads account to the A8160.413 Landfill jetties and walls account;
$700.00 from the A1490.414 Town Hall and other buildings account to the A1490.409 Public Works parks and beaches account;
$500.00 from the A1490.419 Public Works generator maintenance account to the A1490.200 Public Works equipment account;
$250.00 from the A1490.424 Public Works fuel depot account to the A1490.496 Public Works charging station account;
$190.00 from the A3120.115 Police Department seasonal police personal services account to the A3120.121 Police Department bay constables personal services account;
$450.00 from the A3120.486 Police Department car gas and oil account to the A3120.485 Police Department car maintenance account;
$250.00 from the A3120.487-9 Police Department part time uniforms account to the A3120.487-13 Police Department Drake uniform account;
$2,500.00 from the A3510.422 Animal Control corn account to the A3510.498 Animal Control deer reduction management account;
$3,080.00 from the A6772.146 Nutrition Program driver personal services account to the A6772.440 Nutrition Program maintenance account;
$100.00 from the A6776.239 Silver Circle equipment account to the A6776.484 Silver Circle office and miscellaneous account;
$3,800.00 from the A7320.100 Youth Center personal services account and dispersed as follows:
$2,800.00 to the A7150.100 Recreation lifeguards personal services account, and
$1,000.00 to the A7620.400 Adult Recreation account;
$10,560.00 from the A8160.103 Landfill seasonal personal services account to the A8160.119 Landfill part time personal services account;
$2,500.00 from the A8160.432 Landfill test wells account and dispersed as follows:
$500.00 to the A1490.496 Public Works charging station account,
$1,000.00 to the A8160.484 Landfill office and miscellaneous account, and
$1,000.00 to the A8160.495 Landfill printing and advertising account;
$2,000.00 from the A8160.433 Landfill solid waste carting fees account, and
$1,677.00 from the A8160.442 Landfill purchase of bags account to the A8160.438 Landfill processed concrete account;
$275.00 from the A8160.437 Landfill contingency account and dispersed as follows:
$200.00 to the A8160.434 Landfill hazardous waste carting fees account, and
$75.00 to the A8160.488 Landfill high visibility clothing account;
$2,000.00 from the A8160.441 Landfill brush grinding rental account to the A8160.423 Landfill electricity account; and

$1,200.00 from the B1990.400 Part Town Contingent account to the B8010.439 Town Board Zoning account; and

BE IT FURTHER RESOLVED, That the following budget revisions are hereby approved:

$8,000.00 from the General Fund unassigned balance to the A1620.423 Buildings electricity account; and

$2,300.00 from the Part Town Fund unassigned balance to the B8010.439 Town Board Zoning account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 484

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That general claims numbered 1695 through 1835 in the amount of $147,590.93, Community Preservation Fund claims numbered 8 through 10 in the amount of $641.35, highway claims numbered 214 through 236 in the amount of $26,110.17, and West Neck Water claims numbered 32 through 36 in the amount of $4,617.40, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 5:18 p. m,. the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed local law entitled a local law to address Fire Wardens.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. There being no comments, the Supervisor declared the public hearing closed at 5:20 p. m. and called to order the public hearing to be held as advertised on the proposed use of Community Development Funds in 2018.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I would say that I've been speaking to Barbara about one of the things we are asking our senior services to develop is a program, I gather you put some money in the budget to buy a vehicle to transport people who are unable to drive themselves and she is putting together a program to the extent that the volunteers are not able to pay somebody to do it and we think we can use Community Development Block Grant funds for that, so Laurie is supposed to be putting together in the next couple of weeks, bring it to you and if you feel it is appropriate you can, you're not limited to asking for the anticipated 13,000, if it costs more, you can certainly ask for what it takes to do the job; thank you.

The Supervisor declared the public hearing closed at 5:22 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 485

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on October 27, 2017, in the Shelter Island Town Hall, Shelter Island, New York, on a proposed Local Law to Address Fire Wardens, and

"Whereas", all interested persons were heard in favor of or in opposition to said proposed Local Law, now, Therefore

BE IT RESOLVED, That Local Law No. 12 - 2017 entitled a Local Law to Address Fire Wardens is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Chapter 47 of the Shelter Island Town Code entitled Burning, Open is hereby amended to read as follows:

Section 47-4, Definitions, definition of Fire Wardens is hereby amended to read as follows:
FIRE WARDENS - The duly appointed Fire Wardens of the Town of Shelter Island. For purposes of this chapter, the Fire Wardens are the Town Fire Marshal and the Fire Chiefs of the Shelter Island Fire District.
Section 2. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Shepherd and seconded by Councilman Colligan, the meeting was adjourned at 5:24 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

November 8, 2017

The public hearing to be held as advertised on the proposed 2018 Town budget was held in the Shelter Island Town Hall, Shelter Island, New York, on the 8th day of November, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury Dowd, Town Clerk Dorothy S. Ogar, and ten persons were also present.

The Supervisor called the public hearing to order at 1:00 p. m.

Salute to flag.

The Supervisor announced as follows: the Town Board adopted the preliminary 2018 budget and scheduled this public hearing and has a special meeting following and we want to hear from the public on any aspects whatsoever before we take any action.

The Supervisor opened the hearing for all interested persons to be heard in favor of or in opposition to the proposed budget, as follows: Craig Wood, I want to ask a couple of quick questions if I could and get some ideas about capital projects and how that's budgeted and how you made the decisions you made for the coming year, I have a piece of paper from Jay Card about capital projects that are broken out into five different things, I think this is in his presentation which was Town and other buildings, Goat Hill, Legion septic, Wade's Beach and Crescent Beach and I couldn't really make out the budget numbers other than the Town and other buildings, where some of these items fell and whether or not they were going to be in the 2018 budget or not and as far as I can tell, the Town and other buildings was the 70,000 was gonna be used and then 14,000 of the Goat Hill projects were going to be accepted but I didn't, does anybody know, did the entire Legion, Wade's Beach, and Crescent Beach are in the 2018 budget, I'm looking at Amber; it sounds like I'm it, in the Goat Hill that has the 14,000 to install a new well on their getting water __ and that's why the 4,000 is in there; okay; nothing on the Legion septic is there, nothing on Wade's Beach and actually yesterday just in anticipation of today talking about things, realized that putting the 50,000 that we had talked about putting in for Crescent Beach, we never circled that back around so that was something that I wanted to bring up for the discussion because we don't have it in there and we had talked about it; and that was half of our half; correct; right, half of our half; yes; the project is not due to open up until Memorial Day of 2019 so, the project started off a little over 220 and the grant, the 50/50 grant, there's two grants in on it, the 50/50 is the most likely grant we're gonna get and we'll know that in about three to four weeks and if we get half of that, obviously we're getting about $111,000.00, we've already spent $20,000.00 for engineer and borings and things of that nature for design work so a hundred thousand dollars should cover our cost based over two years, if we got the second grant we wouldn't need as much money because the second grant would help us out a little bit but according to our grants writer, the chance of getting a second grant was very, very small so she wasn't putting a lot of stock in that so we hope that, but we do have to budget monies somewhere in here, there

will be work initiated in 2018, it's gonna require money as start up for the project; okay and I would say that you guys have done a great job the last two years really ramping up the grants from what I've seen and it's difficult I think for an Islander who is very self-reliant and I think live on an Island, you sort of become self, it attracts a lot of people and it's difficult to go asking for money and it seems that the government agencies that are out there are increasingly making us ask for money, we have to send Jay to Albany to get money, we have to ask for grants, they're asked to do shared services so I think it's great that you move towards that but at the same time we have to be careful that we keep putting money in, you know, building our own capability to get some of these projects done and make sure we do budget the money to get the projects done, I just, in Jay's presentation while there was a report to him and John Cronin in 2014 about a number of infrastructure projects that could conservatively be budgeted at the rate of $423,000.00 a year and this was all details about hazmat sheds, hazmat storage, landfill, Town Hall, and we're starting to do some of those projects but I'd like to say that I think that I look at capital projects in sort of three ways and one is the roads and infrastructure, another is the buildings that we own and a third might be our waterfront and the way is broken out, we got a lot of noise about roads and luckily we are getting grant money for roads but I think we're perhaps not paying much attention to our buildings and our waterfront which is, it may be fifty years before we get a foot of elevation but it's coming and you know the sooner we plan for it, the better and there's a lot of our Town landings and our Town dock and I was just out at Reel Point and that storm took a tremendous amount off that beach, it went up to the grass; yes; and these are projects that are needed to, I wanted to say that I wonder about the process where you know, none of your __ was in Jay's original budget and then he came to you and you started to add a few of these, right, and to me it just seems it should have been in the budget from the get go and crossed off, not added in later; well with Goat Hill, it's a three way thing, there's the new restaurant that is a money maker and as Ian Weslek did several years ago when he had the restaurant, they had to invest some money to get a good return on their money, so they're a player and then the tenant, the Goat Hill, Shelter Island Country Club, they are wonderful people, they're a player, we give them a bargain rent of the century at a buck a year and they have, it's a net, net lease, so they've got a, it's a three way conversation and we have to get into it; okay; and it's a little complicated, it's not just you know write a check and send it off, the taxpayers will pay for it; I understand, it's a tremendous asset; yeah it is a tremendous asset, Mr. Dougherty and I had a conversation no more than a couple of weeks ago about Goat Hill and that was something that we were looking at to plan for the future, it was something that, the roof has been looked at, we replaced part of the second floor siding, we did repair work on the deck, we put some other monies into the thing, we have 14,000 and change put in for those three factors for next year, I think what, the kitchen at Goat Hill had been designed kind of a sandwich kind of thing, serve people for lunch and now it's become a restaurant so what happens, every time a new tenant, a new vendor comes in there, they move things around, they drill holes, they do this, they do that, of course when they cleaned up that kitchen this year, a lot of water went down into the basement and did some damage in the basement so we are prepared to go back in there and I spoke to Jay about it, to do some minor repairs, in other words we would like to take out the gas lines that belong there, the electric lines that don't belong there, we also would like to leave tile around the baseboard because it's wood, we want to come up with the tile but we do want to discuss with Jim, we wanted to do a minimal amount because I think the Town Board has to cross that bridge down the road here and say, if we want the same thing and it wasn't intended to be this, you know, a full restaurant type of thing, then we do have to do a major renovation of that place and we need a plan, we need to bring somebody in, the floor needs to be ripped up, drains need to be put into the floor, there's a lot of work that needs to be done but it needs an engineer to look at it, it needs some specialized people, kitchen people to come in and make an assessment on that, you know, I think what we'll do is we'll do enough to make it, again two things are prior to that happens, safety, safety is always number one and the alarm system; right; and all that kind of stuff goes to that, helping with the gas, the number two thing is, the first thing we did was take the glass off the north end and we are thinking about taking that window out, that triple window out on the north side of it cause it was leaking through there, so we'll make that repair up there as well but again we're gonna have to sit down, we're gonna have to take a look at that asset and it is a historic site, the land and the house and we're gonna have to make some judgments on it and will the Town be willing to, but I think Jim describes it pretty well, it is a tri___, it's a three way combination with a discussion that needs to go on there, to the same extent, to a certain extent and we discussed this the other day with Jim Read, at Crescent Beach when we discussed, having a discussion with Sunset about perhaps getting them involved in a discussion to help us with that bathroom cost as well, the motel users are

using it along with Shelter Islanders, it may be time that we opened that dialogue with them, there's pros and cons with doing that but we need to entertain that thought you know so the cost is spread fairly among people, I think the brick pointing, unfortunately the brick pointing for the two buildings, the bidding for the two buildings to the north of here, came in very very high; yeah we were thrown for a loop on that one, our guys mis-estimated badly; we actually looked at what the school brick pointing cost several years ago and they came in so much higher and they didn't bid on it, but Jay was counting on the same company but maybe they thought that this project was very small and they didn't want to get involved in a bid, since the weather is changing and we're not gonna do brick pointing in the late fall with the idea of freezing, we'll do it next spring in May as with the paving, what we'll do is we'll take the $40,000.00 from for this year and the $40,000.00 for next year and put $80,000.00 in and see if we can get a vast majority of Justice Hall redone, if it's only a few more dollars that that, it's a big job, it takes about four weeks to do the job adequately and then of course when you're doing a job like that, you never know when you're coming up with additional damage with support structures and things like that, much like we did down at the medical center; and that's what we need to avoid; correct; and we waited too long there, we knew about the brick pointing, we knew about the brick pointing for a long time, we've been lax in finding the funds and whether the funds come from us or they come from a third party or a renter, I just want to encourage us to, or it can just come from a different part of our budget, I think that our buildings need to __; are you saying take part of your salary; I didn't get a raise; okay; I just want to be clear on that; I think the three things I wrote down here is the Crescent Beach bathroom, obviously we have to address, the Reel Point situation because we're gonna be, if we go with the plan that they recommend, the living shoreline, Coecles, a lot of the work we can do in house but there we have to have an ongoing dialogue with the Peconic Land Trust to find out how much they are in there for it, but obviously money has to, because we can't keep waiting on that, a couple more storms and we're gonna have a problem with Reel Point; __; right, I agree; __ is something we don't know; right, I know; _ little by little, the money available for infrastructure ___; and we had a lot of focus on roads and I just want to make sure that we keep the other two ideas; and Reel Point is kind of a paradox, in talking about it with, another subject but, maybe from moderate income people, water quality is very important to all of us, offering up to a $15,000.00 rebate to upgrade their septic systems and then and this is not for today's discussion but we have a very very wealthy property owner, the Peconic Land Trust, we're talking about forking over hundreds of thousands of dollars to this private property owner, I don't quite see that but, and we really have to discuss that intent because they aren't moderately income trusts, if they need a hundred thousand dollar check, they can get it before five o'clock this afternoon; and it's not a conversation for now maybe but what is, is there any way we can acquire that property, I guess that would be my next question; to be honest with you, that may happen because, I asked Matt Swain that very question when we had the meeting last week, so I asked Matt Swain that very question about __ $21,250 we invested, we invested $22,500 for a study, we have a plan ready to go, you know this is not a card game, what __ allowing to do and he played it very close to the vest, he was honest with us and said if you're talking about a multi-million dollar project, we're out, if you're talking about something that's reasonable and he didn't define that in terms of dollars, that we may be in so I said hey Matt, between now and the next meeting which we're gonna meet before the end of this year, in December, I want you to go back to your people and find out what you're willing to put into this project cause we can't continue this kind of dialogue, you've got to remember Matt that we're doing all of the work, so we're out there and we're using our excavator, we're using our people, you've got to be willing to pick up some of that, we can cut the cost by 90% almost but you've got to put up or shut up, or; and that investment capability, investment in the excavator is good investment for us, I believe, for an Island that needs to be self-sufficient, these are the things that we should do and we should make sure that we get reimbursed properly for our time and our equipment; we have to be careful about asking for the land back because the donor of the land who is a very good friend of mine, made a very generous made a very good act in giving it to the most affluent and environmental group on the east end with __ The Nature Conservancy, the Peconic Land Trust to preserve it, their whole reason for being is to preserve the environment which we all cherish and love so it seems to me that they might see a need to put up some money and we're waiting to hear from them; the other thing we can look at is PEP, the Peconic Estuary Program, PEP is doing a $150,000.00 program over in Greenport on Fourth Street where the old MobilExxon gas station was and if they can do a project there for something like that, Reel Point is an important project as well, so I'm looking at the possibility of; it seems to me that in the brief, relatively brief time I've sat in this chair __ in Reel Point; say that again; __; and then the rising __ or whatever it was, comes and takes that,

what we've done so before we were to spend any more money that we have, I'd like somebody to assure me what happens there will not be reclaimed by a hurricane, if all we are doing is putting our finger in a dike and waiting for it to get swept out to sea again and it isn't even our dike, it does make me wonder if we should be doing that with our energy; and John Kerr, I don't mean to interrupt, John Kerr sent an e-mail to me, a very thoughtful guy, a member of the Planning Board and an environmentalist, a teacher over in East Hampton and he sites some reading material about exactly the point you're making and I said to him, I sent copies to all of you so that is a real question, that's on the table for discussion, I have an open mind, I'm sure that you and Jim do; I'm not an expert on that but I just feel like oh my goodness, there it went again; exactly; Chris' point on Reel Point by the way, with the __, help stabilize the east coast, the east side, facing east of that side but it does not prevent an over wash of the spit so even if you put in you know, fine sand, wind will take sand off, an over wash will do damage, the only real fix is if you dump the idea, go with the Army Corps of Engineers, let the Army Corp of Engineers do like they did out in Orient Point, come in and spend millions of dollars of taxpayer money and go out and periodic boulders there to break up the wave action, even then there's no guarantee that with the rise in sea level that you know that that spit is gonna be around forever; talking about going to the Army Corps of Engineers and having you know, taking it out of their tax money, it's kind of like let the County pay for it, I mean there isn't a mythical pot where __ and we get money out of the different pot and as far as I can tell it's like pockets in my jeans, it's either the left pocket, right pocket or the back pocket but it's still like my jeans; all of our jeans and I think other people are taking out of the left pocket and that's, we're not, I go back to this idea of Shelter Islanders, just the notion that you live on an Island and you're a self-reliant individual and you don't want to ask for help, you don't want to go take money out of the left pocket that other people need but some of which, I wonder if we should hire a lobbyist, maybe we need a shared service with the other four towns on the east end and go hire a lobbyist to go to Albany and just sit there and try and get money; to get back to your original point, we do want to work on a capital plan and what you just sited for a spread sheet is very detailed and I worked through it, I haven't picked it up to run with it and last year when I __ capital planning and multi-year classes and there are __ on this October website to use to build a capital plan but we do want to proceed with that and in the budgeting process, the grant process, they also said you need a capital plan if you want to be taken seriously when you're applying for grants so we can say this is what we're trying to achieve and you've got stuff in place on how you're going to achieve that so that is something that we do want to work toward and it is on the list of things that I would like to accomplish during 2018 to get moving along; I think the 2014, it's just a report, it's a great starter point and certainly a lot has changed and there's a lot of intricacies behind; yeah and we've updated it this year along with the comprehensive plan; it's a good work; okay thanks very much, any other comments on our preliminary 2018 budget, okay, if not, I'll close this public hearing, what; we still need to; I'm sorry, go ahead; the Crescent Beach, the 50,000; yeah; it did not get put in so I think; where would we put it, I don't have my budget with me in here; we could go under Public Works; right; is it a line there now; no it is not; I thought we put money in; there is 84,000 in it; how much; 84,000; I thought it was close to a hundred; go to page 14, I'm sorry it is page 13, under Town Hall and other buildings, Public Works, I don't know if 50,000 could cover the Crescent Beach bathroom; it's a structure; so we want to take that from 84,000 to, add 50,000; that's probably three quarters of a point or so; add twenty-five to eighty-four __; can you do it or I can get Kathy in here but I think it's about two thirds; I think it might be good to get Kathy in here anyway just to check the number; fifty to eighty ___3.6 to 4.2; did you ever think about using reserve funds for that also; yeah we could, we're swimming in reserves; we've got; why don't we split it; where is is not; it's at one hundred fifty and raise it to one hundred fifty so you're right Jim, split it in half and half, and it will stay in the three; 3.9 percent; yeah; you're alright on the engineer thing; if we're up to trying to find money for engineering needs, I've got like 79,000 from different places and just combining like Planning Board, we have 40,000 in for Town engineering for next year; right; the Planning Board has engineering ___ half of the 25,000 that's in for contractual services might be engineering, the other half might be legal, that's twelve, we've got 5,000 in for an attorney __ ; ___; what we've been talking about is just trying to how do we get from, we had a quarter engineer, now we're working on shared services with the Town of Southold covered two hundred hours of engineering services so it's not going to accomplish any but what we're trying to do is figure out what can we pull in the budget to staff more engineering services to get us to cover the needs that the Town has; I would think that that's a very good point, we're in the middle of discussions and particularly with Southold and they maybe, Michael Collins is very excited about helping us, the MS4 stuff or anything else, I think we may get more than two hundred hours and I

feel we'll have the facts more available quite shortly, we can always amend the budget like in the reserves, I don't see the need to do a bunch of guesswork now, it's a very very fluid situation, we could be going, we have about three different directions we might be going in, including the unpleasant direction of a full time engineer which we don't think we need at least this time of the year and so I would say in the budget, leave it alone in the budget and be ready to do an amendment, we need more facts, we're just doing guesswork now; do we have a number, a preliminary number for Michael Collins; yeah; it's like sixteen thousand for two hundred hours; yeah eighty dollars an hour; yeah so we've got a lot more money, it's a realistic number; two hundred hours, is he going to be doing all the different things, like the projects that; well they're the kind of questions we're getting answers to; Jim you were at the meeting with me and obviously and the quote was we have sixty-four issues that we require engineers for right now, can I name them, no but we have sixty-four different initiatives that require some engineering support, that's my concern, that we can cover those engineering requirements because to be real honest with you, one of the reasons why this thing is stagnating across the street and the loo is stagnant, is we had people right on it, an engineer right here, somebody here to be able to get on that job and it's a bit frustrating, I like to be a little bit more aggressive with grants but by adding more grants and having more requirements for more engineering support, if we don't have the resources in place then the demand for that is done so I just think that if we want to be creative or we want to amend or whatever, I do think there is a need on Shelter Island for a full time engineer, there is a lot going on here that requires engineer support; well have twenty in the budget right now, right; alright; and we've got sixteen accounted for and anticipated __, right; right; that leaves us with 34,000, right and at one hundred and sixty bucks an hour which might be a proclamation that leaves us a couple hundred hours of professional time that we could buy with the budgeted amount; Laury feels that she budgeted one hundred hours on MS4; I actually think we should throw Mike the MS4 stuff cause that's his __ anyway; we will; we will; it's one hundred; but that leaves one hundred; I'm just doing dollars right now and you're saying retail at eighty bucks an hour ___; just to remind everybody that the five hundred hours that John was using was, whether we thought it was officially done, it was done by July 31st and then we were stuck without a Town Engineer and that's slowed us down a lot so with this new idea of __ coming in, there's a lot of cry for engineer support here and I just don't want to leave, cause; and that's one of the things in my hip pocket that we can use some of the twenty percent of the two percent engineering services, I have two thoughts here, one is this is a public hearing to hear from the public on the 2018 budget and it seems to be turning into a work session on us when we don't have all the facts, I mean we've adopted a preliminary budget and we're now hearing from the public and I would think that we go with that engineering fee and work through it, there's a lot of things going on and the problem is if we up that amount, that makes us all relax and we're gonna spend it so let's try to be disciplined here and come up with a good result rather than just spend the taxpayers' money; Jim I was just sitting in on that grants committee and I'm not really quote unquote the public but I was interested to see what Amber's got, Amber do you have a recommendation on what you thought after our meeting yesterday, we should put that number two because I would say the committee as a group unanimously felt that the service of a full time engineer was important and then John's hours, like Paul said, with time, by July he was done and I don't know how many hours that lasted so you could probably double that so I didn't know if you were talking about another $10,000.00; yeah I was basically, $11,000.00 in salary and benefits, and Jim the only thing I would say, is that too big of an ask at this stage; that's about a fifty percent jump, it's quite a lot; well a hundred is one percent; well the current is 40,000 and you and Amber are saying 60,000, that's a fifty percent jump; you've got to measure your jump from where you need to be, now from where you stop; well also __ for 125,000__ cause the MS4 line went away __ so we never put that in so it would be the original 40,000 and what was it __ for MS4, originally it was 10,000 and I guess last year it was 4800, we never put that 4800 back in, we consolidated that line ___ chopped away at the engineering line, put back in at five, we don't have to, we have until, if we want to wait a little longer, we don't have to adopt today; that's the point of having this discussion, if we want adoption today, we might want to put those numbers in it; if you want to put a number in; no, no, I don't think anybody is gonna __; I would like to keep it at 3.9 and I would like to just say that we we're looking for another $20,000.00; 20,000; __ that would make me comfortable ___ ; that's good, I like that; Jim my only comment on that is that if you have an engineer's salary, it's a recurrent thing as opposed to a one time project like Crescent Beach, a one time project points to the reserve, it's different than having a recurrent salary that you're gonna have to fund the following year; ___; so you're saying, put it in a line where it's gonna come back; well if we up from one hundred seventy-five to one hundred ninety-five, we're actually

after that twenty thousand we're taking reserve money to pay for an operating increase; right; right; but it would be an operating increase, not a one time, that's what he is pointing out; right, exactly, cause otherwise you've got to climb the wall again; right; right; that's a good point but you know what __ and go that route, it's not an earth shattering amount; who's taking a cut then; nobody is taking a cut; well that's what I mean, so you want to take more out of reserves; no, that's what I said, just one hundred seventy-five to one hundred ninety-five and then we keep it a 3.9; okay, so that works, I thought you had it up over four already; no; no; no.

At 1:33 p. m., Councilwoman Brach-Williams moved and Councilman Shepherd seconded to adjourn the public hearing. This motion was carried.

Dorothy S. Ogar
Town Clerk

November 8, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 8th day of November, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and ten persons were present.

The Supervisor called the special meeting to order at 1:33 p. m.

RESOLUTION NO. 486

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", pursuant to Section 108 of the Town Law, a public hearing was duly held on the 8th day of November, 2017, on the preliminary budget for 2018, at which time all interested persons had an opportunity to speak in favor of or in opposition to any and all items therein contained, and

"Whereas", this budget has been available for inspection by any interested persons at all reasonable hours, and

"Whereas", the Town Board has revised the preliminary budget, now, Therefore

BE IT RESOLVED, That the preliminary budget as amended is hereby adopted and declared to be the annual budget for the year 2018.

Roll Call Vote:	Councilwoman Lewis	aye
	Councilman Shepherd	aye
	Councilman Colligan	aye
	Councilwoman Brach-Williams	aye
	Supervisor Dougherty	aye
		5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilman Shepherd, the special meeting was adjourned at 1:35 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

November 17, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 17th day of November, 2017. Town Board members present were Councilmen Paul D. Shepherd and James T. Colligan, and Councilwoman N. Christine Lewis. Supervisor James D. Dougherty and Councilwoman Amber Brach-Williams were absent. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and sixteen persons were also present.

The Deputy Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

Correspondence included the following:

1. A letter from Jeanette Flynn resigning from her position as Clerk to the Committees effective November 28, 2017.

The Deputy Supervisor presented the following financial report for the month October, 2017:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
OCTOBER 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	3,408,162.10	136,137.51	718,251.98	2,826,047.63	774,222.73
Hwy Checking	476,417.31	4,792.47	132,896.26	348,313.52	
T&AChecking	129,373.40	90,128.66	25,910.94	193,591.12	15,482.69
T&A Savings	12,226.07	0.32	0.00	12,226.39	
Hwy Cap Res	333,991.62	8.78	0.00	334,000.40	
WNW Supply	25,039.21	12,364.38	4,726.40	32,677.19	110,565.19
Taylor's Island	40,299.58	5.12	0.00	40,304.70	
Comm Preser	4,519,378.48	267.59	646.82	4,518,999.25	3,604,561.95
Waterways	250,041.81	32,825.00	0.00	282,866.81	
Reserve Fund	710,877.45	5,573.36	0.00	716,450.81	
Bridge St Esc	0.00	0.00	0.00	0.00	354,996.66
Environmental	15,750.00	0.00	0.00	15,750.00	
FIT Ctr Reser	18,164.65	0.00	0.00	18,164.65	
Ambul Reser	301,732.98	17.87	0.00	301,750.85	
Ambul Train	29,333.65	0.77	0.00	29,334.42	
TOTALS	10,270,788.31	282,121.83	882,4332.40	9,670,477.74	4,859,829.22

RESOLUTION NO. 487

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That pursuant to the recommendation of the Superintendent of Highways, David Clark is hereby designated to serve as Provisional Crew Leader for the Highway Department retroactive to November 1, 2017.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 488

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That Alison Binder is hereby appointed to serve as Therapeutic Activities Worker for the year 2017, retroactive to November 1, 2017.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 489

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Richard Surozenski as a member of the Taylor's Island Preservation and Management Committee will expire on December 13, 2017, and

"Whereas", Mr. Surozenski has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Richard Surozenski is hereby re-appointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2020, and

BE IT FURTHER RESOLVED, That Mr. Surozenski is hereby designated to serve as Co-Chairman of said Committee for a term to run coterminously with his term of appointment.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 490

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of Carol Galligan as a member of the Taylor's Island Preservation and Management Committee will expire on December 13, 2017, and

"Whereas", Mrs. Galligan has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Carol Galligan is hereby re-appointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2020.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 491

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Dr. Charles Ihlenfeld as a member of the EMS Advisory Board will expire on December 31, 2017, and

"Whereas", Dr. Ihlenfeld has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Dr. Charles Ihlenfeld is hereby reappointed to serve as a member of the EMS Advisory Board for a term to expire on December 31, 2019.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 492

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Peter McCracken as a member of the EMS Advisory Board will expire on December 31, 2017, and

"Whereas", Mr. McCracken has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Peter McCracken is hereby reappointed to serve as a member of the EMS Advisory Board for a term to expire on December 31, 2019.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 493

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of Patricia A. T. Hunt as a member of the Taylor's Island Preservation and Management Committee will expire on December 13, 2017, and

"Whereas", Patricia A. T. Hunt has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Patricia A. T. Hunt is hereby re-appointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2020, and

BE IT FURTHER RESOLVED, That Patricia A. T. Hunt is hereby designated to continue to serve as Co-Chairman of said committee for a term to run co-terminously with her term as member.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 494

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Kathleen Renault as a member of the EMS Advisory Board will expire on December 31, 2017, and

"Whereas", Mrs. Renault has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Kathleen Renault is hereby reappointed to serve as a member of the EMS Advisory Board for a term to expire on December 31, 2019.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 495

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the term of Stephen Lenox as a member of the Taylor's Island Preservation and Management Committee will expire on December 13, 2017, and

"Whereas", Mr. Lenox has expressed his willingness to continue to serve in said capacity, now, Therefore

BE IT RESOLVED, That Stephen Lenox is hereby reappointed to serve as a member of the Taylor's Island Preservation and Management Committee for a term to expire on December 13, 2019.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 496

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds received in the amount of $940.00 from The Nature Conservancy as follows: $90.00 to the A3510.491 4 Poster maintenance account, and $850.00 to the A3510.422 4 Poster corn account.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 497

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Commissioner of Public Works has advertised for sealed bids from Marine Contractors to install approximately 225' of vinyl sheeting and CCA bulkhead and 197 feet of low profile vinyl sheeting and tie in concrete connection blocks to the existing concrete seawall on Taylor's Island south shore, and

"Whereas", the following sealed bids were received and publicly opened on the 20th day of October, 2017, as follows:

Costello Marine Contracting	total bid	$139,900.00
Shore Marine Construction Corp.	total bid	$155,500.00, and
Crowley Marine Contracting	total bid	$151,738.86, and

"Whereas", the Commissioner of Public Works and Town Board have reviewed said proposals, now, Therefore

BE IT RESOLVED, That the Town Board does hereby award the bid to Costello Marine Contracting for said installations for the amount of $139,900.00.

Vote: 3 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 498

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the governing body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described in the Municipal Lease Purchase Agreement presented to this meeting; and

"Whereas", the governing body of Lessee has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such Equipment, now, Therefore

BE IT RESOLVED, By the governing body of Lessee that the terms of said Municipal Lease Purchase Agreement are in the best interest of Lessee for the acquisition of such equipment, and the governing body of Lessee designates and confirms that the persons indicated below are authorized to execute and deliver the Municipal Lease Purchase Agreement and any related documents necessary to the consummation of the transaction contemplated by the Municipal Lease Purchase Agreement, and

BE IT FURTHER RESOLVED, That pursuant to Section 265(b)3(D) of the Internal Revenue Code, as amended, the governing body of Lessee hereby designates this Municipal Lease Purchase Agreement as comprising a portion of the $10 million in aggregate issues designated as "qualified tax-exempt obligations" eligible for the exception to the general rule of the Code which provides for a total disallowance of a deduction for interest expense allocable to the carrying of tax-exempt obligations. The governing body of the Lessee further certifies that it does not reasonably contemplate issuing more than $10,000,000 of "Qualified tax-exempt obligations", as defined in the Code, during the current fiscal year.

Vote: 3 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 499

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", a public hearing was duly held on the 27th day of October, 2017 on the proposed use of approximately $13,570.00 in federal community development block grant funds the Town of Shelter Island expects to receive in 2018, and

"Whereas", all interested Town residents expressed citizen views on local needs to be met with these funds, now, Therefore

BE IT RESOLVED, That the Town Board hereby determines that said funds shall be designated as follows:

$13,570.00 for handicapped accessible upgrades to the Town Hall entryway and/or parking lot lighting.

Vote: 3 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 500

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Section 170.15 of the Criminal Procedure Law, then acting Deputy Chief Administrative Judge Joseph J. Traficanti, Jr., on February 19, 2004, created a Drug Court Hub consisting of the Town and Village Courts for the Towns of East Hampton, Shelter Island, Southold, Southampton and Riverhead, and

"Whereas", said Drug Court Hub has been designated as the East End Regional Intervention Court, and

"Whereas", the District Administrative Judge, has assigned Town Justices Deborah Kooperstein, Helen Rosenblum, Andrea Harum Schiavoni and Allen M. Smith to serve the East End Regional Intervention Court, and

"Whereas", C. Randall Hinrichs, Administrative Judge will execute an order assigning Brian Hughes to serve on the East End Regional Intervention Court, and

"Whereas", pursuant to Section 106 of the Uniform Justice Court Act, the Towns of Southampton and Riverhead should designate the Town Justices to serve in those jurisdictions, now, Therefore

BE IT RESOLVED, That the Town of Shelter Island consents to Town Justices Deborah Kooperstein, Helen J. Rosenblum, Andrea Harum Schiavoni, Allen M. Smith, and Brian Hughes serving in the Riverhead and Southampton Justice Courts when sitting as the East End Regional Intervention Court at no additional compensation, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby directed to forward a certified copy of this resolution to Hon. Deborah E. Kooperstein, Southampton Justice Court, 32 Jackson Avenue, Hampton Bays, New York 11946, Hon. Helen J. Rosenblum, 1287 East Main Street, Riverhead, New York 11901; Hon. Allen M. Smith, 210 Howell Avenue, Riverhead, New York 11901; Hon. Andrea Harum Schiavoni, Justice Court, 32 Jackson Avenue, Hampton Bays, New York 11946; and Hon. Brian Hughes, P. O. Box 1179, Southold, New York 11971, and

BE IT FURTHER RESOLVED, That all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a copy of same may be obtained from the Office of the Town Clerk.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 501

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Jay L. Card, Jr., Superintendent of Highways, has requested permission to auction off certain equipment, now, Therefore

BE IT RESOLVED, That the Town Board does hereby declare the following quipment to be surplus:

2003 Dodge Durango, Vin# IJ4FJ68SITLI63902
2002 GEM Car, Vin# 5ASAG27462F025999
1997 Jeep Cherokee, Vin# IJ4FJ6855VL573587
1994 Ford Explorer, Vin# IFMDD34X7RUE64497
1995 Jeep Cherokee, Vin# IJ4FJ685ITL163902
The Read Corporation Screen Plant, Model # CV-40-D Serial #1506
Dodge D500 Water Truck, # 1561522830
2002 GEM Car 4 Seats, Vin# 5ASAG27472F026342
2002 GEM Car, Vin# 5ASAG27472F030418
ExMark Mower 72" cut, LZ27KC724 496050
ExMark Mower 72" cut, LZ27KC724 542744
1998 Chevy Small Dump Truck 4x4 w/9' Mixer Plow, Vin # IGBJK34F6WF047154, and

BE IT FURTHER RESOLVED, That the Town Board does hereby authorize the Superintendent of Highways to auction off the aforementioned equipment.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 502

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:40 p. m., prevailing time, on the 8th day of December, 2017, for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled "Cold War Exemption granted", to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Amend Chapter 115-24(C) of the Shelter Island Town Code, titled “Cold War Exemption granted” to read as follows:

§115-24. Cold War Exemption granted.

C. If a Cold War veteran receives the exemption provided under § 115-3, the Cold War veteran shall not be eligible to receive the exemption under this section. The exemption provided by Subsection A of this section shall be granted for a period of 10 years. The commencement of such ten-year period shall be governed pursuant to Real Property Tax Law § 458-b(2)(c)(iv). The exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners without regard to a ten year limitation.

Section 3. This law shall become effective immediately upon filing with the Secretary of State.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 503

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board hereby calls for a public hearing to be held at 4:42 p. m., prevailing time, on the 8th day of December, 2017, for all interested persons to be heard in favor of or in opposition to a proposed Local Law entitled Amendments to Chapter 129, Wetlands, Re: Septic Removal, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Purpose. The Town Board wants to encourage the removal and upgrade of septic systems currently located within 100 feet of the wetlands. Town, County and State codes prohibit the installation of septic systems within 100 feet of the wetlands so the replacement system would have to be located outside the Town's wetlands jurisdiction.

Section 2. Amend a portion of the chart in Section 129-2 Permit required, to read as follows:

	W/n 75'	75'-100'	Causeway zone
Septic (changes to existing)	NPR	NPR	CPR

Section 3. This Local Law shall become effective immediately upon filing with the Secretary of State.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 504

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved:

$400.00 from the A1490.122 Public Works double time personal services account, and

$1,500.00 from the A8160.451 Landfill C&D hauling account to the A8160.127 Landfill overtime personal services account;

$100.00 from the A1490.411 Public Works buoys and lifelines account to the A1490.409 Public Works beaches and parks account;

$700.00 from the A5010.440 Superintendent of Highways training account to the A5010.400 Superintendent of Highways office and miscellaneous account;

$329.44 from the A3120.271 Police Department boat equipment account,

$85.44 from the A3120.273 Police Department firearms and ammunition account,

$100.00 from the A3120.476 Police Department FOIL expenses account, and

$149.08 from the A3120.482 Police Department boat gas and oil account to the A3120.479 Police Department boat maintenance account;

$100.00 from the A3120.277 Police Department office equipment account to the A3120.484 Police Department office and miscellaneous account;

$2,767.25 from the A3120.113 Police Department personal services account,

$3,926.21 from the A3120.274 Police Department radio equipment account, and

$3,306.20 from the A3120.491 Police Department contracts account to the A3120.277 Police Department office equipment account;

$727.03 from the A3120.481 Police Department radio maintenance account to the A3120.485 Police Department car maintenance account;

$800.00 from the A3120.486 Police Department car gas and oil account to the A3120.270 Police Department car equipment account;

$160.00 from the A3120.486 Police Department car gas and oil account to the A3120.485 Police Department car maintenance account;

$2,500.00 from the A3510.422 Animal Control corn account to the A3510.498 Animal Control deer reduction management account;

$1,100.00 from the A4540.408 Ambulance building maintenance account to the A4540.484 Ambulance office and miscellaneous account;

$50.00 from the A6775.256 Residential Repair equipment account to the A6775.484 Residential Repair office and miscellaneous account;

$100.00 from the A6776.239 Silver Circle equipment account to the A6776.484 Silver Circle office and miscellaneous account;

$3,000.00 from the A7320.100 Youth Center personal services account to the A7620.400 Adult Recreation account;
$1,100.00 from the A8160.106 Landfill hazmat personal services account to the A8160.105 Landfill hazmat personal services account;
$900.00 from the A8160.437 Landfill contingency account and dispersed as follows:
$300.00 to the A1490.200 Public Works equipment account, and
$600.00 to the A1490.496 Public Works charging station account;
$1,000.00 from the A8160.442 Landfill purchase of bags account to the A8160.434 Landfill hazardous waste carting fees account;
$2,500.00 from the A8160.451 Landfill C&D hauling account to the A8160.200 Landfill equipment account;
$370.00 from the B8010.440 Zoning education and training account and dispersed as follows:
$150.00 to the B8010.484 Zoning Officer office and miscellaneous account, and
$220.00 to the B8010.485 Zoning Officer car maintenance account; and

BE IT FURTHER RESOLVED, That the following budget revisions are hereby approved:
$20,000.00 from the General Fund unassigned balance to the A1010.497 Town Board professional services account; and
$500.00 from the Waterways Fund balance to the A5710.400 Waterways Management contractual account.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 505

Councilman Colligan offered the following resolution, which was seconded by Councilman Reich, to wit:

BE IT RESOLVED, That general claims numbered 1836 through 1978 in the amount of $61,565.58, highway claims numbered 237 through 248 in the amount of $6,301.33, and West Neck Water claims numbered 37 through 38 in the amount of $249.83, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:48 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the application of Ronald Cyr, 1 Quail Hedge Lane, for permission to install a mooring in West Neck Bay approximately 300 feet northwest of shore of the Skydell property and approximately 200 feet west of the site of the W-1776 Skydell mooring, also designated as latitude 41.063483° north and 72.357967° west.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor called for a report from the Waterways Committee of the Town Board, which was as follows: Jimmy, what have you got; no it's just an approval, it's just a little rough time getting it pinpointing exactly where that mooring was going; right; but we eventually found the suitable site with those grid coordinates and it was approved unanimously by the WMAC; any questions on this mooring location from anyone; what I had last was that they were unresolved on the location, that they were gonna offer him what they had offered Bert; oh right; right, so is this the applied for position or is this an amended position; good question; good question; I'm noted for them; I guess we'll have to look at those coordinates again; he had this site before, many years ago and he wants to go back in the same spot; yeah; Mr. Cyr; Mr. Cyr, yes; I mean did you get called by Mr. Needham and; no; okay so we're just processing this thing right, I would hold on this; hold on it, okay; yes ma'am; ok, cause I don't think that that's been resolved, if these are the same numbers that were on the application, that didn't work for them and they were gonna dredge up what we had offered Bert, I don't recall that Bert had been in here and he said he wanted to wait and see if he got anything better; there's nothing indicated on the application; okay, so; so we hold; we should hold, yes; okay, we'll hold it open, so this hearing will be held open; yeah; so we'll hold it open until the next meeting; yes; I don't think there is any real pressure on it at this time of year; no there is not; Mr. Eklund can you, do you recall; I concur with your recommendation because we had decided that we had already denied somebody, so we

offered him a place in the grid in West Neck; right but last I heard, we hadn't heard yet; well I don't know, if Dottie hasn't heard anything from John; if Dottie don't know, nobody knows, right, okay, good enough, thank you Jimmy; okay then, this is held open for the next meeting; yes.

The Deputy Supervisor opened the hearing for all to be heard in favor of or in opposition. Some being no further views expressed, the Supervisor declared the public hearing closed at 4:52 p. m. and called to order the public hearing to be held as advertised on the proposed Local Law entitled SANITARY SYSTEM REBATE PROGRAM.

The Clerk noted the public notice as advertised in the Shelter Island Reporter.

The Deputy Supervisor requested an overview of the proposed law from the Town Attorney which was as follows: this will establish a low nitrogen sanitary upgrade program, it says that eligible property owners who upgrade or replace their existing sanitary system with an approved low nitrogen sanitary system are eligible for a rebate to reimburse for the cost of replacement so long as it's up to whatever the Town Board approves by resolution so long as the project does not result in the accommodation of new or additional growth, that is mandated by the enabling state legislation, it goes on to establish a rebate eligibility procedure where you submit an application to the Water Quality Improvement Project Advisory Board and then, who reviews it, once the application is complete they make, the Board makes a recommendation to the Town Board and then the Town Board decides whether to grant or deny a conditional rebate which would be subject to a number of conditions, the person then would proceed to go ahead, get their Health Department approval, install the system to the satisfaction of the Health Department's, submit their costs and then they're eligible to be reimbursed if they've satisfied all of the conditions up to the amount that the Town Board has authorized.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: just comments from last night's meeting, right Greg, so I'll put some comments from last night's meeting, first of all, thank you to the committee members who are here, you know you've done a yeoman's job putting this thing together, people get a little antsy, they want things done yesterday but I'll tell you, to be honest with you, I think all five east end towns have struggled with this, I think we were looking at other towns, seeing what they are doing, if we're doing a commendable job, the good news at last night's meeting, there were several people in the audience that were definitely interested in putting their applications forward, they're in the process, some of them were in the process of filling out their applications but as, I think if you were to go to a typical meeting of the WQIAB you would probably sit down and sit down as Greg well said last night, every time we address a certain number of questions that come out of the audience and say aha we might not have thought of that and maybe we need to think of that as well, things that came up last night and Greg you can add to that already, the committee members can add to that, was what about covering the cost, the upfront cost, things like test hole drills, corrected and update survey, decommissioning of your old septic, you know, how about, if existing leaching pools may be used, may not be used in the new septic design, so there were a lot of things, a lot of questions that people had about whether these costs were going to be covered or not covered and I think the committee responded very well back to them and I think James, I think you said it very well, I think you kind of said it to them if I remember it correctly, something like that, if it's necessary for the new septic to go in and it could be justified, then those things should be covered so definitely if you, you know, if you, and one of the interesting things came up last night from a young couple that had just bought a house a couple of years ago, they're now full time residents, I won't mention their name but the house was built in 1933, they had a little problem of where the septic was and where the well was and it doesn't meet the 150 feet minimum and they were, it may involve them of having to move the well as well, play on words but they were asking about that, what happens if Suffolk County Health Department requires us to move our well because we're not that one hundred fifty feet so these are questions that constantly arise that the committee wrestles with, I think the Town Board was excited about the opportunity to get the program up and running, I think we're supportive of all the initiatives that you have given us this far, including the piece of legislation that you have today and you know, you guys have anything from last night's meeting that, I mean there were several members of the audience that talked about maybe the process being a little bit more clear and step by step kind of you know step one, step two, step three kind of thing and maybe as this unfolds we'll be able to simplify the process and make it a little easier, the second thing they said is they

questioned why the Town Board is involved in requiring the Town approval and I think the committee stated again, you know they initially __ when we deal with the first few of these that they didn't feel adequate, that they wanted that responsibility you know of approving or disapproving them and that they wanted to put that to the Town Board, I don't think as a Town Board we had a problem with handling these things initially, if we find out that we're getting dozens and dozens of these requests and it becomes overwhelming, that's where the Town Engineer comes in, hopefully we'll have a full time Town Engineer, they'll be able to help us a little bit with some of this stuff, not that the private engineers that are hired by them will also play a key role and the last request was that it not become a political football and I think that the committee handled that question well, nobody has any agenda as far as this is concerned, our number one goal here is to improve water quality and that's why we're doing this, you know it was a good vote last year, last November, fifty-three, fifty-four, fifty-three weeks ago and we're thankful we have the money, we don't want to just go into it, just for the sake of spending 44,000 dollars right away but we're taking it piecemeal, we're doing the best job we can under the circumstances and we're trying to learn from other towns, what's unique with this town and we're trying to address some of these individual questions as they surface, I don't know if I said that the way it kind of went down last night, if any committee members have anything else you'd like to; one thing I would like to add, in advance of this meeting the committee submitted a number of recommendations for __ modifications in the draft legislation that was initially published in the newspaper; right; and I just wanted to go through and let everybody know what the proposed changes would be; okay; so they changed the legislative intent to say it would encourage the voluntary upgrade of replacement of sanitary systems; right; that for eligible property owners would clarify that it's all owners of residential property within the Town of Shelter Island served by a septic or cesspool waste system, obviously not somebody in the Heights that is on the Heights sewer treatment plant that we made some modification in the rebate eligibility procedure, that Section A was moved down which involved applying for your septic registration permit was put closer to the end because you would get your conditional approval and get your Health Department and then you'd be applying for the rebate permit, so that was moved around and then it was clarified that upon receipt of all documentation, after the work was done, the Water Quality Improvement Board would recommend the issuance of a rebate for approval by the Town Board as opposed to the way it was originally set up and those were the changes that we incorporated; that's a good recap and the one thing that came up last night Laury on the first page under 88-2, low nitrogen sanitation system upgrade rebate program B, bravo; right; on the second line it said upgrade/replacement including and then somebody and I don't know if the committee voted on this but not limited to equipment, labor, materials and so on, is that okay that we add that wording; yes; but not limited to, okay, but not limited to, alright, right after the word including; is this __ including the __ Suffolk County and the Town regulations; no but I didn't, it doesn't have it only because I didn't think that we needed to spell that out obviously, I thought; just do it; of course you can do it; we're allowed to just do it and by your adopting this; but if you want it we can definitely include it, you did have a clause in there that said that if you got two grants, Suffolk County pays all the first costs up to the amount of their grant and we pay the second, we could conclude that if that's the way you want to have it; it wouldn't be a bad thing because several people last night at the meeting said that they wanted to go that route, they wanted to try you know, Suffolk County and Shelter Island so that would, I think it's a step in the right direction to be honest with you; there's nothing; one of the the things, one of the reasons why that's in there is that we know people are looking to get, what they, many times they may have to be paying the contractors and they're looking to get a rebate as quickly as possible and Suffolk County, the Department of Health is the lead agency here; right; in my mind I'm thinking that you get, you know you go into your office and you say, they put the green stamp, they say congratulations you're now legal, they go across the hall and they say please give me my, send me my check now, look I have this thing versus our procedure where __ larger amount that's being authorized and we would have to go back and find out how much did they pay, how much did we pay, this is much cleaner, very few applications are probably gonna come in under $10,000.00 so they'll be the lead agency, they pay, they pay their portion of it which is the $10,000.00; up to 10,000; and it's incumbent on our committee, our advisory board; right; to come back and say okay you got, it cost you 16,500, you got 10,000, we'll review another 6,500, not the other way around where now all of a sudden if we pay $15,000.00, now they've got to go back to the County and go through all sorts of rigmarole and I think it would be a problem, logistically it's cleaner having the County pay first, the money comes to the homeowner quicker; right; there's nothing in our process that screws that up, right, hopefully; not that I know of; you have to find out; we got a certification, a formal notification

from the County saying yes you can apply for both; okay; __ so we have twp of the four approved systems, we've gone through this process with Southampton where it's a set grant and that it's a Town grant, the way the process works, the County pays all the way at the end, the manufacturer, the $10,000.00 grant, they sent 7,500 to us at the end and __, we're also required to be the installer, the 2,500 goes directly to the design professional, then what happens is, we don't extend credit to a homeowner, right, so if a homeowner has a County grant and they have, I'll use Southampton as an example, a Southampton rebate, they write us a check for that difference so if it was used, I'll use the example 16,500, there's 10,000 from the County, that other 6,500, they would have to write us that check, then they turn around and they submit to Southampton and/or East Hampton and however you guys do your final decision here; right; they submit a paid invoice which we have to give them a notarized certified detailed invoice that can be used for the County and for you at the Town; thank you; it's a cumbersome process; right; for that homeowner, you know obviously they're getting a grant so they go through it; right; one thing we should probably note is that this, what we're doing here does not represent the totality, the possible funding from CPF funds for water improvement; that's true; right; this is a very limited grant program with the idea; specifically targeted at homeowners, okay; low nitrogen __, much broader; now we have several other things on the list, drainage issues and things like that. are the same people going to be reviewing those types of projects or they don't need this because there's no rebates situation involved or; well there would be rebates; there would be; but is the County offering them rebates for them as well or those are for us; as far as I know, not; okay so that wouldn't be involving the County so much; but this is limited in the scope to the purpose of moving it forward; understood; with the idea being we will be adding to this; right; right; and we're gonna be adding those other things, do you think that is how we should roll; I do; okay; we have drafts of the other four categories; right; we have drafts in place; I remember that; they're, you've seen the rough drafts and actually ___ crazy ___, they were worried about them and I understand __ clean them up; and to your credit they kept getting smaller; no, they were worried they were rough and I understand we'll clean them up; and to your credit they kept getting smaller; yes; that's worth something because that's not the usual; are there questions from the audience; can I have a few minutes; can we stop you Gordon; I want to make a few statements and if there are questions afterwards I'd be glad to address them, first of all, my name is Gordon Gooding, I live in Hay Beach, I've had a home here on the Island since 1984, I represent myself here this evening, no committees, no organizations, I spent a lot of time thinking about this program that's in place, so I'd like to read a couple of comments that I have into the statements, first of all, I am completely in support of the twenty percent referendum that passed last year, it comes out of the preservation funds, I also believe the septic systems are also part of the problem but I also believe the problem is bigger in the septic systems, okay, giving money to a limited number of individuals on the Island does not address the major issues and neither is it a plan, I don't believe this is a plan, okay, I've discussed my concerns with various people and some community members so this is not a surprise that I'm talking vocally about this issue okay, the committee was charged okay with spending $440,000.00 for water quality out of the CPF fund, but it has been a spend it or lose it directive, there's been a lot of pressure at least in my opinion okay let's get these things in, otherwise we lose the money, I've heard those expressions over and over again, the, it's spend or lose directive, okay, is the rebate program; my questions are, is this rebate program truly do enough to improve water quality, by adopting or approving this rebate system limit our ability to put WQIP monies into other intensive projects in the future or, I'll continue with that in a little bit, new houses, major renovations with old style systems are being built annually, probably in larger numbers that the existing systems can be upgraded between the renovations okay, using CPF money as a guideline, if we had fifty between renovations and new homes, fifty permits per year, if 400,000 was distributed into rebates at a cost of 15,000, we could only accommodate, if all that money was spent, we'd only be able to accommodate twenty-seven upgraded septic systems so you know, so what we're really doing is we're not even keeping up the space, up the speed with new construction that's going on or renovation construction that's going on and then another part is that we have these homes that are being built with conventional systems as we sit here right now, so will these new homes be eligible for rebates in the future so we give a rebate program, we have new construction going on where there's no requirements, there's no standard, there's no criteria at this time, so are they gonna be, now we're gonna have new homes that are later on gonna come forward and then want to apply for the rebates, that's the question that I ask okay, the committee has made a proposal to spend money as directed and I do not, I believe they've done their job as a committee but I believe the Town has to live up to its part which is completing th e process, it's not just about septic systems, it's about overall water quality, there

seems to be in my mind okay, a disconnect from granting rebates for septic systems and not requiring new construction and major renovations to have septic upgrades at the same time meaning, if we had legislation and we were taking care of the new construction, I'd say, I wouldn't be here, I wouldn't even be discussing this okay, so the question is what could the Town do, the Town needs to have some enforceable guidelines to prevent future pollution, stresses on our aquifer from things like shoreline construction, dwellings with multiple bathrooms, pools, sprinklers and so forth and examples I could give are many but even with Montclair Colony, even a year ago we went through all that new construction with that big house, we knew these problems were existing okay but we really have not addressed them okay and yet we're moving forward with rebates for upgrading existing systems, there needs to be a septic and a water guideline for inland construction as well, there needs to be a Town system for checking the quality of checking existing septic systems and wells, especially when there's a change of title meaning a sale of a home okay, new homeowners should not have to unknowingly deal with the lack of water issues or failing septic systems that some homeowners have done okay, my other concerns are the priority of individual septic systems versus focusing on larger projects, I know that we've been talking about residential but there are major projects and there are major problems in the Town that have to be addressed okay, for example the contamination of creeks, ponds, bays, that affects the quality of water for habitat, fish, wildlife, and an example would be Fresh Pond okay, we've talked about it, it's been beat around but we don't have a plan in place okay, we know that the pollution of our waterways needs to be addressed, the monies from this program could go a long way towards addressing this issue and other aquatic habitat concerns, two would be improving waste discharging systems from the Bridge Street area, might have a greater impact on the waterways than improving a few septic systems, three would be finding a way to improve waste discharge in high use areas like the school where they serve a greater number of people and they have more of an impact on our groundwater, the examples, this is really, there's no simple solution here, this is a very complex problem okay and so there really isn't a simple solution, the solution going forward may be that that we're missing the expertise on what we're trying to accomplish, our committee members are volunteers, the Town, the current Board, everybody means well but we don't even have an engineer on staff okay and this has been going on for six months yet we're implementing things that are really technically oriented, way beyond my capability and I guess what I'm, that's one of the concerns that I have that we're moving forward with things when we don't have expertise in place okay, my recommendations okay would be to use some of the funding to hire appropriate experts in the field who will help the committee and the community to truly explore and analyze the existing future of water quality problems, developing a comprehensive plan to be implemented, a commitment to account you to __ an action plan, this should be, this plan should be our road map for the future, particularly setting the direction for spending funds, we need, it's more than, what I'm trying to say is it's more than just individual, fifteen septic systems, we need a plan okay, passing legislation that addresses septic and water quality issues related to new construction, major renovations and title changes which is through home sales can be done, as I have explored many of the other islands that are very similar to Shelter Island, they're not all exactly the same, they are, I was gonna bring in just to show you the regulations, not regulations but the standards and what they're doing in islands similar to ours where they have all, they have good common sense, plans that are in place, we don't have a plan, if the rebates are adopted this year, what do we do next year, will the commitment to pay rebates restrict our ability to use future funds for other larger water quality issues, I don't know the answer to that, the truth is if the money is not spent this year because we're not exactly ready, it's not lost, it goes back to the community preservation fund and we know that open space is one of the best improving methods for protecting our groundwater, I, my feeling is that everybody means well, I just think that we need help, that's my statement, we need somebody who, with these models already in place, we talk about all the different septic systems, well other states have them in place, we need somebody to help us get through this space, everybody is doing the best they can but I don't think we have the tools; can we have a quick time out here just to give us a chance to respond, you said a lot and I think the audience has said a lot, we've heard a lot, I don't disagree with a vast majority of the things you've said, I think the idea of having a road map and a larger plan and a comprehensive plan with the expertise and the engineer support is a good one, I'm not so paranoid, I think you, I don't see us making this huge commitment to individual septic, we're trying to get this thing up off the ground, trying to get it going a little bit, trying to wet the appetite, trying to put it on the island and get that going, I do believe that within the coming year and I handed out two weeks ago, something about looking at goals for the the next year for the Town Board, one of them would be exactly, that developing a plan with a Town Engineer and trying to prioritize some

bigger projects that have broader impacts on the environment than just individual septics, I don't think that you have to divorce the _, I think it has to be one versus the other, I think that two of them can move along and we prioritize this as we go, we're learning as we go but I don't disagree with some of the comments that you've made; can I respond to you; yeah; the referendum was last November; yes; it passed; yes; you formed the committee; yes; they spent all this time doing this, my question is, what has the Town done to implement, do some of the things like water quality, if this 400,000 was in the general fund or was coming out of your budget, you would look at this a whole lot differently okay and that's really where I'm coming from, again I think the program is good, we don't have an action plan and I think we need the expertise; alright; and we're making decisions for the last six months when we haven't had an engineer on board; Gordon where would you apply the expertise; where would I; where would you apply it; handling the issue of septics, water, wells, the whole thing; so you're talking about a generally expertise rather than specific flaws you see what's going on; I'm talking about the waste management individual, somebody who understands the septic systems, what's going on in all the other states, why must we reinvent the wheel here, this technology, this is not new okay and like the simple thing of the sale of homes, what's wrong, why can't you implement a house that changes title, it's a two million dollar house, it's on the waterfront, why couldn't you just implement something relative to; I think that's part of the master plan, I think the first thing that you wanted is step number one, step number one is all new construction and anything involving fifty percent or more increase in living space, that's step one, step two and three and four down the road is part of a master plan that; that's only a housing issue Jim, what about Bridge Street, what about; Fresh Pond is something by the way, you brought it up and I'll have a response to it, the Board has, thank God the people around Fresh Pond, those eighteen or twenty homeowners have formed an association, they've actually started to do some work on their behalf, we're looking to marry up with the Fresh Pond Association in order to improve the water quality in Fresh Pond, we weren't willing to do it alone, thank God that the people that lived around the pond were willing to come together and be part of the solution, again should be part of a master plan, I don't think that we've set; we're part of the comprehensive plan, some of these items were there in the comprehensive plan to begin with; correct; buy you know, to ask a community to form an organization over Fresh Pond, how long did we know that these issues were existing; correct; we knew it all along but what did we do, we say well you bring your committee and you put your proposal together, we'll take a look at it, we'll either pass it on; now really, that's what I'm dealing with; I think you made your point and I think one of the things when you brought up comprehensive plan, again it was on the list that I shared with the Board members is to resurrect the 1994 comprehensive plan and update it because to be real hones with you, the document needs to be updated, it was updated in 2008 and nine and never adopted by the Town Board, we need to look at why and what revisions were in that plan to move forward, obviously there is, there needs to be work, you pointed out some of the shortcomings of some of the challenges that we have for 2018, we welcome the challenges and we're looking to take those on, that's all I can tell you, it's not gonna happen over night but we're gonna work towards it believe me, hopefully with new leadership we're gonna move in that direction; any other questions; so you're saying basically Gordon that you think that the money, you're concerned that we're gonna be over committed to this relatively small impact kind of stuff; see, this is something that I have no control over but it is something that did get in my _, you know in New England, these are not rebates, they're not free money, they have loan programs for these things based on criteria of where you live, how much money you make, all these other things, we have no criteria, a millionaire applies for a $15,000.00 rebate, a guy who is struggling over at another part of the Island, he's got the same thing, I don't know about that, I really don't know about that and then the other question is with the technology part, just reading about something in Nantucket where they were talking about a flood zone where these innovative systems, there's a whole criteria that goes on along the waterfront because they have to be elevated to a particular thing, I mean, and then we keep using as a Town, we say well the Board of Health, __ Board of Health approval but we can create a different standard, what works for the rest of the stuff in Suffolk County, we can create different types of standard, what do they call three feet below the, when you put a pool, there's only three feet before the water level, all these other towns, they have five, six feet and when you have all these low lying areas, Silver Beach, all these areas, I mean these are really the things that need to be looked at, particularly with new construction you can correct, you can definitely correct this, I didn't talk about St. Gabe's but wouldn't that be a crime if St. Gabe's along and as a new development and they put in these new homes and they put conventional systems in and then they come knocking at the Board and they say I'd like to put my application in for an upgrade, two years from now, I don't think that makes sense and I

struggle with it; I think the committee and that's why we have a committee by the way and I think if the people that sit on the committee, I'm not speaking for you but I think they're looking at the thirty year old and the thirty-five year old septics and they're looking at the priority, they will prioritize those things; and with the sale of homes, a simple thing, the sale of homes would clear everything; right; it would clean up everything but you have to have the will; you used the number fifty, it actually is around forty homes per year that are actually brand new construction or fifty percent or more but it does add up, in ten years, it's four hundred homes that could be impacted if the Town Board passes that, we were waiting for Suffolk County to do this, which they promised they were gonna do July first and they put it on the back burner and why, and I said it last night, without a reasonable explanation of why they did it but we were just kind of waiting but maybe we shouldn't wait; but Suffolk County is not, you can __; we understand that, we understand that and we will look into that; I thank you for your time and I hope, I'm looking to encourage a plan, that's what it's all about, that's really, it's not about, it's more than just money and I'm just saying to you, I was at your meeting last night, I listened to the young couples talk about this issue, there are things that are still up in the air, it's not that, we're not losing any money, we've lived this long, we're into November, we're into the holiday season, I'm just saying to you, wouldn't it be better to roll out a real plan that takes care of new construction, renovations and then also you play on top of that, upgrading systems, well how smart that looks, but this I struggle with because; you don't think you can build on this and create the same thing; you can certainly build on it but you look at our housing today, if we had forty homes and if we used all 400,000, we only took care of twenty-seven systems and then so really you're behind, you're still catching up; __ changing your codes __ not one simple issue; but we knew these issues, when these issues were developing in other parts of the Island where we're building these big mcmansions on the waterfront, __ septics came front and center with irrigation, I mean these are all, the irrigations part of it, look you've got Dering Harbor who the mayor sends out a letter to the, because of the their water issues, please don't use your irrigation okay and this is all, it's not simple, this is a complicated thing, it's, I just think we could just use the expertise, take somebody, these other townships like Nantucket, they've already done these things, I'd like to see some of this money used for the expertise; we hear you, we got it, we got the message, thank you.

The Deputy Supervisor declared the public hearing closed at 5:28 p. m. and reconvened the regular Town Board meeting.

RESOLUTION NO. 506

Councilman Colligan offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", a public hearing was duly held on the 17th day of November, 2017, on a proposed Local Law entitled SANITARY SYSTEM REBATE PROGRAM, and

"Whereas", all interested persons were heard in favor of or in opposition to said proposed local law, now, Therefore

BE IT RESOLVED, That Local Law No. 13 - 2017 entitled SANITARY SYSTEM REBATE PROGRAM, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

SECTION 1. Legislative Intent.

This legislation is intended to establish a rebate program to encourage the voluntary upgrade or replacement of sanitary systems identified as potential sources of nitrogen pollution in the Town's surface waters and sources of drinking water (the aquifer).

SECTION 2. Amendment

The Shelter Island Town Code is hereby amended to add a new Chapter 88 (Low-Nitrogen Sanitary System Rebate Program) as follows.

CHAPTER 88: Low-Nitrogen Sanitary System Rebate Program

§ 88-1. Definitions.

Approved Costs - those costs associated with the upgrade/replacement of a current sanitary system with a Low-Nitrogen Sanitary System including equipment, labor, materials and excavation directly related to the removal of the current sanitary system and/or installation of the new Low-Nitrogen Sanitary System, which have been reviewed by the Water Quality Improvement Advisory Board and are deemed to be appropriate and necessary for the replacement of the particular system on the specific property . In determining whether a cost is appropriate and/or necessary, the Water Quality Improvement Advisory Board will consider the usual and customary costs

of certain equipment, materials, and labor, as well as any characteristics of the property that may aid or hinder the replacement.

Eligible Property Owners - all owners of residential property within the Town of Shelter Island served by a septic or cesspool waste system.

Low-Nitrogen Sanitary System - any sanitary system that has been approved by Suffolk County Department of Health Services that has shown to reduce nitrogen levels to 19 milligrams or less per liter, until such time as Suffolk County Department of Health Services approves a sanitary system that reduces nitrogen levels to 10 milligrams or less per liter at which time that will constitute a Low-Nitrogen Sanitary System and the previous systems reducing to 19 milligrams or less will no longer constitute a Low-Nitrogen Sanitary System.

§88-2. Low-Nitrogen Sanitary System Upgrade Rebate Program:

A. Eligible property owners who upgrade/replace their existing sanitary system with a Suffolk County Department of Health Services approved Low-Nitrogen Sanitary System, are eligible from the Town of Shelter Island for a rebate to reimburse for the cost of such replacement so long as the project does not result in the accommodation of new or additional growth.

B. The rebate will be for the reimbursement of approved costs associated with upgrade/replacement including but not limited to equipment, labor, materials and excavation directly related to the removal of the existing sanitary system and/or installation of the new Low-Nitrogen Sanitary System. The Town Board, by resolution duly adopted from time to time, shall establish the amount of the rebate.

C. Shelter Island rebates can be used in conjunction with County rebates for approved new Low-Nitrogen Sanitary System expenses. The Suffolk County rebate is the primary rebate and will provide funds up to the maximum they have authorized. Verified expenses in excess of the county rebate would then be covered by the Shelter Island rebate up to the maximum amount authorized by the Town Board in the Conditional Rebate document. In no circumstance applicants may receive more than the total cost of the project.

§ 88-3. Rebate Eligibility Procedure

A. Eligible property owners must submit a rebate application to the Water Quality Improvement Advisory Board providing the information necessary to process the rebate. Such information shall include, but is not necessarily limited to: the current sanitary system on the property; the proposed sanitary system; current location of the sanitary system; proposed location of the replacement system; a letter from an engineer certifying retention to design and obtain permits for a low-nitrogen system for the owner; and any other information required.

B. Once an application is complete, the Water Quality Improvement Advisory Board shall make a recommendation to the Town Board on whether a rebate is appropriate.

C. Upon receipt of this referral, the Town Board shall grant or deny a conditional rebate approval by resolution, identifying conditions which applicant must satisfy including the replacement of the sanitary system within six months of the conditional approv al. The Water Quality Improvement Advisory Board has the discretion to issue an extension for good cause shown.

D. The Applicant's engineer must then design the I/A system, obtain Suffolk County Health Department permits, obtain a Shelter Island Septic Registration Permit, and install the I/A system.

E. Once the upgrade/replacement of the sanitary system is complete, the eligible property owner must submit to the Water Quality Improvement Advisory Board, a Suffolk County Department of Health Services WWM-073 Form including green stamped plan (if available) and a notarized certification from the contractor who performed the upgrade/replacement which must include:

(1) That the upgrade/replacement of the sanitary system was performed in compliance with the requirements of the Suffolk County Department of Health Services; and

(2) A statement or receipt detailing the actual costs for equipment, labor, materials and excavation directly related to the removal of the current sanitary system and/or upgrade/installation of the new Low-Nitrogen Sanitary System.

(3) Upon receipt of all documentation required under this section, the Water Quality Improvement Advisory Board shall recommend the issuance of a rebate up to the amount applicable for approved costs, for approval by the Town Board.

§ 88-4. Funding

Funding for the Low-Nitrogen Sanitary System Rebate Program may be provided as a water quality improvement project under Chapter 50 of the Town Cod e. Payment of rebates shall be subject to availability of funding under such project.

SECTION 3. Authority.

The proposed local law is enacted pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3) and Town Law §261.

SECTION 4. Severability.

If any section of 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 immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 507

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED by the Town Board of the Town of Shelter Island that the Low Nitrogen Sanitary System Rebate authorized by Chapter 88 of the Town Code is hereby established at an amount of up to $15,000 of appropriate and eligible expenses, subject to modification from time to time pursuant to Section 88-2(B).

Vote: 3 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilwoman Lewis, the meeting was adjourned at 5:32 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

December 8, 2017

The regular meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 8th day of December, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar, Deputy Town Clerk Sharon O. Jacobs and six persons were also present.

The Supervisor called the meeting to order at 4:30 p. m.

Salute to flag.

RESOLUTION NO. 508

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the term of Douglas Matz as a member of the EMS Advisory Board will expire on December 31, 2017, and

"Whereas", Mr. Matz has expressed his willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Douglas Matz is hereby reappointed to serve as a member of the EMS Advisory Board for a term to expire on December 31, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 509

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", the term of Mrs. Marian Brownlie as a member of the EMS Advisory Board will expire on December 31, 2017, and

"Whereas", Mrs. Brownlie has expressed her willingness to continue to serve the Town in said capacity, now, Therefore

BE IT RESOLVED, That Mrs. Marian Brownlie is hereby reappointed to serve as a member of the EMS Advisory Board for a term to expire on December 31, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 510

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the last day of service for Catherine Davidson as Recreation Leader for the after school program was November 17, 2017, now, Therefore

BE IT RESOLVED, That Catherine Davidson is hereby appointed to serve as Assistant Recreation Leader for the year 2017 for the after school program retroactively to November 27, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 511

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the last day of service for Kelci McIntosh as Recreation Leader for the after school program was November 17, 2017, now, Therefore

BE IT RESOLVED, That Kelci McIntosh is hereby appointed to serve as Assistant Recreation Leader for the year 2017 for the after school program retroactively to November 27, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 512

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That effective December 1, 2017, Deborah Brewer is hereby appointed to serve as Assistant Recreation Leader for the year 2017 at the rate of $20.00 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 513

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That effective December 1, 2017, Julia Weisenberg is hereby appointed to serve as Recreation Aide for the FIT Center on an 'on-call-as-needed basis' for the year 2017 at the rate of $16.66 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 514

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That Judith Lechmanski is hereby appointed to serve as Clerk in the Receiver of Taxes Office for the year 2017 at the rate of $21.39 per hour.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 515

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", pursuant to Section 30 (1) (h) of the Public Officers Law, a Town officer must sign and file a constitutional oath of office within 30 days after the term of office begins, and

"Whereas", on October 27, 2017, Peder Larsen was reappointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2019, and

"Whereas", Mr. Larsen has not yet signed and filed said constitutional oath of office, and

"Whereas", the Town Board desires to have Mr. Larsen continue to serve the Town of Shelter Island in said capacity, now, Therefore

BE IT RESOLVED, That Peder Larsen is hereby reappointed to serve as a member of the Conservation Advisory Council for a term to expire on September 20, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 516

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", an agreement has been reached between the Town of Shelter Island and the Shelter Island Highway Benevolent Association, Inc. pursuant to a Memorandum of Agreement dated November 22, 2017, now, Therefore

BE IT RESOLVED, That the Town Board hereby ratifies that stipulation and authorizes the Supervisor to sign a contract with the Shelter Island Highway Benevolent Association reflecting the stipulation for the period running from January 1, 2017 to December 31, 2019.

Vote: 4 in favor 0 opposed 1 abstain (Councilwoman Lewis abstained)

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 517

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Lori Beard Raymond was hired by the Town of Shelter Island on June 6, 2016 and began her employment on June 13, 2016, and

"Whereas", post retirement benefits information was not included in her benefit employment package, now, Therefore

BE IT RESOLVED, That the Town Board hereby agrees that Ms. Beard Raymond will be eligible for post retirement health insurance benefits after ten consecutive years of service with the Town of Shelter Island.

Vote: 3 in favor 1 opposed (Councilman Shepherd voted nay) 1 abstain (Councilwoman Brach-Williams abstained)

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 518

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the annual meeting of the Town Board of the Town of Shelter Island will be held at 1 p. m., prevailing time, on the 28th day of December, 2017, for necessary transactions of the Board, and

BE IT FURTHER RESOLVED, That the Organizational Meeting for the year 2018 will be held at 1:00 p. m. on the 2nd day of January, 2018, in the Shelter Island Town Hall, Shelter Island, New York.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 519

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to return the fee of $50.00 to The House on Chase Creek, for one unused parking permit for the year 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 520

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", pursuant to Section 3 of the lease agreement between the Presbyterian Church and the Town concerning the operation of the Senior Nutrition Program, the Town was notified that the rent was to be increased, now, Therefore

BE IT RESOLVED, That effective January 1, 2018 the rent to be paid to the Presbyterian Church is hereby increased from $1,417.80 per month to $1,517.80 per month.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 521

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", a Contract for Shared Engineering Services between the Town of Shelter Island and the Town of Southold has been negotiated and agreed upon for services provided by one municipality for another municipality that is consistent with the purposes and intent to include the renting, exchanging or lending of engineering services, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the aforementioned Contract for Shared Engineering Services, and

BE IT FURTHER RESOLVED, That this contract shall expire five years from the date of signing unless either party chooses to terminate early.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 522

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", a program for electronic payment of franchise fees and electronic notice of routine required notices has been initiated to better serve local franchising authorities, and

"Whereas", Frank Alleva, Director of Government Affairs has circulated a consent form to the Supervisor for approval for the Town of Shelter Island to participate in said program, now, Therefore

BE IT RESOLVED, That the Town Board does hereby authorize and direct the Supervisor to execute the consent for to allow electronic transfer of funds for the Town.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 523

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to advertise for sealed bids for the purchase of propane for the Town of Shelter Island for the calendar year 2018 for the Police Department, Town Hall Complex, Hall of Justice and ambulance building.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 524

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to advertise for sealed bids for the purchase of fuel oil for the Medical Building, Highway Department building and the Legion Hall for the year 2018.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 525

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $589.61 from the A1355.491 Assessors' support contracts account and $297.32 from the A1330.484 Receiver of Taxes office and miscellaneous account to Carr Business Systems, P. O. Box 28330, New York, New York 10087-8330 for the one year copier maintenance agreement for the term November 12, 2017 through November 11, 2018.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 526

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $458.59 from the A1220.491 Supervisor's contracts account to Carr Business Systems, P. O. Box 28330, New York, New York 10087-8330 for the annual maintenance of the copy machine in the Supervisor's office for the period October 14, 2017 through October 13, 2018.

Vote: 5 in favor 0 opposed
The resolution was thereupon declared duly adopted.

RESOLUTION NO. 527

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved:
$3,000.00 from the A1015.200 Media equipment account and dispersed as follows:
$1,000.00 to the A1015.400 Media office and miscellaneous account, and
$2,000.00 to the A1015.404 Media technician account;
$400.00 from the A1110.106 Justice Court personal services account to the A1110.410 Justice Court interpreter account;
$526.00 from the A1220.200 Supervisor equipment account, and
$300.00 from the A1220.491 Supervisor service contracts account to the A1220.484 Supervisor office and miscellaneous account;
$1,000.00 from the A1355.492 Assessors seminars and travel account to the A1355.484 Assessors office and miscellaneous account;
$9,845.00 from the A1490.124 Public Works interns personal services account and dispersed as follows:
$1,900.00 to the A1490.425 Public Works non highway tree maintenance account,
$1,350.00 to the A1490.496 Public Works charging station account,
$5,580.00 to the A1490.497 Public Works professional services account, and
$1,015.00 to the A8160.497 Landfill professional services account;
$587.47 from the A1490.420 Public Works signs and signals account, and
$134.00 from the A1490.422 Public Works dredging account to the A1490.409 Public Works beaches and parks account;
$305.00 from the A1490.422 Public Works dredging account to the A1490.200 Public Works equipment account;
$500.00 from the A1620.276 Buildings computer equipment account to the A1620.476 Buildings computer services account;
$2,000.00 from the A1930.400 Judgments and Claims account and dispersed as follows:
$1,500.00 to the A1010.484 Town Board office and miscellaneous account, and
$500.00 to the A1010.495 Town Board printing and advertising account;
$500.00 from the A3120.278 Police Department first aid/safety equipment account to the A3120.484 Police Department office and miscellaneous account;
$1,000.00 from the A3120.486 Police Department car gas and oil account to the A3120.485 Police Department car maintenance account;

$2,200.00 from the A4540.422 Ambulance food account and dispersed as follows:
$1,000.00 to the A4540.408 Ambulance building maintenance account,
$1,000.00 to the A4540.445 Ambulance utilities account, and
$200.00 to the A4540.484 Ambulance office and miscellaneous account;
$400.00 from the A6772.440 Nutrition Program maintenance account to the A6772.484 Nutrition Program supplies and rent account;
$4,000.00 from the A7320.100 Youth Center personal services account and dispersed as follows:
$500.00 to the A6778.485 Senior Recreation account,
$1,000.00 to the A7320.423 Youth Center electricity account, and
$2,500.00 to the A7620.400 Adult Recreation account;
$270.00 from the A8160.108 Landfill hazmat personal services account to the A8160.105 Landfill hazmat personal services account;
$597.70 from the A8160.129 Landfill double time personal services account, and
$25.00 from the A8160.495 Landfill printing and advertising account to the A8160.127 Landfill over time personal services account;
$45.00 from the A8160.200 Landfill miscellaneous equipment account to the A8160.488 Landfill high visibility clothing account;
$2,030.00 from the A8160.433 Landfill solid waste carting fees account to the A8160.435 Landfill hazardous waste facility maintenance account;
$10.50 from the A8160.437 Landfill contingency account to the A8160.484 Landfill office and miscellaneous account;
$200.00 from the B3620.485 Building Inspector car maintenance account to the B8010.485 Zoning Officer car maintenance account;
$10.00 from the B3621.492 Building Permits Examiner education and training account to the B3621.484 Building Permits Examiner office and miscellaneous account;
$3.00 from the B8710.200 Conservation Advisory Council equipment account to the B8710.484 Conservation Advisory Council office and miscellaneous account;
$250.00 from the DA5130.441 Highway machinery fuel account to the DA5140.481 Highway safety gear account; and

BE IT FURTHER RESOLVED, That the following 2017 budget modifications are hereby approved:
$1,010.00 from the Part Town unexpended balance and dispersed as follows:
$710.00 to the B8010.439 Town Board Zoning account, and
$300.00 to the B8010.484 Zoning Officer office and miscellaneous account; and
$3,175.00 from the West Neck Water unexpended fund balance to the FX8320.448 West Neck Water water mains account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 528

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That general claims numbered 1979 through 2135 in the amount of $113,644.46, Community Preservation fund claims numbered 11 through 12 in the amount of $229.76, highway claims numbered 249 through 263 in the amount of $5,258.90, and West Neck Water claims numbered 39 through 41 in the amount of $94.40, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

At 4:51 p. m., the Supervisor recessed the regular meeting and called to order the public hearing to be held as advertised on the proposed Local Law entitled "Cold War Exemption Granted".

The Clerk read the public notice as advertised in the Shelter Island Reporter.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: I just wondered if we had any cost estimates of what; nobody presented anything; where did this come from initially Dottie; the Assessors; yeah and I asked them for an estimated impact; oh you did; nothing came; no; that's disappointing, I don't think it would be appreciable myself; I don't think so; is this, how different is this from just an extension of what's been going on; what has been going on was due to sunset; right; so it's just an extension of what's been going rather than a sunset now; correct; so that's a flat line is what you're saying; right; good; so the impact should be negligible and diminishing over time; it's a flat line and it sounds like what you're saying.

The Supervisor declared the public hearing closed at 4:53 p. m. and called to order the public hearing to be held as advertised on the Local Law entitled Amendments to Chapter 129, Wetlands, Re: Septic Removal.

The Clerk read the public notice as advertised in the Shelter Island Reporter.

Correspondence included the following:

1. A letter from Robert E. Herrmann, MEM, Coastal Management Specialist supporting the Code change as it would enable a homeowner seeking to replace an existing septic system located within wetlands jurisdiction to abandon an existing system by backfilling and/or removing it, and suggesting certain word changes.

The Supervisor opened the hearing for all to be heard in favor of or in opposition. Some views expressed were as follows: this letter makes sense, it is excellent, it makes a lot of sense, in particular where you don't have a hundred feet on your property from the wetlands and basically here you know what he basically is saying is would it be advantageous for the Town to still allow a new advanced system even if it was eighty-five feet, it wasn't outside the hundred foot barrier but still to replace the system, hey if we have a hundred in addition to that, it should be outside the hundred feet but if you don't have it because of the smallness of the property you know, then I still think the advanced system is something we should encourage people to put in; some of his language can be done without, it's clerical and it can be done, in other words if we change it, if the septic changes to existing, to septic abandonment by backfilling or removal but the whole other stuff about adding all these other; stuff that doesn't require another hearing; but you're saying this one we could, one change; that's the one that's terrific; right, we can discuss that subsequently but what's your feeling on the second, the rest of his suggestion, the part that would in fact require a second hearing, did you have feelings about that; I did not really take it because it wasn't relevant to what you're talking about and I'm not gonna be Town Attorney so; my that didn't take long; I just think there is a point, I would like if it's possible, I would like us to vote on the language so that we can at least get this in process; I think that's fair; and double back and hold that second piece in abeyance for a conversation; well it will disappear and I've got to hold all that talk so good luck with that; and then; do you want me to write up a; short draft of an addendum to this if we acknowledge this, then people are free to go ahead; that's right; so we'll make that one language change; yes; that we'll all feel good about; yes; will that be okay with everyone; and it sounds like we're gonna adopt it tonight; and we'll adopt what we have with this recommendation and then we'll, I do think that's a good one though; yeah I do too; it makes a point that you know if you end up with one of these small properties that puts you in that position, it would be good to have some alternative, not just a; okay very good; any other comments from the public, yes Howard; I'm questioning, why would we take away a permit requirement on our most fragile area which is the wetlands, I understand you know, to get the septic systems out of that area which is a good idea but the wetlands permit requires other things like a revegetation plan, also it has erosion control and sediment control, there's other requirements of that wetlands permit that I don't think that we should abandon, I think we should keep that as a permit, it's not gonna hasten any of the construction or delay it, it might take two months to get a permit, __ to get approved by the DEC and the Health Department which if you take out this permit, it won't be subject to them; where the permit; there will be no permit required, the person just goes in there and takes out the septic system; well the DEC and our permit process don't really intersect, I don't believe; in the wetlands permit, it has to be reviewed by the DEC; well the DEC review is required but I mean it's not required if we don't, I mean if they don't require it, they have their

own requirements for wetlands; exactly; and we require whatever they want; I understand that, but we usually get a letter saying there is no restrictions by the DEC and I think that's good to have on file, also you won't get the survey that is usually required by a wetlands permit which would tell you where the septic system was and if you're changing it, you will have updated surveys; well the new system is gonna have to have a permit, the new system that's being put in; will that require a survey then if you don't have a wetlands permit for it; it has to be described according to our permit process for septics now; but you're not gonna have a permit for it; not for the removal, what we will have, if you can't remove it and not have a new one, I don't think, unless they're gonna have an outhouse which I don't think they can; no, no, they can go to another one but you still have this one; I thought this was part of the process to facilitate; so did I; the people to be able to do the emergency things that happen without the permit process; it's not just that, it's in a general way to facilitate the removal of septics from wetlands; right; all new systems have to have a permit associated with it; but you don't have to get it the day that you have the emergency; this is just about the removal of a septic in a wetlands situation; information from Peder; because for instance, now I have to recollect these thoughts from months to delay but you have a property that requires, that has a septic system in the wetlands but the new system is gonna be out of the wetlands so it doesn't require a wetland permit, it's gonna get a septic permit but not a wetland permit but the wetland process can take as Howard described it, a couple or three months, sometimes, depending if you catch the cycle right of government, all to dig a hole and pull the thing out of there you know and I don't know if __ ever denied him for that and I don't know of anybody that left the hole or didn't, you know what I mean, Laury, did we not talk about some Building Department, cause that was one concern that we didn't want to leave it; well under our registry you'd have to be getting a registry process for this even removal of a septic system and the idea was that at the time you do that and you get your approval for it, it would come with mitigation measures for it and all that, _ fences, revegetation, __ of course the Town Board needs to I think at least review if not approve whatever the Building Department are gonna insert as standard conditions because it would reflect what you would have done with your wetland permit anyhow, that was the plan; right, that's what I understood, thank you, it's not that it wasn't covered, it's just not through the wetlands process; you mean there's another plan involved with that; that we don't know about, a Building Department; yes anybody that does change the septic system is to provide, is required to register it with the Building Department, that was a Town Board change made maybe in October; yeah; recently, and does that include revegetation plans and; it gives the Building Department the power to put on appropriate conditions and the plan was that the Building Department under these circumstances would put on conditions and I'm just saying that those conditions, the Building Department needs to come up with a list and running them by the Town Board but it would presumably cover the exact same conditions the Town Board normally puts on construction within the wetlands like revegetation; that was my point, why eliminate the permit, that's the same thing; it would be a Building Department registry which is faster than a wetland permit which you know takes about three months and the Building Department one would take a couple of days; and that system is fair, I mean these systems have probably been there for decades, most of them; Howard I think the one thing though is, this the Building Department came up with and there's where the CAC or somebody can sit down with them and say hey listen, what types of protective measures would you need in a wetlands area as a minimum, what about revegetation, what about this, what about that, if you created a short list of three or four items that you would have to do, whether you have a permit or whether it goes through a registration process, I don't care which process you use, you know, having some timeliness to this is important and cutting down on additional expenses and making it easier to encourage people to move forward with these things you know, moving and old system out of a wetlands area is something that you want to encourage so I think if you sit down and regardless whether you go to registration or a permit and you clearly delineate those three or four items that and again two of the most important are the protective measures to protect the wetlands as you were taking out the old system and the revegetation portion and if there are other three or four things that you need in there, let's just list them and give them to the Building Department and let's move forward; so you're saying the Town Board is gonna give those restrictions through the Building Department, or the registration; yeah one of my recommendations would be as with the CAC, we have standard things that we would as for in the permit that have been established; right; you could run it by the CAC and have them look at it just to make sure that you know that we haven't missed anything but let's keep it simple, protect nature; okay, I agree with that, I just

don't see what the big rush is to get them out because I know the Chinese have these new systems put in before __ which I agree with, we should be doing but to eliminate a permit just because nobody is gonna do this in three months, you don't even have a system on Shelter Island yet; it's not just for those; and if you go to the other ones, then you have to go through the Health Department anyway, and that's all required by the permit, now you're putting that; __ you and I disagree, whenever I can eliminate a permit, I will __; right, I disagree with you; well the goal of this law is to eliminate the permit to remove the septic system in the wetlands area; that's all it is; that's all it is; that's all it should be, so if somebody is putting in a new system and the new system is not in that area; it requires a permit; all new systems need a permit; right but this would not require the person to get a permit to remove an old system; __ registry through the Building Department; as long as that is done, that's fine; I hear that; and we can just vote on it tonight with just this one word change suggested by Rob Herrmann which Laury says is just clarification so that sounds like the direction we should be headed in.

The Supervisor declared the public hearing closed at 5:05 p. m. and reconvened the recessed public hearing on the application of Ronald Cyr, 1 Quail Hedge Lane, for permission to install a mooring in West Neck Bay approximately 300 feet northwest of shore of the Skydell property and approximately 200 feet west of the site of the W-1776 Skydell mooring, also designated as latitude 41.063483° north and 72.357967° west.

The Supervisor called for a report of the Waterways Committee of the Town Board, which was as follows: we're not going to approve this tonight, the person is going to go on the waiting list in the WB area which is the West Neck Creek area; it's a gridded area; it's a gridded area, excuse me; it's the WB grid, that's what we told him, I'll just say to me that the committee indicated to me that the reason, he had had this mooring position; correct; and he gave it up and in the interim period, they changed the way that administered things and recommended the way that we administered things but in order to keep more open area for kayaking, water-skiing and things like that in the area, it was better to keep people that didn't have waterfront properties in a gridded area rather than having moorings scattered about so there was reasoning behind that and I just wanted to make sure of it so he's going to be taken care of eventually and so that application is gonna be held, I'm told and I guess his money will be held as well, yes and instead of getting a requested location, he'll be in a grid; okay and this is finest map I think I've ever seen; it's right up there; it may be obscene; I think I'll recess this hearing one more time; you don't have to; I can close; it's official cause they won't have to be heard now, in a grid, they handle it; good; the Clerks will handle it.

At 5:09 p. m., the Supervisor declared the public hearing closed, and reconvened the regular Town Board meeting.

RESOLUTION NO. 529

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", a public hearing was duly held on the 8th day of December, 2017, on a proposed Local Law entitled "Cold War Exemption Granted", and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 14 - 2017 entitled "Cold War Exemption Granted" is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Amend Chapter 115-24(C) of the Shelter Island Town Code, titled "Cold War Exemption granted" to read as follows:

§115-24. Cold War Exemption granted.

C. If a Cold War veteran receives the exemption provided under §115-3, the Cold War veteran shall not be eligible to receive the exemption under this section. The exemption provided by Subsection A of this section shall be granted for a period of 10 years. The commencement of such ten-year period shall be governed pursuant to Real Property Tax Law §458-b(2)(c)(iv). The exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners without regard to a ten year limitation.

Section 3. This law shall become effective immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 530

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas', a public hearing was duly held on the 8th day of December, 2017, on a proposed Local Law entitled Amendments to Chapter 129, Wetlands, Re: Septic Removal, and

"Whereas", all interested persons were heard in favor of or in opposition, now, Therefore

BE IT RESOLVED, That Local Law No. 15 - 2017 entitled Amendments to Chapter 129, Wetlands, Re: Septic Removal, is hereby adopted, to wit:

Be it enacted by the Town Board of the Town of Shelter Island, as follows:

Section 1. Purpose. The Town Board wants to encourage the removal and upgrade of septic systems currently located within 100 feet of the wetlands. Town, County and State codes prohibit the installation of septic systems within 100 feet of the wetlands so the replacement system would have to be located outside the Town's wetlands jurisdiction.

Section 2. Amend a portion of the chart in Section 129-2 Permit required, to read as follows:

	W/n 75'	75'-100'	Causeway zone
Septic (changes to existing)	NPR	NPR	CPR

Section 3. This Local Law shall become effective immediately upon filing with the Secretary of State.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Colligan and seconded by Councilwoman Brach-Williams the meeting was adjourned at 5:12 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

December 19, 2017

A special meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York on the 19th day of December, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and and Councilwomen N. Christine Lewis and Amber Brach-Williams. Councilman James T. Colligan was absent. Town Attorney Laury L. Dowd, Town Clerk Dorothy S. Ogar and four persons were present.

The Supervisor called the special meeting to order at 2:32 p. m.

RESOLUTION NO. 531

Councilwoman Brach-Williams offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

"Whereas", sealed bids were received by the Town Clerk's Office until 3 p m. on the 15th day of December, 2017, for the proposed brick pointing and lintel replacement of the Justice Court building, at which time they were publicly opened and read aloud as follows:

	Phase 1	Phase 2	Total
Arista Renovation Inc.	$22,860.00	$24,750.00	$47,610.00
Fidelis Contracting, Inc.	$37,000.00	$28,000.00	$65,000.00
L I Building Systems	$62,000.00	$48,000.00	$110,000.00
Paza Contracting Corp.	$72,000.00	$67,000.00	$139,000.00, and

"Whereas", the Commissioner of Public Works and the Town Board have reviewed said bids, now, therefore

BE IT RESOLVED, That the Town Board does hereby award the proposed brick pointing and lintel replacement of the Justice Court building to Arista Renovation, Inc., 2414 65th Street, Suite 934, Brooklyn, NY 11204 for the following amounts:

	Phase 1	Phase 2	Total
Arista Renovation, Inc.	$22,860.00	$24,750.00	$47,610.00.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 532

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", The Town of Shelter Island desires to enter into that certain Lease-Purchase Agreement No. 8035, by and between Government Capital Corporation and Town of Shelter Island, for the purpose of procuring a "Horizontal Grinder". The Town desires to designate this Agreement as a "qualified tax exempt obligation" of the Town for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The Town of Shelter Island desires to designate Jim Dougherty, Town Supervisor, as an authorized signer of the Agreement, now, Therefore

BE IT RESOLVED, BY THE BOARD OF THE TOWN OF SHELTER ISLAND;

Section 1. That the Town enters into a Lease Purchase agreement with Government Capital Corporation for the purpose of procuring a "Horizontal Grinder".

Section 2. That the Lease Purchase Agreement No. 8035, by and between the Town and Government Capital Corporation is designated by the Town as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Town of Shelter Island designated Jim Dougherty, Town Supervisor, as an authorized signer of the Lease Purchase Agreement Number 8035, by and between the Town of Shelter Island and Government Capital Corporation.

Vote: 4 in favor 0 opposed

The resolution was thereupon declared duly adopted.

On motion of Councilman Shepherd and seconded by Councilwoman Lewis, the special meeting was adjourned at 2:35 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk

December 28, 2017

The annual meeting of the Town Board of the Town of Shelter Island was held in the Shelter Island Town Hall, Shelter Island, New York, on the 28th day of December, 2017. Town Board members present were Supervisor James D. Dougherty, Councilmen Paul D. Shepherd and James T. Colligan, and Councilwomen N. Christine Lewis and Amber Brach-Williams. Town Clerk Dorothy S. Ogar and twenty-six persons were also present.

The Supervisor called the meeting to order at 1:00 p. m.

Salute to flag.

Correspondence included the following:

1. A letter from Katherine A. Doroski resigning from her position as Recreation/FIT Aide effective December 31, 2017.

The Supervisor presented the financial report for the month of November, 2017, as follows:

RECAP OF MONTHLY STATEMENTS OF SUPERVISOR
NOVEMBER 2017

ACCOUNT	FORWARD	RECEIPTS	DISBURSEM.	BALANCE	CLASS
Gen. Checking	2,826,047.63	132,136.73	485,381.75	2,472,802.61	774,853.89
Hwy Checking	348,313.52	7,575.21	128,320.60	227,568.13	
T&AChecking	193,591.12	23,409.65	18,652.25	198,348.52	15,495.30
T&A Savings	12,226.39	0.30	0.00	12,226.69	
Hwy Cap Res	334,000.40	8.24	0.00	334.008.64	
WNW Supply	32,677.19	2,477.27	249.83	34,904.63	110,655.34
Taylor's Island	40,304.70	3,301.00	0.00	43,605.70	
Comm Preserv	4,518,999.25	19,999.42	0.00	4,538,998.67	3,607,500.33
Waterways	282,866.81	32,825.00	500.00	315,191.81	
Reserve Fund	716,450.81	5,587.65	0.00	722,038.46	
Bridge St Esc	0.00	0.00	0.00	0.00	355,286.03
Environmentsl	15,750.00	0.00	0.00	15,750.00	
FIT Reserve	18,164.65	0.00	0.00	18,164.65	
Ambu. Reserv	301,750.85	17.29	0.00	301,768.14	
Ambu Trainin	29,334.42	0.72	0.00	29,335.14	
TOTALS	9,670,477.74	227,338.48	633,104.43	9,264,711.79	4,863,790.89

RESOLUTION NO. 533

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to credit the reimbursement funds received in the amount of $821.00 from The Nature Conservancy as follows: $277.00 to the A3510.491 4 Poster maintenance account, and $544.00 to the A3510.422 4 Poster corn account; the reimbursement funds received in the amount of $2,320.00 from the Shelter Island Ambulance Foundation credited to the 2017 A4540.478 Ambulance medical supplies account, and the reimbursement funds received in the amount of $4,094.52 from the County of Suffolk for Stop DWI overtime to the A3120.110 regular Police overtime account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 534

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

"Whereas", the New York State Department of Taxation and Finance has issued a notice of vendor collection credit to the Town of Shelter Island for the period ending November 30, 2017 in the amount of $100.22, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to transfer the sum of $100.22 from the trust and agency account to general account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 535

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That James Murphy is hereby appointed to serve as Chairman of the Water Advisory Committee for a term to run coterminously with his term as member of said Committee.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 536

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Lori Beard Raymond was appointed provisionally as Building Permits Examiner on August 4, 2016, and

"Whereas", the Town has been notified on December 15, 2017, by the County of Suffolk Department of Civil Service/Human Resources, that Lori Beard Raymond has taken and passed the required Civil Service examination for said position, now, Therefore

BE IT RESOLVED, That the Town Board does hereby appoint Lori Beard Raymond to the permanent position of Building Permits Examiner for the Town of Shelter Island effective retroactively to December 8, 2017.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 537

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the agreement between the Town of Shelter Island and the County of Suffolk for the provision of funding to the Town for essential transportation activities for seniors for the period April 1, 2017 through March 31, 2018, with an option, to be exercised at the County's discretion to September 30, 2018; said funding for said contract shall not exceed $8,016.00.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 538

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", the Town of Shelter Island is a member of the Suffolk County Department of the Office of Community Development, and

"Whereas" the parties hereto desire to amend the Original Agreement, last dated July 14, 1999 to renew for fiscal years 2017 through 2019 and to clarify contract provisions in compliance with current HUD requirements, now, Therefore

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the amendment of the agreement between the County of Suffolk and the Town of Shelter Island for a term commencing April 1, 2017 through March 31, 2019, and

BE IT FURTHER RESOLVED, That the Supervisor is hereby authorized and directed to execute agreements with the County, now and in the future to streamline the processing of any and all applications.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 539

Councilman Colligan offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the agreement between the Town of Shelter Island and the County of Suffolk for the provision of assistance in undertaking essential community development and housing assistance activities, for the term April, 2017 through March 31, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 540

Supervisor Dougherty offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the engagement letters for the 2017 and 2018 audits of the Town's financial statements and Town's Justice Court statements.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 541

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute the two year lease renewal agreement between the Town of Shelter Island and Winthrop University Hospital concerning the rental of office space in the Medical Center at 44 South Ferry Road, as follows: for the year 2018 the amount of $18,540.00, plus electric and fuel oil, and for the year 2019 the amount of $19,096.00 per year, plus electric and fuel oil.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 542

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $2,096.50 from the A1620.476 Buildings Computer account to East End Computers, 50 Hill Street, Southampton, New York 11968 for one year Symantec antivirus for 70 licenses at $29.95 per year per license for the term November 1, 2017 through October 31, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 543

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $90.00 from the A1620.476 Buildings Computer account to East End Computers, 50 Hill Street, Southampton, New York 11968 for one year security certificate for the Police Department for the term December 22, 2017 through December 21, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 544

Councilman Colligan offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,400.00 from the A1620.476 Buildings Computer account to East End Computers, 50 Hill Street, Southampton, New York 11968 for Sonic Wall advanced gateway security services for the Ambulance Building for the term December 22, 2017 through December 21, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 545

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,400.00 from the A1620.476 Buildings Computer account to East End Computers, 50 Hill Street, Southampton, New York 11968 for Sonic Wall advanced gateway security services for the Highway Department for the term December 22, 2017 through December 21, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 546

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the Supervisor is hereby authorized and directed to expend the sum of $1,400.00 from the A1620.476 Buildings Computer account to East End Computers, 50 Hill Street, Southampton, New York 11968 for Sonic Wall advanced gateway security services for the Justice Court for the term December 22, 2017 through December 21, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 547

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Bethany Ortmann, Superintendent of Recreation, has requested permission to dispose of certain equipment, now, Therefore

BE IT RESOLVED, That the Town Board does hereby declare the following equipment to be surplus:

2 ping pong tables
1 pool table
1 football game, and
1 air hockey game, and

BE IT FURTHER RESOLVED, That the Superintendent of Recreation is hereby authorized and directed to dispose of the aforementioned equipment.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 548

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Bethany Ortmann, Superintendent of Recreation, has requested permission to auction off certain equipment, now, Therefore

BE IT RESOLVED, That the Town Board does hereby declare the following equipment to be surplus:

1 Tectrix (Cybex) upright bike
1 Cybex hip adduction machine
1 Cybex hip abduction machine
1 Cybex lat pulldown machine (w/multiple grip attachments)
1 Cybex leg extension machine
1 Cybex prone hamstring curl machine
1 Cybex assisted pull-up/dip machine
1 Cybex bicep curl machine
1 Cybex tricep extension machine
1 nautilus pullover machine, and
1 dumbbell set (3#-15# w/rack - missing 20# and 25# set), now, Therefore

BE IT FURTHER RESOLVED, That the Town Board does hereby authorize the Superintendent of Recreation to auction off the aforementioned equipment.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 549

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", sealed bids on the purchase of fuel oil for the year 2018 were received by the Town Clerk's Office until 3 p. m. on the 20th day of December, 2017, at which time they were publicly opened and read aloud, as follows:

J. W. Piccozzi, Inc.: for each gallon delivered for the calendar year 2018, the differential will be the sum of $.519 cents (fifty-one and 9/10 cents per gallon), now, Therefore

BE IT RESOLVED, That the contract for the purchase of fuel oil for the calendar year 2018 is hereby awarded to J. W. Piccozzi, Inc., the sole bidder for the aforementioned price.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 550

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", sealed bids on the purchase of propane for the year 2018 were received by the Town Clerk's Office until 3 p. m. on the 20th day of December, 2017, at which time they were publicly opened and read aloud, as follows:

J. W. Piccozzi, Inc.: for each gallon delivered for the calendar year 2018, the differential will be the sum of $.515 fifty-one and 5/10 cents) per gallon, and

John's Gas Service: for each gallon delivered for the calendar year 2018, the differential will be the sum of $.52 (fifty-two cents) per gallon, now, Therefore

BE IT RESOLVED, That the contract for the purchase of propane for the calendar year 2018 is hereby awarded to J. W. Piccozzi, Inc., the lowest responsible bidder for the sum of the differential of $.515 per gallon.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 551

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas', the Town of Shelter Island desires to enter into that certain Lease-Purchase Agreement No. 8008, by and between Government Capital Corporation and the Town of Shelter Island, for the purpose of procuring "Heavy Equipment", the Town desires to designate this Agreement as a "qualified" tax exempt obligation " of the Town for the purpose of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The Town of Shelter Island desires to designate Jim Dougherty, Town Supervisor, as an authorized signer of the Agreement, now, Therefore

BE IT RESOLVED, By the Board of the Town of Shelter Island:

Section 1. That the Town enters into a Lease Purchase agreement with Government Capital Corporation for the purpose of procuring "Heavy Equipment".

Section 2. That the Lease Purchase Agreement No. 8008, by and between the Town and Government Capital Corporation is designated by the Town as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Town of Shelter Island designated Jim Dougherty, Town Supervisor, as an authorized signer of the Lease Purchase Agreement Number 8008, by and between the Town of Shelter Island and Government Capital Corporation.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 552

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", Tim Sheehan & Katherine Rossi-Snook have applied for a rebate from the Town of Shelter Island to install a Low-Nitrogen Sanitary System for property on Shelter Island located at 65 North Menantic Road, and

"Whereas", the application has been reviewed by the Water Quality Improvement Advisory Board for eligibility under the standards in Chapter 88 of the Shelter Island Town Code; and

"Whereas", the Water Quality Improvement Advisory Board has recommended a conditional rebate for the proposed project and based on the following findings it has made:

1. The project involves an upgrade/replacement of an existing sanitary septic system with a Low-Nitrogen Sanitary System at 65 North Menantic Road; and
2. Applicants have retained an engineer to file an application with the Suffolk County Health Department for approval of the Low-Nitrogen Sanitary System; and
3. The proposed project has a probable useful life of at least five years pursuant to the State Local Finance Law; and
4. The proposed project advances the articulated objectives of, and is consistent with regional water quality plans, specifically the Suffolk County Health Department Low-Nitrogen Sanitary System program to reduce nitrates in local waters and advances water quality improvement for the Peconic Bay region; and
5. The project will not result in the accommodation of new or additional growth; and
6. There is sufficient revenue in the Water Quality Improvement fund to provide a rebate for this project if the project is completed within the next 12 months, subject to extension if merited; and
7. This project will preserve community character by protecting and improving the quality of water resources in the Town of Shelter Island by reducing nitrogen input into the aquifer as follows: replacement of a cesspool with a nitrogen filtering septic system; and
8. The committee recommends a rebate in the amount of up to $15,000.00 based on the committee's cost/benefit analysis of project, age of existing system, estimated typical cost of projects in the category, and other factors; now, Therefore

BE IT RESOLVED, That based on the recommendation of the Water Quality Improvement Advisory Board and its own review of the application, the Town Board hereby adopts the above findings as to this project, and

BE IT FURTHER RESOLVED, That the Town Board hereby certifies that the Low-Nitrogen Sanitary System project by Tim Sheehan & Katherine Rossi-Snook at 65 North Menantic Road is eligible for a conditional rebate of up to $15,000 in eligible costs for the project when completed in accordance with the terms of the conditional approval agreement, and

BE IT FURTHER RESOLVED, That any Low-Nitrogen Sanitary System installed pursuant to this rebate must be on the list of Low-Nitrogen Sanitary Systems approved for use pursuant to the Suffolk County Health Department, and

BE IT FURTHER RESOLVED, That this rebate shall be secondary to any Federal, State, County or other grant(s) or rebate(s) obtained by the applicants, and

BE IT FURTHER RESOLVED, That this rebate is non-transferable and is valid only to the applicants and only for the premises delineated in the application, and

BE IT FURTHER RESOLVED, That in order to avoid any accommodation of new or additional growth, this rebate shall cover only those expenses associated with replacement by a septic system which is the lowest capacity system recommended by the manufacturer for the current legally existing structure, but this provision shall not prevent the applicants from installing a higher capacity system using applicants' own funds to make up the difference in cost between the lower and higher capacity system; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be given to the Water Quality Improvement Advisory Board and the Building Department, and

BE IT FURTHER RESOLVED, That any application approved in the 2017 calendar year is to be considered part of a pilot program and that further restrictions, procedures or requirements may be required on any future application or renewal and that the terms of this Resolution are not guaranteed in any future application or renewal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 553

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Peter Reich has applied for a rebate from the Town of Shelter Island to install a Low-Nitrogen Sanitary System for property on Shelter Island located at 3 Charlie's Lane; and

"Whereas", the application has been reviewed by the Water Quality Improvement Advisory Board for eligibility under the standards in Chapter 88 of the Shelter Island Town Code; and

"Whereas", the Water Quality Improvement Advisory Board has recommended a conditional rebate for the proposed project and based on the following findings it has made:

1. The project involves an upgrade/replacement of an existing sanitary septic system with a Low-Nitrogen Sanitary System at 3 Charlie's Lane; and
2. Applicant has retained an engineer to file an application with the Suffolk County Health Department for approval of the Low-Nitrogen Sanitary System; and
3. The proposed project has a probable useful life of at least five years pursuant to the State Local Finance Law; and
4. The proposed project advances the articulated objectives of, and is consistent with regional water quality plans, specifically the Suffolk County Health Department Low-Nitrogen Sanitary System program to reduce nitrates in local waters and advances water quality improvement for the Peconic Bay region; and
5. The project will not result in the accommodation of new or additional growth; and
6. There is sufficient revenue in the Water Quality Improvement fund to provide a rebate for this project if the project is completed within the next 12 months, subject to extension if merited; and
7. This project will preserve community character by protecting and improving the quality of water resources in the Town of Shelter Island by reducing nitrogen input into the aquifer as follows: estimated annual nitrogen reduction of 41.7 pounds; and
8. The committee recommends a rebate in the amount of up to $15,000.00 based on the committee's cost/benefit analysis of project, age of existing system, estimated typical cost of projects in the category, and other factors; now, Therefore

BE IT RESOLVED, That based on the recommendation of the Water Quality Improvement Advisory Board and its own review of the application, the Town Board hereby adopts the above findings as to this project, and

BE IT FURTHER RESOLVED, That the Town Board hereby certifies that the Low-Nitrogen Sanitary System project by Peter Reich at 3 Charlie's Lane is eligible for a conditional rebate of up to $15,000 in eligible costs for the project when completed in accordance with the terms of the conditional approval agreement, and

BE IT FURTHER RESOLVED, That any Low-Nitrogen Sanitary System installed pursuant to this rebate must be on the list of Low-Nitrogen Sanitary Systems approved for use pursuant to the Suffolk County Health Department, and

BE IT FURTHER RESOLVED, That this rebate shall be secondary to any Federal, State, County or other grant(s) or rebate(s) obtained by the applicant, and

BE IT FURTHER RESOLVED, That this rebate is non-transferable and is valid only to the applicant and only for the premises delineated in the application, and

BE IT FURTHER RESOLVED, That in order to avoid any accommodation of new or additional growth, this rebate shall cover only those expenses associated with replacement by a septic system which is the lowest capacity system recommended by the manufacturer for the current legally existing structure, but this provision shall not prevent the applicant from installing a higher capacity system using applicant's own funds to make up the difference in cost between the lower and higher capacity system; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be given to the Water Quality Improvement Advisory Board and the Building Department, and

BE IT FURTHER RESOLVED, That any application approved in the 2017 calendar year is to be considered part of a pilot program and that further restrictions, procedures or requirements may be required on any future application or renewal and that the terms of this Resolution are not guaranteed in any future application or renewal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 554

Councilman Colligan offered the following resolution, which was seconded by Councilwoman Brach-Williams, to wit:

"Whereas", John Cronin has applied for a rebate from the Town of Shelter Island to install a Low-Nitrogen Sanitary System for property on Shelter Island located at 2 Ward Road; and

"Whereas", the application has been reviewed by the Water Quality Improvement Advisory Board for eligibility under the standards in Chapter 88 of the Shelter Island Town Code; and

"Whereas", the Water Quality Improvement Advisory Board has recommended a conditional rebate for the proposed project and based on the following findings it has made:

1. The project involves an upgrade/replacement of an existing sanitary septic system with a Low-Nitrogen Sanitary System at 2 Ward Road; and
2. Applicant has retained an engineer to file an application with the Suffolk County Health Department for approval of the Low-Nitrogen Sanitary System; and
3. The proposed project has a probable useful life of at least five years pursuant to the State Local Finance Law; and
4. The proposed project advances the articulated objectives of, and is consistent with regional water quality plans, specifically the Suffolk County Health Department Low-Nitrogen Sanitary System program to reduce nitrates in local waters and advances water quality improvement for the Peconic Bay region; and
5. The project will not result in the accommodation of new or additional growth; and
6. There is sufficient revenue in the Water Quality Improvement fund to provide a rebate for this project if the project is completed within the next 12 months, subject to extension if merited; and
7. This project will preserve community character by protecting and improving the quality of water resources in the Town of Shelter Island by reducing nitrogen input into the aquifer as follows: an estimated annual nitrogen reduction of 61.2 kilograms; and
8. The committee recommends a rebate in the amount of up to $15,000.00 based on the committee's cost/benefit analysis of project, age of existing system, estimated typical cost of projects in the category, and other factors; now, Therefore

BE IT RESOLVED, That based on the recommendation of the Water Quality Improvement Advisory Board and its own review of the application, the Town Board hereby adopts the above findings as to this project, and

BE IT FURTHER RESOLVED, That the Town Board hereby certifies that the Low-Nitrogen Sanitary System project by John Cronin at 2 Ward Road is eligible for a conditional rebate of up to $15,000 in eligible costs for the project when completed in accordance with the terms of the conditional approval agreement, and

BE IT FURTHER RESOLVED, That any Low-Nitrogen Sanitary System installed pursuant to this rebate must be on the list of Low-Nitrogen Sanitary System's approved for use pursuant to the Suffolk County Health Department, and

BE IT FURTHER RESOLVED**,** that this rebate shall be secondary to any Federal, State, County or other grant(s) or rebate(s) obtained by the applicant, and

BE IT FURTHER RESOLVED**,** That this rebate is non-transferable and is valid only to the applicant and only for the premises delineated in the application, and

BE IT FURTHER RESOLVED, That in order to avoid any accommodation of new or additional growth, this rebate shall cover only those expenses associated with replacement by a septic system which is the lowest capacity system recommended by the manufacturer for the current legally existing structure, but this provision shall not prevent the applicant from installing a higher capacity system using applicant's own funds to make up the difference in cost between the lower and higher capacity system; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be given to the Water Quality Improvement Advisory Board and the Building Department, and

BE IT FURTHER RESOLVED, That any application approved in the 2017 calendar year is to be considered part of a pilot program and that further restrictions, procedures or requirements may be required on any future application or renewal and that the terms of this Resolution are not guaranteed in any future application or renewal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted

RESOLUTION NO. 555

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Cathy Ann Kenny has applied for a rebate from the Town of Shelter Island to install a Low-Nitrogen Sanitary System for property on Shelter Island located at 11 North Brander Parkway; and

"Whereas", the application has been reviewed by the Water Quality Improvement Advisory Board for eligibility under the standards in Chapter 88 of the Shelter Island Town Code; and

"Whereas" the Water Quality Improvement Advisory Board has recommended a conditional rebate for the proposed project and based on the following findings it has made:

1. The project involves an upgrade/replacement of an existing sanitary septic system with a Low-Nitrogen Sanitary System at 11 North Brander Parkway; and
2. Applicant has retained an engineer to file an application with the Suffolk County Health Department for approval of the Low-Nitrogen Sanitary System; and
3. The proposed project has a probable useful life of at least five years pursuant to the State Local Finance Law; and
4. The proposed project advances the articulated objectives of, and is consistent with regional water quality plans, specifically the Suffolk County Health Department Low-Nitrogen Sanitary System program to reduce nitrates in local waters and advances water quality improvement for the Peconic Bay region; and
5. The project will not result in the accommodation of new or additional growth; and
6. There is sufficient revenue in the Water Quality Improvement fund to provide a rebate for this project if the project is completed within 12 months, subject to extension if merited; and
7. This project will preserve community character by protecting and improving the quality of water resources in the Town of Shelter Island by reducing nitrogen input into the aquifer as follows: estimated annual nitrogen reduction of 30 kilograms; and
8. The committee recommends a rebate in the amount of up to $15,000.00 based on the committee's cost/benefit analysis of project, age of existing system, estimated typical cost of projects in the category, and other factors; now, Therefore

BE IT RESOLVED, That based on the recommendation of the Water Quality Improvement Advisory Board and its own review of the application, the Town Board hereby adopts the above findings as to this project, and

BE IT FURTHER RESOLVED, That the Town Board hereby certifies that the Low-Nitrogen Sanitary System project by Cathy Ann Kenny at 11 North Brander Parkway is eligible for a conditional rebate of up to $15,000 in eligible costs for the project when completed in accordance with the terms of the conditional approval agreement, and

BE IT FURTHER RESOLVED, That any septic system installed pursuant to this rebate must be on the list of systems approved for use pursuant to the Suffolk County Health Department, and

BE IT FURTHER RESOLVED, That this rebate shall be secondary to any Federal, State, County or other grant(s) or rebate(s) obtained by the applicant, and

BE IT FURTHER RESOLVED, That this rebate is non-transferable and is valid only to the applicant and only for the premises delineated in the application, and

BE IT FURTHER RESOLVED, That in order to avoid any accommodation of new or additional growth, this rebate shall cover only those expenses associated with replacement by a septic system which is the lowest capacity system recommended by the manufacturer for the current legally existing structure, but this provision shall not prevent the applicant from installing a higher capacity system using applicant's own funds to make up the difference in cost between the lower and higher capacity system; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be given to the Water Quality Improvement Advisory Board and the Building Department, and

BE IT FURTHER RESOLVED, that any Low-Nitrogen Sanitary System installed pursuant to this rebate must be on the list of Low-Nitrogen Sanitary Systems approved for use pursuant to the Suffolk County Health Department, and

BE IT FURTHER RESOLVED, That any application approved in the 2017 calendar year is to be considered part of a pilot program and that further restrictions, procedures or requirements may be required on any future application or renewal and that the terms of this Resolution are not guaranteed in any future application or renewal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 556

Councilman Shepherd offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Brian Springer has applied for a rebate from the Town of Shelter Island to install a Low-Nitrogen Sanitary System for property on Shelter Island located at 16 St. Mary's Road; and

"Whereas", the application has been reviewed by the Water Quality Improvement Advisory Board for eligibility under the standards in Chapter 88 of the Shelter Island Town Code; and

"Whereas", the Water Quality Improvement Advisory Board has recommended a conditional rebate for the proposed project and based on the following findings it has made:

1. The project involves an upgrade/replacement of an existing sanitary septic system with a Low-Nitrogen Sanitary System at 16 St. Mary's Road; and
2. Applicant has retained an engineer to file an application with the Suffolk County Health Department for approval of the Low-Nitrogen Sanitary System; and
3. The proposed project has a probable useful life of at least five years pursuant to the State Local Finance Law; and
4. The proposed project advances the articulated objectives of and is consistent with regional water quality plans, specifically the Suffolk County Health Department Low-Nitrogen Sanitary System program to reduce nitrates in local waters and advances water quality improvement for the Peconic Bay region; and
5. The project will not result in the accommodation of new or additional growth; and
6. There is sufficient revenue in the Water Quality Improvement fund to provide a rebate for this project if the project is completed within the next 12 months, subject to extension if merited; and
7. This project will preserve community character by protecting and improving the quality of water resources in the Town of Shelter Island by reducing nitrogen input into the aquifer as follows: estimated annual nitrogen reduction of 122.3 kilograms; and

8. The committee recommends a rebate in the amount of up to $15,000.00 based on the committee's cost/benefit analysis of project, age of existing system, estimated typical cost of projects in the category, and other factors; now, Therefore

BE IT RESOLVED, That based on the recommendation of the Water Quality Improvement Advisory Board and its own review of the application, the Town Board hereby adopts the above findings as to this project, and

BE IT FURTHER RESOLVED, That the Town Board hereby certifies that the Low-Nitrogen Sanitary System project by Brian Springer at 16 St. Mary's Road is eligible for a conditional rebate of up to $15,000 in eligible costs for the project when completed in accordance with the terms of the conditional approval agreement, and

BE IT FURTHER RESOLVED, That any Low-Nitrogen Sanitary System installed pursuant to this rebate must be on the list of Low-Nitrogen Sanitary Systems approved for use pursuant to the Suffolk County Health Department, and

BE IT FURTHER RESOLVED, That this rebate shall be secondary to any Federal, State, County or other grant(s) or rebate(s) obtained by the applicant, and

BE IT FURTHER RESOLVED, That this rebate is non-transferable and is valid only to the applicant and only for the premises delineated in the application, and

BE IT FURTHER RESOLVED, That in order to avoid any accommodation of new or additional growth, this rebate shall cover only those expenses associated with replacement by a septic system which is the lowest capacity system recommended by the manufacturer for the current legally existing structure, but this provision shall not prevent the applicant from installing a higher capacity system using applicant's own funds to make up the difference in cost between the lower and higher capacity system; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be given to the Water Quality Improvement Advisory Board and the Building Department, and

BE IT FURTHER RESOLVED, That any application approved in the 2017 calendar year is to be considered part of a pilot program and that further restrictions, procedures or requirements may be required on any future application or renewal and that the terms of this Resolution are not guaranteed in any future application or renewal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 557

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

"Whereas", pursuant to Local Law No. 7 - 2009, the Town Board determined that a wetlands permit may be extended by resolution of the Town Board for an additional period of one year without a public hearing, provided that the request for same is submitted no later than the expiration date, and

"Whereas", the Town Board has determined that the fee to be charged for said permit extension is $100.00 for a one year extension, and

"Whereas", ZV Shelter LLC has applied for an extension of wetlands permit number 0124 which was issued on February 29, 2016, now, Therefore

BE IT RESOLVED, That the Town Board hereby approves the extension of wetlands permit number 0124 for an additional one year; said permit to expire on February 29, 2019.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 558

Councilwoman Brach-Williams offered the following resolution, which was seconded by Councilman Colligan, to wit:

"Whereas", Ronald Schenendorf has applied for a rebate from the Town of Shelter Island to install a Low-Nitrogen Sanitary System for property on Shelter Island located at 19 Hilo Drive; and

"Whereas", the application has been reviewed by the Water Quality Improvement Advisory Board for eligibility under the standards in Chapter 88 of the Shelter Island Town Code; and

"Whereas", the Water Quality Improvement Advisory Board has recommended a conditional rebate for the proposed project and based on the following findings it has made:

1. The project involves an upgrade/replacement of an existing sanitary septic system with a Low-Nitrogen Sanitary System at 19 Hilo Drive; and

2. Applicant has retained an engineer to file an application with the Suffolk County Health Department for approval of the Low-Nitrogen Sanitary System; and
3. The proposed project has a probable useful life of at least five years pursuant to the State Local Finance Law; and
4. The proposed project advances the articulated objectives of and is consistent with regional water quality plans, specifically the Suffolk County Health Department Low-Nitrogen Sanitary System program to reduce nitrates in local waters and advances water quality improvement for the Peconic Bay region; and
5. The project will not result in the accommodation of new or additional growth; and
6. There is sufficient revenue in the Water Quality Improvement fund to provide a rebate for this project if the project is completed within the next 12 months, subject to extension if merited; and
7. This project will preserve community character by protecting and improving the quality of water resources in the Town of Shelter Island by reducing nitrogen input into the aquifer as follows: estimated annual nitrogen reduction of 53 kilograms; and
8. The committee recommends a rebate in the amount of up to $15,000.00 based on the committee's cost/benefit analysis of project, age of existing system, estimated typical cost of projects in the category, and other factors; now, Therefore

BE IT RESOLVED, That based on the recommendation of the Water Quality Improvement Advisory Board and its own review of the application, the Town Board hereby adopts the above findings as to this project, and

BE IT FURTHER RESOLVED, That the Town Board hereby certifies that the Low-Nitrogen Sanitary System project by Ronald Schenendorf at 19 Hilo Drive is eligible for a conditional rebate of up to $15,000 in eligible costs for the project when completed in accordance with the terms of the conditional approval agreement; and

BE IT FURTHER RESOLVED, That any Low-Nitrogen Sanitary System installed pursuant to this rebate must be on the list of Low-Nitrogen Sanitary Systems approved for use pursuant to the Suffolk County Health Department, and

BE IT FURTHER RESOLVED, That this rebate shall be secondary to any Federal, State, County or other grant(s) or rebate(s) obtained by the applicant, and

BE IT FURTHER RESOLVED, That this rebate is non-transferable and is valid only to the applicant and only for the premises delineated in the application, and

BE IT FURTHER RESOLVED, That in order to avoid any accommodation of new or additional growth, this rebate shall cover only those expenses associated with replacement by a septic system which is the lowest capacity system recommended by the manufacturer for the current legally existing structure, but this provision shall not prevent the applicant from installing a higher capacity system using applicant's own funds to make up the difference in cost between the lower and higher capacity system; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be given to the Water Quality Improvement Advisory Board and the Building Department, and

BE IT FURTHER RESOLVED, That any application approved in the 2017 calendar year is to be considered part of a pilot program and that further restrictions, procedures or requirements may be required on any future application or renewal and that the terms of this Resolution are not guaranteed in any future application or renewal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 559

Councilman Colligan offered the following resolution, which was seconded by Supervisor Dougherty, to wit:

"Whereas", Robert Kohn has applied for a rebate from the Town of Shelter Island to install a Low-Nitrogen Sanitary System for property on Shelter Island located at 46 South Ram Island Drive; and

"Whereas", the application has been reviewed by the Water Quality Improvement Advisory Board for eligibility under the standards in Chapter 88 of the Shelter Island Town Code; and

"Whereas", the Water Quality Improvement Advisory Board has recommended a conditional rebate for the proposed project and based on the following findings it has made:
1. The project involves an upgrade/replacement of an existing sanitary septic system with a Low-Nitrogen Sanitary System at 46 South Ram Island Drive; and

2. Applicant has retained an engineer to file an application with the Suffolk County Health Department for approval of the Low-Nitrogen Sanitary System; and
3. The proposed project has a probable useful life of at least five years pursuant to the State Local Finance Law; and
4. The proposed project advances the articulated objectives of and is consistent with regional water quality plans, specifically the Suffolk County Health Department Low-Nitrogen Sanitary System program to reduce nitrates in local waters and advances water quality improvement for the Peconic Bay region; and
5. The project will not result in the accommodation of new or additional growth; and
6. There is sufficient revenue in the Water Quality Improvement fund to provide a rebate for this project if the project is completed within the next 12 months, subject to extension if merited; and
7. This project will preserve community character by protecting and improving the quality of water resources in the Town of Shelter Island by reducing nitrogen input into the aquifer as follows: estimated annual nitrogen reduction of 37.6 kilograms; and
8. The committee recommends a rebate in the amount of up to $15,000.00 based on the committee's cost/benefit analysis of project, age of existing system, estimated typical cost of projects in the category, and other factors; now, Therefore

BE IT RESOLVED, That based on the recommendation of the Water Quality Improvement Advisory Board and its own review of the application, the Town Board hereby adopts the above findings as to this project, and

BE IT FURTHER RESOLVED, That the Town Board hereby certifies that the Low-Nitrogen Sanitary System project by Robert Kohn at 46 South Ram Island Drive is eligible for a conditional rebate of up to $15,000 in eligible costs for the project when completed in accordance with the terms of the conditional approval agreement, and

BE IT FURTHER RESOLVED, That any Low-Nitrogen Sanitary System installed pursuant to this rebate must be on the list of Low-Nitrogen Sanitary Systems approved for use pursuant to the Suffolk County Health Department, and

BE IT FURTHER RESOLVED, That this rebate shall be secondary to any Federal, State, County or other grant(s) or rebate(s) obtained by the applicant, and

BE IT FURTHER RESOLVED, That this rebate is non-transferable and is valid only to the applicant and only for the premises delineated in the application, and

BE IT FURTHER RESOLVED, That in order to avoid any accommodation of new or additional growth, this rebate shall cover only those expenses associated with replacement by a septic system which is the lowest capacity system recommended by the manufacturer for the current legally existing structure, but this provision shall not prevent the applicant from installing a higher capacity system using applicant's own funds to make up the difference in cost between the lower and higher capacity system; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be given to the Water Quality Improvement Advisory Board and the Building Department, and

BE IT FURTHER RESOLVED, That any application approved in the 2017 calendar year is to be considered part of a pilot program and that further restrictions, procedures or requirements may be required on any future application or renewal and that the terms of this Resolution are not guaranteed in any future application or renewal.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 560

Supervisor Dougherty offered the following resolution, which was seconded by Councilman Colligan, to wit:

BE IT RESOLVED, That the Town Board hereby authorizes the payment of 2017 claims received in 2018 to be paid with 2017 funds through March 2, 2018.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 561

Councilman Shepherd offered the following resolution, which was seconded by Councilwoman Lewis, to wit:

BE IT RESOLVED, That the following transferals of 2017 funds are hereby approved: $306.00 from the A1010.492 Town Board travel account and dispersed as follows:

$206.00 to the A1010.493 Town Board law library account, and
$100.00 to the A1010.495 Town Board printing and advertising account;
$1,000.00 from the A1015.200 Media equipment account and dispersed as follows:
$500.00 to the A1015.403 Media Tehan technician account, and
$500.00 to the A1015.404 Media McGayhey technician account;
$1,000.00 from the A1110.106 Justice Court part time clerk personal services account to the A1110.104 Justice Court clerk overtime personal services account;
$1,200.00 from the A1320.400 Independent Audit account to the A1220.412 Supervisor ADP account;
$561.53 from the A1330.484 Receiver of Taxes office and miscellaneous account to a new A1330.102 Receiver of Taxes part time clerk personal services account;
$19,400.00 from the A1355.100 Assessor personal services account and dispersed as follows:
$9,700.00 to the A1355.101 Assessor personal services account, and
$9,700.00 to the A1355.102 Assessor personal services account;
$150.00 from the A1355.492 Assessors seminars and travel account to the A1355.491 Assessors support contracts account;
$10.00 from the A1356.484 Assessment Board of Review office and miscellaneous account to the A1356.105 Assessment Board of Review clerk personal services account;
$60.00 from the A1490.200 Public Works equipment account to the A1490.409 Public Works parks and beaches account;
$540.00 from the A1490.200 Public Works equipment account and dispersed as follows:
$300.00 to the A1490.121 Public Works overtime personal services account, and
$240.00 to the A1490.484 Public Works office and miscellaneous account;
$75.00 from the A1490.424 Public Works fuel depot account to the A1490.496 Public Works charging station account;
$60.00 from the A1490.424 Public Works fuel depot account to the A1490.420 Public Works signs and signals account;
$130.00 from the A1490.425 Public Works non highway tree maintenance account, and
$500.00 from the A5010.492 Superintendent of Highways travel account to the A1490.479 Public Works boat maintenance account;
$7,126.00 from the A1490.124 Public Works interns personal services account and dispersed as follows:
$902.00 to the A8160.118 Landfill personal services account,
$640.00 to the A8160.119 Landfill part time personal services account,
$1,610.00 to the A8160.127 Landfill overtime personal services account,
$600.00 to the A8160.129 Landfill double time personal services account,
$2,180.00 to the A8160.434 Landfill hazardous waste carting fees account,
$900.00 to the A8160.438 Landfill processed concrete account,
$64.00 to the A8160.484 Landfill office and miscellaneous account, and
$230.00 to the A8160.488 Landfill high visibility clothing account;
$6,200.00 from the A1620.276 Buildings computer equipment account to the A1620.476 Buildings computer maintenance account;
$2,149.00 from the A1620.424 Buildings fuel account and dispersed as follows:
$149.00 to the A1620.200 Buildings equipment account, and
$2,000.00 to the A1620.408 Buildings repairs and maintenance account;
$400.00 from the A3120.111 Police Department personal services account to the A3120.110 Police Department personal services account;
$254.00 from the A3120.119 Police Department personal services account,
$300.00 from the A3120.278 Police Department first aid account,
$8.00 from the A3120.480 Police Department radio contract account, and
$300.00 from the A3120.483 Police Department telephones account to the A3120.484 Police Department office and miscellaneous account;
$4,475.00 from the A3120.113 Police Department personal services account and dispersed as follows:
$855.00 to the A3120.273 Police Department firearms and ammunition account, and
$3,620.00 to the A3120.277 Police Department office equipment account;
$1,175.00 from the A3120.115 Police Department personal services account and dispersed as follows:
$555.00 to the A3120.273 Police Department firearms and ammunition account, and
$620.00 to the A3120.277 Police Department office equipment account;

$551.00 from the A3120.278 Police Department first aid account, and
$1,000.00 from the A3120.486 Police Department car gas and oil account to the A3120.485 Police Department car maintenance account;
$1,569.67 from the A3510.422 Animal Control corn account,
$621.60 from the A3510.408 Animal Control signs, repairs, etc. account, and
$533.78 from the A3510.491 Animal Control four poster maintenance account to the A3510.498 Animal Control deer reduction management account;
$500.00 from the A3510.431 Animal Control veterinarian account to the A3510.484 Animal Control office and miscellaneous account;
$1,703.02 from the A3510.495 Animal Control printing and advertising account and dispersed as follows:
$107.32 to the A3510.484 Animal Control Officer office and miscellaneous account, and
$1,595.70 to the A3510.498 Animal Control Officer deer reduction management account;
$500.00 from the A4540.428 Ambulance communications account to the A4540.484 Ambulance office and miscellaneous account;
$1,000.00 from the A4560.424 Medical Center fuel account to the A4560.423 Medical Center electricity account;
$30.00 from the A5010.200 Superintendent of Highway equipment account to the A5010.400 Superintendent of Highways office and miscellaneous account;
$250.00 from the A6772.440 Nutrition Program maintenance account to the A6772.400 Nutrition Program food account;
$1.00 from the A6775.256 Residential Repair equipment account to the A6775.484 Residential Repair office and miscellaneous account;
$2,000.00 from the A6776.143 Silver Circle cook personal services account and dispersed as follows:
$1,000.00 to the A6776.140 Silver Circle therapeutic aide personal services account, and
$1,000.00 to the A6776.146 Silver Circle therapeutic aide personal services account;
$1,200.00 from the A6776.141 Silver Circle van driver personal services account,
$82.00 from the A7020.484 Recreation Office and miscellaneous account, and
$3,100.00 from the A7320.100 Youth Center personal services account and dispersed as follows:
$3,500.00 to the A7020.102 Recreation aides personal services account,
$134.00 to the A7150.100 Lifeguards personal services account, and
$748.00 to the A7320.101 Youth Center longevity personal services account;
$263.00 from the A6776.408 Silver Circle maintenance account and dispersed as follows:
$63.00 to the A6776.239 Silver Circle equipment account, and
$200.00 to the A6776.484 Silver Circle office and miscellaneous account;
$200.00 from the A6777.408 Senior Center maintenance account to the A6777.497 Senior Center program providers account;
$25.00 from the A7320.424 Youth Center fuel account to the A7320.483 Youth Center telephone and cable account;
$2,145.00 from the A8160.107 Landfill hazmat personal services account, and
$412.00 from the A8160.104 Landfill hazmat personal services account to the A8160.117 Landfill hazmat personal services account;
$209.00 from the A8160.104 Landfill hazmat personal services account, and
$43.00 from the A8160.106 Landfill hazmat personal services account to the A8160.105 Landfill hazmat personal services account;
$400.00 from the B3620.492 Building Inspector education and training account to the B3620.484 Building Inspector office and miscellaneous account;
$1,310.00 from the B8012.101 ZBA personal services account to the B8010.139 Short Term Rental clerk personal services account;
$115.00 from the DA5140.488 Highway high visibility clothing account to the DA5140.481 Highway safety gear account;
$520.00 from the DA5140.147 Highway personal services account to the DA5140.156 Highway personal services account;
$8,600.00 from the DA5140.168 Highway double time personal services account, and
$3,400.00 from the DA5140.167 Highway overtime personal services account to the DA5142.147 Highway snow removal personal services account;
$1,000.00 from the FX8320.408 West Neck Water repairs account to the FX8320.443 West Neck Water chemicals account; and

BE IT FURTHER RESOLVED, That the following 2017 budget modifications are hereby approved:
$8,762.00 from the General Fund unassigned fund balance and dispersed as follows:
$7,500.00 to the A1620.423 Buildings electricity account, and
$1,262.00 to the A1620.483 Buildings telephones account;
$50.00 from the Waterways Fund Balance to the A5710.400 Waterways Management account; and
$4,500.00 from the Part Town unexpended balance and dispersed as follows:
$500.00 to the B8010.484 Zoning Officer office and miscellaneous account, and
$4,000.00 to the B8020.497 Planning Board professional services account, and
$1,059.00 from the West Neck Water unexpended fund balance to the FX8320.448 West Neck Water water mains account.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 562

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That general claims numbered 2136 through 2273 in the amount of $80,041.22, highway claims numbered 264 through 284 in the amount of $28,540.83, and West Neck Water claims numbered 42 through 44 in the amount of $5,327.70, are hereby approved for payment as audited, and the Supervisor and/or any Town Board member is hereby authorized and directed to sign the approval for payment of same.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

Councilwoman Brach-Williams read a PROCLAMATION congratulating and honoring Ms. Laury L. Dowd for her sixteen years of service to the Town. (A copy of the proclamation is attached to these minutes.)

Councilman Colligan read a PROCLAMATION congratulating and honoring Mrs. N. Christine Lewis for her sixteen years of service to the Town. (A copy of the proclamation is attached to these minutes.)

Councilman Shepherd read a PROCLAMATION congratulating and honoring Mr. James D. Dougherty for his ten years of service to the Town. (A copy of the proclamation is attached to these minutes.)

Councilwoman Lewis moved and Councilman Shepherd seconded to adjourn this meeting at 1:47 p. m. This motion was carried.

Dorothy S. Ogar
Town Clerk